

1 **TITLE II—COMMITTEE ON**
2 **HEALTH, EDUCATION, LABOR,**
3 **AND PENSIONS**

4 **Subtitle A—Education Matters**

5 **PART 1—ELEMENTARY AND SECONDARY**

6 **EDUCATION**

7 **SEC. 20001. GROW YOUR OWN PROGRAMS.**

8 (a) APPROPRIATIONS.—In addition to amounts other-
9 wise available, there is appropriated to the Department
10 of Education for fiscal year 2022, out of any money in
11 the Treasury not otherwise appropriated, \$112,684,000,
12 to remain available through September 30, 2025, to award
13 grants for the development and support of Grow Your
14 Own Programs, as described in section 202(g) of the
15 Higher Education Act of 1965.

16 (b) IN GENERAL.—Section 202 of the Higher Edu-
17 cation Act of 1965 is amended—

18 (1) in subsection (b)(6)(C), by striking “sub-
19 section (f) or (g)” and inserting “subsection (f) or
20 (h)”;

21 (2) in subsection (c)(1), by inserting “a Grow
22 Your Own program under subsection (g),” after
23 “subsection (e),”;

1 (3) by redesignating subsections (g), (h), (i),
2 (j), and (k), as subsections (h), (i), (j), (k), and (l),
3 respectively; and

4 (4) by inserting after subsection (f) the fol-
5 lowing:

6 “(g) PARTNERSHIP GRANTS FOR THE ESTABLISH-
7 MENT OF ‘GROW YOUR OWN’ PROGRAMS.—

8 “(1) IN GENERAL.—An eligible partnership that
9 receives a grant under this section shall carry out an
10 effective ‘Grow Your Own’ program to address
11 shortages of teachers in high-need subjects, fields,
12 schools, and geographic areas, or shortages of school
13 leaders in high-need schools, and to increase the di-
14 versity of qualified individuals entering into the
15 teacher, principal, or other school leader workforce.

16 “(2) REQUIREMENTS OF A GROW YOUR OWN
17 PROGRAM.—In addition to carrying out each of the
18 activities described in paragraphs (1) through (6) of
19 subsection (d), an eligible partnership carrying out a
20 Grow Your Own program under this subsection
21 shall—

22 “(A) integrate courses on education topics
23 with a year-long school-based clinical experience
24 in which candidates teach or lead alongside an
25 expert mentor teacher or school leader who is

1 the teacher or school leader of record in the
2 same local educational agencies in which the
3 candidates expect to work;

4 “(B) provide opportunities for candidates
5 to practice and develop teaching skills or school
6 leadership skills;

7 “(C) provide academic and nonacademic
8 supports, including advising and financial as-
9 sistance, to candidates as they complete their
10 associate (in furtherance of their bacca-
11 laurate), baccalaureate, or master’s degree
12 programs, enter and complete teacher or school
13 leadership preparation programs, access and
14 complete State licensure exams, and engage in
15 school-based clinical placements;

16 “(D) include efforts to recruit individuals
17 with experience in high-need subjects or fields
18 who are not certified to teach or lead, with a
19 specific focus on recruiting individuals—

20 “(i) from groups or populations that
21 are underrepresented; and

22 “(ii) who live in and come from the
23 communities the schools serve; and

24 “(E) require candidates to complete all
25 State requirements to become fully certified.”.

1 **SEC. 20002. TEACHER RESIDENCIES.**

2 In addition to amounts otherwise available, there is
3 appropriated to the Department of Education for fiscal
4 year 2022, out of any money in the Treasury not otherwise
5 appropriated, \$112,266,000, to remain available through
6 September 30, 2025, to award grants for the development
7 and support of high-quality teaching residency programs,
8 as described in section 202(e) of the Higher Education
9 Act of 1965 (20 U.S.C. 1022a(e)), except that amounts
10 available under this section shall also be available for resi-
11 dency programs for prospective teachers in a bachelor's
12 degree program.

13 **SEC. 20003. SUPPORT SCHOOL PRINCIPALS.**

14 In addition to amounts otherwise available, there is
15 appropriated to the Department of Education for fiscal
16 year 2022, out of any money in the Treasury not otherwise
17 appropriated, \$112,266,000, to remain available through
18 September 30, 2025, to award grants for the development
19 and support of school leadership programs, as described
20 in section 2243 of the Elementary and Secondary Edu-
21 cation Act of 1965 (20 U.S.C. 6673).

22 **SEC. 20004. HAWKINS.**

23 In addition to amounts otherwise available, there is
24 appropriated to the Department of Education for fiscal
25 year 2022, out of any money in the Treasury not otherwise
26 appropriated, \$112,266,000, to remain available through

1 September 30, 2025, to award grants for the Augustus
2 F. Hawkins Centers of Excellence Program, as described
3 in section 242 of the Higher Education Act of 1965 (20
4 U.S.C. 1033a).

5 **SEC. 20005. FUNDING FOR THE INDIVIDUALS WITH DISABIL-**
6 **ITIES EDUCATION PART D PERSONNEL DE-**
7 **VELOPMENT.**

8 In addition to amounts otherwise available, there is
9 appropriated to the Department of Education for fiscal
10 year 2022, out of any money in the Treasury not otherwise
11 appropriated, \$160,776,000, to remain available until
12 September 30, 2025, for personnel development described
13 in section 662 of the Individuals with Disabilities Edu-
14 cation Act (20 U.S.C. 1462).

15 **PART 2—HIGHER EDUCATION**

16 **SEC. 20021. INCREASING THE MAXIMUM FEDERAL PELL**
17 **GRANT.**

18 (a) AWARD YEAR 2022–2023.—Section 401(b)(7) of
19 the Higher Education Act of 1965 is amended—

20 (1) in subparagraph (A)(iii), by inserting “and
21 such sums as may be necessary for fiscal year 2022
22 to carry out the \$550 increase for enrollment at in-
23 stitutions of higher education defined in section 101
24 or 102(a)(1)(B) provided under subparagraph
25 (C)(iii)” before “; and”; and

1 (2) in subparagraph (C)(iii), by inserting before
2 the period at the end the following: “, except that,
3 for award year 2022–2023, such amount shall be
4 equal to the amount determined under clause (ii) for
5 award year 2017–2018, increased by \$550 for en-
6 rollment at institutions of higher education defined
7 in section 101 or 102(a)(1)(B)”.

8 (b) SUBSEQUENT AWARD YEARS THROUGH 2025–
9 2026.—Section 401(b) of the Higher Education Act of
10 1965, as amended by section 703 of the FAFSA Sim-
11 plification Act (title VII of division FF of Public Law
12 116–260), is amended—

13 (1) in paragraph (5)(A)—

14 (A) in clause (i), by striking “and” after
15 the semicolon;

16 (B) by redesignating clause (ii) as clause
17 (iii); and

18 (C) by inserting after clause (i) the fol-
19 lowing:

20 “(ii) for each of award years 2023–
21 2024 through 2025–2026, an additional
22 \$550 for enrollment at institutions of high-
23 er education defined in section 101 or
24 102(a)(1)(B); and”; and

25 (2) in paragraph (6)(A)—

1 (A) in clause (i)—
2 (i) by striking “appropriated) such”
3 and inserting the following: “appro-
4 priated)—
5 “(I) such”; and
6 (ii) by adding at the end the fol-
7 lowing:
8 “(II) such sums as are necessary
9 to carry out paragraph (5)(A)(ii) for
10 each of fiscal years 2023 through
11 2025; and”; and
12 (B) in clause (ii), by striking “(5)(A)(ii)”
13 and inserting “(5)(A)(iii)”.

14 **SEC. 20022. EXPANDING FEDERAL STUDENT AID ELIGI-**
15 **BILITY.**

16 Section 484(a)(5) of the Higher Education Act of
17 1965 is amended by inserting “, or, with respect to any
18 grant, loan, or work assistance received under this title
19 for award years 2022–2023 through 2029–2030, be sub-
20 ject to a grant of deferred enforced departure or have de-
21 ferred action pursuant to the Deferred Action for Child-
22 hood Arrivals policy of the Secretary of Homeland Secu-
23 rity or temporary protected status” after “becoming a cit-
24 izen or permanent resident”.

1 **SEC. 20023. INCREASE IN PELL GRANTS FOR RECIPIENTS**
2 **OF MEANS-TESTED BENEFITS.**

3 Section 473 of the Higher Education Act of 1965,
4 as amended by section 702(b) of the FAFSA Simplifica-
5 tion Act (title VII of division FF of Public Law 116–260),
6 is amended by adding at the end the following:

7 “(d) SPECIAL RULE FOR MEANS-TESTED BENEFIT
8 RECIPIENTS.—During award years 2024–2025 through
9 2029–2030, and notwithstanding subsection (b), for an
10 applicant (or, as applicable, an applicant and spouse, or
11 an applicant’s parents) who is not described in subsection
12 (c) and who, at any time during the previous 24-month
13 period, received a benefit under a means-tested Federal
14 benefit program (or whose parent or spouse received such
15 a benefit, as applicable) described in clauses (i) through
16 (vi) of section 479(b)(4)(H), the Secretary shall for the
17 purposes of this title consider the student aid index as
18 equal to –\$1,500 for the applicant.”.

19 **SEC. 20024. RETENTION AND COMPLETION GRANTS.**

20 Title VII of the Higher Education Act of 1965 is
21 amended by adding at the end the following:

22 **“PART F—RETENTION AND COMPLETION**
23 **GRANTS**

24 **“SEC. 791. RETENTION AND COMPLETION GRANTS.**

25 “(a) IN GENERAL.—From amounts appropriated to
26 carry out this section for a fiscal year, the Secretary shall

1 carry out a program to make grants (which shall be known
2 as ‘retention and completion grants’) to eligible entities
3 to carry out the activities described in the applications
4 submitted under subsection (b).

5 “(b) APPLICATION.—To be eligible to receive a grant
6 under this section, an eligible entity shall submit an appli-
7 cation to the Secretary that includes a description of how
8 the eligible entity will—

9 “(1) use the funds to implement or expand evi-
10 dence-based reforms or practices to improve student
11 outcomes at institutions of higher education in the
12 State or system of institutions of higher education,
13 or at the Tribal College or University, as applicable;

14 “(2) sustain such reforms or practices after the
15 grant period; and

16 “(3) use the funds to, among students of color,
17 low-income students, students with disabilities, stu-
18 dents in need of remediation, first generation college
19 students, homeless youth, foster youth, and student
20 parents, improve enrollment, retention, transfer, or
21 completion rates or labor market outcomes.

22 “(c) ADEQUATE PROGRESS.—As a condition of con-
23 tinuing to receive funds under this section, for each year
24 in which an eligible entity participates in the program
25 under this section, such eligible entity shall demonstrate

1 to the satisfaction of the Secretary that the entity has
2 made adequate progress in implementing or expanding evi-
3 dence-based reforms or practices, and, among students of
4 color, low-income students, students with disabilities, stu-
5 dents in need of remediation, first generation college stu-
6 dents, student parents, and other underserved student
7 populations in such eligible entity, improving enrollment,
8 retention, transfer, or completion rates or labor market
9 outcomes.

10 “(d) MATCHING REQUIREMENT.—As a condition of
11 receiving a grant under this section for the applicable year
12 described in paragraphs (1) through (3), an eligible entity
13 that is not a Tribal College or University shall provide
14 matching funds for such applicable year toward the cost
15 of the activities described in the application submitted
16 under subsection (b). Such matching funds shall be in the
17 amount of—

18 “(1) in the second year of a grant, not less than
19 10 percent of the grant amount awarded to such eli-
20 gible entity for such year;

21 “(2) in the third year of a grant, not less than
22 15 percent of the grant amount awarded to such eli-
23 gible entity for such year; and

24 “(3) in the fourth year and each subsequent
25 year of a grant, not less than 20 percent of the

1 grant amount awarded to such eligible entity for
2 such year.

3 “(e) GENERAL REQUIREMENT.—An eligible entity
4 shall use a grant under this section only to carry out ac-
5 tivities described in the application for such year under
6 subsection (b).

7 “(f) EVIDENCE-BASED REFORMS OR PRACTICES.—
8 An eligible entity receiving a grant under this section
9 shall, directly or in collaboration with institutions of high-
10 er education and other non-profit organizations, use the
11 grant funds to implement one or more of the following
12 evidence-based reforms or practices:

13 “(1) Providing comprehensive academic, career,
14 and student support services, including mentoring,
15 advising, or case management services.

16 “(2) Providing assistance in applying for and
17 accessing direct support services, financial assist-
18 ance, or means-tested benefit programs to meet the
19 basic needs of students.

20 “(3) Providing accelerated learning opportuni-
21 ties, including dual or concurrent enrollment pro-
22 grams and early college high school programs.

23 “(4) Reforming remedial or developmental edu-
24 cation, course scheduling, or credit-awarding poli-
25 cies.

1 “(5) Improving transfer pathways between—

2 “(A) in the case of an eligible entity that
3 is a State, community colleges and 4-year insti-
4 tutions of higher education in the State;

5 “(B) in the case of an eligible entity that
6 is a system of institutions of higher education,
7 institutions within such system and other insti-
8 tutions of higher education in the State in
9 which the system is located; or

10 “(C) in the case of a Tribal College or
11 University, between the Tribal College or Uni-
12 versity and other institutions of higher edu-
13 cation.

14 “(g) SUPPLEMENT NOT SUPPLANT.—Funds made
15 available under this part shall be used to supplement, and
16 not supplant, other Federal and non-Federal (including
17 State, tribal, local, and institutional) funds that would
18 otherwise be used to carry out activities described in this
19 part.

20 “(h) DEFINITIONS.—In this section:

21 “(1) ELIGIBLE ENTITY.—The term ‘eligible en-
22 tity’ means a State, a system of institutions of high-
23 er education, or a Tribal College or University.

24 “(2) EVIDENCE TIERS.—

1 “(A) EVIDENCE TIER 1.—The term ‘evi-
2 dence tier 1’, when used with respect to a re-
3 form or practice, means a reform or practice
4 that meets the criteria for receiving an expan-
5 sion grant from the education innovation and
6 research program under section 4611(a)(2)(C)
7 of the Elementary and Secondary Education
8 Act of 1965, as determined by the Secretary in
9 accordance with such section.

10 “(B) EVIDENCE TIER 2.—The term ‘evi-
11 dence tier 2’, when used with respect to a re-
12 form or practice, means a reform or practice
13 that meets the criteria for receiving a mid-
14 phase grant from the education innovation and
15 research program under section 4611(a)(2)(B)
16 of the Elementary and Secondary Education
17 Act of 1965, as determined by the Secretary in
18 accordance with such section.

19 “(3) FIRST GENERATION COLLEGE STUDENT.—
20 The term ‘first generation college student’ has the
21 meaning given the term in section 402A(h)(3).

22 “(4) INSTITUTION OF HIGHER EDUCATION.—
23 The term ‘institution of higher education’ has the
24 meaning given the term in section 101 or
25 102(a)(1)(B).

1 “(5) STATE.—The term ‘State’ means each of
2 the 50 States of the United States, the District of
3 Columbia, the Commonwealth of Puerto Rico, Amer-
4 ican Samoa, Guam, the United States Virgin Is-
5 lands, the Commonwealth of the Northern Mariana
6 Islands, and the Freely Associated States.

7 “(6) TRIBAL COLLEGE OR UNIVERSITY.—The
8 term ‘Tribal College or University’ has the meaning
9 given the term in section 316(b)(3).

10 “(i) APPROPRIATION.—In addition to amounts other-
11 wise available, there is appropriated for fiscal year 2022,
12 out of any money in the Treasury not otherwise appro-
13 priated—

14 “(1) \$310,000,000 to remain available until
15 September 30, 2030, to award competitive grants to
16 eligible entities that are not Tribal Colleges and Uni-
17 versities to carry out the approved activities de-
18 scribed in the applications submitted under sub-
19 section (b);

20 “(2) \$37,500,000 to remain available until Sep-
21 tember 30, 2030, to award competitive grants to
22 Tribal Colleges and Universities to carry out the ap-
23 proved activities described in the applications sub-
24 mitted under subsection (b);

1 “(3) \$95,000,000 to remain available until Sep-
2 tember 30, 2030, to supplement the competitive
3 grant amounts awarded to eligible entities with
4 funds available under paragraph (1) and (2) to im-
5 plement reforms or practices that meet evidence tier
6 1;

7 “(4) \$47,500,000 to remain available until Sep-
8 tember 30, 2030, to supplement the competitive
9 grant amounts awarded to eligible entities with
10 funds available under paragraphs (1) and (2) to im-
11 plement reforms or practices that meet evidence tier
12 1 or evidence tier 2, or a combination of such re-
13 forms or practices; and

14 “(5) \$10,000,000 to remain available until Sep-
15 tember 30, 2030, to evaluate the effectiveness of the
16 activities carried out under this section.

17 “(j) SUNSET.—The authority to make grants under
18 this section shall expire at the end of award year 2026–
19 2027.”.

20 **SEC. 20025. INSTITUTIONAL AID.**

21 (a) IN GENERAL.—In addition to amounts otherwise
22 available, there is appropriated for fiscal year 2022, out
23 of any money in the Treasury not otherwise appro-
24 priated—

1 (1) \$470,640,000, to remain available until
2 September 30, 2028, for carrying out section
3 371(b)(2)(B) of the Higher Education Act of 1965
4 in fiscal year 2022;

5 (2) \$470,640,000, to remain available until
6 September 30, 2028, for carrying out section
7 371(b)(2)(B) of the Higher Education Act of 1965
8 in fiscal year 2023;

9 (3) \$470,640,000, to remain available until
10 September 30, 2028, for carrying out section
11 371(b)(2)(B) of the Higher Education Act of 1965
12 in fiscal year 2024;

13 (4) \$470,640,000, to remain available until
14 September 30, 2028, for carrying out section
15 371(b)(2)(B) of the Higher Education Act of 1965
16 in fiscal year 2025;

17 (5) \$470,640,000, to remain available until
18 September 30, 2028, for carrying out section
19 371(b)(2)(B) of the Higher Education Act of 1965
20 in fiscal year 2026;

21 (6) \$470,640,000, to remain available until
22 September 30, 2028, for carrying out section
23 371(b)(2)(C) of the Higher Education Act of 1965
24 in fiscal year 2022;

1 (7) \$470,640,000, to remain available until
2 September 30, 2028, for carrying out section
3 371(b)(2)(C) of the Higher Education Act of 1965
4 in fiscal year 2023;

5 (8) \$470,640,000, to remain available until
6 September 30, 2028, for carrying out section
7 371(b)(2)(C) of the Higher Education Act of 1965
8 in fiscal year 2024;

9 (9) \$470,640,000, to remain available until
10 September 30, 2028, for carrying out section
11 371(b)(2)(C) of the Higher Education Act of 1965
12 in fiscal year 2025;

13 (10) \$470,640,000, to remain available until
14 September 30, 2028, for carrying out section
15 371(b)(2)(C) of the Higher Education Act of 1965
16 in fiscal year 2026;

17 (11) \$141,120,000, to remain available until
18 September 30, 2028, for carrying out section
19 371(b)(2)(D)(i) of the Higher Education Act of
20 1965 in fiscal year 2022;

21 (12) \$141,120,000, to remain available until
22 September 30, 2028, for carrying out section
23 371(b)(2)(D)(i) of the Higher Education Act of
24 1965 in fiscal year 2023;

1 (13) \$141,120,000, to remain available until
2 September 30, 2028, for carrying out section
3 371(b)(2)(D)(i) of the Higher Education Act of
4 1965 in fiscal year 2024;

5 (14) \$141,120,000, to remain available until
6 September 30, 2028, for carrying out section
7 371(b)(2)(D)(i) of the Higher Education Act of
8 1965 in fiscal year 2025;

9 (15) \$141,120,000, to remain available until
10 September 30, 2028, for carrying out section
11 371(b)(2)(D)(i) of the Higher Education Act of
12 1965 in fiscal year 2026;

13 (16) \$70,560,000, to remain available until
14 September 30, 2028, for carrying out section
15 371(b)(2)(D)(ii) of the Higher Education Act of
16 1965 in fiscal year 2022;

17 (17) \$70,560,000, to remain available until
18 September 30, 2028, for carrying out section
19 371(b)(2)(D)(ii) of the Higher Education Act of
20 1965 in fiscal year 2023;

21 (18) \$70,560,000, to remain available until
22 September 30, 2028, for carrying out section
23 371(b)(2)(D)(ii) of the Higher Education Act of
24 1965 in fiscal year 2024;

1 (19) \$70,560,000, to remain available until
2 September 30, 2028, for carrying out section
3 371(b)(2)(D)(ii) of the Higher Education Act of
4 1965 in fiscal year 2025;

5 (20) \$70,560,000, to remain available until
6 September 30, 2028, for carrying out section
7 371(b)(2)(D)(ii) of the Higher Education Act of
8 1965 in fiscal year 2026;

9 (21) \$23,520,000, to remain available until
10 September 30, 2028, for carrying out section
11 371(b)(2)(D)(iii) of the Higher Education Act of
12 1965 in fiscal year 2022;

13 (22) \$23,520,000, to remain available until
14 September 30, 2028, for carrying out section
15 371(b)(2)(D)(iii) of the Higher Education Act of
16 1965 in fiscal year 2023;

17 (23) \$23,520,000, to remain available until
18 September 30, 2028, for carrying out section
19 371(b)(2)(D)(iii) of the Higher Education Act of
20 1965 in fiscal year 2024;

21 (24) \$23,520,000, to remain available until
22 September 30, 2028, for carrying out section
23 371(b)(2)(D)(iii) of the Higher Education Act of
24 1965 in fiscal year 2025;

1 (25) \$23,520,000, to remain available until
2 September 30, 2028, for carrying out section
3 371(b)(2)(D)(iii) of the Higher Education Act of
4 1965 in fiscal year 2026;

5 (26) \$23,520,000, to remain available until
6 September 30, 2028, for carrying out section
7 371(b)(2)(D)(iv) of the Higher Education Act of
8 1965 in fiscal year 2022;

9 (27) \$23,520,000, to remain available until
10 September 30, 2028, for carrying out section
11 371(b)(2)(D)(iv) of the Higher Education Act of
12 1965 in fiscal year 2023;

13 (28) \$23,520,000, to remain available until
14 September 30, 2028, for carrying out section
15 371(b)(2)(D)(iv) of the Higher Education Act of
16 1965 in fiscal year 2024;

17 (29) \$23,520,000, to remain available until
18 September 30, 2028, for carrying out section
19 371(b)(2)(D)(iv) of the Higher Education Act of
20 1965 in fiscal year 2025; and

21 (30) \$23,520,000, to remain available until
22 September 30, 2028, for carrying out section
23 371(b)(2)(D)(iv) of the Higher Education Act of
24 1965 in fiscal year 2026.

25 (b) USE OF FUNDS.—

1 (1) IN GENERAL.—An institution of higher edu-
2 cation receiving funds made available under this sec-
3 tion shall use such funds in accordance with the uses
4 of funds described under subparagraphs (B), (C),
5 and clauses (i) through (iv) of subparagraph (D) of
6 section 371(b)(2) of the Higher Education Act of
7 1965, as applicable, and to award need-based finan-
8 cial aid (including emergency financial aid grants) to
9 low-income students enrolled in an eligible program
10 (as defined in section 481(b) of the Higher Edu-
11 cation Act of 1965) at such institution solely on the
12 basis of such students' financial need.

13 (2) DISTRIBUTION REQUIREMENTS.—The Sec-
14 retary of Education shall distribute each of the
15 amounts appropriated under paragraphs (6) through
16 (10) of subsection (a) in accordance with section
17 371(b)(2)(C), except that in clause (ii) of such sec-
18 tion, “25” and “of \$600,000 annually” shall not
19 apply.

20 (3) SUPPLEMENT NOT SUPPLANT.—Funds
21 made available under this section shall be used to
22 supplement, and not supplant, other Federal and
23 non-Federal (including State, tribal, local, and insti-
24 tutional) funds that would otherwise be used to
25 carry out activities described in this section.

1 **SEC. 20026. RESEARCH AND DEVELOPMENT INFRASTRUC-**
 2 **TURE COMPETITIVE GRANT PROGRAM.**

3 Title III of the Higher Education Act of 1965 is
 4 amended—

5 (1) by redesignating part G as part H; and

6 (2) by inserting after section 371 the following:

7 **“PART G—IMPROVING RESEARCH & DEVELOP-**
 8 **MENT INFRASTRUCTURE FOR HISTORI-**
 9 **CALLY BLACK COLLEGES AND UNIVER-**
 10 **SITIES, TRIBAL COLLEGES AND UNIVER-**
 11 **SITIES, AND MINORITY-SERVING INSTITU-**
 12 **TIONS**

13 **“SEC. 381. IMPROVING RESEARCH & DEVELOPMENT INFRA-**
 14 **STRUCTURE FOR HISTORICALLY BLACK COL-**
 15 **LEGES AND UNIVERSITIES, TRIBAL COL-**
 16 **LEGES AND UNIVERSITIES, AND MINORITY-**
 17 **SERVING INSTITUTIONS.**

18 “(a) **ELIGIBLE INSTITUTION.**—In this section, the
 19 term ‘eligible institution’ means—

20 “(1) an institution that—

21 “(A) is described in section 371(a);

22 “(B) is a 4-year institution, except that
 23 this subparagraph shall not apply to an institu-
 24 tion described in section 371(a)(3); and

1 “(C) is not an institution classified as ‘very
2 high research activity’ by the Carnegie Classi-
3 fication of Institutions of Higher Education;

4 “(2) an institution that is described in section
5 326(e); or

6 “(3) an institution described in paragraph (1)
7 or (2) acting on behalf of a consortium, which may
8 include institutions classified as ‘very high research
9 activity’ by the Carnegie Classification of Institu-
10 tions of Higher Education, 2-year institutions of
11 higher education (as defined in section 101), institu-
12 tions of higher education (as defined in section 101
13 or section 102(a)(1)(B) of the Higher Education Act
14 of 1965), nonprofit organizations, philanthropic or-
15 ganizations, and industry partners, provided that the
16 eligible institution is the lead member and fiscal
17 agent of the consortium.

18 “(b) AUTHORIZATION OF GRANT PROGRAMS.—For
19 the purpose of supporting research and development infra-
20 structure at eligible institutions, the Secretary shall
21 award, on a competitive basis, to eligible institutions—

22 “(1) planning grants for a period of not more
23 than 2 years; and

24 “(2) implementation grants for a period of not
25 more than 5 years.

1 “(c) APPLICATIONS.—

2 “(1) IN GENERAL.—An eligible institution that
3 desires to receive a planning grant under subsection
4 (b)(1) or an implementation grant under subsection
5 (b)(2) shall submit an application to the Secretary
6 that includes a description of the activities that will
7 be carried out with grant funds.

8 “(2) NO COMPREHENSIVE DEVELOPMENT
9 PLAN.—The requirement under section 391(b)(1)
10 shall not apply to grants awarded under this section.

11 “(d) AWARDS.—

12 “(1) IN GENERAL.—In awarding planning and
13 implementation grants under this section, the Sec-
14 retary shall—

15 “(A) administer separate competitions for
16 each of the categories of institutions listed in
17 paragraphs (1) through (7) of section 371(a);
18 and

19 “(B) treat an institution described in sec-
20 tion 326(e) as an institution described in sec-
21 tion 371(a)(1) for the purposes of subpara-
22 graph (A).

23 “(2) PRIORITY.—In awarding implementation
24 grants under this section, the Secretary shall give

1 priority to eligible institutions that have received a
2 planning grant under this section.

3 “(3) NUMBER OF GRANTS.—No institution
4 shall receive more than one planning grant and more
5 than one implementation grant per grant cycle
6 under this section.

7 “(e) USE OF FUNDS.—

8 “(1) PLANNING GRANTS.—An eligible institu-
9 tion that receives a planning grant under subsection
10 (b)(1) shall use the grant funds to develop a stra-
11 tegic plan for improving institutional research and
12 development infrastructure that includes—

13 “(A) an assessment of the existing institu-
14 tional research capacity and research and devel-
15 opment infrastructure; and

16 “(B) a detailed description of how the in-
17 stitution would use research and development
18 infrastructure funds provided by an implemen-
19 tation grant under this section to increase the
20 institution’s research capacity and support re-
21 search and development infrastructure.

22 “(2) IMPLEMENTATION GRANTS.—An eligible
23 institution that receives an implementation grant
24 under subsection (b)(2) shall use the grant funds to
25 support research and development infrastructure,

1 which shall include carrying out at least one of the
2 following activities:

3 “(A) Providing for the improvement of re-
4 search-related infrastructure, including deferred
5 maintenance and renovation of existing facili-
6 ties, construction of new facilities, acquisition of
7 real property, and the purchase and installation
8 of equipment, technology, fixtures, and fur-
9 niture.

10 “(B) Hiring and retaining faculty, stu-
11 dents, research-related staff, or other personnel,
12 including research personnel skilled in oper-
13 ating, using, or applying technology, equipment,
14 or devices used to conduct or support research.

15 “(C) Creating and supporting inter- and
16 intra-institutional research centers (including
17 formal and informal communities of practice) in
18 fields of research for which research and devel-
19 opment infrastructure funds have been awarded
20 under this section, including hiring staff and
21 purchasing supplies and equipment.

22 “(f) SUPPLEMENT NOT SUPPLANT.—Funds made
23 available under this section shall be used to supplement,
24 and not supplant, other Federal and non-Federal (includ-
25 ing State, tribal, local, and institutional) funds that would

1 otherwise be used to carry out activities described in this
2 section.

3 “(g) SUNSET.—The authority to make—

4 “(1) planning grants under subsection (b)(1)
5 shall expire at the end of fiscal year 2025; and

6 “(2) implementation grants under subsection
7 (b)(2) shall expire at the end of fiscal year 2027.

8 “(h) APPROPRIATIONS.—In addition to amounts oth-
9 erwise available, there is appropriated for fiscal year 2022,
10 out of any money in the Treasury not otherwise appro-
11 priated, \$3,000,000,000, to remain available until Sep-
12 tember 30, 2028, for carrying out this section.”.

13 **SEC. 20027. NORTHERN MARIANA ISLANDS, AMERICAN**
14 **SAMOA, UNITED STATES VIRGIN ISLANDS,**
15 **GUAM, AND FREELY ASSOCIATED STATES**
16 **COLLEGE ACCESS.**

17 Title VII of the Higher Education Act of 1965, as
18 amended by this Act, is further amended by adding at the
19 end the following:

1 **“PART G—COLLEGE ACCESS FOR STUDENTS IN**
2 **OUTLYING AREAS**

3 **“SEC. 792. NORTHERN MARIANA ISLANDS, AMERICAN**
4 **SAMOA, UNITED STATES VIRGIN ISLANDS,**
5 **GUAM, AND FREELY ASSOCIATED STATES**
6 **COLLEGE ACCESS GRANTS.**

7 “(a) GRANTS.—

8 “(1) GRANT AMOUNTS.—

9 “(A) IN GENERAL.—Beginning with award
10 year 2023–2024, from amounts appropriated to
11 carry out this section, the Secretary shall award
12 grants to the Governors of each outlying area
13 for such Governors to award grants to eligible
14 institutions that enroll eligible students to pay
15 the difference between the tuition and fees
16 charged for in-State students and the tuition
17 and fees charged for out-of-State students on
18 behalf of each eligible student enrolled in the el-
19 igible institution.

20 “(B) MAXIMUM STUDENT AMOUNTS.—The
21 amount paid on behalf of an eligible student
22 under this section shall be—

23 “(i) not more than \$15,000 for any
24 one award year (as defined in section
25 481(a)(1)); and

1 “(ii) not more than \$75,000 in the
2 aggregate.

3 “(C) PRORATION.—The Governor shall
4 prorate payments under this section with re-
5 spect to eligible students who attend an eligible
6 institution on less than a full-time basis.

7 “(2) AGREEMENT.—Each Governor desiring a
8 grant under this section shall enter into an agree-
9 ment with the Secretary for the purposes of admin-
10 istering the grant program.

11 “(3) GRANT AUTHORITY.—The authority to
12 make grants under this section shall expire at the
13 end of award year 2029–2030.

14 “(b) INAPPLICABILITY OF GEPA CONTINGENT EX-
15 TENSION OF PROGRAMS.—Section 422 of the General
16 Education Provisions Act shall not apply to this section.

17 “(c) NO ADDITIONAL ELIGIBILITY REQUIRE-
18 MENTS.—No individual shall be determined, by a Gov-
19 ernor, an eligible institution, or the Secretary, to be ineli-
20 gible for benefits provided under this section except on the
21 basis of eligibility requirements under this section.

22 “(d) DEFINITIONS.—In this section:

23 “(1) ELIGIBLE INSTITUTION.—The term ‘eligi-
24 ble institution’ means an institution that—

1 “(A) is a public four-year institution of
2 higher education located in one of the several
3 States of the United States, the District of Co-
4 lumbia, the Commonwealth of Puerto Rico, or
5 an outlying area;

6 “(B) enters into an agreement with the
7 Governor of an outlying area, or with two or
8 more of such Governors (except that such insti-
9 tution may not enter into an agreement with
10 the Governor of the outlying area in which such
11 institution is located), to carry out the grant
12 program under this section; and

13 “(C) submits an assurance to the Governor
14 and to the Secretary that the institution shall
15 use funds made available under this section to
16 supplement, and not supplant, assistance that
17 otherwise would be provided to eligible students
18 from outlying areas.

19 “(2) ELIGIBLE STUDENT.—The term ‘eligible
20 student’ means a student who—

21 “(A) was domiciled in an outlying area for
22 not less than 12 consecutive months preceding
23 the commencement of the freshman year at an
24 institution of higher education supported by a
25 grant awarded under this section;

1 “(B) has not completed an undergraduate
2 baccalaureate course of study; and

3 “(C) is enrolled as an undergraduate stu-
4 dent in an eligible program (as defined in sec-
5 tion 481(b)) on at least a half-time basis.

6 “(3) INSTITUTION OF HIGHER EDUCATION.—
7 The term ‘institution of higher education’ has the
8 meaning given the term in section 101.

9 “(4) GOVERNOR.—The term ‘Governor’ means
10 the chief executive of an outlying area.

11 “(5) OUTLYING AREA.—The term ‘outlying
12 area’ means the Northern Mariana Islands, Amer-
13 ican Samoa, the United States Virgin Islands,
14 Guam, and the Freely Associated States.

15 “(e) APPROPRIATIONS.—In addition to amounts oth-
16 erwise available, there is appropriated, out of any money
17 in the Treasury not otherwise appropriated, such sums as
18 may be necessary, to remain available until September 30,
19 2030, for carrying out this section.”.

20 **PART 3—DEPARTMENT OF EDUCATION**

21 **IMPLEMENTATION**

22 **SEC. 20031. PROGRAM ADMINISTRATION.**

23 In addition to amounts otherwise available, there is
24 appropriated to the Department of Education for fiscal
25 year 2022, out of any money in the Treasury not otherwise

1 appropriated, \$91,742,000, to remain available until ex-
2 pended, for necessary administrative expenses associated
3 with carrying out this subtitle and sections 22101 and
4 22102.

5 **SEC. 20032. STUDENT AID ADMINISTRATION.**

6 In addition to amounts otherwise available, there is
7 appropriated to the Department of Education for fiscal
8 year 2022, out of any money in the Treasury not otherwise
9 appropriated, \$85,000,000, to remain available through
10 September 30, 2030, for Student Aid Administration with-
11 in the Department of Education for necessary administra-
12 tive expenses associated with carrying out this subtitle and
13 for additional Federal administrative expenses.

14 **SEC. 20033. OFFICE OF INSPECTOR GENERAL.**

15 In addition to amounts otherwise available, there is
16 appropriated to the Department of Education for fiscal
17 year 2022, out of any money in the Treasury not otherwise
18 appropriated, \$15,000,000, to remain available until ex-
19 pended, for the Office of Inspector General of the Depart-
20 ment of Education, for salaries and expenses necessary for
21 oversight, investigations, and audits of programs, grants,
22 and projects funded under this subtitle and sections
23 22101, 22102, and 22103.

1 **Subtitle B—Labor Matters**

2 **SEC. 21001. DEPARTMENT OF LABOR.**

3 In addition to amounts otherwise available, out of any
4 money in the Treasury not otherwise appropriated, there
5 are appropriated to the Department of Labor for fiscal
6 year 2022, to remain available until September 30, 2026,
7 the following amounts:

8 (1) \$195,000,000 to the Employee Benefits Se-
9 curity Administration for carrying out enforcement
10 activities.

11 (2) \$707,000,000 to the Occupational Safety
12 and Health Administration for carrying out enforce-
13 ment, standards development, whistleblower inves-
14 tigations, compliance assistance, funding for State
15 plans, and related activities within the Occupational
16 Safety and Health Administration.

17 (3) \$133,000,000 to the Mine Safety and
18 Health Administration for carrying out enforcement,
19 standard setting, technical assistance, and related
20 activities.

21 (4) \$405,000,000 to the Wage and Hour Divi-
22 sion for carrying out activities of the Division.

23 (5) \$121,000,000 to the Office of Workers'
24 Compensation Programs for carrying out activities
25 of the Office.

1 **SEC. 21004. ADJUSTMENT OF CIVIL PENALTIES.**

2 (a) OCCUPATIONAL SAFETY AND HEALTH ACT OF
3 1970.—Section 17 of the Occupational Safety and Health
4 Act of 1970 (29 U.S.C. 666) is amended—

5 (1) in subsection (a)—

6 (A) by striking “\$70,000” and inserting
7 “\$700,000”; and

8 (B) by striking “\$5,000” and inserting
9 “\$50,000”;

10 (2) in subsection (b), by striking “\$7,000” and
11 inserting “\$70,000”; and

12 (3) in subsection (d), by striking “\$7,000” and
13 inserting “\$70,000”.

14 (b) FAIR LABOR STANDARDS ACT OF 1938.—Section
15 16(e) of the Fair Labor Standards Act of 1938 (29 U.S.C.
16 216(e)) is amended—

17 (1) in paragraph (1)(A)—

18 (A) in clause (i), by striking “\$11,000”
19 and inserting “\$132,270”; and

20 (B) in clause (ii), by striking “\$50,000”
21 and inserting “\$601,150”; and

22 (2) in paragraph (2)—

23 (A) in the first sentence, by striking
24 “\$1,100” and inserting “\$20,740”; and

25 (B) in the second sentence, by striking
26 “\$1,100” and inserting “\$11,620”.

1 (c) MIGRANT AND SEASONAL AGRICULTURAL WORK-
2 ER PROTECTION ACT.—Section 503(a)(1) of the Migrant
3 and Seasonal Agricultural Worker Protection Act (29
4 U.S.C. 1853(a)(1)) is amended by striking “\$1,000” and
5 inserting “\$25,790”.

6 (d) EFFECTIVE DATE.—The amendments made by
7 this section shall take effect on January 1, 2022.

8 **SEC. 21005. CIVIL MONETARY PENALTIES FOR PARITY VIO-**
9 **LATIONS.**

10 (a) CIVIL MONETARY PENALTIES RELATING TO PAR-
11 ITY IN MENTAL HEALTH AND SUBSTANCE USE DIS-
12 ORDERS.—Section 502(c)(10) of the Employee Retirement
13 Income Security Act of 1974 (29 U.S.C. 1132(c)(10)) is
14 amended—

15 (1) in the heading, by striking “USE OF GE-
16 NETIC INFORMATION” and inserting “USE OF GE-
17 NETIC INFORMATION AND PARITY IN MENTAL
18 HEALTH AND SUBSTANCE USE DISORDER BENE-
19 FITS”; and

20 (2) in subparagraph (A)—

21 (A) by striking “any plan sponsor of a
22 group health plan” and inserting “any plan
23 sponsor or plan administrator of a group health
24 plan”; and

1 (B) by striking “for any failure” and all
2 that follows through “in connection with the
3 plan.” and inserting “for any failure by such
4 sponsor, administrator, or issuer, in connection
5 with the plan—

6 “(i) to meet the requirements of sub-
7 section (a)(1)(F), (b)(3), (c), or (d) of sec-
8 tion 702 or section 701 or 702(b)(1) with
9 respect to genetic information; or

10 “(ii) to meet the requirements of sub-
11 section (a) of section 712 with respect to
12 parity in mental health and substance use
13 disorder benefits.”.

14 (b) EXCEPTION TO THE GENERAL PROHIBITION ON
15 ENFORCEMENT.—Section 502 of such Act (29 U.S.C.
16 1132) is amended—

17 (1) in subsection (a)(6), by striking “or (9)”
18 and inserting “(9), or (10)”; and

19 (2) in subsection (b)(3)—

20 (A) by striking “subsections (c)(9) and
21 (a)(6)” and inserting “subsections (c)(9),
22 (c)(10), and (a)(6)”;

23 (B) by striking “under subsection (c)(9)”
24 and inserting “under subsections (c)(9) and

1 (c)(10)), and except with respect to enforce-
2 ment by the Secretary of section 712”; and

3 (C) by striking “706(a)(1)” and inserting
4 “733(a)(1)”.

5 (c) EFFECTIVE DATE.—The amendments made by
6 subsection (a) shall apply with respect to group health
7 plans, or any health insurance issuer offering health insur-
8 ance coverage in connection with such plan, for plan years
9 beginning after the date that is 1 year after the date of
10 enactment of this Act.

11 **SEC. 21006. PENALTIES UNDER THE NATIONAL LABOR RE-**
12 **LATIONS ACT.**

13 (a) IN GENERAL.—Section 12 of the National Labor
14 Relations Act (29 U.S.C. 162) is amended—

15 (1) by striking “**SEC. 12.** Any person” and in-
16 serting the following:

17 **“SEC. 12. PENALTIES.**

18 “(a) VIOLATIONS FOR INTERFERENCE WITH
19 BOARD.—Any person”; and

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

21 “(b) CIVIL PENALTIES FOR UNFAIR LABOR PRAC-
22 TICES.—Any employer who commits an unfair labor prac-
23 tice within the meaning of section 8(a) affecting commerce
24 shall be subject to a civil penalty in an amount not to
25 exceed \$50,000 for each such violation, except that, with

1 respect to such an unfair labor practice within the mean-
2 ing of paragraph (3) or (4) of section 8(a) or such a viola-
3 tion of section 8(a) that results in the discharge of an em-
4 ployee or other serious economic harm to an employee, the
5 Board shall double the amount of such penalty, to an
6 amount not to exceed \$100,000, in any case where the
7 employer has within the preceding 5 years committed an-
8 other such violation of such paragraph (3) or (4) or such
9 violation of section 8(a) that results in such discharge or
10 other serious economic harm. A civil penalty under this
11 subsection shall be in addition to any other remedy or-
12 dered by the Board.

13 “(c) CONSIDERATIONS.—In determining the amount
14 of any civil penalty under this section, the Board shall con-
15 sider—

16 “(1) the gravity of the actions of the employer
17 resulting in the penalty, including the impact of such
18 actions on the charging party or on other persons
19 seeking to exercise rights guaranteed by this Act;

20 “(2) the size of the employer;

21 “(3) the history of previous unfair labor prac-
22 tices or other actions by the employer resulting in a
23 penalty; and

24 “(4) the public interest.

1 “(d) **DIRECTOR AND OFFICER LIABILITY.**—If the
2 Board determines, based on the particular facts and cir-
3 cumstances presented, that a director or officer’s personal
4 liability is warranted, a civil penalty for a violation de-
5 scribed in this section may also be assessed against any
6 director or officer of the employer who directed or com-
7 mitted the violation, had established a policy that led to
8 such a violation, or had actual or constructive knowledge
9 of and the authority to prevent the violation and failed
10 to prevent the violation.”.

11 (b) **EFFECTIVE DATE.**—The amendments made by
12 this section shall take effect on January 1, 2022.

13 **SEC. 21007. EMPLOYEE OWNERSHIP AND PARTICIPATION**
14 **INITIATIVE.**

15 In addition to amounts otherwise available, there is
16 appropriated to the Secretary of Labor for fiscal year
17 2022, out of any money in the Treasury not otherwise ap-
18 propriated, \$50,000,000, to remain available until Sep-
19 tember 30, 2026, to establish an Employee Ownership and
20 Participation Initiative that will provide grants, education
21 and outreach, technical assistance, and training to pro-
22 mote employee ownership and employee participation in
23 business decisionmaking.

1 **Subtitle C—Workforce**
2 **Development Matters**

3 **PART 1—DEPARTMENT OF LABOR**

4 **SEC. 22001. DISLOCATED WORKER EMPLOYMENT AND**
5 **TRAINING ACTIVITIES.**

6 In addition to amounts otherwise available, there is
7 appropriated to the Department of Labor for fiscal year
8 2022, out of any money in the Treasury not otherwise ap-
9 propriated, \$2,000,000,000, to remain available until Sep-
10 tember 30, 2026, which shall be allotted in accordance
11 with subsection (b)(2) of section 132 and reserved under
12 subsection (a) of section 133 of the Workforce Innovation
13 and Opportunity Act, and allocated under subsection
14 (b)(1)(B) of section 133 of such Act for each local area
15 to provide to dislocated workers—

16 (1) career services authorized under subsection
17 (c)(2) of section 134 of the Workforce Innovation
18 and Opportunity Act, including individualized career
19 services described in section 134(c)(2)(A)(xii) of
20 such Act;

21 (2) supportive services and needs-related pay-
22 ments authorized under paragraphs (2) and (3) of
23 section 134(d) of the Workforce Innovation and Op-
24 portunity Act, except that the requirements of sub-

1 paragraphs (B) and (C) of paragraph (3) of such
2 section shall not apply; and

3 (3) training services, including through indi-
4 vidual training accounts, authorized under section
5 134(c)(3) of the Workforce Innovation and Oppor-
6 tunity Act, except that for purposes of providing
7 transitional jobs as part of those services under this
8 section, section 134(d)(5) of such Act shall be ap-
9 plied by substituting “40 percent” for “10 percent”.

