TITLE II—COMMITTEE ON
HEALTH, EDUCATION, LABOR,
AND PENSIONS
Subtitle A—Education Matters
PART 1—ELEMENTARY AND SECONDARY
EDUCATION

SEC. 20001. GROW YOUR OWN PROGRAMS.

(a) Appropriations.—In addition to amounts otherwise available, there is appropriated to the Department of Education for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $112,684,000, to remain available through September 30, 2025, to award grants for the development and support of Grow Your Own Programs, as described in section 202(g) of the Higher Education Act of 1965.

(b) In General.—Section 202 of the Higher Education Act of 1965 is amended—

(1) in subsection (b)(6)(C), by striking “subsection (f) or (g)” and inserting “subsection (f) or (h)”; 

(2) in subsection (e)(1), by inserting “a Grow Your Own program under subsection (g),” after “subsection (e),”;
(3) by redesignating subsections (g), (h), (i), (j), and (k), as subsections (h), (i), (j), (k), and (l), respectively; and

(4) by inserting after subsection (f) the following:

“(g) Partnership Grants for the Establishment of ‘Grow Your Own’ Programs.—

“(1) In general.—An eligible partnership that receives a grant under this section shall carry out an effective ‘Grow Your Own’ program to address shortages of teachers in high-need subjects, fields, schools, and geographic areas, or shortages of school leaders in high-need schools, and to increase the diversity of qualified individuals entering into the teacher, principal, or other school leader workforce.

“(2) Requirements of a Grow Your Own Program.—In addition to carrying out each of the activities described in paragraphs (1) through (6) of subsection (d), an eligible partnership carrying out a Grow Your Own program under this subsection shall—

“(A) integrate courses on education topics with a year-long school-based clinical experience in which candidates teach or lead alongside an expert mentor teacher or school leader who is
the teacher or school leader of record in the same local educational agencies in which the candidates expect to work;

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

“(C) provide academic and nonacademic supports, including advising and financial assistance, to candidates as they complete their associate (in furtherance of their baccalaureate), baccalaureate, or master’s degree programs, enter and complete teacher or school leadership preparation programs, access and complete State licensure exams, and engage in school-based clinical placements;

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

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

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

“(E) require candidates to complete all State requirements to become fully certified.”.
SEC. 20002. TEACHER RESIDENCIES.

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

SEC. 20003. SUPPORT SCHOOL PRINCIPALS.

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

SEC. 20004. HAWKINS.

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

SEC. 20005. FUNDING FOR THE INDIVIDUALS WITH DISABILITIES EDUCATION PART D PERSONNEL DEVELOPMENT.

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

PART 2—HIGHER EDUCATION

SEC. 20021. INCREASING THE MAXIMUM FEDERAL PELL GRANT.

(a) Award Year 2022–2023.—Section 401(b)(7) of the Higher Education Act of 1965 is amended—

(1) in subparagraph (A)(iii), by inserting “and such sums as may be necessary for fiscal year 2022 to carry out the $550 increase for enrollment at institutions of higher education defined in section 101 or 102(a)(1)(B) provided under subparagraph (C)(iii)” before “; and”; and
(2) in subparagraph (C)(iii), by inserting before the period at the end the following: “, except that, for award year 2022–2023, such amount shall be equal to the amount determined under clause (ii) for award year 2017–2018, increased by $550 for enrollment at institutions of higher education defined in section 101 or 102(a)(1)(B)”.

(b) **Subsequent Award Years Through 2025–2026.**—Section 401(b) of the Higher Education Act of 1965, as amended by section 703 of the FAFSA Simplification Act (title VII of division FF of Public Law 116–260), is amended—

(1) in paragraph (5)(A)—

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

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

(C) by inserting after clause (i) the following:

“(ii) for each of award years 2023–2024 through 2025–2026, an additional $550 for enrollment at institutions of higher education defined in section 101 or 102(a)(1)(B); and”;

(2) in paragraph (6)(A)—
(A) in clause (i)—

(i) by striking “appropriated) such”

and inserting the following: “appropriated)—

“(I) such”; and

(ii) by adding at the end the following:

“(II) such sums as are necessary
to carry out paragraph (5)(A)(ii) for
each of fiscal years 2023 through
2025; and”; and

(B) in clause (ii), by striking “(5)(A)(ii)”

and inserting “(5)(A)(iii)”.

SEC. 20022. EXPANDING FEDERAL STUDENT AID ELIGIBILITY.

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

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

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

“(d) Special Rule for Means-tested Benefit Recipients.—During award years 2024–2025 through 2029–2030, and notwithstanding subsection (b), for an applicant (or, as applicable, an applicant and spouse, or an applicant’s parents) who is not described in subsection (c) and who, at any time during the previous 24-month period, received a benefit under a means-tested Federal benefit program (or whose parent or spouse received such a benefit, as applicable) described in clauses (i) through (vi) of section 479(b)(4)(H), the Secretary shall for the purposes of this title consider the student aid index as equal to –$1,500 for the applicant.”.

SEC. 20024. RETENTION AND COMPLETION GRANTS.

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

“PART F—RETENTION AND COMPLETION GRANTS

“SEC. 791. RETENTION AND COMPLETION GRANTS.

“(a) In General.—From amounts appropriated to carry out this section for a fiscal year, the Secretary shall
carry out a program to make grants (which shall be known as ‘retention and completion grants’) to eligible entities to carry out the activities described in the applications submitted under subsection (b).

“(b) APPLICATION.—To be eligible to receive a grant under this section, an eligible entity shall submit an application to the Secretary that includes a description of how the eligible entity will—

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

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

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

“(c) ADEQUATE PROGRESS.—As a condition of continuing to receive funds under this section, for each year in which an eligible entity participates in the program under this section, such eligible entity shall demonstrate
to the satisfaction of the Secretary that the entity has made adequate progress in implementing or expanding evidence-based reforms or practices, and, among students of color, low-income students, students with disabilities, students in need of remediation, first generation college students, student parents, and other underserved student populations in such eligible entity, improving enrollment, retention, transfer, or completion rates or labor market outcomes.

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

“(1) in the second year of a grant, not less than 10 percent of the grant amount awarded to such eligible entity for such year;

“(2) in the third year of a grant, not less than 15 percent of the grant amount awarded to such eligible entity for such year; and

“(3) in the fourth year and each subsequent year of a grant, not less than 20 percent of the
grant amount awarded to such eligible entity for such year.

“(e) GENERAL REQUIREMENT.—An eligible entity shall use a grant under this section only to carry out activities described in the application for such year under subsection (b).

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

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

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

“(3) Providing accelerated learning opportunities, including dual or concurrent enrollment programs and early college high school programs.

“(4) Reforming remedial or developmental education, course scheduling, or credit-Awarding policies.
“(5) Improving transfer pathways between—

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

“(B) in the case of an eligible entity that is a system of institutions of higher education, institutions within such system and other institutions of higher education in the State in which the system is located; or

“(C) in the case of a Tribal College or University, between the Tribal College or University and other institutions of higher education.

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

“(h) DEFINITIONS.—In this section:

“(1) ELIGIBLE ENTITY.—The term ‘eligible entity’ means a State, a system of institutions of higher education, or a Tribal College or University.

“(2) EVIDENCE TIERS.—
“(A) EVIDENCE TIER 1.—The term ‘evidence tier 1’, when used with respect to a reform or practice, means a reform or practice that meets the criteria for receiving an expansion grant from the education innovation and research program under section 4611(a)(2)(C) of the Elementary and Secondary Education Act of 1965, as determined by the Secretary in accordance with such section.

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

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

“(4) INSTITUTION OF HIGHER EDUCATION.—The term ‘institution of higher education’ has the meaning given the term in section 101 or 102(a)(1)(B).
“(5) STATE.—The term ‘State’ means each of the 50 States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, American Samoa, Guam, the United States Virgin Islands, the Commonwealth of the Northern Mariana Islands, and the Freely Associated States.