10 **SEC. 22002. ADULT WORKER EMPLOYMENT AND TRAINING**
11 **ACTIVITIES.**

12 In addition to amounts otherwise available, there is
13 appropriated to the Department of Labor for fiscal year
14 2022, out of any money in the Treasury not otherwise ap-
15 propriated, \$1,000,000,000, to remain available until Sep-
16 tember 30, 2026, which shall be allotted in accordance
17 with subsection (b)(1) of section 132 and reserved under
18 subsection (a) of section 133 of the Workforce Innovation
19 and Opportunity Act, and allocated under subsection
20 (b)(1)(A) of section 133 of such Act for each local area
21 to provide to adults—

22 (1) career services authorized under subsection
23 (c)(2) of section 134 of the Workforce Innovation
24 and Opportunity Act, including individualized career

1 services described in section 134(c)(2)(A)(xii) of
2 such Act;

3 (2) supportive services and needs-related pay-
4 ments authorized under paragraphs (2) and (3)(A)
5 of section 134(d) of the Workforce Innovation and
6 Opportunity Act; and

7 (3) training services, including through indi-
8 vidual training accounts, authorized under section
9 134(c)(3) of the Workforce Innovation and Oppor-
10 tunity Act, except that for purposes of providing in-
11 cumbent worker training as part of those services
12 under this section, if such training is provided to
13 low-wage workers, section 134(d)(4)(A)(i) of such
14 Act shall be applied by substituting “40 percent” for
15 “20 percent”.

16 **SEC. 22003. YOUTH WORKFORCE INVESTMENT ACTIVITIES.**

17 In addition to amounts otherwise available, there is
18 appropriated to the Department of Labor for fiscal year
19 2022, out of any money in the Treasury not otherwise ap-
20 propriated, \$1,500,000,000, to remain available until Sep-
21 tember 30, 2026, which shall be allotted in accordance
22 with subparagraphs (B) and (C) of section 127(b)(1) and
23 reserved under subsection (a) of section 128 of the Work-
24 force Innovation and Opportunity Act, and allocated under

1 subsection (b) of section 128 of such Act for each local
2 area to—

3 (1) carry out the youth workforce investment
4 activities authorized under section 129 of the Work-
5 force Innovation and Opportunity Act;

6 (2) provide opportunities for in-school youth
7 and out-of-school youth to participate in paid work
8 experiences described in subsection (c)(2)(C) of sec-
9 tion 129 of the Workforce Innovation and Oppor-
10 tunity Act; and

11 (3) partner with community-based organizations
12 to support out-of-school youth, including those resid-
13 ing in high-crime or high-poverty areas.

14 **SEC. 22004. EMPLOYMENT SERVICE.**

15 In addition to amounts otherwise available, there is
16 appropriated to the Department of Labor for fiscal year
17 2022, out of any money in the Treasury not otherwise ap-
18 propriated, the following amounts, to remain available
19 until September 30, 2026:

20 (1) \$400,000,000 for carrying out the State
21 grant activities authorized under section 7 of the
22 Wagner-Peyser Act, which shall be allotted in ac-
23 cordance with section 6 of such Act, except that, for
24 purposes of this section, funds shall also be reserved
25 and used for the Commonwealth of the Northern

1 Mariana Islands and American Samoa in amounts
2 the Secretary determines appropriate prior to the al-
3 lotments being made in accordance with section 6 of
4 such Act.

5 (2) \$100,000,000 for carrying out improve-
6 ments to State workforce and labor market informa-
7 tion systems.

8 **SEC. 22005. REENTRY EMPLOYMENT OPPORTUNITIES.**

9 In addition to amounts otherwise available, there is
10 appropriated to the Department of Labor for fiscal year
11 2022, out of any money in the Treasury not otherwise ap-
12 propriated, the following amounts, to remain available
13 until September 30, 2026:

14 (1) \$375,000,000, for carrying out the Reentry
15 Employment Opportunities program.

16 (2) \$125,000,000, for competitive grants to na-
17 tional and regional intermediaries to carry out Re-
18 entry Employment Opportunity programs that pre-
19 pare for employment young adults with criminal
20 records, young adults who have been justice system-
21 involved, or young adults who have dropped out of
22 school or other educational programs, made with a
23 priority for projects serving high-crime, high-poverty
24 areas.

1 **SEC. 22006. REGISTERED APPRENTICESHIPS, YOUTH AP-**
2 **PRENTICESHIPS, AND PRE-APPRENTICE-**
3 **SHIPS.**

4 In addition to amounts otherwise available, there is
5 appropriated to the Department of Labor for fiscal year
6 2022, out of any amounts in the Treasury not otherwise
7 appropriated, the following amounts, to remain available
8 until September 30, 2026:

9 (1) \$500,000,000 for carrying out activities
10 through grants, cooperative agreements, or con-
11 tracts, including with States and outlying areas (as
12 such terms are defined in paragraphs (45) and (56),
13 respectively, of section 3 of the Workforce Innova-
14 tion and Opportunity Act), equity intermediaries,
15 and business and labor industry partner inter-
16 mediaries, to create or expand only—

17 (A) registered apprenticeship programs;

18 (B) pre-apprenticeship programs that ar-
19 ticulate to registered apprenticeship programs;
20 and

21 (C) youth apprenticeship programs that—

22 (i) provide participants with high-
23 quality, classroom-based related instruction
24 and training, and employment opportuni-
25 ties with progressively increasing wages;
26 and

1 (ii) prepare participants for enroll-
2 ment in an institution of higher education
3 (as defined in section 101 or 102(c) of the
4 Higher Education Act of 1965), a reg-
5 istered apprenticeship program, and em-
6 ployment.

7 (2) \$500,000,000 for carrying out activities de-
8 scribed in paragraph (1) to support programs de-
9 scribed in such paragraph that serve a high number
10 or high percentage of individuals with barriers to
11 employment, including individuals with disabilities,
12 or nontraditional apprenticeship populations.

13 **SEC. 22007. INDUSTRY OR SECTOR PARTNERSHIP GRANTS.**

14 (a) **APPROPRIATION.**—In addition to amounts other-
15 wise available, there is appropriated to the Department
16 of Labor for fiscal year 2022, out of any money in the
17 Treasury not otherwise appropriated, \$4,600,000,000, to
18 remain available until September 30, 2026, for the Sec-
19 retary to award, on a competitive basis, grants, contracts,
20 or cooperative agreements to eligible partnerships for the
21 purposes of carrying out employment and training activi-
22 ties for high-skill, high-wage, or in-demand industry sec-
23 tors or occupations.

24 (b) **ELIGIBILITY.**—To be eligible to receive funds
25 under this section, an eligible partnership shall submit to

1 the Secretary an application that includes a description
2 of programs to be supported with such funds, the recog-
3 nized postsecondary credentials participants in such pro-
4 grams will earn, and related employment opportunities for
5 which participants in such programs will be prepared.

6 (c) USES OF FUNDS.—An eligible partnership award-
7 ed funds under this section shall use such funds to—

8 (1) regularly engage and convene stakeholders
9 to develop, or carry out, employment and training
10 activities for the high-skill, high-wage, or in-demand
11 industry sector or occupation on which such partner-
12 ship is focused;

13 (2) directly provide, or arrange for the provision
14 of, high-quality, evidence-based training that leads
15 to the attainment of nationally or regionally portable
16 and stackable recognized postsecondary credentials
17 for the industry sector or occupation described in
18 paragraph (1), which shall include—

19 (A) training services described in any
20 clause of subparagraph (D) of section 134(c)(3)
21 of the Workforce Innovation and Opportunity
22 Act provided through contracts that meet the
23 requirements of that section 134(c)(3); or

24 (B) training provided through—

1 (i) registered apprenticeship pro-
2 grams;

3 (ii) pre-apprenticeship programs that
4 articulate to registered apprenticeship pro-
5 grams;

6 (iii) youth apprenticeship programs
7 that—

8 (I) provide participants with
9 high-quality, classroom-based related
10 instruction and training, and employ-
11 ment opportunities with progressively
12 increasing wages; and

13 (II) prepare participants for en-
14 rollment in an institution of higher
15 education (as defined in section 101
16 or 102(c)) of the Higher Education
17 Act of 1965), a registered apprentice-
18 ship program, and employment; or

19 (iv) joint labor-management organiza-
20 tions; and

21 (3) directly provide, or arrange for the provision
22 of, services to help individuals with barriers to em-
23 ployment prepare for, complete, and successfully
24 transition out of training described in paragraph (2),
25 which services shall include career services, sup-

1 portive services, or provision of needs-related pay-
2 ments authorized under subsections (c)(2), (d)(2),
3 and (d)(3) of section 134 of the Workforce Innova-
4 tion and Opportunity Act, except that, for purposes
5 of this section, subparagraphs (B) and (C) of section
6 134(d)(3) of that Act shall not apply.

7 (d) ADMINISTRATION.—In addition to amounts oth-
8 erwise available, there is appropriated to the Department
9 of Labor for fiscal year 2022, out of any money in the
10 Treasury not otherwise appropriated, \$150,000,000, to re-
11 main available until September 30, 2026, for necessary
12 administrative expenses associated with carrying out this
13 section, including to evaluate the program funded under
14 this section, and to provide outreach and assistance to eli-
15 gible partnerships that serve local areas with a high unem-
16 ployment rate or a high number or high percentage of dis-
17 located workers or individuals with barriers to employ-
18 ment, in applying for funds under this section.

19 (e) STATE BOARD OR LOCAL BOARD FUNDS.—In ad-
20 dition to amounts otherwise available, there is appro-
21 priated to the Department of Labor for fiscal year 2022,
22 out of any money in the Treasury not otherwise appro-
23 priated, \$250,000,000, to remain available until Sep-
24 tember 30, 2026, to provide direct assistance to State
25 boards or local boards to support the creation or expansion

1 of industry or sector partnerships in local areas with high
2 unemployment rates or high percentages of dislocated
3 workers or individuals with barriers to employment, as
4 compared to State or national averages for such rates or
5 percentages.

6 (f) SUPPLEMENT NOT SUPPLANT.—Funds made
7 available under this section shall be used to supplement,
8 and not supplant, other Federal and non-Federal (includ-
9 ing State, Tribal, local, and institutional) funds that would
10 otherwise be used to carry out activities described in this
11 section.

12 **SEC. 22008. JOB CORPS.**

13 (a) APPROPRIATION.—In addition to amounts other-
14 wise available, there is appropriated to the Department
15 of Labor for fiscal year 2022, out of any amounts in the
16 Treasury not otherwise appropriated, \$500,000,000, to re-
17 main available until September 30, 2026—

18 (1) to provide funds to operators and service
19 providers to—

20 (A) carry out the activities and services de-
21 scribed in sections 148 and 149 of the Work-
22 force Innovation and Opportunity Act; and

23 (B) improve and expand access to allow-
24 ances and services described in section 150 of
25 such Act; and

1 (2) for the construction, rehabilitation, and ac-
2 quisition of Job Corps centers, notwithstanding sec-
3 tion 158(c) of the Workforce Innovation and Oppor-
4 tunity Act.

5 (b) **ELIGIBILITY OF OPERATORS AND SERVICE PRO-**
6 **VIDERS.**—For the purposes of carrying out subsection (a),
7 an entity in a State or outlying area (as such term is de-
8 fined in section 3(45) of the Workforce Innovation and
9 Opportunity Act) shall be eligible to be selected as an op-
10 erator or service provider.

11 **SEC. 22009. NATIVE AMERICAN PROGRAMS.**

12 In addition to amounts otherwise available, there is
13 appropriated to the Department of Labor for fiscal year
14 2022, out of any amounts in the Treasury not otherwise
15 appropriated, \$50,000,000, to remain available until Sep-
16 tember 30, 2026, to carry out activities described in sec-
17 tion 166(d)(2)(A) of the Workforce Innovation and Oppor-
18 tunity Act.

19 **SEC. 22010. MIGRANT AND SEASONAL FARMWORKER PRO-**
20 **GRAMS.**

21 In addition to amounts otherwise available, there is
22 appropriated to the Department of Labor for fiscal year
23 2022, out of any amounts in the Treasury not otherwise
24 appropriated, \$70,000,000, to remain available until Sep-
25 tember 30, 2026, to carry out activities described in sec-

1 tion 167(d) of the Workforce Innovation and Opportunity
2 Act, except that, for purposes of providing services as part
3 of such activities to low-income individuals under this sec-
4 tion, section 3(36)(A)(ii)(I) of such Act shall be applied
5 by substituting “150 percent of the poverty line” for “the
6 poverty line”.

7 **SEC. 22011. YOUTHBUILD PROGRAM.**

8 In addition to amounts otherwise available, there is
9 appropriated to the Department of Labor for fiscal year
10 2022, out of any amounts in the Treasury not otherwise
11 appropriated, \$15,000,000, to remain available until Sep-
12 tember 30, 2026, to carry out activities described in sec-
13 tion 171(e)(2) of the Workforce Innovation and Oppor-
14 tunity Act, including for the purposes of improving and
15 expanding access to services, stipends, wages, and benefits
16 described in subparagraphs (A)(vii) and (F) of section
17 171(e)(2) of such Act.

18 **SEC. 22012. SENIOR COMMUNITY SERVICE EMPLOYMENT**
19 **PROGRAM.**

20 In addition to amounts otherwise available, there is
21 appropriated to the Department of Labor for fiscal year
22 2022, out of any amounts in the Treasury not otherwise
23 appropriated, \$35,000,000, to remain available until Sep-
24 tember 30, 2026, for the Senior Community Service Em-

1 ployment program authorized under section 502 of the
2 Older Americans Act of 1965.

3 **SEC. 22013. DEFINITIONS.**

4 In this part:

5 (1) **ELIGIBLE PARTNERSHIP.**—The term “eligi-
6 ble partnership” means—

7 (A) an industry or sector partnership,
8 which shall include multiple representatives de-
9 scribed in each of clauses (i) through (iii) of
10 paragraph (26)(A) of section 3 of the Work-
11 force Innovation and Opportunity Act; or

12 (B) a State board or local board, a joint
13 labor-management organization, or an entity el-
14 igible to be a representative under clause (i),
15 (ii), or (iii) of paragraph (26)(A) of section 3
16 of the Workforce Innovation and Opportunity
17 Act, that is in the process of establishing an in-
18 dustry or sector partnership described in sub-
19 paragraph (A), to carry out a grant, contract,
20 or cooperative agreement under section 22007.

21 (2) **EVIDENCE-BASED.**—The term “evidence-
22 based” has the meaning given the term in section
23 3(23) of the Carl D. Perkins Career and Technical
24 Education Act of 2006.

1 (3) REGISTERED APPRENTICESHIP PROGRAM.—

2 The term “registered apprenticeship program”
3 means an apprenticeship program registered with
4 the Office of Apprenticeship of the Employment and
5 Training Administration of the Department of
6 Labor or a State apprenticeship agency recognized
7 by the Office of Apprenticeship pursuant to the Act
8 of August 16, 1937 (commonly known as the “Na-
9 tional Apprenticeship Act”; 50 Stat. 664, chapter
10 663).

11 (4) SECRETARY.—The term “Secretary” means
12 the Secretary of Labor.

13 (5) WIOA DEFINITIONS.—

14 (A) IN GENERAL.—The terms “career
15 pathway”, “in-demand industry sector or occu-
16 pation”, “individual with a barrier to employ-
17 ment”, “industry or sector partnership”, “local
18 area”, “local board”, “recognized postsecondary
19 credential”, “State board”, and “supportive
20 services” have the meanings given the terms in
21 paragraphs (7), (23), (24), (26), (32), (33),
22 (52), (57), and (59), respectively, of section 3
23 of the Workforce Innovation and Opportunity
24 Act.

1 (B) CAREER SERVICES.—The term “career
2 services” means services described in section
3 134(c)(2) of the Workforce Innovation and Op-
4 portunity Act.

5 **PART 2—DEPARTMENT OF EDUCATION**

6 **SEC. 22101. ADULT EDUCATION AND LITERACY.**

7 In addition to amounts otherwise available, there is
8 appropriated to the Department of Education for fiscal
9 year 2022, out of any money in the Treasury not otherwise
10 appropriated, \$700,000,000, to remain available until
11 September 30, 2027, to carry out the program of adult
12 education and literacy activities authorized under the
13 Workforce Innovation and Opportunity Act, except that,
14 for each fiscal year for which an eligible agency receives
15 funds appropriated under this section, section 222(a)(1)
16 of the Workforce Innovation and Opportunity Act shall be
17 applied by substituting “not less than 10 percent” for
18 “not more than 20 percent”, and section 222(b) of such
19 Act shall not apply.

20 **SEC. 22102. CAREER AND TECHNICAL EDUCATION.**

21 In addition to amounts otherwise available, there is
22 appropriated to the Department of Education for fiscal
23 year 2022, out of any money in the Treasury not otherwise
24 appropriated, the following amounts, to remain available
25 until September 30, 2027:

1 (1) \$600,000,000 for carrying out career and
2 technical education programs authorized under sec-
3 tion 124 and section 135 of the Carl D. Perkins Ca-
4 reer and Technical Education Act of 2006, which
5 shall be allotted in accordance with section 111 and
6 section 112 of such Act, except that subsection (b)
7 of section 112 shall not apply.

8 (2) \$100,000,000 for carrying out the innova-
9 tion and modernization program in subsection (e) of
10 section 114 of the Carl D. Perkins Career and Tech-
11 nical Education Act of 2006, except that, for pur-
12 poses of this paragraph, paragraph (2) of such sub-
13 section and the 20 percent limitation in paragraph
14 (1) of such subsection shall not apply and eligible
15 agencies, as defined in section 3(18) of such Act,
16 shall be eligible to receive grants under such pro-
17 gram.

18 **SEC. 22103. COMMUNITY COLLEGE AND INDUSTRY PART-**
19 **NERSHIP GRANTS.**

20 (a) APPROPRIATION.—In addition to amounts other-
21 wise available, there is appropriated to the Department
22 of Education for fiscal year 2022, out of any money in
23 the Treasury not otherwise appropriated, \$4,895,000,000,
24 to remain available until September 30, 2026, for the Sec-
25 retary, in coordination with the Secretary of Labor, to

1 award grants, on a competitive basis, to eligible institu-
2 tions for the purposes of carrying out employment and
3 training activities for high-skill, high-wage, or in-demand
4 industry sectors or occupations.

5 (b) ELIGIBILITY.—To be eligible to receive such a
6 grant, an eligible institution shall submit to the Secretary
7 an application that includes a description of programs to
8 be supported with such grant, the recognized postsec-
9 ondary credentials participants in such programs will
10 earn, and the related employment opportunities for which
11 participants in such programs will be prepared.

12 (c) USE OF FUNDS.—An eligible institution awarded
13 a grant under this section shall use such grant funds to
14 expand opportunities for attainment of recognized postsec-
15 ondary credentials that are nationally or regionally port-
16 able and stackable for high-skill, high-wage, or in-demand
17 industry sectors or occupations by—

18 (1) establishing, improving, or scaling high-
19 quality, evidence-based education or career training
20 programs, career pathway programs, or work-based
21 learning programs (including registered apprentice-
22 ship programs or pre-apprenticeships that articulate
23 to registered apprenticeship programs);

24 (2) providing services to help individuals with
25 barriers to employment prepare for, complete, and

1 successfully transition out of programs described in
2 paragraph (1) supported by such grant, which shall
3 include providing supportive services, career services,
4 career guidance and academic counseling, or job
5 placement assistance; and

6 (3) carrying out 1 or more of the following:

7 (A) Creating, developing, or expanding ar-
8 ticulation agreements (as defined in section
9 486A(a) of the Higher Education Act of 1965),
10 credit transfer agreements, corequisite remedi-
11 ation programs, dual or concurrent enrollment
12 programs, or policies and processes to award
13 academic credit for prior learning or for pro-
14 grams described in paragraph (1) supported by
15 such grant.

16 (B) Purchasing, leasing, or refurbishing
17 specialized equipment necessary to carry out
18 such programs.

19 (C) Reducing participants' cost of attend-
20 ance in such programs.

21 (d) ADMINISTRATION.—In addition to amounts oth-
22 erwise available, there is appropriated to the Department
23 of Education for fiscal year 2022, out of any money in
24 the Treasury not otherwise appropriated, \$100,000,000,
25 to remain available until September 30, 2026, for nec-

1 essary administrative expenses associated with carrying
2 out this section, including to evaluate the program funded
3 under this section, and to provide outreach and assistance
4 to eligible institutions that serve a high number or high
5 percentage of individuals with barriers to employment in
6 applying for grants under this section.

7 (e) SUPPLEMENT NOT SUPPLANT.—Funds made
8 available under this section shall be used to supplement,
9 and not supplant, other Federal and non-Federal (includ-
10 ing State, Tribal, local, and institutional) funds that would
11 otherwise be used to carry out activities described in this
12 section.

13 (f) DEFINITIONS.—In this section:

14 (1) COMMUNITY COLLEGE.—The term “commu-
15 nity college” means—

16 (A) a degree-granting public institution of
17 higher education (as defined in section 101 of
18 the Higher Education Act of 1965) at which—

19 (i) the highest degree awarded is an
20 associate degree; or

21 (ii) an associate degree is the most
22 frequently awarded degree;

23 (B) a 2-year Tribal College or University
24 (as defined in section 316(b)(3) of the Higher
25 Education Act of 1965);

1 (C) a degree-granting Tribal College or
2 University (as defined in section 316(b)(3) of
3 the Higher Education Act of 1965) at which—

4 (i) the highest degree awarded is an
5 associate degree; or

6 (ii) an associate degree is the most
7 frequently awarded degree; or

8 (D) a branch campus of a 4-year public in-
9 stitution of higher education (as defined in sec-
10 tion 101 of the Higher Education Act of 1965),
11 if, at such branch campus—

12 (i) the highest degree awarded is an
13 associate degree; or

14 (ii) an associate degree is the most
15 frequently awarded degree.

16 (2) ELIGIBLE INSTITUTION.—The term “eligi-
17 ble institution” means a community college, a post-
18 secondary vocational institution (as defined in sec-
19 tion 102(c) of the Higher Education Act of 1965),
20 or a consortium of such colleges or institutions, that
21 is working directly with an industry or sector part-
22 nership, or in the process of establishing such part-
23 nership, to carry out a grant under this section.

24 (3) PERKINS CTE DEFINITIONS.—The terms
25 “career guidance and academic counseling”, “dual

1 or concurrent enrollment program”, “evidence-
2 based”, and “work-based learning” have the mean-
3 ings given the terms in paragraphs (7), (15), (23),
4 and (55), respectively, of section 3 of the Carl D.
5 Perkins Career and Technical Education Act of
6 2006.

7 (4) REGISTERED APPRENTICESHIP PROGRAM.—
8 The term “registered apprenticeship program”
9 means an apprenticeship program registered with
10 the Office of Apprenticeship of the Employment and
11 Training Administration of the Department of
12 Labor or a State apprenticeship agency recognized
13 by the Office of Apprenticeship pursuant to the Act
14 of August 16, 1937 (commonly known as the “Na-
15 tional Apprenticeship Act”; 50 Stat. 664, chapter
16 663).

17 (5) SECRETARY.—The term “Secretary” means
18 the Secretary of Education.

19 (6) WIOA DEFINITIONS.—

20 (A) IN GENERAL.—The terms “career
21 pathway”, “in-demand industry sector or occu-
22 pation”, “individual with a barrier to employ-
23 ment”, “industry or sector partnership”, “rec-
24 ognized postsecondary credential”, and “sup-
25 portive services” have the meanings given the

1 terms in paragraphs (7), (23), (24), (26), (52),
2 and (59), respectively, of section 3 of the Work-
3 force Innovation and Opportunity Act.

4 (B) CAREER SERVICES.—The term “career
5 services” means services described in section
6 134(c)(2) of the Workforce Innovation and Op-
7 portunity Act.

8 **PART 3—COMPETITIVE INTEGRATED EMPLOY-**
9 **MENT TRANSFORMATION GRANT PROGRAM**

10 **SEC. 22201. COMPETITIVE INTEGRATED EMPLOYMENT**
11 **TRANSFORMATION GRANT PROGRAM.**

12 (a) APPROPRIATION.—In addition to amounts other-
13 wise made available, there is appropriated to the Depart-
14 ment of Labor for fiscal year 2022, out of any money in
15 the Treasury not otherwise appropriated, the following
16 amounts, to remain available through fiscal year 2029, for
17 the Secretary of Labor to award grants to covered States
18 in accordance with this section to assist employers in such
19 States who were issued special certificates under section
20 14(c) of the Fair Labor Standards Act of 1938 (29 U.S.C.
21 214(c)) (referred to in this part as “special certificates”)
22 in transforming their business and program models from
23 providing employment using special certificates to busi-
24 ness and program models that employ and support people
25 with disabilities in competitive integrated employment:

1 (1) \$189,000,000 for subsection (d)(2)(B) or,
2 in a case described in subparagraph (A) of sub-
3 section (d)(3), for such subsection.

4 (2) \$81,000,000 for subsection (d)(2)(C) or, in
5 a case described in subparagraph (A) of subsection
6 (d)(3), for such subsection.

7 (b) APPLICATIONS.—

8 (1) IN GENERAL.—To be eligible to receive a
9 grant under this section, a State described in sub-
10 section (e)(1) shall submit an application to the Sec-
11 retary at such time, in such manner, and including
12 such information as the Secretary may reasonably
13 require.

14 (2) CONTENTS.—Each application submitted
15 under paragraph (1) shall include—

16 (A) a description of the status of the em-
17 ployers in the State providing employment
18 using special certificates, including—

19 (i) the number of employers in the
20 State using special certificates to employ
21 and pay people with disabilities;

22 (ii) the number of employees in the
23 State employed under a special certificate;

24 (iii) the average number of hours such
25 employees work per week; and

1 (iv) the average hourly wage for such
2 employees;

3 (B) a description of activities to be funded
4 under the grant, and the goals of such activi-
5 ties, including the activities of the State with
6 respect to competitive integrated employment
7 for people with disabilities; and

8 (C) assurances that—

9 (i) the activities carried out under the
10 grant will result in—

11 (I) each employer in the State
12 that, on the date of enactment of this
13 Act, provides employment using spe-
14 cial certificates transforming its busi-
15 ness and program models as described
16 in subsection (c)(1); and

17 (II) each employer in the State
18 ceasing to use special certificates by
19 the end of the 5-year grant period and
20 no longer applying for or renewing
21 such certificates;

22 (ii) each individual in the State who is
23 employed under a special certificate will, as
24 a result of such a transformation, be em-
25 ployed in competitive integrated employ-

1 ment or a combination of competitive inte-
2 grated employment and integrated services,
3 including by compensating all employees of
4 the employer for all hours worked at a rate
5 that is—

6 (I) not less than the higher of—

7 (aa) the rate specified in
8 section 6(a)(1) of the Fair Labor
9 Standards Act of 1938 (29
10 U.S.C. 206(a)(1));

11 (bb) the rate specified in an
12 applicable State or local min-
13 imum wage law; or

14 (cc) in the case of work on
15 a contract that is subject to
16 chapter 67 of title 41, United
17 States Code, the applicable pre-
18 vailing wage rate under such
19 chapter; and

20 (II) not less than the rate paid
21 by the employer for the same or simi-
22 lar work performed by other employ-
23 ees who are not people with disabil-
24 ities, and who are similarly situated in
25 similar occupations by the same em-

1 ployer and who have similar training,
2 experience, and skills; and

3 (iii) the State will establish an advi-
4 sory council to monitor and guide the proc-
5 ess of transforming business and program
6 models of employers in the State as de-
7 scribed in subsection (c)(1).

8 (c) USE OF FUNDS.—A covered State receiving a
9 grant under this section shall use the grant funds for each
10 of the following activities:

11 (1) Identifying each employer in the State that
12 will transform its business and program models from
13 employing people with disabilities using special cer-
14 tificates to employing people with disabilities in com-
15 petitive integrated employment settings, or a setting
16 involving a combination of competitive integrated
17 employment and integrated services.

18 (2) Implementing a service delivery infrastruc-
19 ture to support people with disabilities who have
20 been employed under special certificates through
21 such a transformation, including providing enhanced
22 integrated services to support people with the most
23 significant disabilities.

24 (3) Expanding competitive integrated employ-
25 ment and integrated services to be provided to such

1 people as a result of transformations described in
2 paragraph (1).

3 (d) ALLOTMENTS.—

4 (1) IN GENERAL.—Not later than 18 months
5 after the date of enactment of this Act, the Sec-
6 retary shall—

7 (A) determine the number of covered
8 States; and

9 (B)(i) in a case in which the Secretary de-
10 termines that there are 15 or more covered
11 States, award each covered State a grant under
12 paragraph (2); or

13 (ii) in a case in which the Secretary deter-
14 mines that there are 14 or fewer covered
15 States, award each covered State a grant under
16 paragraph (3) for the first 5-year grant period
17 under such paragraph.

18 (2) 15 OR MORE COVERED STATES.—

19 (A) IN GENERAL.—In a case in which the
20 Secretary determines under paragraph (1) that
21 there are 15 or more covered States, from the
22 funds appropriated under subsection (a), the
23 Secretary shall allot to each covered State a
24 grant under this section in an amount equal to
25 the sum of—

1 (i) the allotment made to the covered
2 State in accordance with subparagraph
3 (B); and

4 (ii) the allotment made to the covered
5 State in accordance with subparagraph
6 (C).

7 (B) ALLOTMENT BASED ON THE NUMBER
8 OF EMPLOYEES EMPLOYED UNDER SPECIAL
9 CERTIFICATES.—From the total amount of the
10 funds appropriated under subsection (a)(1), the
11 Secretary shall allot to each covered State an
12 amount that bears the same relationship to
13 such total amount as the number of people with
14 disabilities who are employed under a special
15 certificate in the covered State bears to the
16 total number of people with disabilities who are
17 employed under a special certificate in all cov-
18 ered States.

19 (C) ALLOTMENT BASED ON THE NUMBER
20 OF EMPLOYERS WITH SPECIAL CERTIFI-
21 CATES.—From the total amount of the funds
22 appropriated under subsection (a)(2), the Sec-
23 retary shall allot to each covered State an
24 amount that bears the same relationship to
25 such total amount as the number of employers

1 in the covered State who have in effect a special
2 certificate bears to the total number of employ-
3 ers in all covered States who have in effect such
4 a certificate.

5 (D) GRANT PERIOD.—A grant under this
6 paragraph shall be awarded for a period of 5
7 years.

8 (3) 14 OR FEWER COVERED STATES.—

9 (A) IN GENERAL.—In a case in which the
10 Secretary determines under paragraph (1) that
11 there are 14 or fewer covered States, from the
12 funds appropriated under subsection (a), the
13 Secretary shall award a grant to each covered
14 State in an amount that the Secretary deter-
15 mines necessary for the covered State to accom-
16 plish the purpose of the grant described in such
17 subsection and for the Secretary to meet the re-
18 quirements of this paragraph.

19 (B) GRANT PERIODS.—

20 (i) IN GENERAL.—The Secretary shall
21 award grants under this paragraph for 2
22 separate, 5-year grant periods.

23 (ii) SECOND 5-YEAR GRANT PERIOD.—
24 Grants for the second 5-year grant period
25 shall be awarded—

1 (I) not earlier than the end of
2 the second year of the first 5-year
3 grant period described in paragraph
4 (1)(B)(ii); and

5 (II) not later than September 30,
6 2025.

7 (C) LIMIT ON NUMBER OF GRANTS.—No
8 State may receive more than 1 grant under this
9 paragraph.

10 (e) DEFINITION OF COVERED STATE.—In this sec-
11 tion, the term “covered State” means a State (as defined
12 in section 3 of the Fair Labor Standards Act of 1938 (29
13 U.S.C. 203)) that—

14 (1) as of the date of enactment of this Act, has
15 not phased out, or is not in the process of phasing
16 out, the use of special certificates in the State; and

17 (2) submits an application under subsection (b)
18 that meets the requirements under such subsection.

19 **SEC. 22202. GRANTS FOR STATES TO EXPAND COMPETITIVE**
20 **INTEGRATED EMPLOYMENT.**

21 (a) APPROPRIATION.—In addition to amounts other-
22 wise made available, there is appropriated to the Depart-
23 ment of Labor for fiscal year 2022, out of any money in
24 the Treasury not otherwise appropriated, \$24,000,000, to
25 remain available through fiscal year 2029, for the Sec-

1 retary of Labor to award grants to covered States in ac-
2 cordance with this section to assist employers in such
3 States who were issued special certificates in continuing
4 to transform their business and program models from pro-
5 viding employment using special certificates to business
6 and program models that employ and support people with
7 disabilities in competitive integrated employment.

8 (b) APPLICATIONS.—To be eligible to receive a grant
9 under this section, a State described in subsection (f)(1)
10 shall submit an application to the Secretary at such time,
11 in such manner, and including such information as the
12 Secretary may reasonably require, including a description
13 of activities to be funded under the grant and the activities
14 of the State with respect to competitive integrated employ-
15 ment for people with disabilities.

16 (c) USE OF FUNDS.—A covered State that receives
17 a grant under this section shall use the grant funds for
18 activities to expand competitive integrated employment
19 and integrated services to be provided to people with dis-
20 abilities.

21 (d) GRANT AWARD.—Not later than 18 months after
22 the date of enactment of this Act, the Secretary shall
23 award each covered State a grant in an amount that bears
24 the same relationship to the total amount appropriated

1 under subsection (a) as the population of the covered State
2 bears to the total population of all covered States.

3 (e) GRANT PERIOD.—A grant under this section shall
4 be awarded for a period of 5 years.

5 (f) DEFINITION OF COVERED STATE.—In this sec-
6 tion, the term “covered State” means a State (as defined
7 in section 3 of the Fair Labor Standards Act of 1938 (29
8 U.S.C. 203)) that—

9 (1) as of the date of enactment of this Act, has
10 phased out, or is in the process of phasing out, the
11 use of special certificates in the State; and

12 (2) submits an application under subsection (b)
13 that meets the requirements under such subsection.

14 **SEC. 22203. TECHNICAL ASSISTANCE.**

15 In addition to amounts otherwise made available,
16 there is appropriated to the Department of Labor for fis-
17 cal year 2022, out of any money in the Treasury not other-
18 wise appropriated, \$6,000,000, to remain available
19 through fiscal year 2029, for the Secretary to, in partner-
20 ship with the Office of Special Education and Rehabilita-
21 tive Services of the Department of Education, establish,
22 either directly or through grants, contracts, or cooperative
23 agreements, a national technical assistance center to—

24 (1) provide technical assistance to employers
25 who are transforming from employing people with

1 disabilities using special certificates to employing
2 people with disabilities in competitive integrated em-
3 ployment settings; and

4 (2) collect and disseminate information on evi-
5 dence-based practices for such transformations and
6 for providing competitive integrated employment and
7 integrated services.

8 **SEC. 22204. SUPPLEMENT AND NOT SUPPLANT.**

9 Any funds made available to a State under this part
10 shall be used to supplement and not supplant any Federal,
11 State, or local public funds expended—

12 (1) to assist employers in such State who were
13 issued a special certificate in transforming (or con-
14 tinuing to transform) their business and program
15 models from providing employment using special cer-
16 tificates to business and program models that em-
17 ploy and support people with disabilities in competi-
18 tive integrated employment; or

19 (2) to support the employment of people with
20 disabilities in competitive integrated employment.

21 **SEC. 22205. DEFINITIONS.**

22 In this part:

23 (1) **COMPETITIVE INTEGRATED EMPLOY-**
24 **MENT.**—The term “competitive integrated employ-
25 ment” has the meaning given such term in section

1 7(5) of the Rehabilitation Act of 1973 (29 U.S.C.
2 705(5)).

3 (2) EMPLOYEE.—The term “employee” means
4 any individual employed by an employer.

5 (3) EMPLOYER.—The term “employer” means
6 any person acting directly or indirectly in the inter-
7 est of an employer in relation to an employee, but
8 does not include any labor organization (other than
9 when acting as an employer) or anyone acting in the
10 capacity of officer or agent of such labor organiza-
11 tion.

12 (4) INTEGRATED SERVICES.—The term “inte-
13 grated services” means services for people with dis-
14 abilities that are—

15 (A) designed to assist such people in devel-
16 oping skills and abilities to reside successfully
17 in home and community-based settings;

18 (B) provided in accordance with a person-
19 centered written plan of care;

20 (C) created using evidence-based practices
21 that lead to such people—

22 (i) maintaining competitive integrated
23 employment;

24 (ii) achieving independent living; or

1 (iii) maximizing socioeconomic self-
2 sufficiency, optimal independence, and full
3 participation in the community;

4 (D) provided in a community location that
5 is not specifically intended for people with dis-
6 abilities;

7 (E) provided in a location that—

8 (i) allows the people receiving the
9 services to interact with people without dis-
10 abilities to the fullest extent possible; and

11 (ii) makes it possible for the people
12 receiving the services to access community
13 resources that are not specifically intended
14 for people with disabilities and to have the
15 same opportunity to participate in the
16 community as people who do not have a
17 disability; and

18 (F) provided in multiple locations to allow
19 the individual receiving the services to have op-
20 tions, thereby—

21 (i) optimizing individual initiative, au-
22 tonomy, and independence; and

23 (ii) facilitating choice regarding serv-
24 ices and supports, and choice regarding the
25 provider of such services.

1 (5) PEOPLE WITH DISABILITIES.—The term
2 “people with disabilities” includes individuals de-
3 scribed in section 14(c)(1) of the Fair Labor Stand-
4 ards Act of 1938 (29 U.S.C. 214(c)(1)).

5 (6) SECRETARY.—The term “Secretary” means
6 the Secretary of Labor.

7 **PART 4—RECRUITMENT, EDUCATION AND TRAIN-**
8 **ING, RETENTION, AND CAREER ADVANCE-**
9 **MENTS FOR THE DIRECT CARE WORKFORCE**

10 **SEC. 22301. DEFINITION.**

11 In this part:

12 (1) CTE DEFINITION.—The term “area career
13 and technical education school” has the meaning
14 given the term in section 3 of the Carl D. Perkins
15 Career and Technical Education Act of 2006 (20
16 U.S.C. 2302).

17 (2) WIOA DEFINITIONS.—The terms “local
18 board”, “recognized postsecondary credential”, and
19 “State board” have the meanings given such terms
20 in paragraphs (33), (52), and (57), respectively, of
21 section 3 of the Workforce Innovation and Oppor-
22 tunity Act (29 U.S.C. 3102).

23 (3) OTHER DEFINITIONS.—

24 (A) DIRECT SUPPORT WORKER.—The term
25 “direct support worker” means—

1 (i) a direct support professional;

2 (ii) a worker providing direct care
3 services, which may include palliative care,
4 in a home or community-based setting;

5 (iii) a respite care provider who pro-
6 vides short-term support and care to an in-
7 dividual in order to provide relief to a fam-
8 ily caregiver;

9 (iv) a direct care worker, as defined in
10 section 799B of the Public Health Service
11 Act (42 U.S.C. 295p); or

12 (v) an individual in any other position
13 or job related to those described in clauses
14 (i) through (iv), as determined by the Sec-
15 retary in consultation with the Secretary of
16 Health and Human Services acting
17 through the Administrator of the Adminis-
18 tration for Community Living.

19 (B) DISABILITY.—The term “disability”
20 has the meaning given the term in section 3 of
21 the Americans with Disabilities Act of 1990 (42
22 U.S.C. 12102).

23 (C) ELIGIBLE ENTITY.—The term “eligible
24 entity” means an entity that is—

25 (i) a State;

1 (ii) a labor organization or a joint
2 labor-management organization;

3 (iii) a nonprofit organization with ex-
4 perience in aging, disability, supporting the
5 rights and interests of direct support work-
6 ers, or training or educating direct support
7 workers;

8 (iv) an Indian Tribe or Tribal organi-
9 zation (as defined in section 4 of the In-
10 dian Self-Determination and Education
11 Assistance Act (25 U.S.C. 5304));

12 (v) an urban Indian organization (as
13 defined in section 4 of the Indian Health
14 Care Improvement Act (25 U.S.C. 1603));

15 (vi) a State board or local board;

16 (vii) an area agency on aging (as de-
17 fined in section 102 of the Older Ameri-
18 cans Act of 1965 (42 U.S.C. 3002));

19 (viii) when in partnership with an en-
20 tity described in any of clauses (i) through
21 (vii) or with a consortium described in
22 clause (ix)—

23 (I) an institution of higher edu-
24 cation (as defined in section 101 of
25 the Higher Education Act of 1965 (20

1 U.S.C. 1001) or section 102(a)(1)(B)
2 of such Act (20 U.S.C.
3 1002(a)(1)(B)); or

4 (II) an area career and technical
5 education school; or

6 (ix) a consortium of entities listed in
7 any of clauses (i) through (vii).

8 (D) FAMILY CAREGIVER.—The term “fam-
9 ily caregiver” means a paid or unpaid adult
10 family member or other individual who has a
11 significant relationship with, and who provides
12 a broad range of assistance to, an individual
13 with a chronic or other health condition, dis-
14 ability, or functional limitation.

15 (E) SECRETARY.—The term “Secretary”
16 means the Secretary of Labor.

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

1 **SEC. 22302. GRANTS TO SUPPORT THE DIRECT CARE WORK-**
2 **FORCE.**

3 (a) GRANTS AUTHORIZED.—In addition to amounts
4 otherwise available, there is appropriated to the Secretary
5 for fiscal year 2022, out of any money in the Treasury
6 not otherwise appropriated, \$1,000,000,000, to remain
7 available until September 30, 2031, for awarding, on a
8 competitive basis, grants to eligible entities to carry out
9 the activities described in subsection (c).

10 (b) APPLICATIONS; AWARD BASIS.—

11 (1) APPLICATIONS.—

12 (A) IN GENERAL.—An eligible entity seek-
13 ing a grant under subsection (a) shall submit to
14 the Secretary an application at such time, in
15 such manner, and containing such information
16 as the Secretary, in coordination with the Sec-
17 retary of Health and Human Services acting
18 through the Administrator of the Administra-
19 tion for Community Living, may require.

20 (B) CONTENTS.—Each application under
21 subparagraph (A) shall include—

22 (i) a description of the type or types
23 of direct support workers the entity plans
24 to serve through the activities supported by
25 the grant;

1 (ii) a description of the one or more
2 eligible entities collaborating to carry out
3 the activities described in subsection (c);
4 and

5 (iii) an assurance that—

6 (I) the eligible entity will consult
7 on the development and implementa-
8 tion of the grant, with direct support
9 workers, their representatives, and re-
10 cipients of services and the families of
11 the recipients; and

12 (II) the eligible entity will consult
13 on the implementation of the grant, or
14 coordinate the activities of the grant,
15 with the agencies in the State that are
16 responsible for developmental dis-
17 ability services, aging, education,
18 workforce development, and Medicaid,
19 to the extent that each such entity is
20 not the eligible entity.

21 (2) DURATION OF GRANTS.—A grant awarded
22 under this section shall be for a period of 3 years,
23 and may be renewed. The Secretary, in coordination
24 with the Secretary of Health and Human Services
25 acting through the Administrator of the Administra-

1 tion for Community Living, shall award grants (in-
2 cluding any renewals) under this section in 3-year
3 cycles subject to the limits set forth in subsection
4 (a).

5 (c) USE OF FUNDS.—Each eligible entity receiving
6 a grant under subsection (a) shall use the grant funds
7 to—

8 (1) provide competitive wages, benefits, and
9 other supportive services, including transportation,
10 child care, dependent care, workplace accommoda-
11 tions, and workplace health and safety protections,
12 to the direct support workers served by the grant
13 that are necessary to enable such workers to partici-
14 pate in the activities supported by the grant; and

15 (2) carry out one or more activities for—

16 (A) developing and implementing a strat-
17 egy for the recruitment of direct support work-
18 ers;

19 (B) developing or implementing an edu-
20 cation and training program for the direct sup-
21 port workers served by the grant, which shall
22 include a clearly defined schedule of wages, pro-
23 gressively increasing and consistent with meas-
24 urable skill gains or attainment of a recognized
25 postsecondary credential described in the appli-

1 cation, to be paid to each direct support worker
2 taking part in such education and training pro-
3 gram;

4 (C) developing and implementing a strat-
5 egy, using evidence-based best practices, for the
6 retention of direct support workers, including a
7 strategy to support family caregivers; or

8 (D) developing and implementing a strat-
9 egy for career advancement of direct support
10 workers.

11 (d) SUPPLEMENT AND NOT SUPPLANT.—An eligible
12 entity receiving a grant under this section shall use such
13 grant only to supplement, and not supplant, the amount
14 of funds that, in the absence of such grant, would be avail-
15 able to the eligible entity to address the recruitment, edu-
16 cation and training, retention, or career advancement of
17 direct support workers, or provide support for family care-
18 givers, in the State served by the grant.

19 **PART 5—DEPARTMENT OF LABOR INSPECTOR**
20 **GENERAL AND PROGRAM ADMINISTRATION**
21 **FUNDING**

22 **SEC. 22401. DEPARTMENT OF LABOR INSPECTOR GENERAL.**

23 In addition to amounts otherwise available, there is
24 appropriated to the Office of Inspector General of the De-
25 partment of Labor for fiscal year 2022, out of any money

1 in the Treasury not otherwise appropriated, \$40,000,000,
2 to remain available until expended, for salaries and ex-
3 penses necessary for oversight, investigations, and audits
4 of programs, grants, and projects of the Department of
5 Labor funded under this subtitle and subtitle B of this
6 title.