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

“(i) APPROPRIATION.—In addition to amounts otherwise available, there is appropriated for fiscal year 2022, out of any money in the Treasury not otherwise appropriated—

“(1) $310,000,000 to remain available until September 30, 2030, to award competitive grants to eligible entities that are not Tribal Colleges and Universities to carry out the approved activities described in the applications submitted under subsection (b);

“(2) $37,500,000 to remain available until September 30, 2030, to award competitive grants to Tribal Colleges and Universities to carry out the approved activities described in the applications submitted under subsection (b);
“(3) $95,000,000 to remain available until September 30, 2030, to supplement the competitive grant amounts awarded to eligible entities with funds available under paragraph (1) and (2) to implement reforms or practices that meet evidence tier 1;

“(4) $47,500,000 to remain available until September 30, 2030, to supplement the competitive grant amounts awarded to eligible entities with funds available under paragraphs (1) and (2) to implement reforms or practices that meet evidence tier 1 or evidence tier 2, or a combination of such reforms or practices; and

“(5) $10,000,000 to remain available until September 30, 2030, to evaluate the effectiveness of the activities carried out under this section.

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

SEC. 20025. INSTITUTIONAL AID.

(a) In General.—In addition to amounts otherwise available, there is appropriated for fiscal year 2022, out of any money in the Treasury not otherwise appropriated—
(1) $470,640,000, to remain available until September 30, 2028, for carrying out section 371(b)(2)(B) of the Higher Education Act of 1965 in fiscal year 2022;

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

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

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

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

(6) $470,640,000, to remain available until September 30, 2028, for carrying out section 371(b)(2)(C) of the Higher Education Act of 1965 in fiscal year 2022;
(7) $470,640,000, to remain available until September 30, 2028, for carrying out section 371(b)(2)(C) of the Higher Education Act of 1965 in fiscal year 2023;

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

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

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

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

(12) $141,120,000, to remain available until September 30, 2028, for carrying out section 371(b)(2)(D)(i) of the Higher Education Act of 1965 in fiscal year 2023;
(13) $141,120,000, to remain available until September 30, 2028, for carrying out section 371(b)(2)(D)(i) of the Higher Education Act of 1965 in fiscal year 2024;

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

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

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

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

(18) $70,560,000, to remain available until September 30, 2028, for carrying out section 371(b)(2)(D)(ii) of the Higher Education Act of 1965 in fiscal year 2024;
(19) $70,560,000, to remain available until September 30, 2028, for carrying out section 371(b)(2)(D)(ii) of the Higher Education Act of 1965 in fiscal year 2025;

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

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

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

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

(24) $23,520,000, to remain available until September 30, 2028, for carrying out section 371(b)(2)(D)(iii) of the Higher Education Act of 1965 in fiscal year 2025;
(25) $23,520,000, to remain available until September 30, 2028, for carrying out section 371(b)(2)(D)(iii) of the Higher Education Act of 1965 in fiscal year 2026;

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

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

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

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

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

(b) USE OF FUNDS.—
(1) **IN GENERAL.**—An institution of higher education receiving funds made available under this section shall use such funds in accordance with the uses of funds described under subparagraphs (B), (C), and clauses (i) through (iv) of subparagraph (D) of section 371(b)(2) of the Higher Education Act of 1965, as applicable, and to award need-based financial aid (including emergency financial aid grants) to low-income students enrolled in an eligible program (as defined in section 481(b) of the Higher Education Act of 1965) at such institution solely on the basis of such students’ financial need.

(2) **DISTRIBUTION REQUIREMENTS.**—The Secretary of Education shall distribute each of the amounts appropriated under paragraphs (6) through (10) of subsection (a) in accordance with section 371(b)(2)(C), except that in clause (ii) of such section, “25” and “of $600,000 annually” shall not apply.

(3) **SUPPLEMENT NOT SUPPLANT.**—Funds made available under this section shall be used to supplement, and not supplant, other Federal and non-Federal (including State, tribal, local, and institutional) funds that would otherwise be used to carry out activities described in this section.
SEC. 20026. RESEARCH AND DEVELOPMENT INFRASTRUCTURE COMPETITIVE GRANT PROGRAM.