7 **SEC. 22402. PROGRAM ADMINISTRATION.**

8 In addition to amounts otherwise available, there is
9 appropriated to the Department of Labor for fiscal year
10 2022, out of any money in the Treasury not otherwise ap-
11 propriated, \$90,000,000, to remain available until Sep-
12 tember 30, 2029, for program administration within the
13 Department of Labor for salaries and expenses necessary
14 to implement part 1 (other than section 22007), and parts
15 3 and 4, of this subtitle.

16 **Subtitle D—Child Care and**
17 **Universal Pre-kindergarten**

18 **SEC. 23001. BIRTH THROUGH FIVE CHILD CARE AND EARLY**

19 **LEARNING ENTITLEMENT.**

20 (a) CHILD CARE DEFINITIONS.—The definitions in
21 section 658P of the Child Care and Development Block
22 Grant Act of 1990 (42 U.S.C. 9858n) shall apply to this
23 section, except as provided in subsection (b) and as other-
24 wise specified.

25 (b) ADDITIONAL DEFINITIONS.—In this section:

1 (1) CHILD CARE CERTIFICATE.—

2 (A) IN GENERAL.—The term “child care
3 certificate” means a certificate (that may be a
4 check or other disbursement) that is issued by
5 a State, Tribal, territorial, or local government
6 under this section directly to a parent who shall
7 use such certificate only as payment for child
8 care services or as a deposit for child care serv-
9 ices if such a deposit is required of other chil-
10 dren being cared for by the provider.

11 (B) RULE.—Nothing in this section shall
12 preclude the use of such certificates for sec-
13 tarian child care services if freely chosen by the
14 parent. For the purposes of this section, child
15 care certificates shall be considered indirect
16 Federal financial assistance to the provider.

17 (2) CHILD EXPERIENCING HOMELESSNESS.—

18 The term “child experiencing homelessness” means
19 an individual who is a homeless child or youth under
20 section 725 of the McKinney-Vento Homeless Assist-
21 ance Act (42 U.S.C. 11434a).

22 (3) ELIGIBLE ACTIVITY.—The term “eligible
23 activity”, with respect to a parent, shall include, at
24 minimum, activities consisting of—

25 (A) full-time or part-time employment;

1 (B) self-employment;

2 (C) job search activities;

3 (D) job training;

4 (E) secondary, postsecondary, or adult
5 education, including education through a pro-
6 gram of high school classes, a course of study
7 at an institution of higher education, classes to-
8 wards an equivalent of a high school diploma
9 recognized by State law, or English as a second
10 language classes;

11 (F) health treatment (including mental
12 health and substance use treatment) for a con-
13 dition that prevents the parent from partici-
14 pating in other eligible activities;

15 (G) activities to prevent child abuse and
16 neglect, or family violence prevention or inter-
17 vention activities;

18 (H) employment and training activities
19 under the supplemental nutrition assistance
20 program established under section 6(d)(4) the
21 Food and Nutrition Act of 2008 (7 U.S.C.
22 2015(d)(4));

23 (I) employment and training activities
24 under the Workforce Innovation and Oppor-
25 tunity Act;

1 ily of the same size for fiscal year
2 2022;

3 (II) does not exceed 125 percent
4 of such State median income for fiscal
5 year 2023;

6 (III) does not exceed 150 percent
7 of such State median income for fiscal
8 year 2024; and

9 (IV) does not exceed 250 percent
10 of such State median income for each
11 of the fiscal years 2025 through 2027;
12 and

13 (iv) who—

14 (I) resides with a parent or par-
15 ents who are participating in an eligi-
16 ble activity;

17 (II) is included in a population of
18 vulnerable children identified by the
19 lead agency involved, which at a min-
20 imum shall include children with dis-
21 abilities, infants and toddlers with dis-
22 abilities, children experiencing home-
23 lessness, children in foster care, chil-
24 dren in kinship care, and children who

1 are receiving, or need to receive, child
2 protective services; or

3 (III) resides with a parent who is
4 more than 65 years of age.

5 (B) EXPANDED ELIGIBILITY RULE FOR
6 FISCAL YEARS 2022 THROUGH 2024.—

7 (i) IN GENERAL.—A child who is eligi-
8 ble to receive services under this subpara-
9 graph shall be treated as an eligible child
10 for the other provisions of this section.

11 (ii) RULE.—Notwithstanding subpara-
12 graph (A)(iii), a State may use the pay-
13 ments under subsection (g)(1) for fiscal
14 year 2022, 2023, or 2024, to provide di-
15 rect child care services described in sub-
16 section (h)(1)(A) to children who meet the
17 requirements of clauses (i), (ii), and (iv) of
18 subparagraph (A) and whose family income
19 exceeds the percentage specified in sub-
20 paragraph (A)(iii) (but does not exceed
21 250 percent) of State median income for a
22 family of the same size for a given fiscal
23 year, if the State has appropriately
24 prioritized, subject to approval by the Sec-

1 retary, assistance for such services based
2 on family income.

3 (iii) VARIATION IN COST OF LIVING.—

4 In determining eligibility under this sub-
5 paragraph, the State may take into consid-
6 eration geographic variation in the cost of
7 living among regions of the State and ex-
8 pand eligibility for children described in
9 clause (ii) in a region of the State based
10 on such variation, subject to approval by
11 the Secretary.

12 (5) ELIGIBLE CHILD CARE PROVIDER.—

13 (A) IN GENERAL.—The term “eligible child
14 care provider” means a center-based child care
15 provider, a family child care provider, or other
16 provider of child care services for compensation
17 that—

18 (i) is licensed to provide child care
19 services under State law applicable to the
20 child care services it provides or, in the
21 case of an Indian Tribe or Tribal organiza-
22 tion, meets the rules set by the Secretary;

23 (ii) participates in the State’s tiered
24 system for measuring the quality of eligible
25 child care providers described in subsection

1 (f)(4)(B), or, in the case of an Indian
2 Tribe or Tribal organization, meets the
3 rules set by the Secretary—

4 (I) not later than 4 years after
5 the State first receives funds under
6 this section; and

7 (II) for the remainder of the pe-
8 riod for which the provider receives
9 funds under this section; and

10 (iii) satisfies the State and local re-
11 quirements, including those requirements
12 described in section 658E(c)(2)(I) of the
13 Child Care and Development Block Grant
14 Act of 1990 (42 U.S.C. 9858c(c)(2)(I)),
15 applicable to the child care services it pro-
16 vides.

17 (B) SPECIAL RULE.—A child care provider
18 who is eligible to provide child care services in
19 a State for children receiving assistance under
20 the Child Care and Development Block Grant
21 Act of 1990 on the date the State submits an
22 application for funds under this section, and re-
23 mains in compliance with any licensing or reg-
24 istration standards, or regulations, of the State,
25 shall be deemed to be an eligible child care pro-

1 vider under this section for 3.5 years after the
2 State first receives funding under this section.

3 (6) FMAP.—The term “FMAP” has the mean-
4 ing given the term “Federal medical assistance per-
5 centage” in the first sentence of section 1905(b) of
6 the Social Security Act (42 U.S.C. 1396d(b)).

7 (7) FAMILY CHILD CARE PROVIDER.—The term
8 “family child care provider” means one or more indi-
9 viduals who provide child care services, in a private
10 residence other than the residences of the children
11 involved, for less than 24 hours per day per child,
12 or for 24 hours per day per child due to the nature
13 of the work of the parent involved.

14 (8) INCLUSIVE CARE.—The term “inclusive”,
15 with respect to care (including child care), means
16 care provided by an eligible child care provider—

17 (A) for whom the percentage of children
18 served by the provider who are children with
19 disabilities or infants or toddlers with disabil-
20 ities reflects the prevalence of children with dis-
21 abilities and infants and toddlers with disabil-
22 ities (whichever the provider serves) among chil-
23 dren within the State involved; and

24 (B) that provides care and full participa-
25 tion for children with disabilities and infants

1 and toddlers with disabilities (whichever the
2 provider serves) alongside children who are—

3 (i) not children with disabilities; and

4 (ii) not infants and toddlers with dis-
5 abilities.

6 (9) INFANT OR TODDLER.—The term “infant
7 or toddler” means an individual who is less than 3
8 years of age.

9 (10) INFANT OR TODDLER WITH A DIS-
10 ABILITY.—The term “infant or toddler with a dis-
11 ability” has the meaning given the term in section
12 632 of the Individuals with Disabilities Education
13 Act (20 U.S.C. 1432).

14 (11) LEAD AGENCY.—The term “lead agency”
15 means the agency designated under subsection (e).

16 (12) STATE.—The term “State” means any of
17 the 50 States and the District of Columbia.

18 (13) TERRITORY.—The term “territory” means
19 the Commonwealth of Puerto Rico, the Virgin Is-
20 lands of the United States, Guam, American Samoa,
21 and the Commonwealth of the Northern Mariana Is-
22 lands.

23 (c) APPROPRIATIONS.—

24 (1) STATES.—

1 (A) STATE APPROPRIATIONS.—In addition
2 to amounts otherwise available, there is appro-
3 priated to the Department of Health and
4 Human Services for fiscal year 2022, out of any
5 money in the Treasury not otherwise appro-
6 priated—

7 (i)(I) \$11,460,000,000, to remain
8 available until September 30, 2027, for
9 States and the Commonwealth of Puerto
10 Rico, to carry out the activities described
11 in subsection (h)(1)(A) beginning in fiscal
12 year 2022;

13 (II) \$5,730,000,000, to remain avail-
14 able until September 30, 2027, for States
15 and the Commonwealth of Puerto Rico, to
16 carry out the activities described in sub-
17 section (h)(1)(B) beginning in fiscal year
18 2022;

19 (III) \$4,125,600,000, to remain avail-
20 able until September 30, 2027, for States
21 and the Commonwealth of Puerto Rico, to
22 carry out the activities described in sub-
23 paragraph (A) or (B) of subsection (h)(1),
24 as determined by the State or Common-
25 wealth, beginning in fiscal year 2022; and

1 (IV) \$1,604,400,000, to remain avail-
2 able until September 30, 2027, for States
3 and the Commonwealth of Puerto Rico, to
4 carry out the activities described in sub-
5 paragraph (A), (B), or (C) of subsection
6 (h)(1), as determined by the State or Com-
7 monwealth, beginning in fiscal year 2022;

8 (ii)(I) \$16,235,000,000, to remain
9 available until September 30, 2027, for
10 States and the Commonwealth of Puerto
11 Rico, to carry out the activities described
12 in subsection (h)(1)(A) beginning in fiscal
13 year 2023;

14 (II) \$8,117,500,000, to remain avail-
15 able until September 30, 2027, for States
16 and the Commonwealth of Puerto Rico, to
17 carry out the activities described in sub-
18 section (h)(1)(B) beginning in fiscal year
19 2023;

20 (III) \$5,844,600,000, to remain avail-
21 able until September 30, 2027, for States
22 and the Commonwealth of Puerto Rico, to
23 carry out the activities described in sub-
24 paragraph (A) or (B) of subsection (h)(1),

1 as determined by the State or Common-
2 wealth, beginning in fiscal year 2023; and

3 (IV) \$2,272,900,000, to remain avail-
4 able until September 30, 2027, for States
5 and the Commonwealth of Puerto Rico, to
6 carry out the activities described in sub-
7 paragraph (A), (B), or (C) of subsection
8 (h)(1), as determined by the State or Com-
9 monwealth, beginning in fiscal year 2023;
10 and

11 (iii)(I) \$20,055,000,000, to remain
12 available until September 30, 2027, for
13 States and the Commonwealth of Puerto
14 Rico, to carry out the activities described
15 in subsection (h)(1)(A) beginning in fiscal
16 year 2024;

17 (II) \$10,027,500,000, to remain avail-
18 able until September 30, 2027, for States
19 and the Commonwealth of Puerto Rico, to
20 carry out the activities described in sub-
21 section (h)(1)(B) beginning in fiscal year
22 2024;

23 (III) \$7,219,800,000, to remain avail-
24 able until September 30, 2027, for States
25 and the Commonwealth of Puerto Rico, to

1 carry out the activities described in sub-
2 paragraph (A) or (B) of subsection (h)(1),
3 as determined by the State or Common-
4 wealth, beginning in fiscal year 2024; and
5 (IV) \$2,807,700,000, to remain avail-
6 able until September 30, 2027, for States
7 and the Commonwealth of Puerto Rico, to
8 carry out the activities described in sub-
9 paragraph (A), (B), or (C) of subsection
10 (h)(1), as determined by the State or Com-
11 monwealth, beginning in fiscal year 2024.

12 (B) STATE ENTITLEMENT.—In addition to
13 amounts otherwise available, there is appro-
14 priated to the Department of Health and
15 Human Services, out of any money in the
16 Treasury not otherwise appropriated, such sums
17 as may be necessary for each of fiscal years
18 2025 through 2027, for payments to States, for
19 carrying out this section (other than carrying
20 out activities described in paragraph (4), (5), or
21 (6)).

22 (2) INDIAN TRIBES AND TRIBAL ORGANIZA-
23 TIONS.—

24 (A) INDIAN TRIBE AND TRIBAL ORGANIZA-
25 TION APPROPRIATIONS.—In addition to

1 amounts otherwise available, there is appro-
2 priated to the Department of Health and
3 Human Services for fiscal year 2022, out of any
4 money in the Treasury not otherwise appro-
5 priated, for grants to Indian Tribes and Tribal
6 organizations for the purpose of carrying out
7 the child care program described in this section
8 (other than carrying out activities described in
9 paragraph (4), (5), or (6)), consistent, to the
10 extent practicable as determined by the Sec-
11 retary, with the requirements applicable to
12 States—

13 (i) \$960,000,000, to remain available
14 until September 30, 2027, to carry out the
15 child care program beginning in fiscal year
16 2022;

17 (ii) \$1,360,000,000, to remain avail-
18 able until September 30, 2027, to carry
19 out the child care program beginning in
20 fiscal year 2023; and

21 (iii) \$1,680,000,000 to remain avail-
22 able until September 30, 2027, to carry
23 out the child care program beginning in
24 fiscal year 2024.

1 (B) INDIAN TRIBE AND TRIBAL ORGANIZA-
2 TION ENTITLEMENT.—In addition to amounts
3 otherwise available, there is appropriated to the
4 Department of Health and Human Services,
5 out of any money in the Treasury not otherwise
6 appropriated, such sums as may be necessary
7 for each of fiscal years 2025 through 2027, for
8 payments to Indian Tribes and Tribal organiza-
9 tions, for the purpose of carrying out the child
10 care program described in this section (other
11 than carrying out activities described in para-
12 graph (4), (5), or (6)), consistent, to the extent
13 practicable as determined by the Secretary,
14 with the requirements applicable to States.

15 (3) TERRITORIES.—

16 (A) TERRITORY APPROPRIATIONS.—In ad-
17 dition to amounts otherwise available, there is
18 appropriated to the Department of Health and
19 Human Services for fiscal year 2022, out of any
20 money in the Treasury not otherwise appro-
21 priated, for grants to Guam, American Samoa,
22 the Commonwealth of the Northern Mariana Is-
23 lands, and the United States Virgin Islands for
24 the purpose of carrying out the child care pro-
25 gram described in this section (other than car-

1 rying out activities described in paragraph (4),
2 (5), or (6)), consistent, to the extent practicable
3 as determined by the Secretary, with the re-
4 quirements applicable to States—

5 (i) \$120,000,000, to remain available
6 until September 30, 2027, to carry out the
7 child care program beginning in fiscal year
8 2022;

9 (ii) \$170,000,000, to remain available
10 until September 30, 2027, to carry out the
11 child care program beginning in fiscal year
12 2023; and

13 (iii) \$210,000,000, to remain available
14 until September 30, 2027, to carry out the
15 child care program beginning in fiscal year
16 2024.

17 (B) TERRITORY ENTITLEMENT.—In addi-
18 tion to amounts otherwise available, there is ap-
19 propriated to the Department of Health and
20 Human Services, out of any money in the
21 Treasury not otherwise appropriated, such sums
22 as may be necessary for each of fiscal years
23 2025 through 2027, for payments to territories,
24 for the purpose of carrying out the child care
25 program described in this section (other than

1 carrying out activities described in paragraph
2 (4), (5), or (6)), consistent, to the extent prac-
3 ticable as determined by the Secretary, with the
4 requirements applicable to States.

5 (4) GRANTS TO LOCALITIES.—In addition to
6 amounts otherwise available, there is appropriated to
7 the Department of Health and Human Services for
8 fiscal year 2022, out of any money in the Treasury
9 not otherwise appropriated \$4,750,000,000, to re-
10 main available until September 30, 2027, to carry
11 out the program of grants to localities described in
12 subsection (i)(2).

13 (5) HEAD START EXPANSION IN NONPARTICI-
14 PATING STATES.—In addition to amounts otherwise
15 available, there is appropriated to the Department of
16 Health and Human Services for fiscal year 2022,
17 out of any money in the Treasury not otherwise ap-
18 propriated, \$14,250,000,000 to remain available
19 until September 30, 2027, to carry out the program
20 of awards to Head Start agencies described in sub-
21 section (i)(3).

22 (6) FEDERAL ADMINISTRATION.—In addition to
23 amounts otherwise available, there is appropriated to
24 the Department of Health and Human Services for

1 fiscal year 2022, out of any money in the Treasury
2 not otherwise appropriated—

3 (A) \$172,000,000, to remain available
4 until September 30, 2027, to carry out sub-
5 sections (k) and (l) beginning in fiscal year
6 2022;

7 (B) \$220,000,000, to remain available
8 until September 30, 2027, to carry out sub-
9 sections (k) and (l) beginning in fiscal year
10 2023;

11 (C) \$225,000,000, to remain available
12 until September 30, 2027, to carry out sub-
13 sections (k) and (l) beginning in fiscal year
14 2024;

15 (D) \$230,000,000, to remain available
16 until September 30, 2027, to carry out sub-
17 sections (k) and (l) beginning in fiscal year
18 2025;

19 (E) \$235,000,000, to remain available
20 until September 30, 2027, to carry out sub-
21 sections (k) and (l) beginning in fiscal year
22 2026; and

23 (F) \$240,000,000, to remain available
24 until September 30, 2027, to carry out sub-

1 sections (k) and (l) beginning in fiscal year
2 2027.

3 (d) ESTABLISHMENT OF BIRTH THROUGH FIVE
4 CHILD CARE AND EARLY LEARNING ENTITLEMENT PRO-
5 GRAM.—

6 (1) IN GENERAL.—The Secretary is authorized
7 to administer a child care and early learning entitle-
8 ment program under which an eligible child, in a
9 State, territory, or Indian Tribe, or served by a
10 Tribal organization, with an approved application
11 under subsection (f) or (g), shall be provided an op-
12 portunity to obtain high-quality child care services,
13 subject to the requirements of this section.

14 (2) ASSISTANCE FOR EVERY ELIGIBLE
15 CHILD.—Beginning on October 1, 2024, every child
16 who applies for assistance under this section, who is
17 in a State with an approved application under sub-
18 section (f), or in a territory or Indian Tribe or
19 served by a Tribal organization with an approved
20 application under subsection (g), and who is deter-
21 mined, by a lead agency (or other entity designated
22 by a lead agency) for the State, territory, Indian
23 Tribe, or Tribal organization involved, following
24 standards and procedures established by the Sec-
25 retary by rule, to be an eligible child, shall be offered

1 assistance for direct child care services in accordance
2 with and subject to the requirements and limitations
3 of this section.

4 (e) LEAD AGENCY.—The Governor of a State or the
5 head of a territory or Indian Tribe, desiring for the State,
6 territory, or Indian tribe or a related tribal organization
7 to receive a payment under this section, shall designate
8 a lead agency (such as a State agency or joint interagency
9 office) to administer the child care program carried out
10 under this section.

11 (f) APPLICATIONS AND STATE PLANS.—

12 (1) APPLICATION.—To be eligible to receive as-
13 sistance under this section, a State shall prepare
14 and submit to the Secretary for approval an applica-
15 tion containing a State plan that—

16 (A) for a transitional State plan, meets the
17 requirements under paragraph (3) and contains
18 such information as the Secretary may require,
19 to demonstrate the State will meet the require-
20 ments of this section; and

21 (B) for a full State plan, meets the re-
22 quirements under paragraph (4) and contains
23 that information.

1 (2) PERIOD COVERED BY PLAN.—A State plan
2 contained in the application shall be designed to be
3 implemented—

4 (A) for a transitional State plan, during a
5 period of not more than 3 years; and

6 (B) for a full State plan, during a period
7 of not more than 3 years.

8 (3) REQUIREMENTS FOR TRANSITIONAL STATE
9 PLANS.—For a period of not more than 3 years fol-
10 lowing the date of enactment of this Act, the Sec-
11 retary shall award funds under this section, for the
12 purpose of carrying out a program to expand access
13 to assistance for direct child care services and in-
14 crease the supply and quality of child care providers
15 within the State, in alignment with the requirements
16 of this section, to States with an approved applica-
17 tion that contains a transitional State plan, sub-
18 mitted under paragraph (1)(A) at such time, in such
19 manner, and containing such information as the Sec-
20 retary shall require, including, at a minimum, an as-
21 surance that the State will submit a State plan
22 under paragraph (4).

23 (4) REQUIREMENTS FOR FULL STATE PLANS.—
24 The Secretary shall award funds under this section
25 to States with an approved application that contains

1 a full State plan, submitted under paragraph (1)(B),
2 at such time, in such manner, and containing such
3 information as the Secretary shall by rule require,
4 including, at a minimum, the following:

5 (A) PAYMENT RATES AND COST ESTI-
6 MATION.—

7 (i) PAYMENT RATES.—The State plan
8 shall certify that payment rates for the
9 provision of direct child care services for
10 which assistance is provided in accordance
11 with this section for the period covered by
12 the plan, within 3 years after the State
13 first receives funds under this section—

14 (I) will be sufficient to meet the
15 cost of child care (including fixed
16 costs), and set (with pay being paid)
17 in accordance with a cost estimation
18 model or cost study described in
19 clause (ii) that is approved by the
20 Secretary; and

21 (II) will correspond to differences
22 in quality (including improved quality)
23 based on the State's tiered system for
24 measuring the quality of eligible child

1 care providers described in subpara-
2 graph (B).

3 (ii) COST ESTIMATION.—Such State
4 plan shall—

5 (I) demonstrate that the State
6 has, after consulting with relevant en-
7 tities and stakeholders, developed and
8 uses a statistically valid and reliable
9 cost estimation model or cost study
10 for the payment rates for direct child
11 care services in the State that are suf-
12 ficient to cover providers' fixed costs
13 and reflect the cost of child care at
14 each of the tiers of the State's tiered
15 system for measuring the quality of
16 eligible child care providers described
17 in subparagraph (B), and variations
18 in the cost of direct child care services
19 by geographic area, type of provider,
20 and age of child, and the additional
21 costs associated with providing inclu-
22 sive care;

23 (II) certify that the State's pay-
24 ment rates for direct child care serv-

1 ices for which assistance is provided
2 in accordance with this section—

3 (aa) are set (with pay being
4 paid) in accordance with the
5 most recent estimates from the
6 most recent cost estimation
7 model or cost study under sub-
8 clause (I), so that providers at
9 each tier of the tiered system for
10 measuring provider quality de-
11 scribed in subparagraph (B) re-
12 ceive a payment that is sufficient
13 to fully meet the requirements of
14 such tier;

15 (bb) are set so as to provide
16 payments to providers not at the
17 top tier of the tiered system that
18 are sufficient to enable the pro-
19 viders to increase quality to meet
20 the requirements for the next
21 tier;

22 (cc) ensure adequate wages
23 for staff of child care providers
24 providing such direct child care
25 services that—

1 (AA) at a minimum,
2 provide a living wage for all
3 staff of such child care pro-
4 viders; and

5 (BB) are equivalent to
6 wages for elementary edu-
7 cators with similar creden-
8 tials and experience in the
9 State; and

10 (dd) are adjusted on an an-
11 nual basis for cost of living in-
12 creases to ensure those payment
13 rates remain sufficient to meet
14 the requirements of this section;
15 and

16 (III) certify that the State will
17 update, not less often than once every
18 3 years, the cost estimation model or
19 cost study described in subclause (I).

20 (iii) PAYMENT PRACTICES.—Such
21 State plan shall include an assurance that
22 the State will implement payment practices
23 that support the fixed costs of providing
24 direct child care services.

1 (B) TIERED SYSTEM FOR MEASURING THE
2 QUALITY OF ELIGIBLE CHILD CARE PRO-
3 VIDERS.—Such State plan shall certify that the
4 State has implemented, or assure that the State
5 will implement within 3 years after first receiv-
6 ing funds under this section, a tiered system for
7 measuring the quality of eligible child care pro-
8 viders who provide child care services for which
9 assistance is made available under this section.
10 Such tiered system shall—

11 (i) include a set of standards, for de-
12 termining the tier of quality of a child care
13 provider, that—

14 (I) uses standards for a highest
15 tier that at a minimum are equivalent
16 to Head Start program performance
17 standards described in section
18 641A(a)(1)(B) of the Head Start Act
19 (42 U.S.C. 9836a(a)(1)(B)) or other
20 equivalent evidence-based standards
21 approved by the Secretary; and

22 (II) includes quality indicators
23 and thresholds that are appropriate
24 for child development in different
25 types of child care provider settings,

1 including child care centers and the
2 settings of family child care providers,
3 and are appropriate for providers
4 serving different age groups (includ-
5 ing mixed age groups) of children;

6 (ii) include a different set of stand-
7 ards that includes indicators, when appro-
8 priate, for care during nontraditional hours
9 of operation; and

10 (iii) provide for sufficient resources
11 and supports for child care providers at
12 tiers lower than the highest tier to facili-
13 tate progression toward meeting higher
14 quality standards.

15 (C) ACHIEVING HIGH QUALITY FOR ALL
16 CHILDREN.—Such State plan shall certify the
17 State has implemented, or will implement with-
18 in 3 years after first receiving funds under this
19 section, policies and financing practices that
20 will ensure all eligible children can choose to at-
21 tend child care at the highest quality tier within
22 6 years after the date of enactment of this Act.

23 (D) COMPENSATION.—Such plan shall pro-
24 vide a certification that the State has or will
25 have within 3 years after first receiving funds

1 under this section, a wage ladder for staff of el-
2 igible child care providers receiving assistance
3 under this section, including a certification that
4 wages for such staff, at a minimum, will meet
5 the requirements of subparagraph
6 (A)(ii)(II)(cc).

7 (E) SLIDING FEE SCALE FOR COPAY-
8 MENTS.—

9 (i) IN GENERAL.—Except as provided
10 in clause (ii)(I), the State plan shall pro-
11 vide an assurance that the State will for
12 the period covered by the plan use a slid-
13 ing fee scale described in clause (ii) to de-
14 termine a copayment for a family receiving
15 assistance under this section (or, for a
16 family receiving part-time care, a reduced
17 copayment that is the proportionate
18 amount of the full copayment).

19 (ii) SLIDING FEE SCALE.—A full co-
20 payment described in clause (i) shall use a
21 sliding fee scale that provides that, for a
22 family with a family income—

23 (I) of not more than 75 percent
24 of State median income for a family
25 of the same size, the family shall not

1 pay a copayment, toward the cost of
2 the child care involved for all eligible
3 children in the family;

4 (II) of more than 75 percent but
5 not more than 100 percent of State
6 median income for a family of the
7 same size, the copayment shall be
8 more than 0 but not more than 2 per-
9 cent of that family income, toward
10 such cost for all such children;

11 (III) of more than 100 percent
12 but not more than 125 percent of
13 State median income for a family of
14 the same size, the copayment shall be
15 more than 2 but not more than 4 per-
16 cent of that family income, toward
17 such cost for all such children;

18 (IV) of more than 125 percent
19 but not more than 150 percent of
20 State median income for a family of
21 the same size, the copayment shall be
22 more than 4 but not more than 7 per-
23 cent of that family income, toward
24 such cost for all such children; and

1 (V) of more than 150 percent but
2 not more than 250 percent of the
3 State median income for a family of
4 the same size, the copayment shall be
5 7 percent of that family income, to-
6 ward such cost for all such children.

7 (F) PROHIBITION ON CHARGING MORE
8 THAN COPAYMENT.—The State plan shall cer-
9 tify that the State will not permit a child care
10 provider receiving financial assistance under
11 this section to charge, for direct child care serv-
12 ices for an eligible child, more than the total
13 of—

14 (i) the financial assistance provided
15 for the child under this section; and

16 (ii) any applicable copayment pursu-
17 ant to subparagraph (E).

18 (G) ELIGIBILITY.—The State plan shall
19 assure that each child who receives assistance
20 under this section will be considered to meet all
21 eligibility requirements for such assistance, and
22 will receive such assistance, for not less than 12
23 months unless the child has aged out of the
24 program, and the child's eligibility determina-
25 tion and redetermination, including any deter-

1 mination based on the State’s definition of eligi-
2 ble activities, shall be implemented in a manner
3 that supports child well-being and reduces bar-
4 riers to enrollment, including continuity of serv-
5 ices.

6 (H) POLICIES TO SUPPORT ACCESS TO
7 CHILD CARE FOR UNDERSERVED POPU-
8 LATIONS.—The State plan shall demonstrate
9 that the State will prioritize increasing access
10 to, and the quality and the supply of, child care
11 in the State for underserved populations, in-
12 cluding at a minimum, low-income children,
13 children in underserved areas, infants and tod-
14 dlers, children with disabilities and infants and
15 toddlers with disabilities, children who are dual
16 language learners, children experiencing home-
17 lessness, children in foster or kinship care, chil-
18 dren who receive care during nontraditional
19 hours, and vulnerable children as defined by the
20 lead agency pursuant to subsection
21 (b)(4)(A)(iv)(II).

22 (I) POLICIES.—The State plan shall in-
23 clude a certification that the State will apply,
24 under this section, the policies and procedures
25 described in subparagraphs (A), (B), (I), (J),

1 (K)(i), (R), and (U) of section 658E(c)(2) of
2 the Child Care and Development Block Grant
3 Act of 1990 (42 U.S.C. 9858c(c)(2)), and the
4 policies and procedures described in section
5 658H of such Act (42 U.S.C. 9858f), to child
6 care services provided under this section.

7 (J) LICENSING.—The State plan shall
8 demonstrate that the State has consulted or will
9 consult with organizations (including labor or-
10 ganizations) representing child care directors,
11 teachers, or other staff, early childhood edu-
12 cation and development experts, and families to
13 develop, within 2.5 years after first receiving
14 funds under this section, licensing standards
15 appropriate for child care providers and a path-
16 way to such licensure that is available to and
17 appropriate for child care providers in a variety
18 of settings, that will offer providers eligible
19 under the Child Care and Development Block
20 Grant Act of 1990 a reasonable pathway to be-
21 come eligible providers under this section, and
22 that will assure an adequate supply of child
23 care. Such plan shall describe the timeline the
24 State will use to ensure sufficient time for pro-
25 viders described in subsection (b)(5)(B) to com-

1 ply with such licensing standards in order to re-
2 main eligible providers after 3.5 years after the
3 State first receives funding under this section.

4 (g) PAYMENTS.—

5 (1) PAYMENTS FOR FISCAL YEARS 2022
6 THROUGH 2024.—

7 (A) DEFINITIONS.—For purposes of this
8 paragraph—

9 (i) the term “State” means the 50
10 States, the District of Columbia, and the
11 Commonwealth of Puerto Rico; and

12 (ii) the term “territory” means Guam,
13 American Samoa, the Commonwealth of
14 the Northern Mariana Islands, and the
15 United States Virgin Islands.

16 (B) ALLOTMENTS.—For each of fiscal
17 years 2022 through 2024, the Secretary shall,
18 from the amount appropriated under subsection
19 (c)(1)(A) for such fiscal year, make allotments
20 to each State with an application approved
21 under subsection (f) in the same manner as the
22 Secretary makes such allotments using the for-
23 mula under section 6580(b) of the Child Care
24 and Development Block Grant Act of 1990 (42
25 U.S.C. 9858m(b)).

1 (C) PAYMENTS.—

2 (i) INDIAN TRIBES AND TRIBAL ORGA-
3 NIZATIONS.—

4 (I) IN GENERAL.—For each of
5 fiscal years 2022 through 2024, from
6 the amount appropriated for Indian
7 Tribes and Tribal organizations under
8 subsection (e)(2)(A), the Secretary
9 shall make payments to Indian Tribes
10 and Tribal organizations with an ap-
11 plication approved under subclause
12 (II), and the Tribes and Tribal orga-
13 nizations shall be entitled to such pay-
14 ments for the purpose of carrying out
15 the child care program described in
16 this section, consistent, to the extent
17 practicable as determined by the Sec-
18 retary, with the requirements applica-
19 ble to States.

20 (II) APPLICATIONS.—An Indian
21 Tribe or Tribal organization seeking a
22 payment under this clause shall sub-
23 mit an application to the Secretary at
24 such time, in such manner, and con-
25 taining such information as the Sec-

1 retary may specify, including an
2 agreement to provide reports under
3 subsection (j)(6).

4 (III) SPECIAL RULE.—The Sec-
5 retary shall determine eligibility cri-
6 teria for children from Indian tribes
7 who are less than 6 years of age and
8 not yet in kindergarten, which eligi-
9 bility criteria shall not be more strin-
10 gent than the eligibility criteria under
11 subsection (b)(4)(A).

12 (ii) TERRITORIES.—

13 (I) IN GENERAL.—For each of
14 fiscal years 2022 through 2024, from
15 the amount appropriated for terri-
16 tories under subsection (c)(3)(A), the
17 Secretary shall make payments to the
18 territories with an application ap-
19 proved under subclause (II), and the
20 territories shall be entitled to such
21 payments, for the purpose of carrying
22 out the child care program described
23 in this section, consistent, to the ex-
24 tent practicable as determined by the

1 Secretary, with the requirements ap-
2 plicable to States.

3 (II) APPLICATIONS.—A territory
4 seeking a payment under this clause
5 shall submit an application to the Sec-
6 retary at such time, in such manner,
7 and containing such information as
8 the Secretary may specify, including
9 an agreement to provide reports under
10 subsection (j)(6).

11 (iii) STATES.—For each of fiscal years
12 2022 through 2024, each State that has
13 an application approved under subsection
14 (f) shall be entitled to a payment under
15 this clause in the amount equal to its allot-
16 ment under subparagraph (B) for such fis-
17 cal year.

18 (D) AUTHORITIES.—

19 (i) FISCAL YEARS 2022 THROUGH
20 2024.—Notwithstanding any other provi-
21 sion of this paragraph, for each of fiscal
22 years 2022 through 2024, the Secretary
23 shall have the authority—

24 (I) to reallocate funds that were al-
25 lotted under subparagraph (B) from

1 any State without an approved appli-
2 cation under subsection (f) by the
3 date required by the Secretary, to
4 States with an approved application
5 under that subsection and to eligible
6 localities and Head Start agencies in
7 accordance with subsection (i); and

8 (II) to reallocate any amounts avail-
9 able for payments under subpara-
10 graph (C) that the Secretary elected
11 to allot for—

12 (aa) an Indian Tribe or
13 Tribal organization without an
14 approved application under sub-
15 paragraph (C)(i)(II) by the date
16 required by the Secretary, to
17 Tribes or Tribal organizations
18 with such an approved applica-
19 tion; and

20 (bb) any territory without
21 an approved application under
22 subparagraph (C)(ii)(II) by the
23 date required by the Secretary, to
24 territories with such an approved
25 application.

1 (ii) FISCAL YEAR 2025.—Notwith-
2 standing any other provision of this sec-
3 tion, on October 1, 2024, the Secretary
4 shall have the authority to reallocate funds
5 from payments made under subparagraph
6 (C) that are unobligated on such date, to
7 any entity without such unobligated funds
8 that is a State with an approved applica-
9 tion under subsection (f), an Indian Tribe
10 or Tribal organization with an approved
11 application under subparagraph (C)(i)(II),
12 a territory with an approved application
13 under subparagraph (C)(ii)(II), to carry
14 out the purposes of this section, or to an
15 eligible locality or Head Start agency in
16 accordance with subsection (i).

17 (2) PAYMENTS FOR FISCAL YEARS 2025
18 THROUGH 2027.—

19 (A) IN GENERAL.—For each of fiscal years
20 2025 through 2027:

21 (i) CHILD CARE ASSISTANCE FOR ELI-
22 GIBLE CHILDREN.—

23 (I) IN GENERAL.—The Secretary
24 shall pay to each State with an ap-
25 proved application under subsection

1 (f), and that State shall be entitled to,
2 an amount for each quarter equal to
3 95.440 percent of expenditures (which
4 shall be the Federal share of such ex-
5 penditures) in the quarter for direct
6 child care services described under
7 subsection (h)(2)(B) for eligible chil-
8 dren.

9 (II) EXCEPTION.—Funds re-
10 served from the total under subsection
11 (h)(2)(C) shall be subject to clause
12 (ii).

13 (III) PROHIBITION.—Activities
14 described in clause (ii) and clause (iii)
15 may not be included in the cost of di-
16 rect child care services described in
17 this clause.

18 (ii) ACTIVITIES TO IMPROVE THE
19 QUALITY AND SUPPLY OF CHILD CARE
20 SERVICES.—The Secretary shall pay to
21 each State with such an approved applica-
22 tion, and that State shall be entitled to, an
23 amount equal to the product of 1.06045
24 and the FMAP of expenditures (which
25 product shall be the Federal share of such

1 expenditures) to carry out activities to im-
2 prove the quality and supply of child care
3 services under subsection (h)(2)(C) subject
4 to the limit specified in clause (i) of such
5 subsection.

6 (iii) ADMINISTRATION.—The Sec-
7 retary shall pay to each State with such an
8 approved application, and that State shall
9 be entitled to, an amount equal to 53.022
10 percent of expenditures (which shall be the
11 Federal share of such expenditures) for the
12 costs of administration incurred by the
13 State—

14 (I) which shall include costs in-
15 curred by the State in carrying out
16 the child care program established in
17 this section; and

18 (II) which may include, at the
19 option of the State, costs associated
20 with carrying out requirements, poli-
21 cies, and procedures described in sec-
22 tion 658H of the Child Care and De-
23 velopment Block Grant Act of 1990
24 (42 U.S.C. 9858f).

1 (B) ADVANCE PAYMENT; RETROSPECTIVE
2 ADJUSTMENT.—For each of fiscal years 2025
3 through 2027, the Secretary shall make pay-
4 ments under this paragraph for a period on the
5 basis of advance estimates of expenditures sub-
6 mitted by the State and such other investiga-
7 tion as the Secretary may find necessary, and
8 shall reduce or increase the payments as nec-
9 essary to adjust for any overpayment or under-
10 payment for previous periods. No interest shall
11 be charged or paid on any amount due because
12 of an overpayment or underpayment for pre-
13 vious periods.

14 (C) TERRITORIES AND TRIBES.—For each
15 of fiscal years 2025 through 2027, from the
16 amounts appropriated under paragraph (2)(B)
17 or (3)(B) of subsection (c) the Secretary shall
18 make payments to territories, and Indian
19 Tribes and Tribal organizations, as the case
20 may be, with applications submitted as de-
21 scribed in paragraph (1), and approved by the
22 Secretary for the purpose of carrying out the
23 child care program described in this section,
24 consistent, to the extent practicable as deter-
25 mined by the Secretary (subject to subsection

1 (d)(2)), with the requirements applicable to
2 States. The Secretary shall make the payments
3 to such territories, Indian Tribes, and Tribal
4 organizations on the basis of their relative need.
5 Each entity that is such a territory, Indian
6 Tribe, or Tribal organization shall be entitled to
7 such a payment as may be necessary to carry
8 out the activities described in subsection (h)(2),
9 and to pay for the costs of administration in-
10 curred by the entity, which shall include costs
11 incurred by the entity in carrying out the child
12 care program, and which may include, at the
13 option of the entity, costs associated with car-
14 rying out requirements, policies, and procedures
15 described in section 658H of the Child Care
16 and Development Block Grant Act of 1990.

17 (h) USE OF FUNDS.—

18 (1) USE OF FUNDS FOR FISCAL YEARS 2022
19 THROUGH 2024.—For each of fiscal years 2022
20 through 2024, a State (as defined in subsection
21 (g)(1)) that receives a payment under subsection
22 (g)(1) shall use such payment for—

23 (A) assistance for direct child care serv-
24 ices, which shall consist only of—

1 (i) assistance for direct child care
2 services for eligible children through grants
3 and contracts, and child care certificates;

4 (ii) increasing child care provider pay-
5 ment rates to support the cost of providing
6 high-quality direct child care services, in-
7 cluding rates sufficient to support in-
8 creased wages for staff of eligible child
9 care providers;

10 (iii) waiving or reducing copayments,
11 to ensure that the families of children re-
12 ceiving assistance under this section do not
13 pay more than 7 percent of family income
14 toward the cost of the child care involved
15 for all eligible children in the family; and

16 (iv) grants and contracts to cover a
17 portion of fixed operating expenses of eligi-
18 ble child care providers serving eligible
19 children receiving assistance under this
20 section, to support increased wages, pro-
21 gram stability, and continuity of services
22 for all children in such program;

23 (B) activities described in paragraph
24 (2)(C), without regard to the requirement in
25 clause (i)(I) of such paragraph or to the ref-

1 erences to a quality child care amount in such
2 paragraph; and

3 (C) costs of administration incurred by the
4 State, which shall include the costs described in
5 subclause (I) of subsection (g)(2)(A)(iii) and
6 may, at the option of the State, include the
7 costs described in subclause (II) of such sub-
8 section.

9 (2) USE OF FUNDS FOR FISCAL YEARS 2025
10 THROUGH 2027.—

11 (A) IN GENERAL.—Starting on October 1,
12 2024, a State shall use amounts provided to the
13 State under subsection (g)(2) for direct child
14 care services (provided on a sliding fee scale
15 basis), activities to improve the quality and sup-
16 ply of child care services consistent with para-
17 graph (C), and State administration consistent
18 with subsection (g)(2)(A)(iii).

19 (B) CHILD CARE ASSISTANCE FOR ELIGI-
20 BLE CHILDREN.—

21 (i) IN GENERAL.—For each of fiscal
22 years 2025 through 2027, from payments
23 made to the State under subsection (g)(2)
24 for that particular fiscal year, the State
25 shall ensure that parents of eligible chil-

1 dren can access direct child care services
2 provided by an eligible child care provider
3 under this section through a grant or con-
4 tract as described in clause (ii) or a certifi-
5 cate as described in clause (iii).

6 (ii) GRANTS AND CONTRACTS.—The
7 State shall award grants or contracts to el-
8 igible child care providers, consistent with
9 the requirements under this section, for
10 the provision of child care services for eli-
11 gible children under this section that, at a
12 minimum—

13 (I) support providers’ operating
14 expenses to meet and sustain health,
15 safety, quality, and wage standards
16 required under this section; and

17 (II) address underserved popu-
18 lations described in subsection
19 (f)(4)(H).

20 (iii) CERTIFICATES.—The State shall
21 issue a child care certificate directly to a
22 parent who shall use such certificate only
23 as payment for direct child care services or
24 as a deposit for direct child care services if
25 such a deposit is required of other children

1 being cared for by the provider, consistent
2 with the requirements under this section.

3 (C) ACTIVITIES TO IMPROVE THE QUALITY
4 AND SUPPLY OF CHILD CARE SERVICES.—

5 (i) QUALITY CHILD CARE ACTIVI-
6 TIES.—

7 (I) AMOUNT.—For each of fiscal
8 years 2025 through 2027, from the
9 total of the payments made to the
10 State for a particular fiscal year, the
11 State shall reserve and use a quality
12 child care amount equal to not less
13 than 5 percent and not more than 10
14 percent of the amount made available
15 to the State through such payments
16 for the previous fiscal year.

17 (II) USE OF QUALITY CHILD
18 CARE AMOUNT.—Each State shall use
19 the quality child care amount de-
20 scribed in subclause (I) to implement
21 activities described in this subpara-
22 graph to improve the quality and sup-
23 ply of child care services by eligible
24 child care providers, and increase the
25 number of available slots in the State

1 for child care services funded under
2 this section, prioritizing assistance for
3 child care providers who are in under-
4 served communities and who are pro-
5 viding, or are seeking to provide, child
6 care services for underserved popu-
7 lations identified in subsection
8 (f)(4)(H).

9 (III) ADMINISTRATION.—Activi-
10 ties funded under this subparagraph
11 may be administered—

12 (aa) directly by the lead
13 agency; or

14 (bb) through other State
15 government agencies, local or re-
16 gional child care resource and re-
17 ferral organizations, community
18 development financial institu-
19 tions, other intermediaries with
20 experience supporting child care
21 providers, or other appropriate
22 entities that enter into a contract
23 with the State to provide such
24 assistance.

1 (ii) QUALITY AND SUPPLY ACTIVI-
2 TIES.—Activities funded under the quality
3 child care amount described in clause (i)
4 shall include each of the following:

5 (I) STARTUP GRANTS AND SUP-
6 PLY EXPANSION GRANTS.—

7 (aa) IN GENERAL.—From a
8 portion of the quality child care
9 amount, a State shall make start-
10 up and supply expansion grants
11 to support child care providers
12 who are providing, or seeking to
13 provide, child care services to
14 children receiving assistance
15 under this section, with priority
16 for providers providing or seeking
17 to provide child care in under-
18 served communities and for un-
19 derserved populations identified
20 in subsection (f)(4)(H), to—

21 (AA) support startup
22 and expansion costs; and

23 (BB) assist such pro-
24 viders in meeting health and
25 safety requirements, achiev-

1 ing licensure, and meeting
2 requirements in the State's
3 tiered system for measuring
4 the quality of eligible child
5 care providers.