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

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

(2) by inserting after section 371 the following:

"PART G—IMPROVING RESEARCH & DEVELOPMENT INFRASTRUCTURE FOR HISTORICALLY BLACK COLLEGES AND UNIVERSITIES, TRIBAL COLLEGES AND UNIVERSITIES, AND MINORITY-SERVING INSTITUTIONS"

"SEC. 381. IMPROVING RESEARCH & DEVELOPMENT INFRASTRUCTURE FOR HISTORICALLY BLACK COLLEGES AND UNIVERSITIES, TRIBAL COLLEGES AND UNIVERSITIES, AND MINORITY-SERVING INSTITUTIONS."

"(a) ELIGIBLE INSTITUTION.—In this section, the term ‘eligible institution’ means—

“(1) an institution that—

“(A) is described in section 371(a);

“(B) is a 4-year institution, except that this subparagraph shall not apply to an institution described in section 371(a)(3); and
“(C) is not an institution classified as ‘very high research activity’ by the Carnegie Classification of Institutions of Higher Education;

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

“(3) an institution described in paragraph (1) or (2) acting on behalf of a consortium, which may include institutions classified as ‘very high research activity’ by the Carnegie Classification of Institutions of Higher Education, 2-year institutions of higher education (as defined in section 101), institutions of higher education (as defined in section 101 or section 102(a)(1)(B) of the Higher Education Act of 1965), nonprofit organizations, philanthropic organizations, and industry partners, provided that the eligible institution is the lead member and fiscal agent of the consortium.

“(b) Authorization of Grant Programs.—For the purpose of supporting research and development infrastructure at eligible institutions, the Secretary shall award, on a competitive basis, to eligible institutions—

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

“(2) implementation grants for a period of not more than 5 years.
“(c) Applications.—

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

“(2) No comprehensive development plan.—The requirement under section 391(b)(1) shall not apply to grants awarded under this section.

“(d) Awards.—

“(1) In general.—In awarding planning and implementation grants under this section, the Secretary shall—

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

“(B) treat an institution described in section 326(e) as an institution described in section 371(a)(1) for the purposes of subparagraph (A).

“(2) Priority.—In awarding implementation grants under this section, the Secretary shall give
priority to eligible institutions that have received a planning grant under this section.

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

“(e) USE OF FUNDS.—

“(1) PLANNING GRANTS.—An eligible institution that receives a planning grant under subsection (b)(1) shall use the grant funds to develop a strategic plan for improving institutional research and development infrastructure that includes—

“(A) an assessment of the existing institutional research capacity and research and development infrastructure; and

“(B) a detailed description of how the institution would use research and development infrastructure funds provided by an implementation grant under this section to increase the institution’s research capacity and support research and development infrastructure.

“(2) IMPLEMENTATION GRANTS.—An eligible institution that receives an implementation grant under subsection (b)(2) shall use the grant funds to support research and development infrastructure,
which shall include carrying out at least one of the
following activities:

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

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

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

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

“(g) SUNSET.—The authority to make—

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

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

“(h) APPROPRIATIONS.—In addition to amounts otherwise available, there is appropriated for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $3,000,000,000, to remain available until September 30, 2028, for carrying out this section.”.

SEC. 20027. NORTHERN MARIANA ISLANDS, AMERICAN SAMOA, UNITED STATES VIRGIN ISLANDS, GUAM, AND FREELY ASSOCIATED STATES COLLEGE ACCESS.

Title VII of the Higher Education Act of 1965, as amended by this Act, is further amended by adding at the end the following:
PART G—COLLEGE ACCESS FOR STUDENTS IN OUTLYING AREAS

SEC. 792. NORTHERN MARIANA ISLANDS, AMERICAN SAMOA, UNITED STATES VIRGIN ISLANDS, GUAM, AND FREELY ASSOCIATED STATES COLLEGE ACCESS GRANTS.

“(a) GRANTS.—

“(1) GRANT AMOUNTS.—

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

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

“(i) not more than $15,000 for any one award year (as defined in section 481(a)(1)); and
“(ii) not more than $75,000 in the aggregate.

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

“(2) AGREEMENT.—Each Governor desiring a grant under this section shall enter into an agreement with the Secretary for the purposes of administering the grant program.

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

“(b) INAPPLICABILITY OF GEPA CONTINGENT EXTENSION OF PROGRAMS.—Section 422 of the General Education Provisions Act shall not apply to this section.