6 (bb) REQUIREMENT.—As a
7 condition of receiving a startup
8 or supply expansion grant under
9 this subclause, a child care pro-
10 vider shall commit to meeting the
11 requirements of an eligible pro-
12 vider under this section, and pro-
13 viding child care services to chil-
14 dren receiving assistance under
15 this section on an ongoing basis.

16 (II) QUALITY GRANTS.—From a
17 portion of the quality child care
18 amount, a State shall provide quality
19 grants to support eligible child care
20 providers in providing child care serv-
21 ices to children receiving assistance
22 under this section to improve the
23 quality of such providers, including—

24 (aa) supporting such pro-
25 viders in meeting or making

1 progress toward the requirements
2 for the highest tier of the State's
3 tiered system for measuring the
4 quality of eligible child care pro-
5 viders under subsection (f)(4)(B);
6 and

7 (bb) supporting such pro-
8 viders in sustaining child care
9 quality, including supporting in-
10 creased wages for staff and sup-
11 porting payment of fixed costs.

12 (III) FACILITIES GRANTS.—

13 (aa) IN GENERAL.—From a
14 portion of the quality child care
15 amount, a State shall provide
16 support, including through
17 awarding facilities grants, for re-
18 modeling, renovation, or repair of
19 a building or facility to the ex-
20 tent permitted under section
21 658F(b) of the Child Care and
22 Development Block Grant Act of
23 1990 (42 U.S.C. 9858).

24 (bb) ADDITIONAL USES.—
25 For fiscal years 2022 through

1 2024, and in subsequent years
2 with approval from the Secretary,
3 a State may award such facilities
4 grants for construction, perma-
5 nent improvement, or major ren-
6 ovation of a building or facility
7 primarily used for providing di-
8 rect child care services, in ac-
9 cordance with the following:

10 (AA) Federal interest
11 provisions will not apply to
12 the renovation or rebuilding
13 of privately-owned family
14 child care homes under this
15 subclause.

16 (BB) Eligible child care
17 providers may not use funds
18 for buildings or facilities
19 that are used primarily for
20 sectarian instruction or reli-
21 gious worship.

22 (CC) The Secretary
23 shall develop parameters on
24 the use of funds under this

1 subclause for family child
2 care homes.

3 (DD) The Secretary
4 shall not retain Federal in-
5 terest after a period of 10
6 years in any facility built,
7 renovated, or repaired with
8 funds awarded under this
9 subclause.

10 (IV) LIMITATION.—For purposes
11 of subclause (III), the Secretary shall
12 not—

13 (aa) enter into any agree-
14 ment related to funds for activi-
15 ties carried out under subclause
16 (III)—

17 (AA) that is for a term
18 extending beyond September
19 30, 2031; and

20 (BB) under which any
21 payment could be outlaid
22 after September 30, 2031;
23 or

24 (bb) use any other funds
25 available to the Secretary, other

1 than funds provided under this
2 section, to satisfy obligations ini-
3 tially made for activities carried
4 out under subclause (III).

5 (V) STATE ACTIVITIES TO IM-
6 PROVE THE QUALITY OF CHILD CARE
7 SERVICES.—A State shall use a por-
8 tion of the quality child care amount
9 to improve the quality of child care
10 services available for this program,
11 which shall include—

12 (aa) supporting the training
13 and professional development of
14 the early childhood workforce, in-
15 cluding supporting degree attain-
16 ment and credentialing for early
17 childhood educators;

18 (bb) developing, imple-
19 menting, or enhancing the
20 State's tiered system for meas-
21 uring the quality of eligible child
22 care providers under subsection
23 (f)(4)(B);

24 (cc) improving the supply
25 and quality of developmentally

1 appropriate and inclusive child
2 care programs and services for
3 underserved populations de-
4 scribed in subsection (f)(4)(H);

5 (dd) improving access to
6 child care services for vulnerable
7 children as defined by the lead
8 agency pursuant to subsection
9 (b)(4)(A)(iv)(II); and

10 (ee) providing outreach and
11 enrollment support for families of
12 eligible children.

13 (VI) TECHNICAL ASSISTANCE.—

14 From a portion of the quality child
15 care amount, the State shall provide
16 technical assistance to increase the
17 supply and quality of eligible child
18 care providers who are providing, or
19 seeking to provide, child care services
20 to children receiving assistance under
21 this section, including providing sup-
22 port to enable providers to achieve li-
23 censure.

24 (i) GRANTS TO LOCALITIES AND AWARDS TO HEAD
25 START PROGRAMS.—

1 (1) ELIGIBLE LOCALITY DEFINED.—In this
2 subsection, the term “eligible locality” means a city,
3 county, or other unit of general local government.

4 (2) GRANTS TO LOCALITIES.—

5 (A) IN GENERAL.—The Secretary shall use
6 funds appropriated under subsection (c)(4) or
7 reallocated under subsection (g)(1)(D) to award
8 local Birth Through Five Child Care and Early
9 Learning Grants, as determined by the Sec-
10 retary, to eligible localities located in States
11 that have not received payments under sub-
12 section (g). The Secretary shall award the
13 grants to eligible localities in such a State from
14 the allotment made for that State under sub-
15 paragraph (B).

16 (B) ALLOTMENTS.—

17 (i) POVERTY LINE DEFINED.—In this
18 subparagraph, the term “poverty line”
19 means the poverty line defined and revised
20 as described in section 673 of the Commu-
21 nity Services Block Grant Act (42 U.S.C.
22 9902).

23 (ii) GENERAL AUTHORITY.—For each
24 State described in subparagraph (A), the
25 Secretary shall allot for the State for a fis-

1 cal year an amount that bears the same re-
2 lationship to the funds appropriated under
3 subsection (c)(4) for the fiscal year as the
4 number of children from families with fam-
5 ily incomes that are at or below 200 per-
6 cent of the poverty line, and who are under
7 the age of 6, in the State bears to the total
8 number of all such children in all States
9 described in subparagraph (A).

10 (C) APPLICATION.—To receive a grant
11 from the corresponding State allotment under
12 subparagraph (B), an eligible locality shall sub-
13 mit an application to the Secretary at such
14 time, in such manner, and containing such in-
15 formation as the Secretary may require. The re-
16 quirements for the application shall, to the
17 greatest extent practicable, be consistent with
18 the State plan requirements applicable to States
19 under subsection (f).

20 (D) REQUIREMENTS.—The Secretary shall
21 specify the requirements for an eligible locality
22 to provide access to child care, which child care
23 requirements shall, to the greatest extent prac-
24 ticable, be consistent with the requirements ap-
25 plicable to States under this section.

1 (E) RECOUPMENT OF UNUSED FUNDS.—
2 Notwithstanding any other provision of this sec-
3 tion, for each of fiscal years 2023 through
4 2027, the Secretary shall have the authority to
5 recoup any unused funds allotted under sub-
6 paragraph (B) for awards under paragraph
7 (3)(A) to Head Start agencies in accordance
8 with paragraph (3).

9 (3) HEAD START EXPANSION IN NONPARTICI-
10 PATING STATES.—

11 (A) IN GENERAL.—The Secretary shall use
12 funds appropriated under subsection (c)(5), re-
13 allotted under subsection (g)(1)(D), or recouped
14 under paragraph (2) to make awards to Head
15 Start agencies in a State described in para-
16 graph (2)(A) to carry out the purposes of the
17 Head Start Act in such State.

18 (B) RULE.—For purposes of carrying out
19 the Head Start Act in circumstances not involv-
20 ing awards under this paragraph, funds award-
21 ed under subparagraph (A) shall not be in-
22 cluded in the calculation of a “base grant” as
23 such term is defined in section 640(a)(7)(A) of
24 the Head Start Act (42 U.S.C. 9835(a)(7)(A)).

1 (C) DEFINITION.—In this paragraph, the
2 term “Head Start agency” means an entity des-
3 ignated or eligible to be designated as a Head
4 Start agency under section 641(a)(1) of the
5 Head Start Act or as an Early Head Start
6 agency (by receiving a grant) under section
7 645A(a) of such Act.

8 (4) PRIORITY FOR SERVING UNDERSERVED
9 POPULATIONS.—In making determinations to award
10 a grant or make an award under this subsection, the
11 Secretary shall give priority to entities serving a
12 high percentage of individuals from underserved
13 populations described in subsection (f)(4)(H).

14 (j) PROGRAM REQUIREMENTS.—

15 (1) NONDISCRIMINATION.—The following provi-
16 sions of law shall apply to any program or activity
17 that receives funds provided under this section:

18 (A) Title IX of the Education Amendments
19 of 1972.

20 (B) Title VI of the Civil Rights Act of
21 1964.

22 (C) Section 504 of the Rehabilitation Act
23 of 1973.

24 (D) The Americans with Disabilities Act of
25 1990.

1 (2) PROHIBITION ON ADDITIONAL ELIGIBILITY
2 REQUIREMENTS.—No individual shall be determined,
3 by the Secretary, a State, or another recipient of
4 funds under this section, to be ineligible for child
5 care services provided under this section, except on
6 the basis of eligibility requirements specified in or
7 under this section.

8 (3) MAINTENANCE OF EFFORT.—

9 (A) IN GENERAL.—A State that receives
10 payments under this section for a fiscal year, in
11 using the funds made available through the
12 payments, shall maintain the expenditures of
13 the State for child care services at the average
14 level of such expenditures by the State for the
15 3 preceding fiscal years.

16 (B) COUNTING RULE.—State expenditures
17 counted for purposes of meeting the require-
18 ment in subparagraph (A) may also be counted
19 for purposes of meeting the requirement to pro-
20 vide a non-Federal share under clause (i), (ii),
21 or (iii), as appropriate, of subsection (g)(2)(A).

22 (4) SUPPLEMENT NOT SUPPLANT.—Funds re-
23 ceived under this section shall be used to supplement
24 and not supplant other Federal, State, and local
25 public funds expended to provide child care services

1 in the State on the date of enactment of this Act,
2 calculated as the average amount of such Federal,
3 State, and local public funds expended for fiscal
4 years 2019, 2020, and 2021.

5 (5) ALLOWABLE SOURCES OF NON-FEDERAL
6 SHARE.—For purposes of providing the non-Federal
7 share required under subsection (g)(2), a State’s
8 non-Federal share—

9 (A) for direct child care services described
10 in subsection (g)(2)(A)(i)—

11 (i) shall not include contributions
12 being used as a non-Federal share or
13 match for another Federal award; and

14 (ii) shall be provided from State or
15 local sources, contributions from philan-
16 thropy or other private organizations, or a
17 combination of such sources and contribu-
18 tions; and

19 (B) for activities to improve the quality
20 and supply of child care services described in
21 subsection (g)(2)(A)(ii), and administration de-
22 scribed in subsection (g)(2)(A)(iii)—

23 (i) shall not include contributions
24 being used as a non-Federal share or
25 match for another Federal award;

1 (ii) shall be provided from State or
2 local sources, contributions from philan-
3 thropy or other private organizations, or a
4 combination of such sources and contribu-
5 tions; and

6 (iii) may be in cash or in kind, fairly
7 evaluated, including facilities or property,
8 equipment, or services.

9 (6) REPORTS.—A State, Indian Tribe, Tribal
10 organization, or territory receiving funds under this
11 section shall provide to the Secretary such periodic
12 reports, providing a detailed accounting of the uses
13 of the funds received under this section, as the Sec-
14 retary may require for the administration of this
15 section. The State, Indian Tribe, Tribal organiza-
16 tion, or territory shall begin to provide the reports
17 beginning not later than 60 days after its initial re-
18 ceipt of a payment under subsection (g)(1).

19 (k) MONITORING AND ENFORCEMENT.—

20 (1) REVIEW OF COMPLIANCE WITH REQUIRE-
21 MENTS AND STATE PLAN.—The Secretary shall re-
22 view and monitor compliance of States, territories,
23 Tribal entities, and local entities with this section
24 and State compliance with the transitional State

1 plan described in subsection (f)(3) or the full State
2 plan described in subsection (f)(4).

3 (2) ISSUANCE OF RULE.—The Secretary shall
4 establish by rule procedures for—

5 (A) receiving, processing, and determining
6 the validity of complaints or findings concerning
7 any failure of a State to comply with the State
8 plan or any other requirement of this section;

9 (B) notifying a State when the Secretary
10 has determined there has been a failure by the
11 State to comply with a requirement of this sec-
12 tion; and

13 (C) imposing sanctions under this sub-
14 section for such a failure.

15 (l) FEDERAL ADMINISTRATION.—Using funds re-
16 served under subsection (c)(6), the Secretary shall carry
17 out administration of this section, shall provide (including
18 through the use of grants or cooperative agreements) tech-
19 nical assistance to States, territories, Indian Tribes, and
20 Tribal organizations, and shall carry out research, and
21 evaluations related to this section.

22 (m) TRANSITION PROVISIONS.—

23 (1) TREATMENT OF CHILD CARE AND DEVEL-
24 OPMENT BLOCK GRANT FUNDS.—For each of fiscal
25 years 2025, 2026, and 2027, a State receiving as-

1 sistance under this section shall not use more than
2 10 percent of any funds received under the Child
3 Care and Development Block Grant Act of 1990 to
4 provide assistance for direct child care services to
5 children who are under the age of 6, are not yet in
6 kindergarten, and are eligible under that Act.

7 (2) SPECIAL RULES REGARDING ELIGIBILITY.—
8 Any child who is less than 6 years of age, is not yet
9 in kindergarten, and is receiving assistance under
10 the Child Care and Development Block Grant Act of
11 1990 on the date funding is first allocated to the
12 lead agency for the State, territory, Indian Tribe, or
13 Tribal organization involved under this section—

14 (A) shall be deemed immediately eligible to
15 receive assistance under this section; and

16 (B) may continue to use the child care pro-
17 vider of the family’s choice.

18 (3) TRANSITION PROCEDURES.—The Secretary
19 is authorized to institute procedures for imple-
20 menting this section, including issuing guidance for
21 States receiving funds under subsection (g)(1).

22 **SEC. 23002. UNIVERSAL PRESCHOOL.**

23 (a) DEFINITIONS.—In this section:

24 (1) CHILD EXPERIENCING HOMELESSNESS.—

25 The term “child experiencing homelessness” means

1 an individual who is a homeless child or youth under
2 section 725 of the McKinney-Vento Homeless Assist-
3 ance Act (42 U.S.C. 11434a).

4 (2) CHILD WITH A DISABILITY.—The term
5 “child with a disability” has the meaning given the
6 term in section 602 of the Individuals with Disabil-
7 ities Education Act (20 U.S.C. 1401).

8 (3) COMPREHENSIVE SERVICES.—The term
9 “comprehensive services” means services that are
10 provided to children and their families, and that are
11 health, educational, nutritional, social, and other
12 services that are determined, based on family needs
13 assessments, to be necessary, within the meaning of
14 section 636 of the Head Start Act (42 U.S.C. 9831).

15 (4) DUAL LANGUAGE LEARNER.—The term
16 “dual language learner” means a child who is learn-
17 ing 2 or more languages at the same time, or a child
18 who is learning a second language while continuing
19 to develop the child’s first language.

20 (5) ELIGIBLE CHILD.—The term “eligible
21 child” means a child who is age 3 or 4, on the date
22 established by the applicable local educational agen-
23 cy for kindergarten entry.

24 (6) ELIGIBLE PROVIDER.—The term “eligible
25 provider” means—

1 (A) a local educational agency, acting
2 alone or in a consortium or in collaboration
3 with an educational service agency (as defined
4 in section 8101 of the Elementary and Sec-
5 ondary Education Act of 1965 (20 U.S.C.
6 7801)), that is licensed by the State or meets
7 comparable health and safety standards;

8 (B) a Head Start agency or delegate agen-
9 cy funded under the Head Start Act;

10 (C) a licensed center-based child care pro-
11 vider, licensed family child care provider, or
12 network of licensed family child care providers;
13 or

14 (D) a consortium of entities described in
15 any of subparagraphs (A), (B), and (C).

16 (7) HEAD START AGENCY.—The term “Head
17 Start agency”, as used in paragraph (6)(B), or sub-
18 section (c)(5)(D) or (f)(1), means an entity des-
19 ignated as a Head Start agency under section
20 641(a)(1) of the Head Start Act or as an Early
21 Head Start agency (by receiving a grant) under sec-
22 tion 645A(a) of such Act.

23 (8) INDIAN TRIBE.—The term “Indian Tribe”
24 has the meaning given the term in section 4 of the

1 Indian Self-Determination and Education Assistance
2 Act (25 U.S.C. 5304).

3 (9) LOCAL EDUCATIONAL AGENCY.—The term
4 “local educational agency” has the meaning given
5 the term in section 8101 of the Elementary and Sec-
6 ondary Education Act of 1965 (20 U.S.C. 7801).

7 (10) POVERTY LINE.—The term “poverty line”
8 means the poverty line defined and revised as de-
9 scribed in section 673 of the Community Services
10 Block Grant Act (42 U.S.C. 9902).

11 (11) SECRETARY.—The term “Secretary”
12 means the Secretary of Health and Human Services.

13 (12) STATE.—The term “State” means each of
14 the several States and the District of Columbia.

15 (13) TERRITORY.—The term “territory” means
16 each of the Commonwealth of Puerto Rico, the
17 United States Virgin Islands, Guam, American
18 Samoa, and the Commonwealth of the Northern
19 Mariana Islands.

20 (14) TRIBAL ORGANIZATION.—The term “Trib-
21 al organization” has the meaning given the term
22 “tribal organization” in section 658P of the Child
23 Care and Development Block Grant Act of 1990 (42
24 U.S.C. 9858n).

25 (b) UNIVERSAL PRESCHOOL.—

1 (1) APPROPRIATIONS FOR STATES.—

2 (A) IN GENERAL.—In addition to amounts
3 otherwise available, there is appropriated to the
4 Department of Health and Human Services for
5 fiscal year 2022, out of any money in the
6 Treasury not otherwise appropriated—

7 (i) \$3,200,000,000, to remain avail-
8 able until September 30, 2027, for pay-
9 ments to States, for carrying out sub-
10 section (d) beginning in fiscal year 2022;

11 (ii) \$800,000,000, to remain available
12 until September 30, 2027, for payments to
13 States, for carrying out subsections (c)(3)
14 and (d) beginning in fiscal year 2022;

15 (iii) \$4,800,000,000, to remain avail-
16 able until September 30, 2027, for pay-
17 ments to States, for carrying out sub-
18 section (d) beginning in fiscal year 2023;

19 (iv) \$1,200,000,000, to remain avail-
20 able until September 30, 2027, for pay-
21 ments to States, for carrying out sub-
22 sections (c)(3) and (d) beginning in fiscal
23 year 2023;

24 (v) \$6,400,000,000, to remain avail-
25 able until September 30, 2027, for pay-

1 ments to States, for carrying out sub-
2 section (d) beginning in fiscal year 2024;
3 and

4 (vi) \$1,600,000,000 to remain avail-
5 able until September 30, 2027, for pay-
6 ments to States, for carrying out sub-
7 sections (c)(3) and (d) beginning in fiscal
8 year 2024.

9 (B) ADDITIONAL APPROPRIATIONS.—In
10 addition to amounts otherwise available, there
11 is appropriated to the Department of Health
12 and Human Services, out of any money in the
13 Treasury not otherwise appropriated, such sums
14 as may be necessary for each of fiscal years
15 2025 through 2027, for payments to States, for
16 carrying out this section (except provisions and
17 activities covered by paragraph (2)).

18 (2) ADDITIONAL APPROPRIATIONS.—In addition
19 to amounts otherwise available, there is appropriated
20 to the Department of Health and Human Services
21 for fiscal year 2022, out of any money in the Treas-
22 ury not otherwise appropriated—

23 (A) \$2,500,000,000, to remain available
24 until September 30, 2027, for carrying out pay-

1 ments to Indian Tribes and Tribal organiza-
2 tions for activities described in this section;

3 (B) \$1,250,000,000, to remain available
4 until September 30, 2027, for carrying out pay-
5 ments to the territories, to be distributed
6 among the territories on the basis of their rel-
7 ative need, as determined by the Secretary in
8 accordance with the objectives of this section,
9 for activities described in this section;

10 (C) \$300,000,000, to remain available
11 until September 30, 2027, for carrying out pay-
12 ments to eligible local entities that serve chil-
13 dren in families who are engaged in migrant or
14 seasonal agricultural labor, for activities de-
15 scribed in this section;

16 (D)(i) \$165,000,000, to remain available
17 until September 30, 2027, for carrying out
18 Federal activities to support the activities fund-
19 ed under this section, including administration,
20 monitoring, technical assistance, and research,
21 beginning in fiscal year 2022;

22 (ii) \$200,000,000 to remain available until
23 September 30, 2027, for carrying out Federal
24 activities to support the activities funded under
25 this section, including administration, moni-

1 toring, technical assistance, and research, be-
2 ginning in fiscal year 2023;

3 (iii) \$200,000,000, to remain available
4 until September 30, 2027, for carrying out
5 Federal activities to support the activities fund-
6 ed under this section, including administration,
7 monitoring, technical assistance, and research,
8 beginning in fiscal year 2024;

9 (iv) \$208,000,000, to remain available
10 until September 30, 2027, for carrying out
11 Federal activities to support the activities fund-
12 ed under this section, including administration,
13 monitoring, technical assistance, and research,
14 beginning in fiscal year 2025;

15 (v) \$212,000,000, to remain available until
16 September 30, 2027, for carrying out Federal
17 activities to support the activities funded under
18 this section, including administration, moni-
19 toring, technical assistance, and research, be-
20 ginning in fiscal year 2026; and

21 (vi) \$216,000,000, to remain available
22 until September 30, 2027, for carrying out
23 Federal activities to support the activities fund-
24 ed under this section, including administration,

1 monitoring, technical assistance, and research,
2 beginning in fiscal year 2027;

3 (E)(i) \$2,500,000,000, to remain available
4 until September 30, 2027, to improve com-
5 pensation of Head Start staff consistent with
6 subparagraphs (A)(i) and (B)(viii) of section
7 640(a)(5) of the Head Start Act (42 U.S.C.
8 9835(a)(5)), notwithstanding section 653(a) of
9 such Act (42 U.S.C. 9848(a)), beginning in fis-
10 cal year 2022;

11 (ii) \$2,500,000,000, to remain available
12 until September 30, 2027, to improve com-
13 pensation of Head Start staff consistent with
14 subparagraphs (A)(i) and (B)(viii) of section
15 640(a)(5) of the Head Start Act (42 U.S.C.
16 9835(a)(5)), notwithstanding section 653(a) of
17 such Act (42 U.S.C. 9848(a)), beginning in fis-
18 cal year 2023;

19 (iii) \$2,500,000,000, to remain available
20 until September 30, 2027, to improve com-
21 pensation of Head Start staff consistent with
22 subparagraphs (A)(i) and (B)(viii) of section
23 640(a)(5) of the Head Start Act (42 U.S.C.
24 9835(a)(5)), notwithstanding section 653(a) of

1 such Act (42 U.S.C. 9848(a)), beginning in fis-
2 cal year 2024;

3 (iv) \$2,500,000,000, to remain available
4 until September 30, 2027, to improve com-
5 pensation of Head Start staff consistent with
6 subparagraphs (A)(i) and (B)(viii) of section
7 640(a)(5) of the Head Start Act (42 U.S.C.
8 9835(a)(5)), notwithstanding section 653(a) of
9 such Act (42 U.S.C. 9848(a)), beginning in fis-
10 cal year 2025;

11 (v) \$2,500,000,000, to remain available
12 until September 30, 2027, to improve com-
13 pensation of Head Start staff consistent with
14 subparagraphs (A)(i) and (B)(viii) of section
15 640(a)(5) of the Head Start Act (42 U.S.C.
16 9835(a)(5)), notwithstanding section 653(a) of
17 such Act (42 U.S.C. 9848(a)), beginning in fis-
18 cal year 2026; and

19 (vi) \$2,500,000,000, to remain available
20 until September 30, 2027, to improve com-
21 pensation of Head Start staff consistent with
22 subparagraphs (A)(i) and (B)(viii) of section
23 640(a)(5) of the Head Start Act (42 U.S.C.
24 9835(a)(5)), notwithstanding section 653(a) of

1 such Act (42 U.S.C. 9848(a)), beginning in fis-
2 cal year 2027;

3 (F) \$9,500,000,000, to remain available
4 until September 30, 2027, to carry out the pro-
5 gram of grants to localities described in sub-
6 section (f)(2); and

7 (G) \$9,500,000,000, to remain available
8 until September 30, 2027, to carry out the pro-
9 gram of awards to Head Start agencies de-
10 scribed in subsection (f)(3).

11 (c) PAYMENTS FOR STATE UNIVERSAL PRESCHOOL
12 SERVICES.—

13 (1) IN GENERAL.—A State that has submitted,
14 and had approved by the Secretary in collaboration
15 with the Secretary of Education, the State plan de-
16 scribed in paragraph (5) is entitled to a payment
17 under this subsection.

18 (2) PAYMENTS TO STATES.—

19 (A) PAYMENTS FOR FISCAL YEARS 2022
20 THROUGH 2024.—From amounts made available
21 under subsection (b)(1) for carrying out sub-
22 sections (c)(3) and (d) for any of fiscal years
23 2022 through 2024, the Secretary shall allot for
24 the fiscal year, to each State that has a State
25 plan under paragraph (5) or transitional State

1 plan under paragraph (7) that is approved for
2 a period including that fiscal year, an amount
3 for the purpose of providing grants to eligible
4 providers to provide high-quality preschool,
5 using a formula that considers—

6 (i) the proportion of the number of
7 children who are below the age of 6 and
8 whose families have a family income at or
9 below 200 percent of the poverty line for
10 the most recent year for which satisfactory
11 data are available, residing in the State, as
12 compared to the number of such children,
13 who reside in all States with approved
14 plans for the fiscal year for which the al-
15 lotment is being made; and

16 (ii) the existing Federal preschool in-
17 vestments in the State under the Head
18 Start Act, as of the date of the allotment.

19 (B) PAYMENTS FOR FISCAL YEARS 2025
20 THROUGH 2027.—

21 (i) PRESCHOOL SERVICES.—For each
22 of fiscal years 2025 through 2027, the
23 Secretary shall pay to each State with an
24 approved State plan under paragraph (5),
25 an amount for that year equal to—

160

1 (I) 95.440 percent of the State's
2 expenditures in the year for preschool
3 services provided under subsection
4 (d), for fiscal year 2025;

5 (II) 79.534 percent of the State's
6 expenditures in the year for such pre-
7 school services, for fiscal year 2026;
8 and

9 (III) 63.627 percent of the
10 State's expenditures in the year for
11 such preschool services, for fiscal year
12 2027.

13 (ii) STATE ACTIVITIES.—The Sec-
14 retary shall pay to each State with an ap-
15 proved State plan under paragraph (5) an
16 amount for a fiscal year equal to 53.022
17 percent of the amount of the State's ex-
18 penditures for the activities described in
19 paragraph (3), except that in no case shall
20 a payment for a fiscal year under this
21 clause exceed the amount equal to 5 per-
22 cent of the State's expenditures described
23 in clause (i) for such fiscal year.

24 (iii) NON-FEDERAL SHARE.—The re-
25 mainder of the cost paid by the State for

1 preschool services, that is not provided
2 under clause (i), shall be considered the
3 non-Federal share of the cost of those
4 services. The remainder of the cost paid by
5 the State for State activities, that is not
6 provided under clause (ii), shall be consid-
7 ered the non-Federal share of the cost of
8 those activities.

9 (iv) ADVANCE PAYMENT; RETROSPEC-
10 TIVE ADJUSTMENT.—The Secretary shall
11 make a payment under clause (i) or (ii) for
12 a year on the basis of advance estimates of
13 expenditures submitted by the State and
14 such other investigation as the Secretary
15 may find necessary, and shall reduce or in-
16 crease the payment as necessary to adjust
17 for any overpayment or underpayment for
18 a previous year.

19 (C) AUTHORITIES.—

20 (i) FISCAL YEARS 2022 THROUGH
21 2024.—Notwithstanding any other provi-
22 sion of this paragraph, for each of fiscal
23 years 2022 through 2024, the Secretary
24 shall have the authority to reallocate funds
25 that were allotted under subparagraph (A)

1 from any State without an approved State
2 plan under paragraph (5) or transitional
3 State plan under paragraph (7) by the
4 date required by the Secretary, to States
5 with an approved State plan or transitional
6 State plan under such paragraph (5) or
7 (7) and to eligible localities and Head
8 Start agencies in accordance with sub-
9 section (f).

10 (ii) FISCAL YEAR 2025.—Notwith-
11 standing any other provision of this sec-
12 tion, on October 1, 2024, the Secretary
13 shall have the authority to reallocate funds
14 from payments made from allotments
15 under subparagraph (A) that are unobli-
16 gated on such date, to any State without
17 such unobligated funds that is a State with
18 an approved State plan under paragraph
19 (5) or transitional State plan under para-
20 graph (7) to carry out the purposes of this
21 section or to an eligible locality or Head
22 Start agency in accordance with subsection
23 (f).

1 (3) STATE ACTIVITIES.—A State that receives a
2 payment under paragraph (2) shall carry out all of
3 the following activities:

4 (A) State administration of the State pre-
5 school program described in this section.

6 (B) Supporting a continuous quality im-
7 provement system for providers of preschool
8 services participating, or seeking to participate,
9 in the State preschool program, through the use
10 of data, research, monitoring, training, tech-
11 nical assistance, professional development, and
12 coaching.

13 (C) Providing outreach and enrollment
14 support for families of eligible children.

15 (D) Supporting data systems building.

16 (E) Supporting staff of eligible providers
17 in pursuing credentials and degrees, including
18 baccalaureate degrees.

19 (F) Supporting activities that ensure ac-
20 cess to inclusive preschool programs for chil-
21 dren with disabilities.

22 (G) Providing age-appropriate transpor-
23 tation services for children, which at a min-
24 imum shall include transportation services for

1 children experiencing homelessness and children
2 in foster care.

3 (H) Conducting or updating a statewide
4 needs assessment of access to high-quality pre-
5 school services.

6 (4) LEAD AGENCY.—The Governor of a State
7 desiring for the State to receive a payment under
8 this subsection shall designate a lead agency (such
9 as a State agency or joint interagency office) for the
10 administration of the State’s preschool program
11 under this section.

12 (5) STATE PLAN.—In order to be eligible for
13 payments under this section, the Governor of a State
14 shall submit a State plan to the Secretary for ap-
15 proval by the Secretary, in collaboration with the
16 Secretary of Education, at such time, in such man-
17 ner, and containing such information as the Sec-
18 retary shall by rule require, that includes a plan for
19 achieving universal, high-quality, free, inclusive, and
20 mixed-delivery preschool services. Such plan shall in-
21 clude, at a minimum, each of the following:

22 (A) A certification that—

23 (i) the State has in place, or will have
24 in place no later than 18 months after the
25 State first receives funding under this sec-

1 standards described in subparagraph
2 (A);

3 (II) offer programming that
4 meets the duration requirements of at
5 least 1,020 annual hours;

6 (III) adopt policies and practices
7 to conduct outreach and provide expedited
8 enrollment, including
9 prioritization, to—

10 (aa) children experiencing
11 homelessness (which, in the case
12 of a child attending a program
13 provided by an eligible provider
14 described in subsection (a)(6)(A),
15 shall include immediate enrollment
16 for the child);

17 (bb) children in foster care
18 or kinship care;

19 (cc) children in families who
20 are engaged in migrant or seasonal
21 agricultural labor;

22 (dd) children with disabilities,
23 including eligible children
24 who are served under part C of

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1 the Individuals with Disabilities
2 Education Act; and

3 (ee) dual language learners;

4 (IV) provide for salaries, and set
5 schedules for salaries, for staff of pro-
6 viders in the State preschool program
7 that are equivalent to salaries of ele-
8 mentary school staff with similar cre-
9 dentials and experience;

10 (V) at a minimum, provide a liv-
11 ing wage for all staff of such pro-
12 viders; and

13 (VI) require educational quali-
14 fications for teachers in the preschool
15 program including, at a minimum, re-
16 quiring that lead teachers in the pre-
17 school program have a baccalaureate
18 degree in early childhood education or
19 a related field by not later than 6
20 years after the date on which the
21 State first receives funds under this
22 section, except that—

23 (aa) subject to item (bb),
24 the requirements under this sub-
25 clause shall not apply to individ-

1 uals who were employed by an el-
2 ible provider or early education
3 program for a cumulative 3 of
4 the 5 years immediately pre-
5 ceeding the date of enactment of
6 this Act and have the necessary
7 content knowledge and teaching
8 skills for early childhood edu-
9 cators, as demonstrated through
10 measures determined by the
11 State; and

12 (bb) nothing in this section
13 shall require the State to lessen
14 State requirements for edu-
15 cational qualifications, in exist-
16 ence on the date of enactment of
17 this Act, to serve as a teacher in
18 a State preschool program.

19 (C) For States with existing publicly fund-
20 ed State preschool programs (as of the date of
21 submission of the State plan), a description of
22 how the State plans to use funding provided
23 under this section to ensure that such existing
24 programs in the State meet the requirements of
25 this section for a State preschool program.

1 (D) A description of how the State, in es-
2 tablishing and operating the State preschool
3 program supported under this section, will—

4 (i) support a mixed-delivery system
5 for any new slots funded under this sec-
6 tion, including by facilitating the participa-
7 tion of Head Start programs and programs
8 offered by licensed child care providers;

9 (ii) ensure the State preschool pro-
10 gram does not disrupt the stability of in-
11 fant and toddler child care throughout the
12 State;

13 (iii) ensure adequate consultation with
14 the State Advisory Council on Early Child-
15 hood Education and Care designated or es-
16 tablished in section 642B(b)(1)(A)(i) of
17 the Head Start Act (42 U.S.C.
18 9837b(b)(1)(A)(i)) in the development of
19 its plan, including consultation in how the
20 State intends to distribute slots under
21 clause (v);

22 (iv) partner with Head Start agencies
23 to ensure the full utilization of Head Start
24 programs within the State; and

1 (v) distribute new preschool slots and
2 resources equitably among child care (in-
3 cluding family child care) providers, Head
4 Start agencies, and schools within the
5 State.

6 (E) A certification that the State, in oper-
7 ating the program described in this section for
8 a fiscal year—

9 (i) will not reduce the total preschool
10 slots provided in State-funded preschool
11 programs from the number of such slots in
12 the previous fiscal year; or

13 (ii) if the number of eligible children
14 identified in the State declines from the
15 previous fiscal year, will maintain at least
16 the previous year's ratio of the total pre-
17 school slots described in clause (i) to eligi-
18 ble children so identified.

19 (F) An assurance that the State will use
20 funding provided under this section to ensure
21 children with disabilities have access to and
22 participate in inclusive preschool programs con-
23 sistent with provisions in the Individuals with
24 Disabilities Education Act, and a description of
25 how the State will collaborate with entities car-

1 rying out programs under section 619 or part
2 C of the Individuals with Disabilities Education
3 Act, to support inclusive preschool programs.

4 (G) A certification that the State will sup-
5 port the continuous quality improvement of pro-
6 grams providing preschool services under this
7 section, including support through technical as-
8 sistance, monitoring, and research.

9 (H) A certification that the State will en-
10 sure a highly qualified early childhood work-
11 force to support the requirements of this sec-
12 tion.

13 (I) An assurance that the State will meet
14 the requirements of clauses (ii) and (iii) of sec-
15 tion 658E(c)(2)(T) of the Child Care and De-
16 velopment Block Grant Act of 1990 (42 U.S.C.
17 9858c(c)(2)(T)), with respect to funding and
18 assessments under this section.

19 (J) A certification that subgrant and con-
20 tract amounts provided as described in sub-
21 section (d) will be sufficient to enable eligible
22 providers to meet the requirements of this sec-
23 tion, and will provide for increased payment
24 amounts based on the criteria described in sub-
25 clauses (IV) and (V) of subparagraph (B)(ii).

1 (K) An agreement to provide to the Sec-
2 retary such periodic reports, providing a de-
3 tailed accounting of the uses of funding re-
4 ceived under this section, as the Secretary may
5 require for the administration of this section.

6 (6) DURATION OF THE PLAN.—Each State plan
7 shall remain in effect for a period of not more than
8 3 years. Amendments to the State plan shall remain
9 in effect for the duration of the plan.

10 (7) TRANSITIONAL STATE PLAN.—For a period
11 of not more than 3 years following the date of enact-
12 ment of this Act, the Secretary shall award funds
13 under this section for the purpose of expanding ac-
14 cess to universal, high-quality, free, inclusive, and
15 mixed-delivery preschool in alignment with the re-
16 quirements of this section to States with an ap-
17 proved transitional State plan, at such time, in such
18 manner, and containing such information as the Sec-
19 retary shall require, including at a minimum an as-
20 surance that the State will submit a State plan
21 under paragraph (5).

22 (d) SUBGRANTS AND CONTRACTS FOR LOCAL PRE-
23 SCHOOL PROGRAMS.—

24 (1) SUBGRANTS AND CONTRACTS.—

1 (A) IN GENERAL.—A State that receives a
2 payment under subsection (c)(2) for a fiscal
3 year shall use amounts provided through the
4 payment to pay the costs of subgrants to, or
5 contracts with, eligible providers to operate uni-
6 versal, high-quality, free, and inclusive pre-
7 school programs (which State-funded programs
8 may be referred to in this section as “local pre-
9 school programs”) through the State preschool
10 program in accordance with paragraph (3). A
11 State shall reduce or increase the amounts pro-
12 vided under such subgrants or contracts if
13 needed to adjust for any overpayment or under-
14 payment described in subsection (c)(2)(B)(iv).

15 (B) AMOUNT.—A State shall award a
16 subgrant or contract under this subsection in a
17 sufficient amount to enable the eligible provider
18 to operate a local preschool program that meets
19 the requirements of subsection (c)(5)(B), which
20 amount shall reflect variations in the cost of
21 preschool services by geographic area, type of
22 provider, and age of child, and the additional
23 costs associated with providing inclusive pre-
24 school services for children with disabilities.

1 (C) DURATION.—The State shall award a
2 subgrant or contract under this subsection for
3 a period of not less than 3 years, unless the
4 subgrant or contract is terminated or sus-
5 pended, or the subgrant period is reduced, for
6 cause.

7 (2) ENHANCED PAYMENTS FOR COMPREHEN-
8 SIVE SERVICES.—In awarding subgrants or con-
9 tracts under this subsection and in addition to meet-
10 ing the requirements of paragraph (1)(B), the State
11 shall award subgrants or contracts with enhanced
12 payments to eligible providers that offer local pre-
13 school programs funded under this subsection to a
14 high percentage of low-income children to support
15 comprehensive services.

16 (3) ESTABLISHING AND EXPANDING UNIVERSAL
17 PRESCHOOL PROGRAMS.—

18 (A) ESTABLISHING AND EXPANDING UNI-
19 VERSAL PRESCHOOL PROGRAMS IN HIGH-NEED
20 COMMUNITIES.—In awarding subgrants or con-
21 tracts under this subsection, the State shall
22 first prioritize establishing and expanding uni-
23 versal local preschool programs within and
24 across high-need communities by awarding sub-
25 grants or contracts to eligible providers oper-

1 ating within and across, or with capacity to op-
2 erate within and across, such high-need commu-
3 nities. The State shall—

4 (i) use a research-based methodology
5 approved by the Secretary to identify such
6 high-need communities, as determined
7 by—

8 (I) the rate of poverty in the
9 community;

10 (II) rates of access to high-qual-
11 ity preschool within the community;
12 and

13 (III) other indicators of commu-
14 nity need as required by the Sec-
15 retary; and

16 (ii) distribute funding for preschool
17 services under this section within such a
18 high-need community so that a majority of
19 children in the community are offered such
20 preschool services before the State estab-
21 lishes and expands preschool services in
22 communities with lower levels of need.

23 (B) USE OF FUNDS.—Subgrants or con-
24 tracts awarded under subparagraph (A) shall be
25 used to enroll and serve children in such a local

1 preschool program involved, including by paying
2 the costs—

3 (i) of personnel (including classroom
4 and administrative personnel), including
5 compensation and benefits;

6 (ii) associated with implementing the
7 State’s preschool standards, providing cur-
8 rriculum supports, and meeting early learn-
9 ing and development standards;

10 (iii) of professional development,
11 teacher supports, and training;

12 (iv) of implementing and meeting de-
13 velopmentally appropriate health and safe-
14 ty standards (including licensure, where
15 applicable), teacher to child ratios, and
16 group size maximums;

17 (v) of materials, equipment, and sup-
18 plies; and

19 (vi) of rent or a mortgage, utilities,
20 building security, indoor and outdoor
21 maintenance, and insurance.

22 (4) ESTABLISHING AND EXPANDING UNIVERSAL
23 PRESCHOOL PROGRAMS IN ADDITIONAL COMMU-
24 NITIES.—Once a State that receives a payment
25 under subsection (c)(2) meets the requirements of

1 paragraph (3) with respect to establishing and ex-
2 panding local preschool programs within and across
3 high-need communities, the State shall use funds
4 from such payment to enroll and serve children in
5 local preschool programs, as described in such para-
6 graph, in additional communities in accordance with
7 the metrics described in paragraph (3)(A)(i). Such
8 funds shall be used for the activities described in
9 clauses (i) through (vi) of paragraph (3)(B).

10 (e) PAYMENTS FOR UNIVERSAL PRESCHOOL SERV-
11 ICES TO INDIAN TRIBES AND TERRITORIES.—

12 (1) INDIAN TRIBES AND TRIBAL ORGANIZA-
13 TIONS.—

14 (A) IN GENERAL.—For each of fiscal years
15 2022 through 2027, from the amount appro-
16 priated for Indian Tribes and Tribal organiza-
17 tions under subsection (b)(2)(A), the Secretary
18 shall make payments to Indian Tribes and
19 Tribal organizations with an application ap-
20 proved under subparagraph (B), and the Tribes
21 and Tribal organizations shall be entitled to
22 such payments for the purpose of carrying out
23 the preschool program described in this section,
24 consistent, to the extent practicable as deter-

1 mined by the Secretary, with the requirements
2 applicable to States.

3 (B) APPLICATIONS.—An Indian Tribe or
4 Tribal organization seeking a payment under
5 this paragraph shall submit an application to
6 the Secretary at such time, in such manner,
7 and containing such information as the Sec-
8 retary may specify.

9 (2) TERRITORIES.—

10 (A) IN GENERAL.—For each of fiscal years
11 2022 through 2027, from the amount appro-
12 priated for territories under subsection
13 (b)(2)(B), the Secretary shall make payments
14 to the territories with an application approved
15 under subparagraph (B), and the territories
16 shall be entitled to such payments, for the pur-
17 pose of carrying out the preschool program de-
18 scribed in this section, consistent, to the extent
19 practicable as determined by the Secretary,
20 with the requirements applicable to States.

21 (B) APPLICATIONS.—A territory seeking a
22 payment under this paragraph shall submit an
23 application to the Secretary at such time, in
24 such manner, and containing such information
25 as the Secretary may specify.

1 (3) LEAD AGENCY.—The head of an Indian
2 tribe or territory desiring for the Indian tribe or a
3 related tribal organization, or territory, to receive a
4 payment under this subsection shall designate a lead
5 agency (such as a tribal or territorial agency or joint
6 interagency office) for the administration of the pre-
7 school program of the Indian tribe or territory,
8 under this section.

9 (f) GRANTS TO LOCALITIES AND HEAD START EX-
10 PANSION IN NONPARTICIPATING STATES.—

11 (1) ELIGIBLE LOCALITY DEFINED.—In this
12 subsection, the term “eligible locality” means a city,
13 county, or other unit of general local government, a
14 local educational agency, or a Head Start agency.

15 (2) GRANTS TO LOCALITIES.—

16 (A) IN GENERAL.—The Secretary, in con-
17 sultation with the Secretary of Education, shall
18 use funds reserved in subsection (b)(2)(F) or
19 reallotted under subsection (c)(2)(C) to award
20 local universal preschool grants, as determined
21 by the Secretary of Health and Human Serv-
22 ices, to eligible localities located in States that
23 have not received payments under subsection
24 (c)(2)(A). The Secretary shall award the grants
25 to eligible localities in a State from the allot-

1 ment made for that State under subparagraph
2 (B). The Secretary shall specify the require-
3 ments for an eligible locality to conduct a pre-
4 school program under this subsection which
5 shall, to the greatest extent practicable, be con-
6 sistent with the requirements applicable to
7 States under this section, for a universal, high-
8 quality, free, and inclusive preschool program.

9 (B) ALLOTMENTS.—For each State de-
10 scribed in subparagraph (A), the Secretary shall
11 allot for the State for a fiscal year an amount
12 that bears the same relationship to the funds
13 appropriated under subsection (b)(2)(F) for the
14 fiscal year as the number of children from fami-
15 lies with family incomes at or below 200 per-
16 cent of the poverty line, and who are under the
17 age of 6, in the State bears to the total number
18 of all such children in all States described in
19 subparagraph (A).

20 (C) APPLICATION.—To receive a grant
21 from the corresponding State allotment under
22 this subsection, an eligible locality shall submit
23 an application to the Secretary at such time, in
24 such manner, and containing such information
25 as the Secretary may require. The requirements

1 for the application shall, to the greatest extent
2 practicable, be consistent with the State plan
3 requirements applicable to States under this
4 section.

5 (D) RECOUPMENT OF UNUSED FUNDS.—
6 Notwithstanding any other provision of this sec-
7 tion, for each of fiscal years 2023 through
8 2027, the Secretary shall have the authority to
9 recoup any unused funds allotted under sub-
10 paragraph (B) for awards under paragraph
11 (3)(A) to Head Start agencies in accordance
12 with paragraph (3).

13 (3) HEAD START EXPANSION IN NONPARTICI-
14 PATING STATES.—

15 (A) IN GENERAL.—The Secretary shall use
16 funds appropriated under subsection (b)(2)(G),
17 reallotted under subsection (c)(2)(C), or re-
18 couped under paragraph (2) to make awards to
19 Head Start agencies in a State described in
20 paragraph (2)(A) to carry out the purposes of
21 the Head Start Act in such State.

22 (B) RULE.—For purposes of carrying out
23 the Head Start Act in circumstances not involv-
24 ing awards under this paragraph, funds award-
25 ed under subparagraph (A) shall not be in-

1 cluded in the calculation of a “base grant” as
2 such term is defined in section 640(a)(7)(A) of
3 the Head Start Act (42 U.S.C. 9835(a)(7)(A)).

4 (C) DEFINITION.—In this paragraph, the
5 term “Head Start agency” means an entity des-
6 ignated or eligible to be designated as a Head
7 Start agency under section 641(a)(1) of the
8 Head Start Act or as an Early Head Start
9 agency (by receiving a grant) under section
10 645A(a) of such Act.

11 (4) PRIORITY FOR SERVING UNDERSERVED
12 COMMUNITIES.—In making determinations to award
13 a grant or make an award under this subsection, the
14 Secretary shall give priority to entities serving com-
15 munities with a high percentage of children from
16 families with family incomes at or below 200 percent
17 of the poverty line.

18 (g) ALLOWABLE SOURCES OF NON-FEDERAL
19 SHARE.—For purposes of calculating the amount of the
20 non-Federal share, as determined under subsection
21 (c)(2)(B)(iii), relating to a payment under subsection
22 (c)(2)(B), a State’s non-Federal share—

23 (1) may be in cash or in kind, fairly evaluated,
24 including facilities or property, equipment, or serv-
25 ices;

1 (2) shall include any increase in amounts spent
2 by the State to expand half-day kindergarten pro-
3 grams in the State, as of the day before the date of
4 enactment of this Act, into full-day kindergarten
5 programs;

6 (3) shall not include contributions being used as
7 a non-Federal share or match for another Federal
8 award;

9 (4) shall be provided from State or local
10 sources, contributions from philanthropy or other
11 private organizations, or a combination of such
12 sources and contributions; and

13 (5) shall count not more than 100 percent of
14 the State's current spending on prekindergarten pro-
15 grams, calculated as the average amount of such
16 spending by the State for fiscal years 2019, 2020,
17 and 2021, toward the State's non-Federal share.

18 (h) MAINTENANCE OF EFFORT.—

19 (1) IN GENERAL.—If a State reduces its com-
20 bined fiscal effort per child for the State preschool
21 program (whether a publicly funded preschool pro-
22 gram or a program under this section) or through
23 State supplemental assistance funds for Head Start
24 programs assisted under the Head Start Act, or
25 through any State spending on preschool services for

1 any fiscal year that a State receives payments under
2 subsection (c)(2) (referred to in this paragraph as
3 the “reduction fiscal year”) relative to the previous
4 fiscal year, the Secretary, in collaboration with the
5 Secretary of Education, shall reduce support for
6 such State under such subsection by the same
7 amount as the total reduction in that State fiscal ef-
8 fort for such reduction fiscal year.

9 (2) WAIVER.—The Secretary, in collaboration
10 with the Secretary of Education, may waive the re-
11 quirements of paragraph (1) if—

12 (A) the Secretaries determine that a waiv-
13 er would be appropriate due to a precipitous de-
14 cline in the financial resources of a State as a
15 result of unforeseen economic hardship, or a
16 natural disaster, that has necessitated across-
17 the-board reductions in State services during
18 the 5-year period preceding the date of the de-
19 termination, including for early childhood edu-
20 cation programs; or

21 (B) due to the circumstance of a State re-
22 quiring reductions in specific programs, includ-
23 ing early childhood education programs, the
24 State presents to the Secretaries a justification
25 and demonstration why other programs could

1 not be reduced and how early childhood edu-
2 cation programs in the State will not be dis-
3 proportionately harmed by such State reduc-
4 tions.

5 (i) SUPPLEMENT NOT SUPPLANT.—Funds received
6 under this section shall be used to supplement and not
7 supplant other Federal, State, and local public funds ex-
8 pended on prekindergarten programs in the State on the
9 date of enactment of this Act, calculated as the average
10 amount of such Federal, State, and local public funds ex-
11 pended for fiscal years 2019, 2020, and 2021.

12 (j) NONDISCRIMINATION PROVISIONS.—The fol-
13 lowing provisions of law shall apply to any program or ac-
14 tivity that receives funds provided under this section:

15 (1) Title IX of the Education Amendments of
16 1972.

17 (2) Title VI of the Civil Rights Act of 1964.

18 (3) Section 504 of the Rehabilitation Act of
19 1973.

20 (4) The Americans with Disabilities Act of
21 1990.

22 (k) MONITORING AND ENFORCEMENT.—

23 (1) REVIEW OF COMPLIANCE WITH REQUIRE-
24 MENTS AND STATE PLAN.—The Secretary shall re-
25 view and monitor compliance of States, territories,

1 Tribal entities, and local entities with this section
2 and State compliance with the State plan described
3 in subsection (c)(5) or State transitional plan de-
4 scribed in subsection (c)(7).

5 (2) ISSUANCE OF RULE.—The Secretary shall
6 establish by rule procedures for—

7 (A) receiving, processing, and determining
8 the validity of complaints or findings concerning
9 any failure of a State to comply with the State
10 plan or any other requirement of this section;

11 (B) notifying a State when the Secretary
12 has determined there has been a failure by the
13 State to comply with a requirement of this sec-
14 tion; and

15 (C) imposing sanctions under this sub-
16 section for such a failure.

17 **Subtitle E—Human Services and**
18 **Community Supports**

19 **SEC. 24001. ASSISTIVE TECHNOLOGY.**

20 In addition to amounts otherwise available, there is
21 appropriated for fiscal year 2022, out of any money in
22 the Treasury not otherwise appropriated, \$10,000,000, to
23 remain available until expended, for necessary expenses to
24 carry out section 4 of the Assistive Technology Act of
25 1998 (29 U.S.C. 3003).

1 **SEC. 24002. FAMILY VIOLENCE PREVENTION AND SERVICES**
2 **FUNDING.**

3 In addition to amounts otherwise available, there is
4 appropriated to the Secretary of Health and Human Serv-
5 ices, for fiscal year 2022, out of any money in the Treas-
6 ury not otherwise appropriated, \$30,000,000, to remain
7 available until expended, for necessary administrative ex-
8 penses to carry out subsections (c) and (d) of section 2204
9 of the American Rescue Plan Act of 2021 (Public Law
10 117–2).

11 **SEC. 24003. PREGNANCY ASSISTANCE FUND.**

12 Section 10214 of the Patient Protection and Afford-
13 able Care Act (42 U.S.C. 18204) is amended by adding
14 at the end the following new sentence:

15 “In addition, there is appropriated for fiscal year 2022,
16 out of any money in the Treasury not otherwise appro-
17 priated—

18 “(1) \$25,000,000, to remain available until ex-
19 pended, to carry out this part in fiscal year 2022;

20 “(2) \$25,000,000, to remain available until ex-
21 pended, to carry out this part in fiscal year 2023;
22 and

23 “(3) \$25,000,000, to remain available until ex-
24 pended, to carry out this part in fiscal year 2024.”.

1 **SEC. 24004. FUNDING FOR THE AGING NETWORK AND IN-**
2 **FRASTRUCTURE.**

3 (a) APPROPRIATION.—In addition to amounts other-
4 wise available, there are appropriated for fiscal year 2022,
5 out of any money in the Treasury not otherwise appro-
6 priated, to the Department of Health and Human Serv-
7 ices—

8 (1) \$75,000,000 for the Research, Demonstra-
9 tion, and Evaluation Center for the Aging Network
10 for necessary expenses to carry out the activities of
11 the Center under section 201(g) of the Older Ameri-
12 cans Act of 1965 (OAA);

13 (2) \$655,000,000 for necessary expenses to
14 carry out part B of title III of the OAA, including
15 for—

16 (A) supportive services of the type made
17 available for fiscal year 2021 and authorized
18 under such part;

19 (B) investing in the aging services network
20 for the purposes of improving the availability of
21 supportive services, including investing in the
22 aging services network workforce;

23 (C) the acquisition, alteration, or renova-
24 tion of facilities, including multipurpose senior
25 centers and mobile units; and

1 (D) construction or modernization of facili-
2 ties to serve as multipurpose senior centers;

3 (3) \$140,000,000 for necessary expenses to
4 carry out part C of title III of the OAA, including
5 to support the modernization of infrastructure and
6 technology, including kitchen equipment and delivery
7 vehicles, to support the provision of congregate nu-
8 trition services and home delivered nutrition services
9 under such part;

10 (4) \$150,000,000 for necessary expenses to
11 carry out part E of title III of the OAA, including
12 section 373(e) of such part;

13 (5) \$50,000,000 for necessary expenses to carry
14 out title VI of the OAA, including part C of such
15 title;

16 (6) \$50,000,000 for necessary expenses to carry
17 out the long-term care ombudsman program under
18 title VII of the OAA;

19 (7) \$59,000,000 for necessary expenses for
20 technical assistance centers or national resource cen-
21 ters supported under the OAA, including all such
22 centers that received funding under title IV of the
23 OAA for fiscal year 2021, in order to support tech-
24 nical assistance and resource development related to
25 culturally appropriate care management and services

1 for older individuals with the greatest social need,
2 including racial and ethnic minority individuals;

3 (8) \$15,000,000 for necessary expenses for
4 technical assistance centers or national resource cen-
5 ters supported under the OAA that are focused on
6 providing services for older individuals who are un-
7 derserved due to their sexual orientation or gender
8 identity;

9 (9) \$1,000,000 for necessary expenses for ef-
10 forts of national training and technical assistance
11 centers supported under the OAA to—

12 (A) support expanding the reach of the
13 aging services network to more effectively assist
14 older individuals in remaining socially engaged
15 and active;

16 (B) provide additional support in technical
17 assistance and training to the aging services
18 network to address the social isolation of older
19 individuals;

20 (C) promote best practices and identify in-
21 novation in the field; and

22 (D) continue to support a repository for
23 innovations designed to increase the ability of
24 the aging services network to tailor social en-

1 gagement activities to meet the needs of older
2 individuals; and

3 (10) \$5,000,000 for necessary expenses to carry
4 out section 417 of the OAA.

5 Amounts appropriated by this subsection shall remain
6 available until expended.

7 (b) NONAPPLICABILITY OF CERTAIN REQUIRE-
8 MENTS.—The non-Federal contribution requirements
9 under sections 304(d)(1)(D) and 431(a) of the Older
10 Americans Act of 1965, and section 373(h)(2) of such Act,
11 shall not apply to—

12 (1) any amounts made available under this sec-
13 tion; or

14 (2) any amounts made available under section
15 2921 of the American Rescue Plan Act of 2021
16 (Public Law 117–2).

17 **SEC. 24005. TECHNICAL ASSISTANCE CENTER FOR SUP-**
18 **PORTING DIRECT CARE AND CAREGIVING.**

19 (a) IN GENERAL.—In addition to amounts otherwise
20 available, there is appropriated to the Secretary of Health
21 and Human Services, acting through the Administrator of
22 the Administration for Community Living, for fiscal year
23 2022, out of any money in the Treasury not otherwise ap-
24 propriated, \$20,000,000, to remain available until Sep-
25 tember 30, 2031, for necessary expenses to establish, di-

1 rectly or through grants, contracts, or cooperative agree-
2 ments, a national technical assistance center (referred to
3 in this section as the “Center”) to—

4 (1) provide technical assistance for supporting
5 direct care workforce recruitment, education and
6 training, retention, and career advancement, and for
7 supporting family caregivers and caregiving activi-
8 ties;

9 (2) develop and disseminate a set of replicable
10 models or evidence-based or evidence-informed strat-
11 egies or best practices for recruitment, education
12 and training, retention, and career advancement of
13 direct support workers;

14 (3) provide recommendations for education and
15 training curricula for direct support workers; and

16 (4) provide recommendations for activities to
17 further support paid and unpaid family caregivers,
18 including expanding respite care.

19 (b) **DIRECT SUPPORT WORKER DEFINED.**—In this
20 section, the term “direct support worker” has the meaning
21 given such term in section 22301.

22 **SEC. 24006. FUNDING TO SUPPORT UNPAID CAREGIVERS.**

23 (a) **IN GENERAL.**—In addition to amounts otherwise
24 available, there is appropriated to the Secretary of Health
25 and Human Services (referred to in this section as the

1 “Secretary”) for fiscal year 2022, out of any money in
2 the Treasury not otherwise appropriated, \$40,000,000, to
3 remain available until expended, for carrying out the pur-
4 pose described in subsection (b).

5 (b) USE OF FUNDING.—The Secretary, acting
6 through the Assistant Secretary for Aging, shall use
7 amounts appropriated by subsection (a) for necessary ex-
8 penses to make awards, pursuant to section 373(i) of the
9 Older Americans Act of 1965 (42 U.S.C. 3030s–1(i)), to
10 States, public agencies, private nonprofit agencies, institu-
11 tions of higher education, and organizations, including
12 Tribal organizations, for initiatives to address the behav-
13 ioral health needs of family caregivers and older relative
14 caregivers.

15 **SEC. 24007. FUNDING TO SUPPORT INDIVIDUALS WITH DE-**
16 **VELOPMENTAL DISABILITIES.**

17 (a) IN GENERAL.—In addition to amounts otherwise
18 available, there is appropriated to the Secretary of Health
19 and Human Services (referred to in this section as the
20 “Secretary”), for fiscal year 2022, out of any money in
21 the Treasury not otherwise appropriated, \$25,000,000, to
22 remain available until expended, for carrying out the pur-
23 pose described in subsection (b).

24 (b) USE OF FUNDING.—The Secretary, acting
25 through the Administrator of the Administration for Com-

1 munity Living, shall use amounts appropriated by sub-
2 section (a) for necessary expenses to award grants, con-
3 tracts, or cooperative agreements to public or private non-
4 profit entities pursuant to section 162(a) of the Develop-
5 mental Disabilities Assistance and Bill of Rights Act of
6 2000 (42 U.S.C. 15082(a)) for initiatives within the De-
7 partment of Health and Human Services to address the
8 behavioral health needs of individuals with developmental
9 disabilities.

10 **SEC. 24008. OFFICE OF THE INSPECTOR GENERAL OF THE**
11 **DEPARTMENT OF HEALTH AND HUMAN SERV-**
12 **ICES.**

13 In addition to amounts otherwise available, there is
14 appropriated to the Department of Health and Human
15 Services for fiscal year 2022, out of any money in the
16 Treasury not otherwise appropriated, \$50,000,000, to re-
17 main available until expended, for the Office of Inspector
18 General of the Department of Health and Human Serv-
19 ices, for salaries and expenses necessary for oversight, in-
20 vestigations, and audits of programs, grants, and projects
21 funded under this subtitle and subtitle D of this title.

22 **SEC. 24009. APPROPRIATION TO THE LEGAL SERVICES COR-**
23 **PORATION.**

24 In addition to amounts otherwise available, there is
25 appropriated to the Legal Services Corporation for fiscal

1 year 2022, out of any money in the Treasury not otherwise
2 appropriated, \$100,000,000, to remain available through
3 September 30, 2027, to carry out the Legal Services Cor-
4 poration Act.

5 **Subtitle F—National Service and**
6 **Workforce Development in Sup-**
7 **port of Climate Resilience and**
8 **Mitigation**

9 **SEC. 25001. CORPORATION FOR NATIONAL AND COMMU-**
10 **NITY SERVICE AND THE NATIONAL SERVICE**
11 **TRUST.**

12 (a) AMERICORPS STATE AND NATIONAL.—

13 (1) IN GENERAL.—In addition to amounts oth-
14 erwise available, there is appropriated for fiscal year
15 2022, out of any money in the Treasury not other-
16 wise appropriated, to the Corporation for National
17 and Community Service, \$3,200,000,000, to remain
18 available until September 30, 2026, which shall be
19 used to make funding adjustments to existing (as of
20 the date of enactment of this Act) awards and make
21 new awards to entities (whether or not such entities
22 are already recipients of a grant or other agreement
23 on the date of enactment of this Act) to support na-
24 tional service programs described in paragraphs
25 (1)(A), (2)(A), (3)(A), and (5)(A) of subsection (a),

1 and subsection (b)(2), of section 122 of the National
2 and Community Service Act of 1990 and national
3 service programs carrying out activities described in
4 clauses (i), (ii), (iii), (v), (vi), and (vii) of paragraph
5 (4)(B) of subsection (a) of such section, to increase
6 living allowances and improve benefits of partici-
7 pants in such programs.

8 (2) REQUIREMENTS.—For the purposes of car-
9 rying out paragraph (1)—

10 (A) the Corporation shall waive the re-
11 quirements described in section 121(e)(1) of the
12 National and Community Service Act of 1990,
13 in whole or in part, if a recipient of a grant or
14 other agreement for such a national service pro-
15 gram demonstrates—

16 (i) the recipient will serve underserved
17 or low-income communities, and a signifi-
18 cant percentage of participants in such
19 program are low-income individuals; and

20 (ii) without such waiver, the recipient
21 cannot meet the requirements of this sec-
22 tion;

23 (B) section 189(a) of such Act shall be ap-
24 plied by substituting “125 percent of the
25 amount of the minimum living allowance of a

1 full-time participant per full-time equivalent po-
2 sition” for “\$18,000 per full-time equivalent
3 position”; and

4 (C) section 140(a)(1) of such Act shall be
5 applied by substituting “200 percent of the pov-
6 erty line” for “the average annual subsistence
7 allowance provided to VISTA volunteers under
8 section 105 of the Domestic Volunteer Service
9 Act of 1973 (42 U.S.C. 4955)”.

10 (b) STATE COMMISSIONS.—

11 (1) IN GENERAL.—In addition to amounts oth-
12 erwise available, there is appropriated for fiscal year
13 2022, out of any money in the Treasury not oth-
14 erwise appropriated, to the Corporation for National
15 and Community Service, \$400,000,000, to remain
16 available until September 30, 2026, which shall be
17 used to make funding adjustments to existing (as of
18 the date of enactment of this Act) awards and make
19 new awards to States to operate State Commissions
20 on National and Community Service.

21 (2) MATCH WAIVER.—For the purposes of car-
22 rying out paragraph (1), the Corporation shall waive
23 the matching requirement described in section
24 126(a)(2) of the National and Community Service
25 Act of 1990, in whole or in part, for a State Com-

1 mission, if such State Commission demonstrates
2 need for such waiver.

3 (c) NATIONAL CIVILIAN COMMUNITY CORPS.—In ad-
4 dition to amounts otherwise available, there is appro-
5 priated for fiscal year 2022, out of any money in the
6 Treasury not otherwise appropriated, to the Corporation
7 for National and Community Service, \$80,000,000, to re-
8 main available until September 30, 2029, which shall be
9 used to increase the living allowance and benefits of par-
10 ticipants in the National Civilian Community Corps au-
11 thorized under section 152 of the National and Commu-
12 nity Service Act of 1990.

13 (d) AMERICORPS VISTA.—

14 (1) IN GENERAL.—In addition to amounts oth-
15 erwise available, there is appropriated for fiscal year
16 2022, out of any money in the Treasury not other-
17 wise appropriated, to the Corporation for National
18 and Community Service, \$600,000,000 to remain
19 available until September 30, 2029, which shall be
20 used to increase the subsistence allowances and im-
21 prove benefits of participants in the Volunteers in
22 Service to America program authorized under sec-
23 tion 102 of the Domestic Volunteer Service Act of
24 1973.

1 (2) REQUIREMENT.—For purposes of carrying
2 out paragraph (1)—

3 (A) section 105(b)(2)(A) of the Domestic
4 Volunteer Service Act of 1973 shall be applied
5 by substituting “200 percent” for “95 percent”;
6 and

7 (B) section 105(b)(2)(B) of the Domestic
8 Volunteer Service Act of 1973 shall be applied
9 by substituting “210 percent” for “105 per-
10 cent”.

11 (e) NATIONAL SERVICE IN SUPPORT OF CLIMATE
12 RESILIENCE AND MITIGATION.—

13 (1) IN GENERAL.—In addition to amounts oth-
14 erwise available, there is appropriated for fiscal year
15 2022, out of any money in the Treasury not other-
16 wise appropriated, to the Corporation for National
17 and Community Service, \$6,915,000,000, which
18 shall be used for the purposes specified in paragraph
19 (3).

20 (2) AVAILABILITY OF FUNDS.—Amounts appro-
21 priated under paragraph (1) shall—

22 (A) be available until September 30, 2026,
23 for national service programs described in para-
24 graphs (1)(A), (2)(A), (3)(A), and (5)(A) of
25 subsection (a), and subsection (b)(2), of section

1 122 of the National and Community Service
2 Act of 1990 and national service programs car-
3 rying out activities described in clauses (i), (ii),
4 (iii), (v), (vi), and (vii) of paragraph (4)(B) of
5 subsection (a) of such section; and

6 (B) be available until September 30, 2029,
7 for National Civilian Community Corps pro-
8 grams authorized under section 152 of the Na-
9 tional and Community Service Act of 1990 and
10 Volunteers in Service to America programs au-
11 thorized under section 102 of the Domestic Vol-
12 unteer Service Act of 1973.

13 (3) USE OF FUNDS.—

14 (A) IN GENERAL.—The Corporation shall
15 use amounts appropriated under paragraph (1)
16 to fund programs described in subparagraph
17 (B) to carry out projects or activities described
18 in section 122(a)(3)(B) of the National and
19 Community Service Act of 1990.

20 (B) PROGRAMS.—The programs described
21 in subparagraph (A) shall include—

22 (i) national service programs de-
23 scribed in paragraphs (1)(A), (2)(A),
24 (3)(A), and (5)(A) of subsection (a), and
25 subsection (b)(2), of section 122 of the Na-

1 tional and Community Service Act of 1990
2 and national service programs carrying out
3 activities described in clauses (i), (ii), (iii),
4 (v), (vi), and (vii) of paragraph (4)(B) of
5 subsection (a) of such section;

6 (ii) National Civilian Community
7 Corps programs authorized under section
8 152 of the National and Community Serv-
9 ice Act of 1990; and

10 (iii) Volunteers in Service to America
11 programs authorized under section 102 of
12 the Domestic Volunteer Service Act of
13 1973.

14 (C) TERMS.—In funding programs de-
15 scribed in subparagraph (A), the Corporation
16 shall ensure—

17 (i) awards are made to entities that
18 serve, and have representation from, low-
19 income communities or communities expe-
20 riencing (or at risk of experiencing) ad-
21 verse health and environmental conditions;

22 (ii) such programs utilize culturally
23 competent and multilingual strategies;

24 (iii) projects carried out through such
25 programs are planned with community

1 input, and implemented by diverse partici-
2 pants who are from communities being
3 served by such programs; and

4 (iv) such programs provide partici-
5 pants with workforce development opportu-
6 nities, such as pre-apprenticeships that ar-
7 ticulate to registered apprenticeship pro-
8 grams, and pathways to post-service em-
9 ployment in high-quality jobs, including
10 registered apprenticeships.

11 (4) REQUIREMENTS.—For the purposes of car-
12 rying out paragraph (1)—

13 (A) in implementing national service pro-
14 grams described in paragraph (3)(B)(i) and
15 funded by the appropriations specified in para-
16 graph (1)—

17 (i) the Corporation shall waive the re-
18 quirements described in section 121(e)(1)
19 of the National and Community Service
20 Act of 1990, in whole or in part, if a re-
21 cipient of a grant or other agreement for
22 the national service program involved dem-
23 onstrates—

24 (I) the recipient will serve under-
25 served or low-income communities,

1 and a significant percentage of par-
2 ticipants in such program are low-in-
3 come individuals; and

4 (II) without such waiver, the re-
5 cipient cannot meet the requirements
6 of this section;

7 (ii) section 189(a) of the National and
8 Community Service Act of 1990 shall be
9 applied by substituting “125 percent of the
10 amount of the minimum living allowance of
11 a full-time participant per full-time equiva-
12 lent position” for “\$18,000 per full-time
13 equivalent position”;

14 (iii) section 140(a)(1) of the National
15 and Community Service Act of 1990 shall
16 be applied by substituting “200 percent of
17 the poverty line” for “the average annual
18 subsistence allowance provided to VISTA
19 volunteers under section 105 of the Do-
20 mestic Volunteer Service Act of 1973 (42
21 U.S.C. 4955)”; and

22 (iv) the Corporation shall waive the
23 matching requirement described in section
24 126(a)(2) of the National and Community
25 Service Act of 1990, in whole or in part,

1 for a State Commission, if such State
2 Commission demonstrates need for such
3 waiver; and

4 (B) in implementing national service pro-
5 grams described in paragraph (3)(B)(iii) and
6 funded by the appropriations specified in para-
7 graph (1)—

8 (i) section 105(b)(2)(A) of the Domes-
9 tic Volunteer Service Act of 1973 shall be
10 applied by substituting “200 percent” for
11 “95 percent”; and

12 (ii) section 105(b)(2)(B) of the Do-
13 mestic Volunteer Service Act of 1973 shall
14 be applied by substituting “210 percent”
15 for “105 percent”.

16 (f) ADMINISTRATIVE COSTS.—

17 (1) IN GENERAL.—In addition to amounts oth-
18 erwise available, there is appropriated for fiscal year
19 2022, out of any money in the Treasury not oth-
20 erwise appropriated, to the Corporation for National
21 and Community Service, \$1,010,400,000, to remain
22 available until September 30, 2029, which shall be
23 used for Federal administrative expenses to carry
24 out programs and activities funded under this sec-
25 tion, including—

1 (A) corrective actions to address rec-
2 ommendations arising from audits of the finan-
3 cial statements of the Corporation and the Na-
4 tional Service Trust, and, in consultation with
5 the Inspector General of the Corporation, the
6 development of fraud prevention and detection
7 controls and risk-based anti-fraud monitoring
8 for grants and other financial assistance funded
9 under this section; and

10 (B) coordination of efforts and activities
11 with the Departments of Labor and Education
12 to support the national service programs funded
13 under subsections (a), (c), (d), and (e) in im-
14 proving the readiness of participants to transi-
15 tion to high-quality jobs or further education.

16 (2) FISCAL YEAR 2030 PROGRAM ADMINISTRA-
17 TION.—In addition to amounts otherwise available,
18 there is appropriated for fiscal year 2030, out of any
19 money in the Treasury not otherwise appropriated,
20 to the Corporation for National and Community
21 Service, \$79,800,000, to remain available until Sep-
22 tember 30, 2030, which shall be used, in fiscal year
23 2030, for Federal administrative expenses to carry
24 out programs and activities funded under this sec-
25 tion.

1 (3) PLAN.—In addition to amounts otherwise
2 available, there is appropriated for fiscal year 2022,
3 out of any money in the Treasury not otherwise ap-
4 propriated, to the Corporation, \$300,000, to remain
5 available until September 30, 2023, which shall be
6 used by the Chief Executive Officer of the Corpora-
7 tion to—

8 (A) develop, publish, and implement, not
9 later than 180 days after the date of enactment
10 of this Act, a project, operations, and manage-
11 ment plan for funds appropriated under this
12 section; and

13 (B) consult with the Secretary of Labor
14 and the Inspector General of the Corporation in
15 developing the plan under subparagraph (A).

16 (4) OUTREACH.—In addition to amounts other-
17 wise made available, there is appropriated for fiscal
18 year 2022, out of any money in the Treasury not
19 otherwise appropriated, to the Corporation for Na-
20 tional and Community Service, \$49,500,000, to re-
21 main available until September 30, 2030, for out-
22 reach to and recruitment of members from commu-
23 nities traditionally underrepresented in national
24 service programs and members of a community expe-

1 riencing a significant dislocation of workers, includ-
2 ing energy transition communities.

3 (g) OFFICE OF INSPECTOR GENERAL.—In addition
4 to amounts otherwise available, there is appropriated for
5 fiscal year 2022, out of any money in the Treasury not
6 otherwise appropriated, to the Corporation for National
7 and Community Service, \$75,000,000, to remain available
8 until September 30, 2030, which shall be used for the Of-
9 fice of Inspector General of the Corporation for salaries
10 and expenses necessary for oversight and audit of pro-
11 grams and activities funded under this section.

12 (h) NATIONAL SERVICE TRUST.—

13 (1) IN GENERAL.—In addition to amounts oth-
14 erwise available, there is appropriated for fiscal year
15 2022, out of any money in the Treasury not other-
16 wise appropriated, to the National Service Trust,
17 \$1,150,000,000, to remain available until September
18 30, 2030, for—

19 (A) administration of the National Service
20 Trust; and

21 (B) payment to the Trust for the provision
22 of national service educational awards and in-
23 terest expenses—

1 (i) for participants, for a term of serv-
2 ice supported by funds made available
3 under subsection (e); and

4 (ii) pursuant to section 145(a)(1)(A)
5 of the National and Community Service
6 Act of 1990.

7 (2) SUPPLEMENTAL EDUCATIONAL AWARDS.—

8 (A) APPROPRIATION.—In addition to
9 amounts otherwise available, there is appro-
10 priated for fiscal year 2022, out of any money
11 in the Treasury not otherwise appropriated, to
12 the National Service Trust, \$1,660,000,000, to
13 remain available until September 30, 2030, for
14 payment to the National Service Trust for the
15 purpose of providing a supplemental national
16 service educational award to an individual eligi-
17 ble to receive a national service educational
18 award pursuant to section 146(a), and the indi-
19 vidual's transferee pursuant to section 148(f),
20 of the National and Community Service Act of
21 1990, for a term of service that began after the
22 date of enactment of this Act in a national serv-
23 ice program (including a term of service sup-
24 ported by funds made available under sub-
25 section (e)).

1 receive in the aggregate for such
2 award year; and

3 (II) in a case in which the award
4 year for which the national service po-
5 sition is approved by the Corporation
6 is award year 2023-2024 or a subse-
7 quent award year, 50 percent of the
8 total maximum Federal Pell Grant
9 under section 401 of the Higher Edu-
10 cation Act of 1965 that a student eli-
11 gible for such Grant may receive in
12 the aggregate for such award year.

13 (ii) AMOUNT FOR PART-TIME NA-
14 TIONAL SERVICE.—For an individual who
15 completes a required term of part-time na-
16 tional service, or the individual's trans-
17 feree, 50 percent of the amount deter-
18 mined under clause (i).

19 (iii) AMOUNT FOR PARTIAL COMPLE-
20 TION OF NATIONAL SERVICE.—For an in-
21 dividual released from completing the full-
22 time or part-time term of service agreed to
23 by the individuals, or the individual's
24 transferee, the portion of the amount de-
25 termined under clause (i) that corresponds

1 to the portion of the term of service com-
2 pleted by the individual.

3 (3) PERIOD OF AVAILABILITY FOR NATIONAL
4 SERVICE EDUCATIONAL AWARDS.—

5 (A) IN GENERAL.—Notwithstanding sec-
6 tion 146(d) of the National and Community
7 Service Act of 1990, relating to a period of time
8 for use of a national service educational award,
9 or any extensions to such time period granted
10 under section 146(d)(2) of such Act, an indi-
11 vidual eligible to receive a national service edu-
12 cational award for a term of service supported
13 by funds made available under subsection (e),
14 or the individual's transferee, and an individual
15 eligible to receive a supplemental educational
16 award described in paragraph (2) for a term of
17 service, or the individual's transferee, shall not
18 use, after September 30, 2030, the national
19 service educational award or supplemental edu-
20 cational award for the term of service involved,
21 and the national service educational award and
22 supplemental educational award shall be avail-
23 able for the lengths of time described in sub-
24 paragraph (B).

1 (B) LENGTHS OF TIME.—The lengths of
2 time described in this subparagraph are as fol-
3 lows:

4 (i) For an individual who completes
5 the term of service involved by September
6 30, 2023 or the individual's transferee,
7 until the end of the 7-year period begin-
8 ning on that date.

9 (ii) For an individual who completes
10 such term of service by September 30,
11 2024 or the individual's transferee, until
12 the end of the 6-year period beginning on
13 that date.

14 (iii) For an individual who completes
15 such term of service by September 30,
16 2025 or the individual's transferee, until
17 the end of the 5-year period beginning on
18 that date.

19 (iv) For an individual who completes
20 such term of service by September 30,
21 2026 or the individual's transferee, until
22 the end of the 4-year period beginning on
23 that date.

24 (v) For an individual who completes
25 such term of service by September 30,

1 2027 or the individual's transferee, until
2 the end of the 3-year period beginning on
3 that date.

4 (vi) For an individual who completes
5 such term of service by September 30,
6 2028 or the individual's transferee, until
7 the end of the 2-year period beginning on
8 that date.

9 (vii) For an individual who completes
10 such term of service by September 30,
11 2029 or the individual's transferee, until
12 the end of the 1-year period beginning on
13 that date.

14 (i) LIMITATION.—The funds made available under
15 this section are subject to the condition that the Corpora-
16 tion shall not—

17 (1) use such funds to make any transfer to the
18 National Service Trust for any use, or enter into any
19 agreement involving such funds—

20 (A) that is for a term extending beyond
21 September 30, 2031; or

22 (B) for which or under which any payment
23 could be outlaid after September 30, 2031; and

1 (1) carrying out activities described in section
2 171(c)(2) of the Workforce Innovation and Oppor-
3 tunity Act; and

4 (2) improving and expanding access to services,
5 stipends, wages, and benefits described in subpara-
6 graphs (A)(vii) and (F) of section 171(c)(2) of such
7 Act.

8 (b) JOB CORPS.—

9 (1) IN GENERAL.—In addition to amounts oth-
10 erwise available, there is appropriated to the Depart-
11 ment of Labor for fiscal year 2022, out of any
12 amounts in the Treasury not otherwise appropriated,
13 \$450,000,000, to remain available until September
14 30, 2026, to support activities aligned with high-
15 quality employment opportunities in industry sectors
16 or occupations related to climate resilience or miti-
17 gation and aligned with the activities described in
18 subsection (e)(3) of section 25001 by—

19 (A) providing funds to operators and serv-
20 ice providers to—

21 (i) carry out the activities and services
22 described in sections 148 and 149 of the
23 Workforce Innovation and Opportunity
24 Act; and

1 (ii) improve and expand access to al-
2 lowances and services described in section
3 150 of such Act; and

4 (B) notwithstanding section 158(e) of such
5 Act, constructing, rehabilitating, and acquiring
6 Job Corps centers to support activities de-
7 scribed in subparagraph (A).

8 (2) ELIGIBILITY.—For the purposes of carrying
9 out paragraph (1), an entity in a State or outlying
10 area shall be eligible to be selected as an operator
11 or service provider.

12 (c) PRE-APPRENTICESHIP, AND REGISTERED AP-
13 PRENTICESHIP PROGRAMS.—

14 (1) PRE-APPRENTICESHIP PROGRAMS.—In addi-
15 tion to amounts otherwise available, there is appro-
16 priated to the Department of Labor for fiscal year
17 2022, out of any amounts in the Treasury not other-
18 wise appropriated, \$1,000,000,000, to remain avail-
19 able until September 30, 2026, to carry out activi-
20 ties through grants, cooperative agreements, or con-
21 tracts to create or expand pre-apprenticeship pro-
22 grams that articulate to registered apprenticeship
23 programs, are aligned with high-quality employment
24 opportunities in industry sectors or occupations re-
25 lated to climate resilience or mitigation, and are

1 aligned with the activities described in subsection
2 (e)(3) of section 25001.

3 (2) PRE-APPRENTICESHIP PARTNERSHIPS.—In
4 addition to amounts otherwise available, there is ap-
5 propriated to the Department of Labor for fiscal
6 year 2022, out of any amounts in the Treasury not
7 otherwise appropriated, \$150,000,000, to remain
8 available until September 30, 2026, to support part-
9 nerships between entities carrying out pre-appren-
10 ticeship programs that articulate to registered ap-
11 prenticeship programs and entities funded under
12 subsection (e) of section 25001 to ensure past and
13 current participants in programs funded under sub-
14 section (e)(1) of section 25001 have access to such
15 pre-apprenticeship programs.

16 (3) REGISTERED APPRENTICESHIP PRO-
17 GRAMS.—In addition to amounts otherwise available,
18 there is appropriated to the Department of Labor
19 for fiscal year 2022, out of any amounts in the
20 Treasury not otherwise appropriated, \$450,000,000,
21 to remain available until September 30, 2026, to
22 carry out activities through grants, cooperative
23 agreements, or contracts to create or expand reg-
24 istered apprenticeship programs in climate-related
25 nontraditional apprenticeship occupations.

1 (4) PARTICIPANTS WITH BARRIERS TO EMPLOY-
2 MENT AND NONTRADITIONAL APPRENTICESHIP POP-
3 ULATIONS.—In addition to amounts otherwise avail-
4 able, there is appropriated to the Department of
5 Labor for fiscal year 2022, out of any amounts in
6 the Treasury not otherwise appropriated,
7 \$350,000,000, to remain available until September
8 30, 2026, for entities to carry out pre-apprenticeship
9 programs described in paragraph (1), and registered
10 apprenticeship program described in paragraph (3),
11 serving a high number or high percentage of individ-
12 uals with barriers to employment, including individ-
13 uals with disabilities, or nontraditional apprentice-
14 ship populations.

15 (d) REENTRY EMPLOYMENT OPPORTUNITIES PRO-
16 GRAM.—In addition to amounts otherwise available, there
17 is appropriated to the Department of Labor for fiscal year
18 2022, out of any amounts in the Treasury not otherwise
19 appropriated, \$1,000,000,000, to remain available until
20 September 30, 2026, for the Reentry Employment Oppor-
21 tunities program, which amount shall be used to support
22 activities aligned with high-quality employment opportuni-
23 ties in industry sectors or occupations related to climate
24 resilience or mitigation and aligned with the activities de-
25 scribed in subsection (e)(3) of section 25001.

1 (e) PAID YOUTH EMPLOYMENT OPPORTUNITIES.—In
2 addition to amounts otherwise available, there is appro-
3 priated for fiscal year 2022, out of any money in the
4 Treasury not otherwise appropriated, to the Department
5 of Labor, \$350,000,000, to remain available until Sep-
6 tember 30, 2026, to carry out activities through grants,
7 contracts, or cooperative agreements, for the purposes of
8 providing in-school youth and out-of-school youth with
9 paid work experiences authorized under section
10 129(c)(2)(C) of the Workforce Innovation and Oppor-
11 tunity Act that are—

12 (1) carried out by State or local public agencies
13 or private nonprofit entities, including community-
14 based organizations;

15 (2) provided in conjunction with supportive
16 services and other elements described in section
17 129(c)(2) of such Act;

18 (3) aligned with the activities described in sub-
19 section (e)(3) of section 25001; and

20 (4) designed to prepare participants for—

21 (A) high-quality, unsubsidized employment
22 opportunities in industry sectors or occupations
23 related to climate resilience or mitigation;

1 (B) enrollment in an institution of higher
2 education (as defined in section 101 or 102(c)
3 of the Higher Education Act of 1965); and

4 (C) registered apprenticeship programs.

5 (f) DEPARTMENT OF LABOR INSPECTOR GEN-
6 ERAL.—In addition to amounts otherwise available, there
7 is appropriated to the Office of Inspector General of the
8 Department of Labor for fiscal year 2022, out of any
9 money in the Treasury not otherwise appropriated,
10 \$10,000,000, to remain available until expended, for sala-
11 ries and expenses necessary for oversight, investigations,
12 and audits of programs, grants, and projects of the De-
13 partment of Labor funded under this section.

14 (g) ADMINISTRATION.—

15 (1) IN GENERAL.—In addition to amounts oth-
16 erwise available, there is appropriated to the Depart-
17 ment of Labor for fiscal year 2022, out of any
18 money in the Treasury not otherwise appropriated,
19 \$69,800,000, to remain available until September
20 30, 2029, for program administration within the De-
21 partment of Labor for salaries and expenses nec-
22 essary to implement this section.

23 (2) PLAN.—In addition to amounts otherwise
24 available, there is appropriated for fiscal year 2022,
25 out of any money in the Treasury not otherwise ap-

1 appropriated, to the Department of Labor, \$200,000,
2 to remain available until September 30, 2023, which
3 shall be used by the Secretary to—

4 (A) develop, publish, and implement, not
5 later than 180 days after the date of enactment
6 of this Act, a project, operations, and manage-
7 ment plan for funds appropriated under this
8 section; and

9 (B) consult with the Chief Executive Offi-
10 cer of the Corporation for National and Com-
11 munity Service in developing the plan under
12 subparagraph (A).

13 (h) DEFINITION.—For purposes of this section:

14 (1) CLIMATE-RELATED NONTRADITIONAL AP-
15 PRENTICESHIP OCCUPATION.—The term “climate-re-
16 lated nontraditional apprenticeship occupation”
17 means an apprenticeable occupation—

18 (A) that aligns with the activities described
19 in subsection (e)(3) of section 25001;

20 (B) in an industry sector that trains less
21 than 10 percent of all civilian registered ap-
22 prentices as of the date of the enactment of this
23 Act; and

24 (C) that is related to climate resilience or
25 mitigation.

1 (2) REGISTERED APPRENTICESHIP PROGRAM.—
2 The term “registered apprenticeship program”
3 means an apprenticeship program registered with
4 the Office of Apprenticeship of the Employment and
5 Training Administration of the Department of
6 Labor, or a State apprenticeship agency recognized
7 by the Office of Apprenticeship, pursuant to the Act
8 of August 16, 1937 (commonly known as the “Na-
9 tional Apprenticeship Act”; 50 Stat. 664, chapter
10 663).

11 (3) WIOA DEFINITIONS.—The terms “commu-
12 nity-based organization”, “individual with a barrier
13 to employment”, “in-school youth”, “outlying area”,
14 and “out-of-school youth” have the meanings given
15 such terms in paragraphs (10), (24), (27), (45), and
16 (46), respectively, of section 3 of the Workforce In-
17 novation and Opportunity Act.

18 **Subtitle G—Prescription Drug** 19 **Coverage Provisions**

20 **SEC. 26001. REQUIREMENTS WITH RESPECT TO COST-SHAR-** 21 **ING FOR CERTAIN INSULIN PRODUCTS.**

22 (a) ERISA.—

23 (1) IN GENERAL.—Subpart B of part 7 of sub-
24 title B of title I of the Employee Retirement Income

1 Security Act of 1974 (29 U.S.C. 1185 et seq.) is
2 amended by adding at the end the following:

3 **“SEC. 726. REQUIREMENTS WITH RESPECT TO COST-SHAR-**
4 **ING FOR CERTAIN INSULIN PRODUCTS.**

5 “(a) IN GENERAL.—For plan years beginning on or
6 after January 1, 2023, a group health plan or health in-
7 surance issuer offering group health insurance coverage
8 shall provide coverage of selected insulin products, and
9 with respect to such products, shall not—

10 “(1) apply any deductible; or

11 “(2) impose any cost-sharing in excess of the
12 lesser of, per 30-day supply—

13 “(A) \$35; or

14 “(B) the amount equal to 25 percent of
15 the negotiated price of the selected insulin prod-
16 uct net of all price concessions received by or on
17 behalf of the plan or coverage, including price
18 concessions received by or on behalf of third-
19 party entities providing services to the plan or
20 coverage, such as pharmacy benefit manage-
21 ment services.

22 “(b) DEFINITIONS.—In this section:

23 “(1) SELECTED INSULIN PRODUCTS.—The term
24 ‘selected insulin products’ means at least one of each
25 dosage form (such as vial, pump, or inhaler dosage

1 forms) of each different type (such as rapid-acting,
2 short-acting, intermediate-acting, long-acting, ultra
3 long-acting, and premixed) of insulin (as defined
4 below), when available, as selected by the group
5 health plan or health insurance issuer.

6 “(2) INSULIN DEFINED.—The term ‘insulin’
7 means insulin that is licensed under subsection (a)
8 or (k) of section 351 of the Public Health Service
9 Act (42 U.S.C. 262) and continues to be marketed
10 under such section, including any insulin product
11 that has been deemed to be licensed under section
12 351(a) of such Act pursuant to section 7002(e)(4)
13 of the Biologics Price Competition and Innovation
14 Act of 2009 (Public Law 111–148) and continues to
15 be marketed pursuant to such licensure.

16 “(c) OUT-OF-NETWORK PROVIDERS.—Nothing in
17 this section requires a plan or issuer that has a network
18 of providers to provide benefits for selected insulin prod-
19 ucts described in this section that are delivered by an out-
20 of-network provider, or precludes a plan or issuer that has
21 a network of providers from imposing higher cost-sharing
22 than the levels specified in subsection (a) for selected insu-
23 lin products described in this section that are delivered
24 by an out-of-network provider.

1 “(d) RULE OF CONSTRUCTION.—Subsection (a) shall
2 not be construed to require coverage of, or prevent a group
3 health plan or health insurance coverage from imposing
4 cost-sharing other than the levels specified in subsection
5 (a) on, insulin products that are not selected insulin prod-
6 ucts, to the extent that such coverage is not otherwise re-
7 quired and such cost-sharing is otherwise permitted under
8 Federal and applicable State law.

9 “(e) APPLICATION OF COST-SHARING TOWARDS
10 DEDUCTIBLES AND OUT-OF-POCKET MAXIMUMS.—Any
11 cost-sharing payments made pursuant to subsection (a)(2)
12 shall be counted toward any deductible or out-of-pocket
13 maximum that applies under the plan or coverage.”.