“(c) NO ADDITIONAL ELIGIBILITY REQUIREMENTS.—No individual shall be determined, by a Governor, an eligible institution, or the Secretary, to be ineligible for benefits provided under this section except on the basis of eligibility requirements under this section.

“(d) DEFINITIONS.—In this section:

“(1) ELIGIBLE INSTITUTION.—The term ‘eligible institution’ means an institution that—
“(A) is a public four-year institution of higher education located in one of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, or an outlying area;

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

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

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

“(A) was domiciled in an outlying area for not less than 12 consecutive months preceding the commencement of the freshman year at an institution of higher education supported by a grant awarded under this section;
“(B) has not completed an undergraduate baccalaureate course of study; and

“(C) is enrolled as an undergraduate student in an eligible program (as defined in section 481(b)) on at least a half-time basis.

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

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

“(5) OUTLYING AREA.—The term ‘outlying area’ means the Northern Mariana Islands, American Samoa, the United States Virgin Islands, Guam, and the Freely Associated States.

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

PART 3—DEPARTMENT OF EDUCATION IMPLEMENTATION

SEC. 20031. PROGRAM ADMINISTRATION.

In addition to amounts otherwise available, there is appropriated to the Department of Education for fiscal year 2022, out of any money in the Treasury not otherwise
appropriated, $91,742,000, to remain available until ex-
pended, for necessary administrative expenses associated
with carrying out this subtitle and sections 22101 and
22102.

SEC. 20032. STUDENT AID ADMINISTRATION.

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

SEC. 20033. OFFICE OF INSPECTOR GENERAL.

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

SEC. 21001. DEPARTMENT OF LABOR.

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

(1) $195,000,000 to the Employee Benefits Security Administration for carrying out enforcement activities.

(2) $707,000,000 to the Occupational Safety and Health Administration for carrying out enforcement, standards development, whistleblower investigations, compliance assistance, funding for State plans, and related activities within the Occupational Safety and Health Administration.

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

(4) $405,000,000 to the Wage and Hour Division for carrying out activities of the Division.

(5) $121,000,000 to the Office of Workers’ Compensation Programs for carrying out activities of the Office.
(6) $201,000,000 to the Office of Federal Contract Compliance Programs for carrying out audit, investigation, enforcement, and compliance assistance, and other activities.

(7) $176,000,000 to the Office of the Solicitor for carrying out necessary legal support for activities carried out by the Office related to and in support of the activities of those Department of Labor agencies receiving additional funding in this section.

SEC. 21002. NATIONAL LABOR RELATIONS BOARD.

In addition to amounts otherwise available, out of any money in the Treasury not otherwise appropriated, there are appropriated to the National Labor Relations Board for fiscal year 2022, $350,000,000, to remain available until September 30, 2026, for the National Labor Relations Board to carry out the functions vested in it by the National Labor Relations Act.

SEC. 21003. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION.

In addition to amounts otherwise available, out of any money in the Treasury not otherwise appropriated, there are appropriated to the Equal Employment Opportunity Commission for fiscal year 2022, $321,000,000, to remain available until September 30, 2026, for carrying out investigation, enforcement, outreach, and related activities.
SEC. 21004. ADJUSTMENT OF CIVIL PENALTIES.

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

(1) in subsection (a)—

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

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

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

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

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

(1) in paragraph (1)(A)—

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

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

(2) in paragraph (2)—

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

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

(c) **Migrant and Seasonal Agricultural Worker Protection Act.**—Section 503(a)(1) of the Migrant and Seasonal Agricultural Worker Protection Act (29 U.S.C. 1853(a)(1)) is amended by striking “$1,000” and inserting “$25,790”.

(d) **Effective Date.**—The amendments made by this section shall take effect on January 1, 2022.