14 (2) CLERICAL AMENDMENT.—The table of con-
15 tents in section 1 of the Employee Retirement In-
16 come Security Act of 1974 (29 U.S.C. 1001 et seq.)
17 is amended by inserting after the item relating to
18 section 725 the following:

“Sec. 726. Requirements with respect to cost-sharing for certain insulin prod-
ucts.”.

19 (b) INTERNAL REVENUE CODE.—

20 (1) IN GENERAL.—Subchapter B of chapter
21 100 of the Internal Revenue Code of 1986 is amend-
22 ed by adding at the end the following new section:

1 **“SEC. 9826. REQUIREMENTS WITH RESPECT TO COST-SHAR-**
2 **ING FOR CERTAIN INSULIN PRODUCTS.**

3 “(a) IN GENERAL.—For plan years beginning on or
4 after January 1, 2023, a group health plan shall provide
5 coverage of selected insulin products, and with respect to
6 such products, shall not—

7 “(1) apply any deductible; or

8 “(2) impose any cost-sharing in excess of the
9 lesser of, per 30-day supply—

10 “(A) \$35; or

11 “(B) the amount equal to 25 percent of
12 the negotiated price of the selected insulin prod-
13 uct net of all price concessions received by or on
14 behalf of the plan, including price concessions
15 received by or on behalf of third-party entities
16 providing services to the plan, such as phar-
17 macy benefit management services.

18 “(b) DEFINITIONS.—In this section:

19 “(1) SELECTED INSULIN PRODUCTS.—The term
20 ‘selected insulin products’ means at least one of each
21 dosage form (such as vial, pump, or inhaler dosage
22 forms) of each different type (such as rapid-acting,
23 short-acting, intermediate-acting, long-acting, ultra
24 long-acting, and premixed) of insulin (as defined
25 below), when available, as selected by the group
26 health plan.

1 “(2) INSULIN DEFINED.—The term ‘insulin’
2 means insulin that is licensed under subsection (a)
3 or (k) of section 351 of the Public Health Service
4 Act (42 U.S.C. 262) and continues to be marketed
5 under such section, including any insulin product
6 that has been deemed to be licensed under section
7 351(a) of such Act pursuant to section 7002(e)(4)
8 of the Biologics Price Competition and Innovation
9 Act of 2009 (Public Law 111–148) and continues to
10 be marketed pursuant to such licensure.

11 “(c) OUT-OF-NETWORK PROVIDERS.—Nothing in
12 this section requires a plan that has a network of providers
13 to provide benefits for selected insulin products described
14 in this section that are delivered by an out-of-network pro-
15 vider, or precludes a plan that has a network of providers
16 from imposing higher cost-sharing than the levels specified
17 in subsection (a) for selected insulin products described
18 in this section that are delivered by an out-of-network pro-
19 vider.

20 “(d) RULE OF CONSTRUCTION.—Subsection (a) shall
21 not be construed to require coverage of, or prevent a group
22 health plan from imposing cost-sharing other than the lev-
23 els specified in subsection (a) on, insulin products that are
24 not selected insulin products, to the extent that such cov-
25 erage is not otherwise required and such cost-sharing is

1 otherwise permitted under Federal and applicable State
2 law.

3 “(e) APPLICATION OF COST-SHARING TOWARDS
4 DEDUCTIBLES AND OUT-OF-POCKET MAXIMUMS.—Any
5 cost-sharing payments made pursuant to subsection (a)(2)
6 shall be counted toward any deductible or out-of-pocket
7 maximum that applies under the plan.”.

8 (2) CLERICAL AMENDMENT.—The table of sec-
9 tions for subchapter B of chapter 100 of such Code
10 is amended by adding at the end the following new
11 item:

“Sec. 9826. Requirements with respect to cost-sharing for certain insulin prod-
ucts.”.

12 **SEC. 26002. OVERSIGHT OF PHARMACY BENEFIT MANAGER**
13 **SERVICES.**

14 (a) ERISA.—

15 (1) IN GENERAL.—Subtitle B of title I of the
16 Employee Retirement Income Security Act of 1974
17 (29 U.S.C. 1021 et seq.) is amended—

18 (A) in subpart B of part 7 (29 U.S.C.
19 1185 et seq.), by adding at the end the fol-
20 lowing:

21 **“SEC. 727. OVERSIGHT OF PHARMACY BENEFIT MANAGER**
22 **SERVICES.**

23 “(a) IN GENERAL.—For plan years beginning on or
24 after January 1, 2023, a group health plan (or health in-

1 surance issuer offering group health insurance coverage
2 in connection with such a plan) or an entity or subsidiary
3 providing pharmacy benefits management services on be-
4 half of such a plan or issuer shall not enter into a contract
5 with a drug manufacturer, distributor, wholesaler, subcon-
6 tractor, rebate aggregator, or any associated third party
7 that limits the disclosure of information to plan sponsors
8 in such a manner that prevents the plan or issuer, or an
9 entity or subsidiary providing pharmacy benefits manage-
10 ment services on behalf of a plan or issuer, from making
11 the reports described in subsection (b).

12 “(b) REPORTS.—

13 “(1) IN GENERAL.—For plan years beginning
14 on or after January 1, 2023, not less frequently
15 than once every 6 months, a health insurance issuer
16 offering group health insurance coverage or an enti-
17 ty providing pharmacy benefits management services
18 on behalf of a group health plan or an issuer pro-
19 viding group health insurance coverage shall submit
20 to the plan sponsor (as defined in section 3(16)(B))
21 of such group health plan or group health insurance
22 coverage a report in accordance with this subsection
23 and make such report available to the plan sponsor
24 in a machine-readable format. Each such report

1 shall include, with respect to the applicable group
2 health plan or health insurance coverage—

3 “(A) as applicable, information collected
4 from drug manufacturers by such issuer or en-
5 tity on the total amount of copayment assist-
6 ance dollars paid, or copayment cards applied,
7 that were funded by the drug manufacturer
8 with respect to the participants and bene-
9 ficiaries in such plan or coverage;

10 “(B) a list of each drug covered by such
11 plan, issuer, or entity providing pharmacy ben-
12 efit management services that was dispensed
13 during the reporting period, including, with re-
14 spect to each such drug during the reporting
15 period—

16 “(i) the brand name, chemical entity,
17 and National Drug Code;

18 “(ii) the number of participants and
19 beneficiaries for whom the drug was filled
20 during the plan year, the total number of
21 prescription fills for the drug (including
22 original prescriptions and refills), and the
23 total number of dosage units of the drug
24 dispensed across the plan year, including

1 whether the dispensing channel was by re-
2 tail, mail order, or specialty pharmacy;

3 “(iii) the wholesale acquisition cost,
4 listed as cost per days supply and cost per
5 pill, or in the case of a drug in another
6 form, per dose;

7 “(iv) the total out-of-pocket spending
8 by participants and beneficiaries on such
9 drug, including participant and beneficiary
10 spending through copayments, coinsurance,
11 and deductibles; and

12 “(v) for any drug for which gross
13 spending of the group health plan or
14 health insurance coverage exceeded
15 \$10,000 during the reporting period—

16 “(I) a list of all other drugs in
17 the same therapeutic category or
18 class, including brand name drugs
19 and biological products and generic
20 drugs or biosimilar biological products
21 that are in the same therapeutic cat-
22 egory or class as such drug; and

23 “(II) the rationale for preferred
24 formulary placement of such drug in
25 that therapeutic category or class;

1 “(C) a list of each therapeutic category or
2 class of drugs that were dispensed under the
3 health plan or health insurance coverage during
4 the reporting period, and, with respect to each
5 such therapeutic category or class of drugs,
6 during the reporting period—

7 “(i) total gross spending by the plan,
8 before manufacturer rebates, fees, or other
9 manufacturer remuneration;

10 “(ii) the number of participants and
11 beneficiaries who filled a prescription for a
12 drug in that category or class;

13 “(iii) if applicable to that category or
14 class, a description of the formulary tiers
15 and utilization mechanisms (such as prior
16 authorization or step therapy) employed
17 for drugs in that category or class;

18 “(iv) the total out-of-pocket spending
19 by participants and beneficiaries, including
20 participant and beneficiary spending
21 through copayments, coinsurance, and
22 deductibles; and

23 “(v) for each therapeutic category or
24 class under which 3 or more drugs are in-

1 cluded on the formulary of such plan or
2 coverage—

3 “(I) the amount received, or ex-
4 pected to be received, from drug man-
5 ufacturers in rebates, fees, alternative
6 discounts, or other remuneration—

7 “(aa) to be paid by drug
8 manufacturers for claims in-
9 curred during the reporting pe-
10 riod; or

11 “(bb) that is related to utili-
12 zation of drugs, in such thera-
13 peutic category or class;

14 “(II) the total net spending, after
15 deducting rebates, price concessions,
16 alternative discounts or other remu-
17 neration from drug manufacturers, by
18 the health plan or health insurance
19 coverage on that category or class of
20 drugs; and

21 “(III) the net price per course of
22 treatment or single fill, such as a 30-
23 day supply or 90-day supply, incurred
24 by the health plan or health insurance
25 coverage and its participants and

1 beneficiaries, after manufacturer re-
2 bates, fees, and other remuneration
3 for drugs dispensed within such thera-
4 peutic category or class during the re-
5 porting period;

6 “(D) total gross spending on prescription
7 drugs by the plan or coverage during the re-
8 porting period, before rebates and other manu-
9 facturer fees or remuneration;

10 “(E) total amount received, or expected to
11 be received, by the health plan or health insur-
12 ance coverage in drug manufacturer rebates,
13 fees, alternative discounts, and all other remu-
14 neration received from the manufacturer or any
15 third party, other than the plan sponsor, re-
16 lated to utilization of drug or drug spending
17 under that health plan or health insurance cov-
18 erage during the reporting period;

19 “(F) the total net spending on prescription
20 drugs by the health plan or health insurance
21 coverage during the reporting period; and

22 “(G) amounts paid directly or indirectly in
23 rebates, fees, or any other type of remuneration
24 to brokers, consultants, advisors, or any other
25 individual or firm who referred the group health

1 plan’s or health insurance issuer’s business to
2 the pharmacy benefit manager.

3 “(2) PRIVACY REQUIREMENTS.—Health insur-
4 ance issuers offering group health insurance cov-
5 erage and entities providing pharmacy benefits man-
6 agement services on behalf of a group health plan
7 shall provide information under paragraph (1) in a
8 manner consistent with the privacy, security, and
9 breach notification regulations promulgated under
10 section 264(c) of the Health Insurance Portability
11 and Accountability Act of 1996, and shall restrict
12 the use and disclosure of such information according
13 to such privacy regulations.

14 “(3) DISCLOSURE AND REDISCLOSURE.—

15 “(A) LIMITATION TO BUSINESS ASSOCI-
16 ATES.—A group health plan receiving a report
17 under paragraph (1) may disclose such informa-
18 tion only to business associates of such plan as
19 defined in section 160.103 of title 45, Code of
20 Federal Regulations (or successor regulations).

21 “(B) CLARIFICATION REGARDING PUBLIC
22 DISCLOSURE OF INFORMATION.—Nothing in
23 this section prevents a health insurance issuer
24 offering group health insurance coverage or an
25 entity providing pharmacy benefits management

1 services on behalf of a group health plan from
2 placing reasonable restrictions on the public dis-
3 closure of the information contained in a report
4 described in paragraph (1), except that such
5 issuer or entity may not restrict disclosure of
6 such report to the Department of Health and
7 Human Services, the Department of Labor, or
8 the Department of the Treasury.

9 “(C) LIMITED FORM OF REPORT.—The
10 Secretary shall define through rulemaking a
11 limited form of the report under paragraph (1)
12 required to be submitted to plan sponsors who
13 are drug manufacturers, drug wholesalers, or
14 other direct participants in the drug supply
15 chain, in order to prevent anti-competitive be-
16 havior.

17 “(4) REPORT TO GAO.—A health insurance
18 issuer offering group health insurance coverage or
19 an entity providing pharmacy benefits management
20 services on behalf of a group health plan shall sub-
21 mit to the Comptroller General of the United States
22 each of the first 4 reports submitted to a plan spon-
23 sor under paragraph (1) with respect to such cov-
24 erage or plan, and other such reports as requested,
25 in accordance with the privacy requirements under

1 paragraph (2) and the disclosure and redisclosure
2 standards under paragraph (3), and such other in-
3 formation that the Comptroller General determines
4 necessary to carry out the study under section
5 30606(b) of the Act entitled ‘An Act to provide for
6 reconciliation pursuant to title II of S. Con. Res.
7 14’.

8 “(c) ENFORCEMENT.—

9 “(1) IN GENERAL.—The Secretary, in consulta-
10 tion with the Secretary of Health and Human Serv-
11 ices and the Secretary of the Treasury, shall enforce
12 this section.

13 “(2) FAILURE TO PROVIDE TIMELY INFORMA-
14 TION.—A health insurance issuer or an entity pro-
15 viding pharmacy benefit management services that
16 violates subsection (a) or fails to provide information
17 required under subsection (b), or a drug manufac-
18 turer that fails to provide information under sub-
19 section (b)(1)(A) in a timely manner, shall be sub-
20 ject to a civil monetary penalty in the amount of
21 \$10,000 for each day during which such violation
22 continues or such information is not disclosed or re-
23 ported.

24 “(3) FALSE INFORMATION.—A health insurance
25 issuer, entity providing pharmacy benefit manage-

1 ment services, or drug manufacturer that knowingly
2 provides false information under this section shall be
3 subject to a civil money penalty in an amount not
4 to exceed \$100,000 for each item of false informa-
5 tion. Such civil money penalty shall be in addition to
6 other penalties as may be prescribed by law.

7 “(4) PROCEDURE.—The provisions of section
8 1128A of the Social Security Act, other than sub-
9 section (a) and (b) and the first sentence of sub-
10 section (c)(1) of such section shall apply to civil
11 monetary penalties under this subsection in the
12 same manner as such provisions apply to a penalty
13 or proceeding under section 1128A of the Social Se-
14 curity Act.

15 “(5) WAIVERS.—The Secretary may waive pen-
16 alties under paragraph (2), or extend the period of
17 time for compliance with a requirement of this sec-
18 tion, for an entity in violation of this section that
19 has made a good-faith effort to comply with this sec-
20 tion.

21 “(d) RULE OF CONSTRUCTION.—Nothing in this sec-
22 tion shall be construed to permit a health insurance issuer,
23 group health plan, or other entity to restrict disclosure to,
24 or otherwise limit the access of, the Department of Labor
25 to a report described in subsection (b)(1) or information

1 related to compliance with subsection (a) by such issuer,
2 plan, or entity.

3 “(e) DEFINITION.—In this section, the term ‘whole-
4 sale acquisition cost’ has the meaning given such term in
5 section 1847A(c)(6)(B) of the Social Security Act.”; and

6 (B) in section 502(b)(3) (29 U.S.C.
7 1132(b)(3)), by inserting “(other than section
8 727)” after “part 7”.

9 (2) CLERICAL AMENDMENT.—The table of con-
10 tents in section 1 of the Employee Retirement In-
11 come Security Act of 1974 (29 U.S.C. 1001 et seq.)
12 is amended by inserting after the item relating to
13 section 726 the following new item:

“Sec. 727. Oversight of pharmacy benefit manager services.”.

14 (b) INTERNAL REVENUE CODE.—

15 (1) IN GENERAL.—Subchapter B of chapter
16 100 of the Internal Revenue Code of 1986, as
17 amended by section ____001(b), is further amended
18 by adding at the end the following:

19 **“SEC. 9827. OVERSIGHT OF PHARMACY BENEFIT MANAGER**
20 **SERVICES.**

21 “(a) IN GENERAL.—For plan years beginning on or
22 after January 1, 2023, a group health plan or an entity
23 or subsidiary providing pharmacy benefits management
24 services on behalf of such a plan shall not enter into a
25 contract with a drug manufacturer, distributor, whole-

1 saler, subcontractor, rebate aggregator, or any associated
2 third party that limits the disclosure of information to
3 plan sponsors in such a manner that prevents the plan,
4 or an entity or subsidiary providing pharmacy benefits
5 management services on behalf of a plan, from making
6 the reports described in subsection (b).

7 “(b) REPORTS.—

8 “(1) IN GENERAL.—For plan years beginning
9 on or after January 1, 2023, not less frequently
10 than once every 6 months, an entity providing phar-
11 macy benefits management services on behalf of a
12 group health plan shall submit to the plan sponsor
13 (as defined in section 3(16)(B) of the Employee Re-
14 tirement Income Security Act of 1974) of such
15 group health plan a report in accordance with this
16 subsection and make such report available to the
17 plan sponsor in a machine-readable format. Each
18 such report shall include, with respect to the applica-
19 ble group health plan—

20 “(A) as applicable, information collected
21 from drug manufacturers by such entity on the
22 total amount of copayment assistance dollars
23 paid, or copayment cards applied, that were
24 funded by the drug manufacturer with respect

1 to the participants and beneficiaries in such
2 plan;

3 “(B) a list of each drug covered by such
4 plan or entity providing pharmacy benefit man-
5 agement services that was dispensed during the
6 reporting period, including, with respect to each
7 such drug during the reporting period—

8 “(i) the brand name, chemical entity,
9 and National Drug Code;

10 “(ii) the number of participants and
11 beneficiaries for whom the drug was filled
12 during the plan year, the total number of
13 prescription fills for the drug (including
14 original prescriptions and refills), and the
15 total number of dosage units of the drug
16 dispensed across the plan year, including
17 whether the dispensing channel was by re-
18 tail, mail order, or specialty pharmacy;

19 “(iii) the wholesale acquisition cost,
20 listed as cost per days supply and cost per
21 pill, or in the case of a drug in another
22 form, per dose;

23 “(iv) the total out-of-pocket spending
24 by participants and beneficiaries on such
25 drug, including participant and beneficiary

1 spending through copayments, coinsurance,
2 and deductibles; and

3 “(v) for any drug for which gross
4 spending of the group health plan exceeded
5 \$10,000 during the reporting period—

6 “(I) a list of all other drugs in
7 the same therapeutic category or
8 class, including brand name drugs
9 and biological products and generic
10 drugs or biosimilar biological products
11 that are in the same therapeutic cat-
12 egory or class as such drug; and

13 “(II) the rationale for preferred
14 formulary placement of such drug in
15 that therapeutic category or class;

16 “(C) a list of each therapeutic category or
17 class of drugs that were dispensed under the
18 health plan during the reporting period, and,
19 with respect to each such therapeutic category
20 or class of drugs, during the reporting period—

21 “(i) total gross spending by the plan,
22 before manufacturer rebates, fees, or other
23 manufacturer remuneration;

1 “(ii) the number of participants and
2 beneficiaries who filled a prescription for a
3 drug in that category or class;

4 “(iii) if applicable to that category or
5 class, a description of the formulary tiers
6 and utilization mechanisms (such as prior
7 authorization or step therapy) employed
8 for drugs in that category or class;

9 “(iv) the total out-of-pocket spending
10 by participants and beneficiaries, including
11 participant and beneficiary spending
12 through copayments, coinsurance, and
13 deductibles; and

14 “(v) for each therapeutic category or
15 class under which 3 or more drugs are in-
16 cluded on the formulary of such plan—

17 “(I) the amount received, or ex-
18 pected to be received, from drug man-
19 ufacturers in rebates, fees, alternative
20 discounts, or other remuneration—

21 “(aa) to be paid by drug
22 manufacturers for claims in-
23 curred during the reporting pe-
24 riod; or

1 “(bb) that is related to utili-
2 zation of drugs, in such thera-
3 peutic category or class;

4 “(II) the total net spending, after
5 deducting rebates, price concessions,
6 alternative discounts or other remu-
7 neration from drug manufacturers, by
8 the health plan on that category or
9 class of drugs; and

10 “(III) the net price per course of
11 treatment or single fill, such as a 30-
12 day supply or 90-day supply, incurred
13 by the health plan and its participants
14 and beneficiaries, after manufacturer
15 rebates, fees, and other remuneration
16 for drugs dispensed within such thera-
17 peutic category or class during the re-
18 porting period;

19 “(D) total gross spending on prescription
20 drugs by the plan during the reporting period,
21 before rebates and other manufacturer fees or
22 remuneration;

23 “(E) total amount received, or expected to
24 be received, by the health plan in drug manu-
25 facturer rebates, fees, alternative discounts, and

1 all other remuneration received from the manu-
2 facturer or any third party, other than the plan
3 sponsor, related to utilization of drug or drug
4 spending under that health plan during the re-
5 porting period;

6 “(F) the total net spending on prescription
7 drugs by the health plan during the reporting
8 period; and

9 “(G) amounts paid directly or indirectly in
10 rebates, fees, or any other type of remuneration
11 to brokers, consultants, advisors, or any other
12 individual or firm who referred the group health
13 plan’s business to the pharmacy benefit man-
14 ager.

15 “(2) PRIVACY REQUIREMENTS.—Entities pro-
16 viding pharmacy benefits management services on
17 behalf of a group health plan shall provide informa-
18 tion under paragraph (1) in a manner consistent
19 with the privacy, security, and breach notification
20 regulations promulgated under section 264(c) of the
21 Health Insurance Portability and Accountability Act
22 of 1996, and shall restrict the use and disclosure of
23 such information according to such privacy regula-
24 tions.

25 “(3) DISCLOSURE AND REDISCLOSURE.—

1 “(A) LIMITATION TO BUSINESS ASSOCI-
2 ATES.—A group health plan receiving a report
3 under paragraph (1) may disclose such informa-
4 tion only to business associates of such plan as
5 defined in section 160.103 of title 45, Code of
6 Federal Regulations (or successor regulations).

7 “(B) CLARIFICATION REGARDING PUBLIC
8 DISCLOSURE OF INFORMATION.—Nothing in
9 this section prevents an entity providing phar-
10 macy benefits management services on behalf of
11 a group health plan from placing reasonable re-
12 strictions on the public disclosure of the infor-
13 mation contained in a report described in para-
14 graph (1), except that such entity may not re-
15 strict disclosure of such report to the Depart-
16 ment of Health and Human Services, the De-
17 partment of Labor, or the Department of the
18 Treasury.

19 “(C) LIMITED FORM OF REPORT.—The
20 Secretary shall define through rulemaking a
21 limited form of the report under paragraph (1)
22 required to be submitted to plan sponsors who
23 are drug manufacturers, drug wholesalers, or
24 other direct participants in the drug supply

1 chain, in order to prevent anti-competitive be-
2 havior.

3 “(4) REPORT TO GAO.—An entity providing
4 pharmacy benefits management services on behalf of
5 a group health plan shall submit to the Comptroller
6 General of the United States each of the first 4 re-
7 ports submitted to a plan sponsor under paragraph
8 (1) with respect to such plan, and other such reports
9 as requested, in accordance with the privacy require-
10 ments under paragraph (2) and the disclosure and
11 redisclosure standards under paragraph (3), and
12 such other information that the Comptroller General
13 determines necessary to carry out the study under
14 section 30606(b) of an Act to provide for reconcili-
15 ation pursuant to title II of S. Con. Res. 14.

16 “(c) ENFORCEMENT.—

17 “(1) IN GENERAL.—The Secretary, in consulta-
18 tion with the Secretary of Labor and the Secretary
19 of Health and Human Services, shall enforce this
20 section.

21 “(2) FAILURE TO PROVIDE TIMELY INFORMA-
22 TION.—An entity providing pharmacy benefit man-
23 agement services that violates subsection (a) or fails
24 to provide information required under subsection
25 (b), or a drug manufacturer that fails to provide in-

1 formation under subsection (b)(1)(A) in a timely
2 manner, shall be subject to a civil monetary penalty
3 in the amount of \$10,000 for each day during which
4 such violation continues or such information is not
5 disclosed or reported.

6 “(3) FALSE INFORMATION.—An entity pro-
7 viding pharmacy benefit management services, or
8 drug manufacturer that knowingly provides false in-
9 formation under this section shall be subject to a
10 civil money penalty in an amount not to exceed
11 \$100,000 for each item of false information. Such
12 civil money penalty shall be in addition to other pen-
13 alties as may be prescribed by law.

14 “(4) PROCEDURE.—The provisions of section
15 1128A of the Social Security Act, other than sub-
16 section (a) and (b) and the first sentence of sub-
17 section (c)(1) of such section shall apply to civil
18 monetary penalties under this subsection in the
19 same manner as such provisions apply to a penalty
20 or proceeding under section 1128A of the Social Se-
21 curity Act.

22 “(5) WAIVERS.—The Secretary may waive pen-
23 alties under paragraph (2), or extend the period of
24 time for compliance with a requirement of this sec-
25 tion, for an entity in violation of this section that

1 has made a good-faith effort to comply with this sec-
2 tion.

3 “(d) RULE OF CONSTRUCTION.—Nothing in this sec-
4 tion shall be construed to permit a group health plan or
5 other entity to restrict disclosure to, or otherwise limit the
6 access of, the Department of the Treasury to a report de-
7 scribed in subsection (b)(1) or information related to com-
8 pliance with subsection (a) by such plan or entity.

9 “(e) DEFINITION.—In this section, the term ‘whole-
10 sale acquisition cost’ has the meaning given such term in
11 section 1847A(e)(6)(B) of the Social Security Act.”.

12 (2) CLERICAL AMENDMENT.—The table of sec-
13 tions for subchapter B of chapter 100 of the Inter-
14 nal Revenue Code of 1986, as amended by the pre-
15 ceding provisions of this Act, is further amended by
16 adding at the end the following new item:

“Sec. 9827. Oversight of pharmacy benefit manager services.”.

17 (c) FUNDING.—For purposes of carrying out the
18 amendments made by this section there are appropriated
19 out of amounts in the Treasury not otherwise appro-
20 priated, \$43,750,000 for the Department of Labor for
21 Fiscal Year 2022.

1 **Subtitle H—Affordable Health Care**
2 **Coverage**

3 **SEC. 27001. ENSURING AFFORDABILITY OF COVERAGE FOR**
4 **CERTAIN LOW-INCOME POPULATIONS.**

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

8 (1) in subsection (b)—

9 (A) in paragraph (2), by inserting “(or,
10 with respect to plan years 2023, 2024, and
11 2025, whose household income does not exceed
12 400 percent of the poverty line for a family of
13 the size involved)” before the period; and

14 (B) in the matter following paragraph (2),
15 by adding at the end the following new sen-
16 tence: “In the case of an individual who is de-
17 termined at any point to have a household in-
18 come for 2022 that does not exceed 138 percent
19 of the poverty line for a family of the size in-
20 volved, such individual shall, for each month
21 during such year, be treated as having a house-
22 hold income equal to 100 percent for purposes
23 of applying this section.”; and

24 (2) in subsection (c)—

1 (A) in paragraph (1)(A), in the matter
2 preceding clause (i), by inserting “, with respect
3 to eligible insureds (other than, with respect to
4 plan years 2023, 2024, and 2025, specified en-
5 rollees (as defined in paragraph (6)(C))),” after
6 “first be achieved”;

7 (B) in paragraph (2), in the matter pre-
8 ceeding subparagraph (A), by inserting “with re-
9 spect to eligible insureds (other than, with re-
10 spect to plan years 2023, 2024, and 2025, spec-
11 ified enrollees)” after “under the plan”;

12 (C) in paragraph (3)—

13 (i) in subparagraph (A), by striking
14 “this subsection” and inserting “paragraph
15 (1) or (2)”; and

16 (ii) in subparagraph (B), by striking
17 “this section” and inserting “paragraphs
18 (1) and (2)”; and

19 (D) by adding at the end the following new
20 paragraph:

21 “(6) SPECIAL RULE FOR SPECIFIED ENROLL-
22 EES.—

23 “(A) IN GENERAL.—The Secretary shall
24 establish procedures under which the issuer of
25 a qualified health plan to which this section ap-

1 plies shall reduce cost-sharing under the plan
2 with respect to months occurring during plan
3 years 2023, 2024, and 2025 for enrollees who
4 are specified enrollees (as defined in subpara-
5 graph (C)) in a manner sufficient to increase
6 the plan's share of the total allowed costs of
7 benefits provided under the plan to 99 percent
8 of such costs.

9 “(B) METHODS FOR REDUCING COST
10 SHARING.—

11 “(i) IN GENERAL.—An issuer of a
12 qualified health plan making reductions
13 under this paragraph shall notify the Sec-
14 retary of such reductions and the Sec-
15 retary shall, out of funds made available
16 under clause (ii), make periodic and timely
17 payments to the issuer equal to 12 percent
18 of the total allowed costs of benefits pro-
19 vided under each such plan to specified en-
20 rollees during plan years 2023, 2024, and
21 2025.

22 “(ii) APPROPRIATION.—In addition to
23 amounts otherwise available, there are ap-
24 propriated, out of any money in the Treas-
25 ury not otherwise appropriated, such sums

1 as may be necessary to the Secretary to
2 make payments under clause (i).

3 “(C) SPECIFIED ENROLLEE DEFINED.—

4 For purposes of this section, the term ‘specified
5 enrollee’ means, with respect to a plan year, an
6 eligible insured who is determined at any point
7 to have a household income for such plan year
8 that does not exceed 138 percent of the poverty
9 line for a family of the size involved. Such in-
10 sured shall be deemed to be a specified enrollee
11 for each month in such plan year.

12 “(D) RETROACTIVE PAYMENT AND REIM-
13 BURSEMENT FOR SERVICES.—

14 “(i) IN GENERAL.—

15 “(I) ELIGIBILITY FOR RETRO-
16 ACTIVE PAYMENT AND REIMBURSE-
17 MENT FOR SERVICES.—For plan year
18 2025, for a specified enrollee, the
19 qualified health plan in which the
20 specified enrollee is enrolled shall
21 make payments to providers and fa-
22 cilities or reimburse the specified en-
23 rollee for any item or service fur-
24 nished to such specified enrollee dur-
25 ing the retroactive coverage period

1 that would have been covered under
2 the terms of the coverage had the
3 specified enrollee been enrolled in the
4 plan at the time such item or service
5 was furnished.

6 “(II) LIMITATION OF RETRO-
7 ACTIVE PAYMENT AND REIMBURSE-
8 MENT FOR SERVICES TO CURRENT
9 PLAN YEAR.—In no case shall pay-
10 ment or reimbursement for items and
11 services by a qualified health plan
12 pursuant to subclause (I) be required
13 to be made for items and services fur-
14 nished in a month that precedes the
15 first month of the applicable plan
16 year.

17 “(ii) METHODS FOR FINANCING RET-
18 ROACTIVE PAYMENT AND REIMBURSEMENT
19 FOR SERVICES.—

20 “(I) NOTIFICATION OF PAYMENT
21 AND REIMBURSEMENT TO PROVIDERS,
22 FACILITIES, OR INDIVIDUALS.—A
23 qualified health plan shall notify the
24 Secretary, in a form and manner
25 specified by the Secretary, of pay-

1 ments or reimbursements made for
2 any items and services furnished to a
3 specified enrollee during the retro-
4 active coverage period pursuant to
5 clause (i).

6 “(II) PAYMENTS TO QUALIFIED
7 HEALTH PLANS.—The Secretary shall
8 make periodic and timely payments to
9 a qualified health plan described in
10 subclause (I) equal to 100 percent of
11 the value of the payment or reim-
12 bursement made by the qualified
13 health plan related to items and serv-
14 ices furnished during the retroactive
15 coverage period, including reasonable
16 administrative expenses incurred by
17 such plan, as the Secretary deter-
18 mines appropriate.

19 “(iii) COORDINATION OF BENEFITS.—
20 If a specified enrollee for whom a qualified
21 health plan retroactively makes payments
22 or reimbursements for items and services
23 under clause (i) had coverage under a
24 group health plan or health insurance cov-
25 erage at the time such items and services

1 plied under the qualified health plan
2 for items and services payed for as de-
3 scribed in clause (i), if such services
4 were provided by an in-network facil-
5 ity or provider;

6 “(II) may not collect a premium
7 from a specified enrollee in association
8 with payments for items and services
9 furnished during the retroactive cov-
10 erage period;

11 “(III) shall grant the specified
12 enrollee access to the right to appeal
13 any adverse payment or reimburse-
14 ment determination with respect to
15 payments and reimbursements de-
16 scribed in this subparagraph through
17 the process established in section
18 2719(a) of the Public Health Service
19 Act, as though such determination
20 were an adverse benefit determination
21 described in such section; and

22 “(IV) may not deny payment to a
23 provider or facility or reimbursement
24 to a specified enrollee for a covered
25 item or service on the basis that the

1 terms of the coverage would have re-
2 quired prior authorization or other
3 medical management restrictions or
4 limitations.

5 “(v) PAYMENT FOR ITEMS AND SERV-
6 ICES.—A qualified health plan shall make
7 a payment or reimbursement under this
8 subparagraph in the case of an item or
9 service provided by—

10 “(I) an in-network facility or pro-
11 vider equal to the amount that such
12 plan would otherwise pay with respect
13 to enrolled individuals under the
14 terms of the coverage; and

15 “(II) an out-of-network facility or
16 provider equal to the amount deter-
17 mined using the independent dispute
18 resolution process described in section
19 2799A–1(c) of the Public Health
20 Service Act, as if such item or service
21 were an item or service described in
22 such section in which the open nego-
23 tiation process did not result in a de-
24 termination of an amount of payment.

1 “(vi) IMPLEMENTATION.—In imple-
2 menting clause (v)(II), the Secretary, as
3 appropriate, shall designate an initiation
4 date for the independent dispute resolution
5 process described in such clause to be used
6 in lieu of the initiation date described in
7 section 2799A–1(c)(1)(B) of the Public
8 Health Service Act.

9 “(vii) RETROACTIVE COVERAGE PE-
10 RIOD.—In this subparagraph, subject to
11 clause (i)(II), the term ‘retroactive cov-
12 erage period’, with respect to a specified
13 enrollee described in clause (i), means the
14 period that begins on the first day of the
15 third month before the month in which the
16 specified enrollee first enrolls as a specified
17 enrollee, and ending on the day before the
18 effective date of the specified enrollee’s
19 coverage.

20 “(viii) AUTHORIZATION OF APPRO-
21 PRIATIONS.—There are authorized to be
22 appropriated, and there are appropriated,
23 out of amounts in the Treasury not other-
24 wise appropriated, such funds as may be

1 necessary to make payments under clause
2 (ii)(II).”.

3 (b) OPEN ENROLLMENTS APPLICABLE TO CERTAIN
4 LOWER-INCOME POPULATIONS.—Section 1311(c) of the
5 Patient Protection and Affordable Care Act (42 U.S.C.
6 18031(c)) is amended—

7 (1) in paragraph (6)—

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

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

12 (C) by adding at the end the following new
13 subparagraph:

14 “(E) with respect to a qualified health plan
15 with respect to which section 1402 applies, for
16 months occurring during the period beginning
17 on January 1, 2022, and ending on December
18 31, 2025, enrollment periods described in sub-
19 paragraph (A) of paragraph (8) for individuals
20 described in subparagraph (B) of such para-
21 graph.”; and

22 (2) by adding at the end the following new
23 paragraph:

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

1 “(A) IN GENERAL.—The enrollment period
2 described in this paragraph is, in the case of an
3 individual described in subparagraph (B), the
4 continuous period beginning on the first day
5 that such individual is so described.

6 “(B) INDIVIDUAL DESCRIBED.—For pur-
7 poses of subparagraph (A), an individual de-
8 scribed in this subparagraph is an individual—

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

12 “(ii) who is not eligible for minimum
13 essential coverage (as defined in section
14 5000A(f) of the Internal Revenue Code of
15 1986), other than for coverage described in
16 any of subparagraphs (B) through (E) of
17 paragraph (1) of such section.”.

18 (c) ADDITIONAL BENEFITS FOR CERTAIN LOW-IN-
19 COME INDIVIDUALS FOR PLAN YEARS 2024 AND 2025.—
20 Section 1301(a) of the Patient Protection and Affordable
21 Care Act (42 U.S.C. 18021(a)) is amended—

22 (1) in paragraph (1)—

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

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

3 (C) by adding at the end the following new
4 subparagraph:

5 “(D) provides, with respect to a plan of-
6 fered in the silver level of coverage to which sec-
7 tion 1402 applies during plan year 2024 and
8 2025, for benefits described in paragraph (5) in
9 the case of an individual who has a household
10 income that does not exceed 138 percent of the
11 poverty line for a family of the size involved,
12 and who is eligible to receive cost-sharing re-
13 ductions under section 1402.”; and

14 (2) by adding at the end the following new
15 paragraph:

16 “(5) ADDITIONAL BENEFITS FOR CERTAIN
17 LOW-INCOME INDIVIDUALS FOR PLAN YEAR 2024 AND
18 2025.—

19 “(A) IN GENERAL.—

20 “(i) BENEFITS.—For purposes of
21 paragraph (1)(D), the benefits described in
22 this paragraph to be provided by a quali-
23 fied health plan are benefits consisting
24 of—

1 “(I) non-emergency medical
2 transportation services (as described
3 in section 1902(a)(4) of the Social Se-
4 curity Act) for which Federal pay-
5 ments would have been available
6 under title XIX of the Social Security
7 Act had such services been furnished
8 to an individual enrolled under a
9 State plan (or waiver of such plan)
10 under such title; and

11 “(II) services described in sub-
12 section (a)(4)(C) of section 1905 of
13 such Act for which Federal payments
14 would have been so available;

15 which are not otherwise provided under
16 such plan as part of the essential health
17 benefits package described in section
18 1302(a).

19 “(ii) CONDITION ON PROVISION OF
20 BENEFITS.—Benefits described in this
21 paragraph shall be provided—

22 “(I) without any restriction on
23 the choice of a qualified provider from
24 whom an individual may receive such
25 benefits; and

1 “(II) without any imposition of
2 cost sharing.

3 “(B) PAYMENTS FOR ADDITIONAL BENE-
4 FITS.—

5 “(i) IN GENERAL.—An issuer of a
6 qualified health plan making payments for
7 services described in subparagraph (A) fur-
8 nished to individuals described in para-
9 graph (1)(D) during plan year 2024 or
10 2025 shall notify the Secretary of such
11 payments and the Secretary shall, out of
12 funds made available under clause (ii),
13 make periodic and timely payments to the
14 issuer equal to payments for such services
15 so furnished.

16 “(ii) APPROPRIATION.—In addition to
17 amounts otherwise available, there is ap-
18 propriated, out of any money in the Treas-
19 ury not otherwise appropriated, such sums
20 as may be necessary to the Secretary to
21 make payments under clause (i).”.

22 (d) EDUCATION AND OUTREACH ACTIVITIES.—

23 (1) IN GENERAL.—Section 1321(c) of the Pa-
24 tient Protection and Affordable Care Act (42 U.S.C.

1 18041(c)) is amended by adding at the end the fol-
2 lowing new paragraph:

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

5 “(A) IN GENERAL.—In the case of an Ex-
6 change established or operated by the Secretary
7 within a State pursuant to this subsection, the
8 Secretary shall carry out outreach and edu-
9 cational activities for purposes of informing in-
10 dividuals described in section
11 1902(a)(10)(A)(i)(VIII) of the Social Security
12 Act who reside in States that have not ex-
13 pended amounts under a State plan (or waiver
14 of such plan) under title XIX of such Act for
15 all such individuals about qualified health plans
16 offered through the Exchange, including by in-
17 forming such individuals of the availability of
18 coverage under such plans and financial assist-
19 ance for coverage under such plans. Such out-
20 reach and educational activities shall be pro-
21 vided in a manner that is culturally and linguis-
22 tically appropriate to the needs of the popu-
23 lations being served by the Exchange (including
24 hard-to-reach populations, such as racial and
25 sexual minorities, limited English proficient

1 populations, individuals residing in areas where
2 the unemployment rates exceeds the national
3 average unemployment rate, individuals in rural
4 areas, veterans, and young adults).

5 “(B) LIMITATION ON USE OF FUNDS.—No
6 funds appropriated under this paragraph shall
7 be used for expenditures for promoting non-
8 ACA compliant health insurance coverage.

9 “(C) NON-ACA COMPLIANT HEALTH INSUR-
10 ANCE COVERAGE.—For purposes of subpara-
11 graph (B):

12 “(i) The term ‘non-ACA compliant
13 health insurance coverage’ means health
14 insurance coverage, or a group health plan,
15 that is not a qualified health plan.

16 “(ii) Such term includes the following:

17 “(I) An association health plan.

18 “(II) Short-term limited duration
19 insurance.

20 “(D) FUNDING.—In addition to amounts
21 otherwise available, there is appropriated, out of
22 any money in the Treasury not otherwise ap-
23 propriated, to remain available until expended,
24 \$105,000,000 for fiscal year 2022 to carry out
25 this paragraph, of which—

1 “(i) \$15,000,000 shall be used to
2 carry out this paragraph in fiscal year
3 2022; and

4 “(ii) \$30,000,000 shall be used to
5 carry out this paragraph for each of fiscal
6 years 2023 through 2025.

7 “(E) RETROACTIVE ITEMS AND SERV-
8 ICES.—The outreach and education activities
9 described in subparagraph (A) shall include
10 providing information to individuals on the
11 availability of payment and reimbursement for
12 services during the retroactive coverage period,
13 as defined in section 1402(c)(6)(D)(vii).”.

14 (2) NAVIGATOR PROGRAM.—Section 1311(i)(6)
15 of the Patient Protection and Affordable Care Act
16 (42 U.S.C. 18031(i)(6)) is amended—

17 (A) by striking “FUNDING.—Grants
18 under” and inserting “FUNDING.—

19 “(A) STATE EXCHANGES.—Grants under”;
20 and

21 (B) by adding at the end the following new
22 subparagraph:

23 “(B) FEDERAL EXCHANGES.—For pur-
24 poses of carrying out this subsection, with re-
25 spect to an Exchange established and operated

1 by the Secretary within a State pursuant to sec-
2 tion 1321(c), the Secretary shall obligate not
3 less than \$10,000,000 out of amounts collected
4 through the user fees on participating health in-
5 surance issuers pursuant to section 156.50 of
6 title 45, Code of Federal Regulations (or any
7 successor regulations) for fiscal year 2022, and
8 not less than \$20,000,000 for each of fiscal
9 years 2023, 2024, and 2025. Such amount so
10 obligated for a fiscal year shall remain available
11 until expended.

12 “(C) RETROACTIVE ITEMS AND SERV-
13 ICES.—Grants provided pursuant to subpara-
14 graph (B) shall require organizations receiving
15 such grants to provide information to individ-
16 uals on the availability of payment and reim-
17 bursement for services during the retroactive
18 coverage period, as defined in section
19 1402(c)(6)(D)(vii).”.

20 (e) FUNDING.—In addition to amounts otherwise
21 available, there is appropriated to the Secretary of Health
22 and Human Services for fiscal year 2022, out of any
23 money in the Treasury not otherwise appropriated,
24 \$65,000,000, to remain available until expended, for pur-
25 poses of carrying out the provisions of, and the amend-

1 ments made by, this section, section 27002, and section
2 27003. For purposes of carrying out section
3 1402(c)(6)(D) of the Patient Protection and Affordable
4 Care Act (as added by this section) there are appropriated
5 out of amounts in the Treasury not otherwise appro-
6 priated, \$5,000,000 for fiscal year 2022, to remain avail-
7 able until expended.

8 **SEC. 27002. 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 section 1343 (42 U.S.C. 18063) 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) SUBSEQUENT YEAR APPLICATION AP-
22 PROVAL.—If an application of a State is approved
23 for a purpose described in section 1352 for a year,
24 such application shall be treated as approved for

1 such purpose for each subsequent year through
2 2025.

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

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

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

19 “(b) DEFAULT FEDERAL SAFEGUARD FOR 2022,
20 2023, 2024, AND 2025 FOR CERTAIN STATES.—

21 “(1) IN GENERAL.—For 2022, 2023, 2024, and
22 2025, in the case of a State described in paragraph
23 (5), with respect to such year, the State shall not be
24 eligible to submit an application under subsection
25 (a), and the Administrator, in consultation with the

1 applicable State authority, shall from the amount
2 calculated under paragraph (3) for such year, carry
3 out the purpose described in paragraph (2) in such
4 States for such year.

5 “(2) SPECIFIED USE.—The amount described
6 in paragraph (3), with respect to States described in
7 paragraph (5) for 2022, 2023, 2024, or 2025, shall
8 be used to carry out the purpose described in section
9 1352(a)(1) in such States for such year, as applica-
10 ble, by providing reinsurance payments to health in-
11 surance issuers with respect to attachment range
12 claims (as defined in section 1354(b)(2), using the
13 dollar amount specified in subparagraph (B) of such
14 section for 2023, 2024, and 2025, and the dollar
15 amount determined under paragraph (3)(A) for
16 2022) in an amount equal to, subject to paragraph
17 (4), the percentage (specified by the Secretary under
18 section 1354(b)(2) for 2023, 2024, or 2025, or
19 under paragraph (3)(A) for 2022) of the amount of
20 such claims.

21 “(3) AMOUNT DESCRIBED.—

22 “(A) AMOUNT FOR 2022.—

23 “(i) IN GENERAL.—The amount de-
24 scribed in this paragraph, with respect to
25 2022, is the amount equal to the total sum

1 of amounts that the Secretary estimates
2 would be expended under this subsection
3 for such year on attachment range claims
4 (as defined in section 1354(b)(2)(A)) of in-
5 dividuals residing in States described in
6 paragraph (5) if each such State used such
7 funds only for the purpose described sec-
8 tion 1352(a)(1) at the dollar amounts and
9 percentage specified under clause (ii) for
10 such year.

11 “(ii) SPECIFICATIONS.—For purposes
12 of clause (i), the Secretary shall determine
13 the dollar amount and the percentage to be
14 specified under this clause for a year in a
15 manner to ensure that the total amount of
16 expenditures under this subsection for
17 2022 is estimated to equal the total
18 amount appropriated for such year under
19 paragraph (6) if such expenditures were
20 used solely for the purpose described in
21 clause (i) for attachment range claims at
22 the dollar amounts and percentage so spec-
23 ified for such year.

24 “(B) AMOUNT FOR 2023-2025.—The
25 amount described in this paragraph, with re-

1 spect to 2023, 2024, or 2025, is the amount
2 equal to the total sum of amounts that the Sec-
3 retary would otherwise estimate under section
4 1354(b)(2)(A)(i) for such year for all States de-
5 scribed in paragraph (5) for such year, as appli-
6 cable, if such States were not so described for
7 such year.

8 “(4) ADJUSTMENT.—For purposes of this sub-
9 section, if the cost of paying the total eligible attach-
10 ment range claims for States described in paragraph
11 (5) for a year at the percentage otherwise specified
12 under, as applicable, section 1354(b)(2)(B) or para-
13 graph (3)(A)(ii), would differ from the amount cal-
14 culated under, as applicable, subparagraph (A)(i) or
15 (B) of paragraph (3) for such year, the Secretary
16 may apply a percentage under paragraph (3)—

17 “(A) with respect to 2022, that is different
18 from the percentage otherwise specified in para-
19 graph (3)(A)(ii); or

20 “(B) with respect to 2023, 2024, or 2025,
21 that is different from the percentage otherwise
22 specified in section 1354(b)(2)(B) for such
23 year.

24 “(5) STATE DESCRIBED.—A State described in
25 this paragraph, with respect to years 2022, 2023,

1 2024, and 2025, is a State that, as of January 1 of
2 2021, 2022, 2023, or 2024, respectively, was not ex-
3 pending amounts under the State plan (or waiver of
4 such plan) for all individuals described in section
5 1902(a)(10)(A)(i)(VIII) during such year.

6 “(6) APPROPRIATION.—In addition to amounts
7 otherwise available, including under section 1354,
8 there is appropriated, out of any money in the
9 Treasury not otherwise appropriated,
10 \$1,000,000,000 for fiscal year 2022 for payment of
11 attachment range claims under this subsection, to
12 remain available until expended.

13 **“SEC. 1354. ALLOCATIONS.**

14 “(a) APPROPRIATION.—In addition to amounts oth-
15 erwise available, there is appropriated, out of any money
16 in the Treasury not otherwise appropriated,
17 \$30,000,000,000 for fiscal year 2022, of which—

18 “(1) \$10,000,000,000, to remain available until
19 September 30, 2026, to provide allocations for
20 States under subsection (b) and payments under
21 section 1353(b) in fiscal year 2023;

22 “(2) \$10,000,000,000, to remain available until
23 September 30, 2026, to provide allocations for
24 States under subsection (b) and payments under
25 section 1353(b) in fiscal year 2024; and

1 “(3) \$10,000,000,000, to remain available until
2 September 30, 2026, to provide allocations for
3 States under subsection (b) and payments under
4 section 1353(b) in fiscal year 2025.

5 “(b) ALLOCATIONS.—

6 “(1) PAYMENT.—

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

15 “(B) SPECIFIED DATE.—For purposes of
16 subparagraph (A), the date specified in this
17 subparagraph is—

18 “(i) for 2023, the date that is 90 days
19 after the date of the enactment of this
20 part; and

21 “(ii) for 2024 or 2025, January 1 of
22 the previous year.

23 “(C) NOTIFICATIONS OF ALLOCATION
24 AMOUNTS.—For 2024 and 2025, the Secretary
25 shall notify each State of the amount deter-

1 mined for such State under paragraph (2) for
2 such year by not later than January 1 of the
3 previous year.

4 “(2) ALLOCATION AMOUNT DETERMINA-
5 TIONS.—

6 “(A) IN GENERAL.—For purposes of para-
7 graph (1), the amount determined under this
8 paragraph for a year for a State described in
9 paragraph (1)(A) for such year is the amount
10 equal to—

11 “(i) the amount that the Secretary es-
12 timates would be expended under this part
13 for such year on attachment range claims
14 of individuals residing in such State if such
15 State used such funds only for the purpose
16 described in paragraph (1) of section
17 1352(a) at the dollar amounts and per-
18 centage specified under subparagraph (B)
19 for such year; minus

20 “(ii) the amount, if any, by which the
21 Secretary determines—

22 “(I) the estimated amount of
23 premium tax credits under section
24 36B of the Internal Revenue Code of
25 1986 that would be attributable to in-

1 dividuals residing in such State for
2 such year without application of this
3 part; exceeds

4 “(II) the estimated amount of
5 premium tax credits under section
6 36B of the Internal Revenue Code of
7 1986 that would be attributable to in-
8 dividuals residing in such State for
9 such year if section 1353(b) applied
10 for such year and applied with respect
11 to such State for such year.

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

20 “(B) SPECIFICATIONS.—For purposes of
21 subparagraph (A) and section 1353(b)(3), the
22 Secretary shall determine the dollar amounts
23 and the percentage to be specified under this
24 subparagraph for a year in a manner to ensure
25 that the total amount of expenditures under

1 available under part 6 for such year, the ad-
2 justed premium amount (as defined in subpara-
3 graph (B)) for each such plan and year.

4 “(B) ADJUSTED PREMIUM AMOUNT DE-
5 FINED.—For purposes of subparagraph (A), the
6 term ‘adjusted premium amount’ means, with
7 respect to a qualified health plan and a year,
8 the monthly premium for such plan and year
9 that would have applied had such plan not re-
10 ceived any payments described in subparagraph
11 (A) for such year.”; and

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

21 (c) IMPLEMENTATION AUTHORITY.—The Secretary
22 of Health and Human Services may implement the provi-
23 sions of, and the amendments made by, this section by
24 subregulatory guidance or otherwise.

1 **SEC. 27003. FUNDING FOR THE PROVISION OF HEALTH IN-**
2 **SURANCE CONSUMER INFORMATION.**

3 Section 2793(e) of the Public Health Service Act (42
4 U.S.C. 300gg–93(e)) is amended by adding at the end the
5 following new paragraph:

6 “(3) FUNDING FOR 2022 THROUGH 2025.—In
7 addition to amounts otherwise available, there is ap-
8 propriated, out of any money in the Treasury not
9 otherwise appropriated, \$100,000,000 for 2022, to
10 remain available until expended, of which
11 \$25,000,000 shall be used for each of 2022 through
12 2025 to carry out this section.”.

13 **SEC. 27004. REQUIREMENTS WITH RESPECT TO COST-SHAR-**
14 **ING FOR INSULIN PRODUCTS.**

15 (a) IN GENERAL.—Part D of title XXVII of the Pub-
16 lic Health Service Act (42 U.S.C. 300gg–111 et seq.) is
17 amended by adding at the end the following:

18 **“SEC. 2799A-11. REQUIREMENTS WITH RESPECT TO COST-**
19 **SHARING FOR CERTAIN INSULIN PRODUCTS.**

20 “(a) IN GENERAL.—For plan years beginning on or
21 after January 1, 2023, a group health plan or health in-
22 surance issuer offering group or individual health insur-
23 ance coverage shall provide coverage of selected insulin
24 products, and with respect to such products, shall not—

25 “(1) apply any deductible; or

1 “(2) impose any cost-sharing in excess of the
2 lesser of, per 30-day supply—

3 “(A) \$35; or

4 “(B) the amount equal to 25 percent of
5 the negotiated price of the selected insulin prod-
6 uct net of all price concessions received by or on
7 behalf of the plan or coverage, including price
8 concessions received by or on behalf of third-
9 party entities providing services to the plan or
10 coverage, such as pharmacy benefit manage-
11 ment services.

12 “(b) DEFINITIONS.—In this section:

13 “(1) SELECTED INSULIN PRODUCTS.—The term
14 ‘selected insulin products’ means at least one of each
15 dosage form (such as vial, pump, or inhaler dosage
16 forms) of each different type (such as rapid-acting,
17 short-acting, intermediate-acting, long-acting, ultra
18 long-acting, and premixed) of insulin (as defined
19 below), when available, as selected by the group
20 health plan or health insurance issuer.

21 “(2) INSULIN DEFINED.—The term ‘insulin’
22 means insulin that is licensed under subsection (a)
23 or (k) of section 351 and continues to be marketed
24 under such section, including any insulin product
25 that has been deemed to be licensed under section

1 351(a) pursuant to section 7002(e)(4) of the Bio-
2 logics Price Competition and Innovation Act of 2009
3 and continues to be marketed pursuant to such li-
4 censure.

5 “(c) OUT-OF-NETWORK PROVIDERS.—Nothing in
6 this section requires a plan or issuer that has a network
7 of providers to provide benefits for selected insulin prod-
8 ucts described in this section that are delivered by an out-
9 of-network provider, or precludes a plan or issuer that has
10 a network of providers from imposing higher cost-sharing
11 than the levels specified in subsection (a) for selected insu-
12 lin products described in this section that are delivered
13 by an out-of-network provider.

14 “(d) RULE OF CONSTRUCTION.—Subsection (a) shall
15 not be construed to require coverage of, or prevent a group
16 health plan or health insurance coverage from imposing
17 cost-sharing other than the levels specified in subsection
18 (a) on, insulin products that are not selected insulin prod-
19 ucts, to the extent that such coverage is not otherwise re-
20 quired and such cost-sharing is otherwise permitted under
21 Federal and applicable State law.

22 “(e) APPLICATION OF COST-SHARING TOWARDS
23 DEDUCTIBLES AND OUT-OF-POCKET MAXIMUMS.—Any
24 cost-sharing payments made pursuant to subsection (a)(2)

1 shall be counted toward any deductible or out-of-pocket
2 maximum that applies under the plan or coverage.”.

3 (b) NO EFFECT ON OTHER COST-SHARING.—Section
4 1302(d)(2) of the Patient Protection and Affordable Care
5 Act (42 U.S.C. 18022(d)(2)) is amended by adding at the
6 end the following new subparagraph:

7 “(D) SPECIAL RULE RELATING TO INSU-
8 LIN COVERAGE.—The exemption of coverage of
9 selected insulin products (as defined in section
10 2799A–11(b) of the Public Health Service Act)
11 from the application of any deductible pursuant
12 to section 2799A–11(a)(1) of such Act, section
13 726(a)(1) of the Employee Retirement Income
14 Security Act of 1974, or section 9826(a)(1) of
15 the Internal Revenue Code of 1986 shall not be
16 considered when determining the actuarial value
17 of a qualified health plan under this sub-
18 section.”.

19 (c) COVERAGE OF CERTAIN INSULIN PRODUCTS
20 UNDER CATASTROPHIC PLANS.—Section 1302(e) of the
21 Patient Protection and Affordable Care Act (42 U.S.C.
22 18022(e)) is amended by adding at the end the following:

23 “(4) COVERAGE OF CERTAIN INSULIN PROD-
24 UCTS.—

1 “(A) IN GENERAL.—Notwithstanding para-
2 graph (1)(B)(i), a health plan described in
3 paragraph (1) shall provide coverage of selected
4 insulin products, in accordance with section
5 2799A–11 of the Public Health Service Act, for
6 a plan year before an enrolled individual has in-
7 curred cost-sharing expenses in an amount
8 equal to the annual limitation in effect under
9 subsection (c)(1) for the plan year.

10 “(B) TERMINOLOGY.—For purposes of
11 subparagraph (A)—

12 “(i) the term ‘selected insulin prod-
13 ucts’ has the meaning given such term in
14 section 2799A–11(b) of the Public Health
15 Service Act; and

16 “(ii) the requirements of section
17 2799A–11 of such Act shall be applied by
18 deeming each reference in such section to
19 ‘individual health insurance coverage’ to be
20 a reference to a plan described in para-
21 graph (1).”.

1 **SEC. 27005. COST-SHARING REDUCTIONS FOR INDIVIDUALS**
2 **RECEIVING UNEMPLOYMENT COMPENSA-**
3 **TION.**

4 Section 1402(f) of the Patient Protection and Afford-
5 able Care Act (42 U.S.C. 18071(f)) is amended—

6 (1) in the header, by striking “2021” and in-
7 serting “CERTAIN YEARS”;

8 (2) in the matter preceding paragraph (1), by
9 striking “2021” and inserting “any of years 2021
10 through 2022”; and

11 (3) in paragraph (2), by striking “133 percent”
12 and inserting “150 percent”.

13 **SEC. 27006. OVERSIGHT OF PHARMACY BENEFIT MANAGER**
14 **SERVICES.**

15 (a) IN GENERAL.—Title XXVII of the Public Health
16 Service Act (42 U.S.C. 300gg et seq.), as amended by sec-
17 tion 27004, is further amended—

18 (1) in part D (42 U.S.C. 300gg–111 et seq.),
19 by adding at the end the following new section:

20 **“SEC. 2799A–12. OVERSIGHT OF PHARMACY BENEFIT MAN-**
21 **AGER SERVICES.**

22 “(a) IN GENERAL.—For plan years beginning on or
23 after January 1, 2023, a group health plan or health in-
24 surance issuer offering group health insurance coverage
25 or an entity or subsidiary providing pharmacy benefits
26 management services on behalf of such a plan or issuer

1 shall not enter into a contract with a drug manufacturer,
2 distributor, wholesaler, subcontractor, rebate aggregator,
3 or any associated third party that limits the disclosure of
4 information to plan sponsors in such a manner that pre-
5 vents the plan or issuer, or an entity or subsidiary pro-
6 viding pharmacy benefits management services on behalf
7 of a plan or issuer, from making the reports described in
8 subsection (b).

9 “(b) REPORTS.—

10 “(1) IN GENERAL.—For plan years beginning
11 on or after January 1, 2023, not less frequently
12 than once every 6 months, a health insurance issuer
13 offering group health insurance coverage or an enti-
14 ty providing pharmacy benefits management services
15 on behalf of a group health plan or an issuer pro-
16 viding group health insurance coverage shall submit
17 to the plan sponsor (as defined in section 3(16)(B)
18 of the Employee Retirement Income Security Act of
19 1974) of such group health plan or health insurance
20 coverage a report in accordance with this subsection
21 and make such report available to the plan sponsor
22 in a machine-readable format. Each such report
23 shall include, with respect to the applicable group
24 health plan or health insurance coverage—

1 “(A) as applicable, information collected
2 from drug manufacturers by such issuer or en-
3 tity on the total amount of copayment assist-
4 ance dollars paid, or copayment cards applied,
5 that were funded by the drug manufacturer
6 with respect to the participants and bene-
7 ficiaries in such plan or coverage;

8 “(B) a list of each drug covered by such
9 plan, issuer, or entity providing pharmacy ben-
10 efit management services that was dispensed
11 during the reporting period, including, with re-
12 spect to each such drug during the reporting
13 period—

14 “(i) the brand name, chemical entity,
15 and National Drug Code;

16 “(ii) the number of participants and
17 beneficiaries for whom the drug was filled
18 during the plan year, the total number of
19 prescription fills for the drug (including
20 original prescriptions and refills), and the
21 total number of dosage units of the drug
22 dispensed across the plan year, including
23 whether the dispensing channel was by re-
24 tail, mail order, or specialty pharmacy;

1 “(iii) the wholesale acquisition cost,
2 listed as cost per days supply and cost per
3 pill, or in the case of a drug in another
4 form, per dose;

5 “(iv) the total out-of-pocket spending
6 by participants and beneficiaries on such
7 drug, including participant and beneficiary
8 spending through copayments, coinsurance,
9 and deductibles; and

10 “(v) for any drug for which gross
11 spending of the group health plan or
12 health insurance coverage exceeded
13 \$10,000 during the reporting period—

14 “(I) a list of all other drugs in
15 the same therapeutic category or
16 class, including brand name drugs
17 and biological products and generic
18 drugs or biosimilar biological products
19 that are in the same therapeutic cat-
20 egory or class as such drug; and

21 “(II) the rationale for preferred
22 formulary placement of such drug in
23 that therapeutic category or class;

24 “(C) a list of each therapeutic category or
25 class of drugs that were dispensed under the

1 health plan or health insurance coverage during
2 the reporting period, and, with respect to each
3 such therapeutic category or class of drugs,
4 during the reporting period—

5 “(i) total gross spending by the plan,
6 before manufacturer rebates, fees, or other
7 manufacturer remuneration;

8 “(ii) the number of participants and
9 beneficiaries who filled a prescription for a
10 drug in that category or class;

11 “(iii) if applicable to that category or
12 class, a description of the formulary tiers
13 and utilization mechanisms (such as prior
14 authorization or step therapy) employed
15 for drugs in that category or class;

16 “(iv) the total out-of-pocket spending
17 by participants and beneficiaries, including
18 participant and beneficiary spending
19 through copayments, coinsurance, and
20 deductibles; and

21 “(v) for each therapeutic category or
22 class under which 3 or more drugs are in-
23 cluded on the formulary of such plan or
24 coverage—

1 for drugs dispensed within such thera-
2 peutic category or class during the re-
3 porting period;

4 “(D) total gross spending on prescription
5 drugs by the plan or coverage during the re-
6 porting period, before rebates and other manu-
7 facturer fees or remuneration;

8 “(E) total amount received, or expected to
9 be received, by the health plan or health insur-
10 ance coverage in drug manufacturer rebates,
11 fees, alternative discounts, and all other remu-
12 neration received from the manufacturer or any
13 third party, other than the plan sponsor, re-
14 lated to utilization of drug or drug spending
15 under that health plan or health insurance cov-
16 erage during the reporting period;

17 “(F) the total net spending on prescription
18 drugs by the health plan or health insurance
19 coverage during the reporting period; and

20 “(G) amounts paid directly or indirectly in
21 rebates, fees, or any other type of remuneration
22 to brokers, consultants, advisors, or any other
23 individual or firm who referred the group health
24 plan’s or health insurance issuer’s business to
25 the pharmacy benefit manager.

1 “(2) PRIVACY REQUIREMENTS.—Health insur-
2 ance issuers offering group health insurance cov-
3 erage and entities providing pharmacy benefits man-
4 agement services on behalf of a group health plan
5 shall provide information under paragraph (1) in a
6 manner consistent with the privacy, security, and
7 breach notification regulations promulgated under
8 section 264(c) of the Health Insurance Portability
9 and Accountability Act of 1996, and shall restrict
10 the use and disclosure of such information according
11 to such privacy regulations.

12 “(3) DISCLOSURE AND REDISCLOSURE.—

13 “(A) LIMITATION TO BUSINESS ASSOCI-
14 ATES.—A group health plan receiving a report
15 under paragraph (1) may disclose such informa-
16 tion only to business associates of such plan as
17 defined in section 160.103 of title 45, Code of
18 Federal Regulations (or successor regulations).

19 “(B) CLARIFICATION REGARDING PUBLIC
20 DISCLOSURE OF INFORMATION.—Nothing in
21 this section prevents a health insurance issuer
22 offering group health insurance coverage or an
23 entity providing pharmacy benefits management
24 services on behalf of a group health plan from
25 placing reasonable restrictions on the public dis-

1 closure of the information contained in a report
2 described in paragraph (1), except that such
3 issuer or entity may not restrict disclosure of
4 such report to the Department of Health and
5 Human Services, the Department of Labor, or
6 the Department of the Treasury.

7 “(C) LIMITED FORM OF REPORT.—The
8 Secretary shall define through rulemaking a
9 limited form of the report under paragraph (1)
10 required to be submitted to plan sponsors who
11 are drug manufacturers, drug wholesalers, or
12 other direct participants in the drug supply
13 chain, in order to prevent anti-competitive be-
14 havior.

15 “(4) REPORT TO GAO.—A health insurance
16 issuer offering group health insurance coverage or
17 an entity providing pharmacy benefits management
18 services on behalf of a group health plan shall sub-
19 mit to the Comptroller General of the United States
20 each of the first 4 reports submitted to a plan spon-
21 sor under paragraph (1) with respect to such cov-
22 erage or plan, and other such reports as requested,
23 in accordance with the privacy requirements under
24 paragraph (2) and the disclosure and redisclosure
25 standards under paragraph (3), and such other in-

1 formation that the Comptroller General determines
2 necessary to carry out the study under section
3 30606(b) of An Act to provide for reconciliation pur-
4 suant to title II of S. Con. Res. 14.

5 “(c) ENFORCEMENT.—

6 “(1) IN GENERAL.—The Secretary, in consulta-
7 tion with the Secretary of Labor and the Secretary
8 of the Treasury, shall enforce this section.

9 “(2) FAILURE TO PROVIDE TIMELY INFORMA-
10 TION.—A health insurance issuer or an entity pro-
11 viding pharmacy benefit management services that
12 violates subsection (a) or fails to provide information
13 required under subsection (b), or a drug manufac-
14 turer that fails to provide information under sub-
15 section (b)(1)(A) in a timely manner, shall be sub-
16 ject to a civil monetary penalty in the amount of
17 \$10,000 for each day during which such violation
18 continues or such information is not disclosed or re-
19 ported.

20 “(3) FALSE INFORMATION.—A health insurance
21 issuer, entity providing pharmacy benefit manage-
22 ment services, or drug manufacturer that knowingly
23 provides false information under this section shall be
24 subject to a civil money penalty in an amount not
25 to exceed \$100,000 for each item of false informa-

1 tion. Such civil money penalty shall be in addition to
2 other penalties as may be prescribed by law.

3 “(4) PROCEDURE.—The provisions of section
4 1128A of the Social Security Act, other than sub-
5 section (a) and (b) and the first sentence of sub-
6 section (c)(1) of such section shall apply to civil
7 monetary penalties under this subsection in the
8 same manner as such provisions apply to a penalty
9 or proceeding under section 1128A of the Social Se-
10 curity Act.

11 “(5) WAIVERS.—The Secretary may waive pen-
12 alties under paragraph (2), or extend the period of
13 time for compliance with a requirement of this sec-
14 tion, for an entity in violation of this section that
15 has made a good-faith effort to comply with this sec-
16 tion.

17 “(d) RULE OF CONSTRUCTION.—Nothing in this sec-
18 tion shall be construed to permit a health insurance issuer,
19 group health plan, or other entity to restrict disclosure to,
20 or otherwise limit the access of, the Department of Health
21 and Human Services to a report described in subsection
22 (b)(1) or information related to compliance with sub-
23 section (a) by such issuer, plan, or entity.

1 “(e) DEFINITION.—In this section, the term ‘whole-
2 sale acquisition cost’ has the meaning given such term in
3 section 1847A(c)(6)(B) of the Social Security Act.”; and

4 (2) in section 2723 (42 U.S.C. 300gg-22)—

5 (A) in subsection (a)—

6 (i) in paragraph (1), by inserting
7 “(other than subsections (a) and (b) of
8 section 2799A-12)” after “part D”; and

9 (ii) in paragraph (2), by inserting
10 “(other than subsections (a) and (b) of
11 section 2799A-12)” after “part D”;

12 (B) in subsection (b)—

13 (i) in paragraph (1), by inserting
14 “(other than subsections (a) and (b) of
15 section 2799A-12)” after “part D”;

16 (ii) in paragraph (2)(A), by inserting
17 “(other than subsections (a) and (b) of
18 section 2799A-12)” after “part D”; and

19 (iii) in paragraph (2)(C)(ii), by insert-
20 ing “(other than subsections (a) and (b) of
21 section 2799A-12)” after “part D”.

22 (b) GAO STUDY.—

23 (1) IN GENERAL.—Not later than 3 years after
24 the date of enactment of this Act, the Comptroller

1 General of the United States shall report to Con-
2 gress on—

3 (A) pharmacy networks of group health
4 plans, health insurance issuers, and entities
5 providing pharmacy benefit management serv-
6 ices under such group health plan or group or
7 individual health insurance coverage, including
8 networks that have pharmacies that are under
9 common ownership (in whole or part) with
10 group health plans, health insurance issuers, or
11 entities providing pharmacy benefit manage-
12 ment services or pharmacy benefit administra-
13 tive services under group health plan or group
14 or individual health insurance coverage;

15 (B) as it relates to pharmacy networks
16 that include pharmacies under common owner-
17 ship described in subparagraph (A)—

18 (i) whether such networks are de-
19 signed to encourage enrollees of a plan or
20 coverage to use such pharmacies over other
21 network pharmacies for specific services or
22 drugs, and if so, the reasons the networks
23 give for encouraging use of such phar-
24 macies; and

1 (ii) whether such pharmacies are used
2 by enrollees disproportionately more in the
3 aggregate or for specific services or drugs
4 compared to other network pharmacies;

5 (C) whether group health plans and health
6 insurance issuers offering group or individual
7 health insurance coverage have options to elect
8 different network pricing arrangements in the
9 marketplace with entities that provide phar-
10 macy benefit management services, the preva-
11 lence of electing such different network pricing
12 arrangements;

13 (D) pharmacy network design parameters
14 that encourage enrollees in the plan or coverage
15 to fill prescriptions at mail order, specialty, or
16 retail pharmacies that are wholly or partially-
17 owned by that issuer or entity; and

18 (E) the degree to which mail order, spe-
19 cialty, or retail pharmacies that dispense pre-
20 scription drugs to an enrollee in a group health
21 plan or health insurance coverage that are
22 under common ownership (in whole or part)
23 with group health plans, health insurance
24 issuers, or entities providing pharmacy benefit
25 management services or pharmacy benefit ad-

1 ministrative services under group health plan or
2 group or individual health insurance coverage
3 receive reimbursement that is greater than the
4 median price charged to the group health plan
5 or health insurance issuer when the same drug
6 is dispensed to enrollees in the plan or coverage
7 by other pharmacies included in the pharmacy
8 network of that plan, issuer, or entity that are
9 not wholly or partially owned by the health in-
10 surance issuer or entity providing pharmacy
11 benefit management services.

12 (2) REQUIREMENT.—The Comptroller General
13 of the United States shall ensure that the report
14 under paragraph (1) does not contain information
15 that would allow a reader to identify a specific plan
16 or entity providing pharmacy benefits management
17 services or otherwise contain commercial or financial
18 information that is privileged or confidential.

19 (3) DEFINITIONS.—In this subsection, the
20 terms “group health plan”, “health insurance cov-
21 erage”, and “health insurance issuer” have the
22 meanings given such terms in section 2791 of the
23 Public Health Service Act (42 U.S.C. 300gg–91).

24 (c) FUNDING.—For purposes of carrying out the
25 amendments made by this section there are appropriated

1 out of amounts in the Treasury not otherwise appro-
2 priated, \$80,000,000 for the Centers for Medicare & Med-
3 icaid Services for Fiscal Year 2022.

4 **Subtitle I—Public Health**

5 **PART 1—HEALTH CARE INFRASTRUCTURE AND** 6 **WORKFORCE**

7 **SEC. 28001. FUNDING TO SUPPORT CORE PUBLIC HEALTH** 8 **INFRASTRUCTURE FOR STATE, TERRITORIAL,** 9 **LOCAL, AND TRIBAL HEALTH DEPARTMENTS** 10 **AT THE CENTERS FOR DISEASE CONTROL** 11 **AND PREVENTION.**

12 (a) IN GENERAL.—In addition to amounts otherwise
13 available, there is appropriated to the Secretary of Health
14 and Human Services (in this subtitle referred to as the
15 “Secretary”), acting through the Director of the Centers
16 for Disease Control and Prevention (in this section re-
17 ferred to as the “Director”), for fiscal year 2022, out of
18 any money in the Treasury not otherwise appropriated,
19 and to remain available until expended—

20 (1) for the purposes of carrying out subsection

21 (c)(1)—

22 (A) \$300,000,000 in fiscal year 2022;

23 (B) \$450,000,000 in fiscal year 2023; and

24 (C) \$1,500,000,000 in each of fiscal years

25 2024 through 2026; and

1 (2) for the purposes of carrying out subsection

2 (d)—

3 (A) \$100,000,000 in fiscal year 2022;

4 (B) \$150,000,000 in fiscal year 2023; and

5 (C) \$500,000,000 in each of fiscal years

6 2024 through 2026.

7 (b) USE OF FUNDS.—Amounts made available pursu-
8 ant to subsection (a) shall be used to support core public
9 health infrastructure activities to strengthen the public
10 health system of the United States, including by awarding
11 grants under this section and expanding and improving
12 activities of the Centers for Disease Control and Preven-
13 tion under subsections (c) and (d).

14 (c) GRANTS.—

15 (1) AWARDS.—For the purpose of addressing
16 core public health infrastructure needs, the Sec-
17 retary shall award a grant to each State or terri-
18 torial health department; to each local health depart-
19 ment that serves a county with a population of at
20 least 2,000,000 or a city with a population of at
21 least 400,000; and to Tribes, Tribal organizations,
22 or urban Indian health organizations.

23 (2) REALLOCATION TO LOCAL HEALTH DE-
24 PARTMENTS.—A State health department receiving
25 funds under paragraph (1) shall allocate at least 35

1 percent of the funds to local health departments, as
2 applicable, to support contributions of the local
3 health departments within the State that are not eli-
4 gible for a grant under paragraph (1) to core public
5 health infrastructure.

6 (3) FORMULA GRANTS TO HEALTH DEPART-
7 MENTS.—In awarding grants under paragraph (1),
8 the Secretary shall award funds to each health de-
9 partment in accordance with a formula which, as ap-
10 plicable, considers population size, the Social Vulner-
11 ability Index of the Centers for Disease Control and
12 Prevention, and other factors as determined by the
13 Secretary.

14 (4) REQUIREMENTS.—To be eligible for a grant
15 under this section, an entity shall—

16 (A) submit an application in such form
17 and containing such information as the Sec-
18 retary shall require;

19 (B) demonstrate to the satisfaction of the
20 Secretary that—

21 (i) funds received through the grant
22 will be expended only to supplement, and
23 not supplant, non-Federal and Federal
24 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.—The Secretary, acting
13 through the Director, shall expand and improve the core
14 public health infrastructure and activities of the Centers
15 for Disease Control and Prevention to support activities
16 necessary to address unmet, ongoing, and emerging public
17 health needs, including prevention, preparation for, and
18 response to public health emergencies.

19 (e) DEFINITION.—In this section, the term “core
20 public health infrastructure” means activities that
21 strengthen the quality and capacity of State, territorial,
22 and local health departments, and Tribes, Tribal organiza-
23 tions, or urban Indian health organizations to fulfill their
24 core mission to improve public health, including—

25 (1) health equity activities;

- 1 (2) workforce capacity and competency;
- 2 (3) all hazards public health preparedness and
- 3 response;
- 4 (4) testing capacity, including test platforms,
- 5 mobile testing units, and personnel;
- 6 (5) health information, health information sys-
- 7 tems, and health information analysis (including
- 8 data analytics);
- 9 (6) epidemiology and disease surveillance;
- 10 (7) contact tracing;
- 11 (8) public health policy and communications;
- 12 (9) financial management;
- 13 (10) community partnership development; and
- 14 (11) relevant components of organizational ca-
- 15 pacity.

16 (f) SUPPLEMENT NOT SUPPLANT.—Amounts made
17 available by this section shall be used to supplement, and
18 not supplant, amounts otherwise made available for the
19 purposes described in this part.

20 **SEC. 28002. FUNDING FOR HEALTH CENTER CAPITAL**
21 **GRANTS.**

22 (a) IN GENERAL.—In addition to amounts otherwise
23 available, there is appropriated to the Secretary for fiscal
24 year 2022, out of any money in the Treasury not otherwise
25 appropriated, \$2,000,000,000, to remain available until

1 expended, for necessary expenses for awarding grants and
2 entering into cooperative agreements for capital projects
3 to health centers funded under section 330 of the Public
4 Health Service Act (42 U.S.C. 254b) to be awarded with-
5 out regard to the time limitation in subsection (e)(3) and
6 subsections (e)(6)(A)(iii), (e)(6)(B)(iii), and (r)(2)(B) of
7 such section 330, and for necessary expenses for awarding
8 grants and cooperative agreements for capital projects to
9 Federally qualified health centers, as described in section
10 1861(aa)(4)(B) of the Social Security Act (42 U.S.C.
11 1395x(aa)(4)(B)). The Secretary shall take such steps as
12 may be necessary to expedite the awarding of such grants
13 to Federally qualified health centers for capital projects.

14 (b) USE OF FUNDS.—Amounts made available to a
15 recipient of a grant or cooperative agreement pursuant to
16 subsection (a) shall be used for—

17 (1) health center facility alteration, renovation,
18 remodeling, expansion, construction, and other cap-
19 ital improvement costs, including the costs of amor-
20 tizing the principal of, and paying interest on, loans
21 for such purposes; and

22 (2) the purchase, renovation, or maintenance of
23 mobile clinics and related vehicles and equipment.

1 **SEC. 28003. FUNDING FOR TEACHING HEALTH CENTER**
2 **GRADUATE MEDICAL EDUCATION.**

3 (a) **IN GENERAL.**—In addition to amounts otherwise
4 available, and notwithstanding the limitations referred to
5 in subsections (b)(2) and (d)(2) of section 340H of the
6 Public Health Service Act (42 U.S.C. 256h), there is ap-
7 propriated to the Secretary for fiscal year 2022, out of
8 any money in the Treasury not otherwise appropriated,
9 \$3,370,000,000, to remain available until expended, for—

10 (1) the program of payments to teaching health
11 centers that operate graduate medical education pro-
12 grams under such section; and

13 (2) the award of teaching health center develop-
14 ment grants pursuant to section 749A of the Public
15 Health Service Act (42 U.S.C. 2931–1).

16 (b) **EXEMPTION FROM AMOUNT AND DURATION LIM-**
17 **ITATIONS.**—Subsection (b) of section 749A of the Public
18 Health Service Act (42 U.S.C. 2931–1) shall not apply
19 with respect to amounts awarded under such section out
20 of amounts appropriated under subsection (a) or under
21 section 2604 of the American Rescue Plan Act (Public
22 Law 117–2).

23 (c) **USE OF FUNDS.**—Amounts made available pursu-
24 ant to subsection (a) shall be used for the following activi-
25 ties:

1 (1) For making payments to establish new ap-
2 proved graduate medical residency training pro-
3 grams pursuant to section 340H(a)(1)(C) of the
4 Public Health Service Act (42 U.S.C.
5 256h(a)(1)(C)).

6 (2) For making payments under section
7 340H(a)(1)(A) of the Public Health Service Act (42
8 U.S.C. 256h(a)(1)(A)) to qualified teaching health
9 centers for maintenance of filled positions at existing
10 approved graduate medical residency training pro-
11 grams.

12 (3) For making payments under section
13 340H(a)(1)(B) of the Public Health Service Act (42
14 U.S.C. 256h(a)(1)(B)) for the expansion of existing
15 approved graduate medical residency training pro-
16 grams.

17 (4) For making awards under section 749A of
18 the Public Health Service Act (42 U.S.C. 2931-1) to
19 teaching health centers for the purpose of estab-
20 lishing new accredited or expanded primary care
21 residency programs.

22 (5) To provide an increase to the per resident
23 amount described in section 340H(a)(2) of the Pub-
24 lic Health Service Act (42 U.S.C. 256h(a)(2)).

1 (d) PRIORITY USES OF FUNDS.—In making pay-
2 ments and awards under subsection (c), the Secretary
3 shall, in addition to the requirements of paragraphs (3)(A)
4 and (3)(B) of section 340H of the Public Health Service
5 Act (42 U.S.C. 256h), make payments and awards to eligi-
6 ble entities in a manner that takes into consideration
7 States or territories in which there is no existing qualified
8 teaching health center funded by payments under such
9 section 340H.

10 **SEC. 28004. FUNDING FOR CHILDREN'S HOSPITALS THAT**
11 **OPERATE GRADUATE MEDICAL EDUCATION**
12 **PROGRAMS.**

13 In addition to amounts otherwise available, and not-
14 withstanding the caps on awards specified in paragraphs
15 (1) and (2) of subsection (b) and (h)(1) of section 340E
16 of the Public Health Service Act (42 U.S.C. 256e), there
17 is appropriated to the Secretary for fiscal year 2022, out
18 of any money in the Treasury not otherwise appropriated,
19 \$200,000,000, to remain available until expended, for car-
20 rying out such section 340E of the Public Health Service
21 Act (42 U.S.C. 256e).

22 **SEC. 28005. FUNDING FOR NATIONAL HEALTH SERVICE**
23 **CORPS.**

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, \$2,000,000,000, to remain available until
3 expended, for carrying out sections 338A, 338B, and 338I
4 of the Public Health Service Act (42 U.S.C. 254l, 254l–
5 1, 254q–1).

6 (b) CONDITIONS.—With respect to grants awarded
7 under section 338I of the Public Health Service Act (42
8 U.S.C. 254q–1) out of amounts appropriated under sub-
9 section (a), the following conditions shall apply:

10 (1) Section 338I(b) of the Public Health Serv-
11 ice Act (42 U.S.C. 254q–1(b)) shall not apply.

12 (2) Notwithstanding section 338I(d)(2) of the
13 Public Health Service Act (42 U.S.C. 254q–1(d)(2)),
14 not more than 10 percent of an award to a State
15 from such amounts may be used by the State for
16 costs of administering the State loan repayment pro-
17 gram.

18 **SEC. 28006. FUNDING FOR THE NURSE CORPS.**

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 \$500,000,000, to remain available until expended, for car-
23 rying out section 846 of the Public Health Service Act
24 (42 U.S.C. 297n).

1 **SEC. 28007. FUNDING FOR SCHOOLS OF MEDICINE IN UN-**
2 **DERSERVED 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, \$500,000,000, to remain available until ex-
7 pended, for purposes of making awards to eligible entities
8 for the establishment, improvement, or expansion of an
9 allopathic or osteopathic school of medicine, or a branch
10 campus of an allopathic or osteopathic school of medicine,
11 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 use amounts appropriated by sub-
15 section (a) to award grants to eligible entities to—

16 (1) recruit, enroll, and retain students, includ-
17 ing individuals who are from disadvantaged back-
18 grounds (including racial and ethnic groups under-
19 represented among medical students and health pro-
20 fessions), individuals from rural and underserved
21 areas, low-income individuals, and first generation
22 college students (as defined in section 402A(h)(3) of
23 the Higher Education Act of 1965 (20 U.S.C.
24 1070a–11(h)(3))), at a school of medicine or osteo-
25 pathic medicine or branch campus of a school of
26 medicine or osteopathic medicine;

1 (2) develop, implement, and expand curriculum
2 that emphasizes care for rural and underserved pop-
3 ulations, including accessible and culturally appro-
4 priate and linguistically appropriate care and serv-
5 ices, at such school or branch campus;

6 (3) plan and construct a school of medicine or
7 osteopathic medicine in an area in which no other
8 such school or branch campus of such a school is
9 based;

10 (4) plan, develop, and meet criteria for accredi-
11 tation for a school of medicine or osteopathic medi-
12 cine or branch campus of such a school;

13 (5) hire faculty, including faculty from racial
14 and ethnic groups who are underrepresented among
15 the medical and other health professions, and other
16 staff to serve at such a school or branch campus;

17 (6) support educational programs at such a
18 school or branch campus, including modernizing cur-
19 riculum;

20 (7) modernize and expand infrastructure at
21 such a school or branch campus; or

22 (8) support other activities that the Secretary
23 determines will further the establishment, improve-
24 ment, or expansion of a school of medicine or osteo-

1 pathic medicine or branch campus of a school of
2 medicine or osteopathic medicine.

3 (c) DEFINITIONS.—In this section:

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

6 (A) an institution of higher education, as
7 defined in section 101 of the Higher Education
8 Act of 1965 (20 U.S.C. 1001); or

9 (B) a minority-serving institution, as de-
10 scribed in section 371(a) or 326(e)(1) of the
11 Higher Education Act of 1965 (20 U.S.C.
12 1067q(a), 1063b(e)(1)).

13 (2) BRANCH CAMPUS.—

14 (A) IN GENERAL.—The term “branch cam-
15 pus”, with respect to a school of medicine or os-
16 teopathic medicine, means an additional loca-
17 tion of such school that is geographically apart
18 and independent of the main campus, at which
19 the school offers at least 50 percent of the pro-
20 gram leading to a degree of doctor of medicine
21 or doctor of osteopathy that is offered at the
22 main campus.

23 (B) INDEPENDENCE FROM MAIN CAM-
24 PUS.—For purposes of subparagraph (A), the
25 location of a school described in such subpara-

1 graph shall be considered to be independent of
2 the main campus described in such subpara-
3 graph if the location—

4 (i) is permanent in nature;

5 (ii) offers courses in educational pro-
6 grams leading to a degree, certificate, or
7 other recognized educational credential;

8 (iii) has its own faculty and adminis-
9 trative or supervisory organization; and

10 (iv) has its own budgetary and hiring
11 authority.

12 **SEC. 28008. FUNDING FOR SCHOOLS OF NURSING IN UN-**
13 **DERSERVED AREAS.**

14 (a) IN GENERAL.—In addition to amounts otherwise
15 available, there is appropriated to the Secretary for fiscal
16 year 2022, out of any money in the Treasury not otherwise
17 appropriated, \$500,000,000, to remain available until ex-
18 pended, for purposes of making awards to schools of nurs-
19 ing (as defined in section 801 of the Public Health Service
20 Act (42 U.S.C. 296)) to enhance and modernize nursing
21 education programs and increase the number of faculty
22 and students at such schools.

23 (b) USE OF FUNDS.—The Secretary, acting through
24 the Administrator of the Health Resources and Services

1 Administration, shall use amounts appropriated by sub-
2 section (a) to award grants for purposes of—

3 (1) recruiting, enrolling, and retaining students
4 at such school, with a priority for students from dis-
5 advantaged backgrounds (including racial or ethnic
6 groups underrepresented in the nursing workforce),
7 individuals from rural and underserved areas, low-in-
8 come individuals, and first generation college stu-
9 dents (as defined in section 402A(h)(3) of the High-
10 er Education Act of 1965 (20 U.S.C. 1070a-
11 11(h)(3)));

12 (2) creating, supporting, or modernizing edu-
13 cational programs and curricula at such school;

14 (3) retaining current faculty, and hiring new
15 faculty, with an emphasis on faculty from racial or
16 ethnic groups that are underrepresented in the nurs-
17 ing workforce;

18 (4) modernizing infrastructure at such school,
19 including audiovisual or other equipment, personal
20 protective equipment, simulation and augmented re-
21 ality resources, telehealth technologies, and virtual
22 and physical laboratories;

23 (5) partnering with a health care facility, nurse-
24 managed health clinic, or community health center
25 in order to provide educational opportunities for the

1 purpose of establishing or expanding clinical edu-
2 cation;

3 (6) enhancing and expanding nursing programs
4 that prepare nurse researchers and scientists;

5 (7) establishing nurse-led intradisciplinary and
6 interprofessional educational partnerships; or

7 (8) other activities that the Secretary deter-
8 mines will further the development, improvement,
9 and expansion of schools of nursing.

10 **SEC. 28009. FUNDING FOR PALLIATIVE CARE AND HOSPICE**
11 **EDUCATION AND TRAINING.**

12 (a) IN GENERAL.—In addition to amounts otherwise
13 available, there is appropriated to the Secretary for fiscal
14 year 2022, out of any money in the Treasury not otherwise
15 appropriated, \$25,000,000, to remain available until ex-
16 pended, to support the establishment or operation of pro-
17 grams that—

18 (1) support training of health professionals in
19 palliative and hospice care (including through
20 traineeships or fellowships); and

21 (2) foster patient and family engagement, inte-
22 gration of palliative and hospice care with primary
23 care and other appropriate specialties, and collabora-
24 tion with community partners to address gaps in

1 health care for individuals in need of palliative or
2 hospice care.

3 (b) USE OF FUNDS.—The Secretary shall, giving pri-
4 ority to applicants proposing to carry out programs or ac-
5 tivities that demonstrate coordination with other Federal
6 or State programs and are expected to substantially ben-
7 efit rural populations, medically underserved populations,
8 medically underserved communities, Indian Tribes or
9 Tribal organizations, or Urban Indian organizations, use
10 amounts appropriated by subsection (a) to carry out a pro-
11 gram to award grants or contracts to entities defined in
12 paragraph (1), (3), or (4) of section 799B of the Public
13 Health Service Act (42 U.S.C. 295p) or section 801(2)
14 of such Act (42 U.S.C. 296) for purposes of carrying out
15 the following activities:

16 (1) Clinical training on providing integrated
17 palliative and hospice care and primary care delivery
18 services.

19 (2) Interprofessional or interdisciplinary train-
20 ing to practitioners from multiple disciplines and
21 specialties, including training on the provision of
22 care to individuals with palliative or hospice care
23 needs.

24 (3) Establishing or maintaining training-related
25 community-based programs for individuals with pal-

1 units, hospices, home care, and community care pro-
2 grams;

3 (2) develop specific performance-based meas-
4 ures to evaluate the competency of trainees; and

5 (3) provide training in interprofessional or
6 interdisciplinary, team-based palliative medicine.

7 (c) GRADUATE MEDICAL EDUCATION PROGRAM DE-
8 FINED.—In this section, the term “graduate medical edu-
9 cation program” means a program sponsored by an ac-
10 credited school of medicine, an accredited school of osteo-
11 pathic medicine, a hospital, or a public or private institu-
12 tion that—

13 (1) offers postgraduate medical training in the
14 specialties and subspecialties of medicine; and

15 (2) has been accredited by—

16 (A) the Accreditation Council for Graduate
17 Medical Education; or

18 (B) the American Osteopathic Association
19 through its Committee on Postdoctoral Train-
20 ing (or a successor committee).

21 **SEC. 28011. FUNDING FOR PALLIATIVE CARE AND HOSPICE**

22 **ACADEMIC CAREER AWARDS.**

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 \$20,000,000, to remain available until expended, to estab-
2 lish a program, consistent with section 753(b) of the Pub-
3 lic Health Service Act (42 U.S.C. 294c(b)), except that
4 such program shall be to provide awards to accredited
5 schools of medicine, osteopathic medicine, nursing, social
6 work, psychology, allied health, dentistry, or chaplaincy
7 applying on behalf of board-certified or board-eligible indi-
8 viduals in hospice and palliative medicine that have an
9 early-career junior (non-tenured) faculty appointment at
10 an accredited school of medicine, or osteopathic medicine,
11 nursing, social work, psychology, allied health, dentistry,
12 or chaplaincy, to promote the academic career develop-
13 ment of individuals as hospice and palliative care special-
14 ists.

15 **SEC. 28012. FUNDING FOR HOSPICE AND PALLIATIVE NURS-**
16 **ING.**

17 (a) IN GENERAL.—In addition to amounts otherwise
18 available, there is appropriated to the Secretary for fiscal
19 year 2022, out of any money in the Treasury not otherwise
20 appropriated, \$20,000,000, to remain available until ex-
21 pended, to establish a program to award grants and con-
22 tracts to accredited schools of nursing, health care facili-
23 ties, programs leading to certification as a certified nurse
24 assistant, partnerships of such schools and facilities, or
25 partnerships of such programs and facilities to develop

1 and implement, in coordination with other hospice and
2 palliative care programs administered by the Department
3 of Health and Human Services, programs and initiatives
4 to train and educate individuals in providing interprofes-
5 sional, interdisciplinary, team-based palliative care in
6 health-related educational, hospital, hospice, home, or
7 long-term care settings.

8 (b) USE OF FUNDS.—Amounts made available to an
9 awardee pursuant to subsection (a) shall be used to—

10 (1) provide training to individuals who will pro-
11 vide palliative care in health-related educational,
12 hospital, home, hospice, or long-term care settings;

13 (2) develop and disseminate curricula relating
14 to palliative care in health-related educational, hos-
15 pital, home, hospice, or long-term care settings;

16 (3) train faculty members in palliative care in
17 health-related educational, hospital, home, hospice,
18 or long-term care settings; and

19 (4) provide continuing education to individuals
20 who provide palliative care in health-related edu-
21 cational, home, hospice, or long-term care settings.

22 **SEC. 28013. FUNDING FOR DISSEMINATION OF PALLIATIVE**
23 **CARE INFORMATION.**

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, \$5,000,000, to remain available until ex-
3 pended, for the purpose described in subsection (b).

4 (b) USE OF FUNDS.—The Secretary, after consulta-
5 tion with appropriate medical and other health profes-
6 sional societies and palliative care and hospice stake-
7 holders, shall use amounts appropriated by subsection (a)
8 to award grants or contracts to State or local govern-
9 ments, Indian Tribes and Tribal organizations, urban In-
10 dian organizations, or nonprofit private entities (or con-
11 sortia of any such entities) to disseminate information to
12 inform patients, families, caregivers, direct care workers,
13 and health professionals about the benefits of palliative
14 care throughout the continuum of care for patients with
15 serious or life-threatening illness. Such awareness cam-
16 paign shall include—

17 (1) information, resources, communication, and
18 education materials about hospice and palliative care
19 services for patients facing serious or life-threat-
20 ening illnesses and their families;

21 (2) materials that explain the role of profes-
22 sionals trained in hospice and palliative care in pro-
23 viding team-based care for patients and families
24 throughout the continuum of care for serious or life-
25 threatening illness; and

1 (3) materials for specific populations, including
2 patients with serious or life-threatening illness who
3 are among medically underserved populations (as de-
4 fined in section 330(b)(3) of the Public Health Serv-
5 ice Act (42 U.S.C. 254b(b)(3)) and families of such
6 patients or health professionals serving medically un-
7 derserved populations.

8 **PART 2—PANDEMIC PREPAREDNESS**

9 **SEC. 28021. FUNDING FOR LABORATORY ACTIVITIES AT**
10 **THE CENTERS FOR DISEASE CONTROL AND**
11 **PREVENTION.**

12 (a) IN GENERAL.—In addition to amounts otherwise
13 available, there is appropriated to the Secretary for fiscal
14 year 2022, out of any money in the Treasury not otherwise
15 appropriated, \$1,400,000,000 to remain available until ex-
16 pended, for purposes of carrying out activities consistent
17 with subsection (b).

18 (b) USE OF FUNDS.—The Secretary, acting through
19 the Director of the Centers for Disease Control and Pre-
20 vention, shall use amounts made available pursuant to
21 subsection (a) for the following activities:

22 (1) Supporting renovation, improvement, expansion,
23 and modernization of State and local public
24 health laboratory infrastructure (as the term “lab-

1 oratory” is defined in section 353 of the Public
2 Health Service Act (42 U.S.C. 263a)), including—

3 (A) the improvement and enhancement of
4 testing and response capacity;

5 (B) improvements and expansion of State
6 and local public health laboratories that partici-
7 pate in the Laboratory Response Network;

8 (C) the improvement and expansion of
9 genomic sequencing capabilities to detect
10 emerging diseases and variant strains; and

11 (D) the improvement and expansion of
12 public health biosafety and biosecurity capacity.

13 (2) Enhancing the capacity of the laboratories
14 of the Centers for Disease Control and Prevention
15 as described in subparagraphs (A) through (D) of
16 paragraph (1).

17 **SEC. 28022. FUNDING FOR PUBLIC HEALTH AND PRE-**
18 **PAREDNESS RESEARCH, DEVELOPMENT, AND**
19 **COUNTERMEASURE CAPACITY.**

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, \$1,300,000,000, to carry out activities to
24 prepare for, and respond to, public health emergencies de-
25 clared under section 319 of the Public Health Service Act

1 (42 U.S.C. 247d), as described in subsection (b), to re-
2 main available until expended.

3 (b) USE OF FUNDS.—The Secretary, acting through
4 the Assistant Secretary for Preparedness and Response,
5 shall use amounts made available pursuant to subsection
6 (a)—

7 (1) to support surge capacity, including through
8 construction, expansion, or modernization of facili-
9 ties, to respond to a public health emergency, and
10 for development, procurement, and domestic manu-
11 facture of drugs, active pharmaceutical ingredients,
12 vaccines and other biological products, diagnostic
13 technologies and products, medical devices (including
14 personal protective equipment), vials, syringes, nee-
15 dles, and other components or supplies for the Stra-
16 tegic National Stockpile under section 319F–2 of
17 the Public Health Service Act (42 U.S.C. 247d–6b);

18 (2) to support expanded vaccine production ca-
19 pacity and capabilities, including by developing or
20 acquiring new technology and expanding manufac-
21 turing capacity through construction, expansion, or
22 modernization of facilities;

23 (3) to support activities to mitigate supply
24 chain risks and enhance supply chain elasticity and
25 resilience for critical drugs, active pharmaceutical in-

1 ingredients, and supplies (including essential medi-
2 cines, medical countermeasures, and supplies in
3 shortage or at risk of shortage), drug and vaccine
4 raw materials, and other supplies, as the Secretary
5 determines appropriate, including construction, ex-
6 pansion, or modernization of facilities, adoption of
7 advanced manufacturing processes, and other activi-
8 ties to support domestic manufacturing of such sup-
9 plies;

10 (4) to support activities conducted by the Bio-
11 medical Advanced Research and Development Au-
12 thority for advanced research, standards develop-
13 ment, and domestic manufacturing capacity for
14 drugs, including essential medicines, diagnostics,
15 vaccines, therapeutics, and personal protective equip-
16 ment; and

17 (5) to support increased biosafety and biosecu-
18 rity in research supported by the Department of
19 Health and Human Services on infectious diseases,
20 including by modernization or improvement of facili-
21 ties.

1 **SEC. 28023. FUNDING FOR INFRASTRUCTURE MODERNIZA-**
2 **TION AND INNOVATION AT THE FOOD AND**
3 **DRUG ADMINISTRATION.**

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 to remain available until expended, with respect to improv-
8 ing and modernizing infrastructure at the Food and Drug
9 Administration and enhancing food and medical product
10 safety—

11 (1) \$150,000,000 for improving technological
12 infrastructure, including through developing inte-
13 grated systems and improving the interoperability of
14 information technology systems; and

15 (2) \$150,000,000 for modernizing laboratory
16 infrastructure of, or used by, the Food and Drug
17 Administration, including modernization of facilities
18 related to, and supporting, such laboratory infra-
19 structure, including through planning for, and the
20 construction, repair, improvement, extension, alter-
21 ation, demolition, and purchase of, fixed equipment
22 or facilities.

1 **PART 3—MATERNAL MORTALITY**
2 **SEC. 28031. FUNDING FOR LOCAL ENTITIES ADDRESSING**
3 **SOCIAL DETERMINANTS OF MATERNAL**
4 **HEALTH.**

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, \$100,000,000, to remain available until ex-
9 pended, for carrying out a program to award grants or
10 contracts to community-based organizations, Indian
11 Tribes and Tribal organizations, Urban Indian organiza-
12 tions, Native Hawaiian organizations, or other nonprofit
13 organizations working with a community-based organiza-
14 tion, or consortia of any such entities, operating in areas
15 with high rates of adverse maternal health outcomes or
16 with significant racial or ethnic disparities in maternal
17 health outcomes.

18 (b) USE OF FUNDING.—Amounts made available by
19 subsection (a) shall be used for the following activities:

20 (1) Addressing social determinants of health,
21 including social determinants of maternal health, for
22 pregnant and postpartum individuals and elimi-
23 nating racial and ethnic disparities in maternal
24 health outcomes by offering programs and resources
25 to address social determinants of health; hiring,
26 training, or retaining staff; and establishing or sup-

1 porting a culturally and linguistically appropriate re-
2 source center that provides multiple social services
3 programs in a single location.

4 (2) Promoting evidence-based health literacy
5 and pregnancy, childbirth, and parenting education
6 for pregnant and postpartum individuals, and indi-
7 viduals seeking to become pregnant.

8 (3) Providing support from perinatal health
9 workers, including clinical and community-based
10 staff members that provide direct care and support
11 services to pregnant and postpartum individuals.

12 (4) Providing culturally congruent, linguistically
13 appropriate, and trauma-informed training and re-
14 sources to social services providers and perinatal
15 health workers, including clinical and community-
16 based staff members that provide direct care and
17 support services to pregnant and postpartum indi-
18 viduals.

19 (c) **TECHNICAL ASSISTANCE.**—Using amounts made
20 available under subsection (a), the Secretary shall—

21 (1) conduct outreach to eligible entities to apply
22 for grants or contracts under subsection (a); and

23 (2) provide technical assistance, including
24 through a grant or contract, to eligible entities re-
25 ceiving funding pursuant to subsection (a).

1 **SEC. 28032. FUNDING FOR THE OFFICE OF MINORITY**
2 **HEALTH.**

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, \$75,000,000, to remain available until ex-
7 pended, for carrying out a program to award grants or
8 contracts to community-based organizations operating 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.—The Secretary, acting through
13 the Deputy Assistant Secretary for Minority Health, shall
14 use amounts made available under subsection (a) to award
15 grants for the following activities:

16 (1) Addressing social determinants of health,
17 including social determinants of maternal health, for
18 pregnant and postpartum individuals and elimi-
19 nating racial and ethnic disparities in maternal
20 health outcomes by offering programs and resources
21 to address social determinants of health; hiring,
22 training, or retaining staff; and establishing or sup-
23 porting a culturally and linguistically appropriate re-
24 source center that provides multiple social services
25 programs in a single location.

1 (2) Promoting evidence-based health literacy
2 and pregnancy, childbirth, and parenting education
3 for pregnant and postpartum individuals, and indi-
4 viduals seeking to become pregnant.

5 (3) Providing support from perinatal health
6 workers, including clinical and community-based
7 staff members that provide direct care and support
8 services to pregnant and postpartum individuals.

9 (4) Providing culturally congruent, linguistically
10 appropriate, and trauma-informed training and re-
11 sources to social service providers and perinatal
12 health workers, including clinical and community-
13 based staff members that provide direct care and
14 support services to pregnant and postpartum indi-
15 viduals.

16 (c) TECHNICAL ASSISTANCE.—Using amounts made
17 available under subsection (a), the Secretary shall—

18 (1) conduct outreach to eligible entities to apply
19 for grants or contracts under subsection (a); and

20 (2) provide technical assistance, including
21 through a grant or contract, to eligible entities re-
22 ceiving funding pursuant to subsection (a).

1 **SEC. 28033. 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, \$170,000,000, to remain available until ex-
8 pended, for carrying out a program to award grants or
9 contracts to accredited schools of nursing for the purpose
10 of growing and diversifying the perinatal nursing work-
11 force, including through improving the capacity and sup-
12 ply of health care providers.

13 (b) USES OF FUNDS.—

14 (1) AWARDEES.—Prioritizing students and reg-
15 istered nurses who plan to practice or currently
16 practice in an underserved area, amounts made
17 available to awardees by subsection (a) shall, con-
18 sistent with section 846 of the Public Health Service
19 Act (42 U.S.C. 297n), be used for the following ac-
20 tivities:

21 (A) Providing scholarships to students, in-
22 cluding those from racial and ethnic groups
23 underrepresented in the health professions,
24 seeking to become nurse practitioners whose
25 education includes a focus on maternal and
26 perinatal health.

1 (B) Providing scholarships to students
2 seeking to become clinical nurse specialists
3 whose education includes a focus on maternal
4 and perinatal health.

5 (C) Providing scholarships to students
6 seeking to become certified nurse midwives.

7 (D) Providing scholarships to registered
8 nurses seeking certification as an obstetrics and
9 gynecology registered nurse.

10 (2) SECRETARY.—The Secretary shall use
11 amounts made available pursuant to subsection (a)
12 for the following activities:

13 (A) Developing and implementing strate-
14 gies to recruit and retain a diverse pool of stu-
15 dents seeking to enter careers focused on ma-
16 ternal and perinatal health.

17 (B) Developing partnerships with practice
18 settings in an underserved area for the clinical
19 placements of students at the schools receiving
20 such grants.

21 (C) Developing curriculum for students
22 seeking to enter careers focused on maternal
23 and perinatal health that includes training pro-
24 grams on bias, racism, discrimination, providing

1 culturally competent care, or trauma-informed
2 care.

3 **SEC. 28034. FUNDING FOR PERINATAL QUALITY**
4 **COLLABORATIVES.**

5 In addition to amounts otherwise available, there is
6 appropriated to the Secretary for fiscal year 2022, out of
7 any money in the Treasury not otherwise appropriated,
8 \$50,000,000, to remain available until expended, for car-
9 rying out a program to establish or support perinatal qual-
10 ity collaboratives to improve perinatal care and perinatal
11 health outcomes for pregnant and postpartum individuals
12 and their infants.

13 **SEC. 28035. FUNDING TO GROW AND DIVERSIFY THE DOULA**
14 **WORKFORCE.**

15 (a) IN GENERAL.—In addition to amounts otherwise
16 available, there is appropriated to the Secretary for fiscal
17 year 2022, out of any money in the Treasury not otherwise
18 appropriated, \$50,000,000, to remain available until ex-
19 pended, for carrying out a program to award grants or
20 contracts to health professions schools, academic health
21 centers, State or local governments, territories, Indian
22 Tribes and Tribal organizations, Urban Indian organiza-
23 tions, Native Hawaiian organizations, or other appropriate
24 public or private nonprofit entities (or consortia of any
25 such entities, including entities promoting multidisci-

1 plinary approaches), to establish or expand programs to
2 grow and diversify the doula workforce, including through
3 improving the capacity and supply of health care pro-
4 viders.

5 (b) USE OF FUNDS.—Amounts made available by
6 subsection (a) shall be used for the following activities:

7 (1) Establishing programs that provide edu-
8 cation and training to individuals seeking appro-
9 priate training or certification as doulas.

10 (2) Expanding the capacity of existing pro-
11 grams described in paragraph (1), for the purpose of
12 increasing the number of students enrolled in such
13 programs, including by awarding scholarships for
14 students who agree to work in underserved commu-
15 nities after receiving such education and training.

16 (3) Developing and implementing strategies to
17 recruit and retain students from underserved com-
18 munities, particularly from demographic groups ex-
19 perencing high rates of maternal mortality and se-
20 vere maternal morbidity, including racial and ethnic
21 minority groups, into programs described in para-
22 graphs (1) and (2).

1 **SEC. 28036. FUNDING TO GROW AND DIVERSIFY THE MA-**
2 **TERNAL MENTAL HEALTH AND SUBSTANCE**
3 **USE DISORDER TREATMENT WORKFORCE.**

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, \$75,000,000, to remain available until ex-
8 pended, for carrying out a program to award grants or
9 contracts to health professions schools, academic health
10 centers, State or local governments, territories, Indian
11 Tribes and Tribal organizations, Urban Indian organiza-
12 tions, Native Hawaiian organizations, or other appropriate
13 public or private nonprofit entities (or consortia of any
14 such entities, including entities promoting multidisci-
15 plinary approaches), to establish or expand programs to
16 grow and diversify the maternal mental health and sub-
17 stance use disorder treatment workforce, including
18 through improving the capacity and supply of health care
19 providers.

20 (b) USE OF FUNDS.—Amounts made available by
21 subsection (a) shall be used for the following activities:

22 (1) Establishing programs that provide edu-
23 cation and training to individuals seeking appro-
24 priate licensing or certification as mental health or
25 substance use disorder treatment providers who plan

1 to specialize in maternal mental health conditions or
2 substance use disorders.

3 (2) Expanding the capacity of existing pro-
4 grams described in paragraph (1), for the purposes
5 of increasing the number of students enrolled in
6 such programs, including by awarding scholarships
7 for students.

8 (3) Developing and implementing strategies to
9 recruit and retain students from underserved com-
10 munities into programs described in paragraphs (1)
11 and (2).

12 **SEC. 28037. FUNDING FOR MATERNAL MENTAL HEALTH EQ-**
13 **UITY GRANT PROGRAMS.**

14 (a) IN GENERAL.—In addition to amounts otherwise
15 available, there is appropriated to the Secretary for fiscal
16 year 2022, out of any money in the Treasury not otherwise
17 appropriated, \$100,000,000, to remain available until ex-
18 pended, for carrying out a program to award grants or
19 contracts to community-based organizations, Indian
20 Tribes and Tribal organizations, Urban Indian organiza-
21 tions, Native Hawaiian organizations, health care pro-
22 viders, accredited medical schools, accredited schools of
23 nursing, teaching hospitals, accredited midwifery pro-
24 grams, physician assistant education programs, residency
25 or fellowship programs, or other nonprofit organizations,

1 schools, or programs determined appropriate by the Sec-
2 retary, or consortia of any such entities, to address mental
3 health conditions and substance use disorders with respect
4 to pregnant and postpartum individuals, and individuals
5 seeking to become pregnant, in areas with high rates of
6 adverse maternal health outcomes or with racial or ethnic
7 disparities in maternal health outcomes.

8 (b) USE OF FUNDS.—Amounts made available pursu-
9 ant to subsection (a), prioritizing community-based orga-
10 nizations, shall be used for—

11 (1) supporting the integration of, and coordina-
12 tion between, mental health and substance use dis-
13 order treatment services and professionals and the
14 primary care settings where pregnant and
15 postpartum individuals, and individuals seeking to
16 become pregnant, regularly receive health care serv-
17 ices;

18 (2) improving the quality of mental health and
19 substance use disorder treatment services provided
20 to pregnant and postpartum individuals, and individ-
21 uals seeking to become pregnant, including edu-
22 cation and training activities for maternity care pro-
23 viders and initiatives to prevent suicide or self-harm,
24 with a focus on services provided to individuals from

1 racial and ethnic minority groups with high rates of
2 maternal mortality and morbidity; and

3 (3) raising awareness of and reducing stigma
4 associated with mental health and substance use dis-
5 order treatment disorders impacting pregnant and
6 postpartum individuals, and individuals seeking to
7 become pregnant, with a focus on individuals from
8 racial and ethnic minority groups with high rates of
9 maternal mortality and morbidity.

10 **SEC. 28038. FUNDING FOR EDUCATION AND TRAINING AT**
11 **HEALTH PROFESSIONS SCHOOLS TO IDEN-**
12 **TIFY AND ADDRESS HEALTH RISKS ASSOCI-**
13 **ATED WITH CLIMATE CHANGE.**

14 (a) IN GENERAL.—In addition to amounts otherwise
15 available, there is appropriated to the Secretary for fiscal
16 year 2022, out of any money in the Treasury not otherwise
17 appropriated, \$85,000,000, to remain available until ex-
18 pended, for carrying out a program to award grants or
19 contracts to accredited medical schools, accredited schools
20 of nursing, teaching hospitals, accredited midwifery pro-
21 grams, physician assistant education programs, residency
22 or fellowship programs, or other schools or programs de-
23 termined appropriate by the Secretary, or consortia of any
24 such entities, to support the development and integration
25 of education and training programs for identifying and ad-

1 dressing health risks associated with climate change for
2 pregnant, lactating, and postpartum individuals.

3 (b) USE OF FUNDS.—Amounts made available by
4 subsection (a) shall be used for developing, integrating,
5 and implementing curriculum and continuing education
6 that focuses on the following:

7 (1) Identifying and addressing health risks as-
8 sociated with climate change for pregnant, lactating,
9 and postpartum individuals and individuals with the
10 intent to become pregnant.

11 (2) Racial and ethnic disparities in exposure to,
12 and the effects of, health risks associated with cli-
13 mate change for pregnant, lactating, and
14 postpartum individuals and individuals with the in-
15 tent to become pregnant and related impacts of im-
16 plicit and explicit bias, racism, and discrimination in
17 health care.

18 (3) Patient counseling and mitigation strategies
19 relating to health risks associated with climate
20 change for pregnant, lactating, and postpartum indi-
21 viduals.

1 **SEC. 28039. 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 carrying out a program to award grants or con-
10 tracts to minority-serving institutions described in sections
11 371(a) and 326(e)(1) of the Higher Education Act of
12 1965 (20 U.S.C. 1067q(a), 1063b(e)(1)) to conduct re-
13 search on and study maternal mortality, severe maternal
14 morbidity, and maternal health outcomes, with a focus on
15 health disparities.

16 (b) USE OF FUNDS.—Amounts made available to an
17 awardee under subsection (a) shall be used for the purpose
18 specified in such subsection, including the following activi-
19 ties:

20 (1) Developing and implementing systematic
21 processes of listening to the stories of pregnant and
22 postpartum individuals from racial and ethnic mi-
23 nority groups, and perinatal health workers sup-
24 porting such individuals, to fully understand the
25 causes of, and inform potential solutions to, the ma-

1 ternal mortality and severe maternal morbidity crisis
2 within their respective communities.

3 (2) Assessing the differences in, and potential
4 causes of, relatively low rates of maternal mortality
5 among Hispanic individuals and foreign-born Black
6 women.

7 (c) TECHNICAL ASSISTANCE.—Using amounts made
8 available by subsection (a), the Secretary shall conduct
9 outreach to minority-serving institutions (as described in
10 sections 371(a) and 326(e)(1) of the Higher Education
11 Act of 1965 (20 U.S.C. 1067q(a), 1063b(e)(1)))—

12 (1) to inform and raise awareness of the avail-
13 ability funding through a grant or contract awarded
14 pursuant to this section;

15 (2) to provide technical assistance, including
16 through a grant or contract, on the application proc-
17 ess for grants or contracts awarded pursuant to sub-
18 section (a); and

19 (3) to promote capacity building to eligible enti-
20 ties for grant applications pursuant to subsection
21 (a).

1 **SEC. 28040. FUNDING FOR IDENTIFICATION OF MATERNITY**
2 **CARE HEALTH PROFESSIONAL TARGET**
3 **AREAS.**

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 \$25,000,000, to remain available until expended, for car-
8 rying out section 332(k) of the Public Health Service Act
9 (42 U.S.C. 254e(k)).

10 **SEC. 28041. FUNDING FOR MATERNAL MORTALITY REVIEW**
11 **COMMITTEES TO PROMOTE REPRESENTA-**
12 **TIVE COMMUNITY ENGAGEMENT.**

13 In addition to amounts otherwise available, there is
14 appropriated to the Secretary for fiscal year 2022, out of
15 any money in the Treasury not otherwise appropriated,
16 \$50,000,000, to remain available until expended, for car-
17 rying out section 317K(d) of the Public Health Service
18 Act (42 U.S.C. 247b–12(d)) to promote community en-
19 gagement in maternal mortality review committees to in-
20 crease the diversity of a committee’s membership with re-
21 spect to race and ethnicity, location, and professional
22 background.

1 **SEC. 28042. FUNDING FOR THE SURVEILLANCE FOR**
2 **EMERGING THREATS TO MOTHERS AND BA-**
3 **BIES.**

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, \$100,000,000, to remain available until ex-
8 pended, for carrying out section 317C of the Public Health
9 Service Act (42 U.S.C. 247b–4) with respect to conducting
10 surveillance for emerging threats to mothers and babies.

11 (b) **USE OF FUNDS.**—Amounts made available by
12 subsection (a) shall be used for the following activities:

13 (1) Expanding the Surveillance for Emerging
14 Threats to Mothers and Babies activities of the Cen-
15 ters for Disease Control and Prevention.

16 (2) Working with public health, clinical, and
17 community-based organizations to provide timely,
18 continually updated, evidence-based guidance to fam-
19 ilies and health care providers on ways to reduce
20 risk to pregnant and postpartum individuals and
21 their newborns and tailor interventions to improve
22 their long-term health.

23 (3) Partnering with more State, Tribal, terri-
24 torial, and local public health programs in the collec-
25 tion and analysis of clinical data on the impact of
26 COVID–19 on pregnant and postpartum patients

1 and their newborns, particularly among patients
2 from racial and ethnic minority groups.

3 (4) Establishing regionally based centers of ex-
4 cellence to offer medical, public health, and other
5 knowledge (in coordination with State and Tribal
6 public health authorities) to ensure that commu-
7 nities, especially communities with large populations
8 of individuals from racial and ethnic minority
9 groups, have access to the information and resources
10 that can help pregnant and postpartum individuals
11 and newborns get the recommended health care and
12 social support services they need in response to lo-
13 cally relevant emerging public health threats.

14 **SEC. 28043. FUNDING FOR ENHANCING REVIEWS AND SUR-**
15 **VEILLANCE TO ELIMINATE MATERNAL MOR-**
16 **TALITY PROGRAM.**

17 (a) IN GENERAL.—In addition to amounts otherwise
18 available, there is appropriated to the Secretary for fiscal
19 year 2022, out of any money in the Treasury not otherwise
20 appropriated, \$30,000,000, to remain available until ex-
21 pended, for carrying out the Enhancing Reviews and Sur-
22 veillance to Eliminate Maternal Mortality program estab-
23 lished under section 317K of the Public Health Service
24 Act (42 U.S.C. 247b–12).

1 (b) USE OF FUNDS.—Amounts made available by
2 subsection (a) shall be used for the following activities:

3 (1) Expanding the Enhancing Reviews and Sur-
4 veillance to Eliminate Maternal Mortality program
5 (commonly known as the “ERASE MM program”)
6 of the Centers for Disease Control and Prevention.

7 (2) Expanding partnerships with States, terri-
8 tories, Indian Tribes, and Tribal organizations to
9 support Maternal Mortality Review Committees.

10 (3) Providing technical assistance to existing
11 maternal mortality review committees.

12 **SEC. 28044. FUNDING FOR THE PREGNANCY RISK ASSESS-**
13 **MENT MONITORING SYSTEM.**

14 (a) IN GENERAL.—In addition to amounts otherwise
15 available, there is appropriated to the Secretary for fiscal
16 year 2022, out of any money in the Treasury not otherwise
17 appropriated, \$15,000,000, to remain available until ex-
18 pended, for carrying out section 317K of the Public
19 Health Service Act (42 U.S.C. 247b–12) with respect to
20 the Pregnancy Risk Assessment Monitoring System.

21 (b) USE OF FUNDS.—Amounts made available by
22 subsection (a) shall be used for the following activities:

23 (1) Supporting COVID–19 supplements to the
24 Pregnancy Risk Assessment Monitoring System
25 questionnaire.

1 (2) Conducting a rapid assessment of COVID–
2 19 awareness, impact on care and experiences, and
3 use of preventive measures among pregnant, labor-
4 ing and birthing, and postpartum individuals.

5 (3) Supporting the transition of the question-
6 naire described in paragraph (1) to an electronic
7 platform and expanding the distribution of the ques-
8 tionnaire to a larger population, with a special focus
9 on reaching underrepresented communities.

10 **SEC. 28045. FUNDING FOR THE NATIONAL INSTITUTE OF**
11 **CHILD HEALTH AND HUMAN DEVELOPMENT.**

12 In addition to amounts otherwise available, there is
13 appropriated to the Secretary for fiscal year 2022, out of
14 any money in the Treasury not otherwise appropriated,
15 \$15,000,000, to remain available until expended, con-
16 sistent with the child health and human development ac-
17 tivities of the Eunice Kennedy Shriver National Institute
18 of Child Health and Human Development described in sec-
19 tion 448 of the Public Health Service Act (42 U.S.C.
20 285g), to conduct or support research for interventions to
21 mitigate the effects of COVID–19 on pregnant, lactating,
22 and postpartum individuals, with a particular focus on in-
23 dividuals from racial and ethnic minority groups.

1 **SEC. 28046. FUNDING FOR EXPANDING THE USE OF TECH-**
2 **NOLOGY-ENABLED COLLABORATIVE LEARN-**
3 **ING AND CAPACITY BUILDING MODELS FOR**
4 **PREGNANT AND POSTPARTUM INDIVIDUALS.**

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, \$30,000,000, to remain available until ex-
9 pended, for carrying out a program to award grants or
10 contracts to community-based organizations, Indian
11 Tribes and Tribal organizations, Urban Indian organiza-
12 tions, health care providers, accredited medical schools,
13 accredited schools of nursing, teaching hospitals, accred-
14 ited midwifery programs, physician assistant education
15 programs, residency or fellowship programs, or other
16 schools or programs determined appropriate by the Sec-
17 retary, or consortia of any such entities, that are operating
18 in underserved areas with high rates of adverse maternal
19 health outcomes or significant racial and ethnic disparities
20 in maternal health outcomes, to evaluate, develop, and ex-
21 pand the use of technology-enabled collaborative learning
22 and capacity building models (as defined in section 330N
23 of the Public Health Service Act (42 U.S.C. 254c–20)).

24 (b) USE OF FUNDS.—

1 (1) AWARDEES.—A recipient of a grant or con-
2 tract awarded pursuant to subsection (a) shall use
3 such amounts to—

4 (A) train maternal health care providers,
5 students, staff of community-based organiza-
6 tions, and other entities described in subsection
7 (a) through the use and expansion of tech-
8 nology-enabled collaborative learning and capac-
9 ity building models, including hardware and
10 software that—

11 (i) enables distance learning and tech-
12 nical support; and

13 (ii) supports the secure exchange of
14 electronic health information; and

15 (B) conduct evaluations on the use of tech-
16 nology-enabled collaborative learning and capac-
17 ity building models to improve maternal health
18 outcomes.

19 (2) SECRETARY.—The Secretary shall use
20 amounts made available pursuant to subsection (a)
21 to provide technical assistance to recipients of grants
22 awarded pursuant to subsection (a) on the develop-
23 ment, use, and sustainability of technology-enabled
24 collaborative learning and capacity building models

1 to expand access to maternal health services pro-
2 vided by such entities.

3 **SEC. 28047. FUNDING FOR PROMOTING EQUITY IN MATER-**
4 **NAL HEALTH OUTCOMES THROUGH DIGITAL**
5 **TOOLS.**

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, \$30,000,000, to remain available until ex-
10 pended, for carrying out a program to award grants or
11 contracts to community-based organizations, Indian
12 Tribes and Tribal organizations, Urban Indian organiza-
13 tions, health care providers, accredited medical schools,
14 accredited schools of nursing, teaching hospitals, accred-
15 ited midwifery programs, physician assistant education
16 programs, residency or fellowship programs, or other
17 schools or programs determined appropriate by the Sec-
18 retary, or consortia of any such entities, that are operating
19 in underserved areas with high rates of adverse maternal
20 health outcomes or significant racial and ethnic disparities
21 in maternal health outcomes to reduce racial and ethnic
22 disparities in maternal health outcomes by increasing ac-
23 cess to digital tools related to maternal health care.

24 (b) USE OF FUNDS.—Amounts made available to an
25 awardee pursuant to subsection (a) shall be used for the

1 purpose specified in such subsection, including for increas-
2 ing access to telehealth technologies (as defined in section
3 330I of the Public Health Service Act (42 U.S.C. 254c-
4 14)) and digital tools that could improve maternal health
5 outcomes, such as wearable technologies, patient portals,
6 telehealth services, and web-based and mobile phone appli-
7 cations, digital health services, secure text messaging, on-
8 line provider communities, mobile clinical decision support
9 services, and clinical tools to increase diagnostic accuracy.

10 (c) TECHNICAL ASSISTANCE.—Using amounts made
11 available under subsection (a), the Secretary shall provide
12 technical assistance, including through a grant or con-
13 tract, to eligible entities receiving funding pursuant to
14 subsection (a) on the development, use, evaluation, and
15 post-grant sustainability of digital tools designed to pro-
16 mote equity and reduce disparities in maternal health out-
17 comes.

18 **SEC. 28048. FUNDING FOR ANTIDISCRIMINATION AND BIAS**

19 **TRAINING.**

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, \$50,000,000, to remain available until ex-
24 pended, for the purpose described in subsection (b).

1 (b) USE OF FUNDS.—The Secretary shall, with a
2 focus on maternal health providers, use amounts appro-
3 priated under subsection (a) to carry out a program to
4 award competitive grants or contracts to national non-
5 profit organizations focused on improving health equity,
6 accredited schools of medicine or nursing, and other health
7 professional training programs to develop, disseminate, re-
8 view, research, and evaluate training for health profes-
9 sionals and all staff who interact with patients to reduce
10 discrimination and bias in the provision of health care,
11 with a focus on maternal health care.

12 **PART 4—OTHER PUBLIC HEALTH INVESTMENTS**

13 **SEC. 28051. FUNDING FOR MENTAL HEALTH AND SUB-**
14 **STANCE USE DISORDER PROFESSIONALS.**

15 In addition to amounts otherwise available, there is
16 appropriated to the Secretary for fiscal year 2022, out of
17 any money in the Treasury not otherwise appropriated,
18 \$50,000,000, to remain available until expended, for pur-
19 poses of carrying out section 597 of the Public Health
20 Service Act (42 U.S.C. 290ll).

21 **SEC. 28052. FUNDING TO SUPPORT PEER RECOVERY SPE-**
22 **CIALISTS.**

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 \$25,000,000, to remain available until expended, to carry
2 out section 509 of the Public Health Service Act (42
3 U.S.C. 290bb–2) with respect to strengthening recovery
4 community organizations and their statewide network of
5 recovery stakeholders.

6 **SEC. 28053. FUNDING FOR PROJECT AWARE.**

7 In addition to amounts otherwise available, there is
8 appropriated to the Secretary for fiscal year 2022, out of
9 any money in the Treasury not otherwise appropriated,
10 \$15,000,000, to remain available until expended, for car-
11 rying out section 520A of the Public Health Service Act
12 (42 U.S.C. 290bb–32) with respect to advancing wellness
13 and resiliency in education.

14 **SEC. 28054. FUNDING FOR THE NATIONAL SUICIDE PRE-**
15 **VENTION LIFELINE.**

16 In addition to amounts otherwise available, there is
17 appropriated to the Secretary for fiscal year 2022, out of
18 any money in the Treasury not otherwise appropriated,
19 \$75,000,000, to remain available until expended, for ad-
20 vancing infrastructure for the National Suicide Prevention
21 Lifeline program under section 520E–3 of the Public
22 Health Service Act (42 U.S.C. 290bb–36c) in order to ex-
23 pand existing capabilities for response in a manner that
24 avoids duplicating existing capabilities for text-based crisis
25 support.

1 **SEC. 28055. FUNDING FOR COMMUNITY VIOLENCE AND**
2 **TRAUMA INTERVENTIONS.**

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 \$2,500,000,000, to remain available until ex-
7 pended, for the purposes described in subsection (b):

8 (b) USE OF FUNDING.—The Secretary, acting
9 through the Director of the Centers for Disease Control
10 and Prevention, and in consultation with the Assistant
11 Secretary for Mental Health and Substance Use, the Ad-
12 ministrator of the Health Resources and Services Admin-
13 istration, the Deputy Assistant Secretary for Minority
14 Health, and the Assistant Secretary for the Administra-
15 tion for Children and Families, shall use amounts appro-
16 priated by subsection (a) to support public health-based
17 interventions to reduce community violence and trauma,
18 taking into consideration the needs of communities with
19 high rates of, and prevalence of risk factors associated
20 with, violence-related injuries and deaths, by—

21 (1) awarding competitive grants or contracts to
22 local governmental entities, States, territories, In-
23 dian Tribes and Tribal organizations, Urban Indian
24 organizations, hospitals and community health cen-
25 ters, nonprofit community-based organizations, cul-
26 turally specific organizations, victim services pro-

1 viders, or other entities as determined by the Sec-
2 retary (or consortia of such entities) to support evi-
3 dence-informed, culturally competent, and develop-
4 mentally appropriate strategies to reduce community
5 violence, including outreach and conflict mediation,
6 hospital-based violence intervention, violence inter-
7 ruption, and services for victims and individuals and
8 communities at risk for experiencing violence, such
9 as trauma-informed mental health care and coun-
10 seling, social-emotional learning and school-based
11 mental health services, workforce development serv-
12 ices, and other services that prevent or mitigate the
13 impact of trauma, build appropriate skills, or pro-
14 mote resilience; and

15 (2) supporting training, technical assistance, re-
16 search, evaluation, public health surveillance sys-
17 tems, data collection, and coordination among rel-
18 evant stakeholders, to facilitate support for strate-
19 gies to reduce community violence and ensure safe
20 and healthy communities.

21 (c) EXPENDITURE REQUIREMENT.—All expenditures
22 made pursuant to subsection (a) shall be made on or be-
23 fore September 30, 2031.

1 **SEC. 28056. FUNDING FOR THE NATIONAL CHILD TRAU-**
2 **MATIC STRESS NETWORK.**

3 In addition to amounts otherwise available, there is
4 appropriated to the Secretary for fiscal year 2022, out of
5 any money in the Treasury not otherwise appropriated,
6 \$5,000,000, to remain available until expended, for car-
7 rying out section 582 of the Public Health Service Act
8 (42 U.S.C. 290hh-1) with respect to addressing the prob-
9 lem of high-risk or medically underserved persons who ex-
10 perience violence-related stress.

11 **SEC. 28057. FUNDING FOR HIV HEALTH CARE SERVICES**
12 **PROGRAMS.**

13 In addition to amounts otherwise available, there is
14 appropriated to the Secretary for fiscal year 2022, out of
15 any money in the Treasury not otherwise appropriated,
16 \$75,000,000, to remain available until expended, for nec-
17 essary expenses for modifications to existing contracts,
18 and supplements to existing grants and cooperative agree-
19 ments under sections 2601, 2611, 2651, 2671, and
20 2692(a) of the Public Health Service Act (42 U.S.C.
21 300ff-11, 300ff-21, 300ff-51, 300ff-71, 300ff-111).

22 **SEC. 28058. FUNDING FOR CLINICAL SERVICES DEM-**
23 **ONSTRATION PROJECT.**

24 In addition to amounts otherwise available, there is
25 appropriated to the Secretary, acting through the Admin-
26 istrator of the Health Resources and Services Administra-

1 tion, for fiscal year 2022, out of any money in the Treas-
2 ury not otherwise appropriated, \$60,000,000, to remain
3 available until expended, to carry out a program to award
4 grants or contracts to public and private nonprofit clinics
5 for the provision of clinical services, pursuant to a dem-
6 onstration project under section 318(b)(2) of the Public
7 Health Service Act (42 U.S.C. 247c(b)(2)).

8 **SEC. 28059. FUNDING TO SUPPORT THE LIFESPAN RESPITE**
9 **CARE PROGRAM.**

10 In addition to amounts otherwise available, there is
11 appropriated to the Secretary for fiscal year 2022, out of
12 any money in the Treasury not otherwise appropriated,
13 \$5,000,000, to remain available until expended, for car-
14 rying out sections 2902, 2903, and 2904 of the Public
15 Health Service Act (42 U.S.C. 300ii-1, 300ii-2, 300ii-
16 3).

17 **SEC. 28060. FUNDING TO INCREASE RESEARCH CAPACITY**
18 **AT CERTAIN INSTITUTIONS.**

19 (a) IN GENERAL.—In addition to amounts otherwise
20 available, there is appropriated to the Secretary for fiscal
21 year 2022, out of any money in the Treasury not otherwise
22 appropriated, \$75,000,000, to remain available until ex-
23 pended, for the purposes described in subsection (b).

1 (b) USE OF FUNDS.—The Secretary, acting through
2 the Director of the National Institutes of Health, shall use
3 amounts made available under subsection (a) to—

4 (1) maintain and expand programs to increase
5 research capacity at minority-serving institutions (as
6 described in sections 371(a) and 326(e)(1) of the
7 Higher Education Act of 1965 (20 U.S.C. 1067q(a),
8 1063b(e)(1))), including by supporting the Path to
9 Excellence and Innovation program of the National
10 Institutes of Health;

11 (2) support centers of excellence under sections
12 464z-4 and 736 of the Public Health Service Act
13 (42 U.S.C. 285t-1, 293);

14 (3) support efforts to diversify the national sci-
15 entific workforce and expand recruitment and reten-
16 tion of individuals who are—

17 (A) underrepresented in the biomedical,
18 clinical, behavioral, and social sciences; and

19 (B) from disadvantaged backgrounds; and

20 (4) support and expand the activities of the Sci-
21 entific Workforce Diversity Office of the National
22 Institutes of Health.

1 **SEC. 28061. FUNDING FOR RESEARCH RELATED TO DEVELOPMENTAL DELAYS.**
2

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, \$10,000,000, to remain available until ex-
7 pended, for the purpose described in subsection (b).

8 (b) USE OF FUNDS.—The Secretary, acting through
9 the Director of the National Institutes of Health, shall use
10 amounts appropriated by subsection (a) to conduct or sup-
11 port research related to developmental delays, including
12 speech and language delays in infants and toddlers, char-
13 acterizing speech and language development and outcomes
14 in infants and toddlers through early adolescence. Such
15 research shall include studies, including longitudinal stud-
16 ies, conducted or supported by the National Institute on
17 Deafness and Other Communication Disorders, the Eu-
18 nice Kennedy Shriver National Institute of Child Health
19 and Human Development, and other relevant institutes
20 and centers of the National Institutes of Health.

21 **SEC. 28062. SUPPLEMENTAL FUNDING FOR THE WORLD**
22 **TRADE CENTER HEALTH PROGRAM.**

23 (a) IN GENERAL.—Title XXXIII of the Public
24 Health Service Act is amended by adding at the end the
25 following:

1 **“SEC. 3352. SUPPLEMENTAL FUND.**

2 “(a) IN GENERAL.—There is established a fund to
3 be known as the World Trade Center Health Program
4 Supplemental Fund (referred to in this section as the
5 ‘Supplemental Fund’), consisting of amounts deposited
6 into the Supplemental Fund under subsection (b).

7 “(b) AMOUNT.—Out of any money in the Treasury
8 not otherwise appropriated, there is appropriated for fiscal
9 year 2022, \$2,860,000,000, for deposit into the Supple-
10 mental Fund, which amounts shall remain available
11 through fiscal year 2031.

12 “(c) USE OF FUNDS.—Amounts deposited into the
13 Supplemental Fund under subsection (b) shall be avail-
14 able, without further appropriation and without regard to
15 any spending limitation under section 3351(c), to the
16 WTC Program Administrator as needed at the discretion
17 of such Administrator for carrying out any provision in
18 this title, including sections 3303 and 3341(c).

19 “(d) RETURN OF FUNDS.—Any amounts that remain
20 in the Supplemental Fund on September 30, 2031, shall
21 be deposited into the Treasury as miscellaneous receipts.”.

22 (b) CONFORMING AMENDMENTS.—Title XXXIII of
23 the Public Health Service Act is amended—

24 (1) in section 3311(a)(4)(B)(i)(II) (42 U.S.C.
25 300mm–21(a)(4)(B)(i)(II)), by striking “section
26 3351” and inserting “sections 3351 and 3352”;

1 (2) in section 3321(a)(3)(B)(i)(II) (42 U.S.C.
2 300mm–31(a)(3)(B)(i)(II)), by striking “section
3 3351” and inserting “sections 3351 and 3352”;

4 (3) in section 3331 (42 U.S.C. 300mm–41)—

5 (A) in subsection (a), by inserting “and
6 the World Trade Center Health Program Sup-
7 plemental Fund” before the period at the end;
8 and

9 (B) in subsection (d)—

10 (i) in paragraph (1)(B), by inserting
11 “(excluding any expenditures from
12 amounts in the World Trade Center
13 Health Program Supplemental Fund under
14 section 3352)” before the period at the
15 end; and

16 (ii) in paragraph (2), in the flush text
17 following subparagraph (C), by inserting
18 “(excluding any expenditures from
19 amounts in the World Trade Center
20 Health Program Supplemental Fund under
21 section 3352)” before the period at the
22 end; and

23 (4) in section 3351(b) (42 U.S.C. 300mm–
24 61(b))—

1 (A) in paragraph (2), by inserting “or as
2 available from the World Trade Center Health
3 Program Supplemental Fund under section
4 3352” before the period at the end; and

5 (B) in paragraph (3), by inserting “or as
6 available from the World Trade Center Health
7 Program Supplemental Fund under section
8 3352” before the period at the end.