SEC. 21005. **Civil Monetary Penalties for Parity Violations.**

(a) **Civil Monetary Penalties Relating to Parity in Mental Health and Substance Use Disorders.**—Section 502(c)(10) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1132(c)(10)) is amended—

(1) in the heading, by striking “USE OF GENETIC INFORMATION” and inserting “USE OF GENETIC INFORMATION AND PARITY IN MENTAL HEALTH AND SUBSTANCE USE DISORDER BENEFITS”; and

(2) in subparagraph (A)—

(A) by striking “any plan sponsor of a group health plan” and inserting “any plan sponsor or plan administrator of a group health plan”; and
(B) by striking “for any failure” and all that follows through “in connection with the plan.” and inserting “for any failure by such sponsor, administrator, or issuer, in connection with the plan—

“(i) to meet the requirements of subsection (a)(1)(F), (b)(3), (c), or (d) of section 702 or section 701 or 702(b)(1) with respect to genetic information; or

“(ii) to meet the requirements of subsection (a) of section 712 with respect to parity in mental health and substance use disorder benefits.”.

(b) Exception to the General Prohibition on Enforcement.—Section 502 of such Act (29 U.S.C. 1132) is amended—

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

(2) in subsection (b)(3)—

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

(B) by striking “under subsection (c)(9))” and inserting “under subsections (c)(9) and
(c)(10)), and except with respect to enforce-
ment by the Secretary of section 712’’; and
(C) by striking ‘‘706(a)(1)’’ and inserting
‘‘733(a)(1)’’.
(c) **Effective Date.**—The amendments made by
subsection (a) shall apply with respect to group health
plans, or any health insurance issuer offering health insur-
ance coverage in connection with such plan, for plan years
beginning after the date that is 1 year after the date of
enactment of this Act.

**SEC. 21006. Penalties Under the National Labor Re-
lations Act.**

(a) In General.—Section 12 of the National Labor
Relations Act (29 U.S.C. 162) is amended—

(1) by striking ‘‘**SEC. 12. Any person**’’ and in-
serting the following:

‘‘**SEC. 12. Penalties.**

‘‘(a) Violations for Interference With
Board.—Any person’’; and

(2) by adding at the end the following:

‘‘(b) Civil Penalties for Unfair Labor Prac-
tices.—Any employer who commits an unfair labor prac-
tice within the meaning of section 8(a) affecting commerce
shall be subject to a civil penalty in an amount not to
exceed $50,000 for each such violation, except that, with
respect to such an unfair labor practice within the meaning of paragraph (3) or (4) of section 8(a) or such a violation of section 8(a) that results in the discharge of an employee or other serious economic harm to an employee, the Board shall double the amount of such penalty, to an amount not to exceed $100,000, in any case where the employer has within the preceding 5 years committed another such violation of such paragraph (3) or (4) or such violation of section 8(a) that results in such discharge or other serious economic harm. A civil penalty under this subsection shall be in addition to any other remedy ordered by the Board.

“(c) CONSIDERATIONS.—In determining the amount of any civil penalty under this section, the Board shall consider—

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

“(2) the size of the employer;

“(3) the history of previous unfair labor practices or other actions by the employer resulting in a penalty; and

“(4) the public interest.
“(d) Director and Officer Liability.—If the Board determines, based on the particular facts and circumstances presented, that a director or officer’s personal liability is warranted, a civil penalty for a violation described in this section may also be assessed against any director or officer of the employer who directed or committed the violation, had established a policy that led to such a violation, or had actual or constructive knowledge of and the authority to prevent the violation and failed to prevent the violation.”.

(b) Effective Date.—The amendments made by this section shall take effect on January 1, 2022.

SEC. 21007. EMPLOYEE OWNERSHIP AND PARTICIPATION INITIATIVE.

In addition to amounts otherwise available, there is appropriated to the Secretary of Labor for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $50,000,000, to remain available until September 30, 2026, to establish an Employee Ownership and Participation Initiative that will provide grants, education and outreach, technical assistance, and training to promote employee ownership and employee participation in business decisionmaking.
Subtitle C—Workforce
Development Matters

PART 1—DEPARTMENT OF LABOR

SEC. 22001. DISLOCATED WORKER EMPLOYMENT AND TRAINING ACTIVITIES.

In addition to amounts otherwise available, there is appropriated to the Department of Labor for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $2,000,000,000, to remain available until September 30, 2026, which shall be allotted in accordance with subsection (b)(2) of section 132 and reserved under subsection (a) of section 133 of the Workforce Innovation and Opportunity Act, and allocated under subsection (b)(1)(B) of section 133 of such Act for each local area to provide to dislocated workers—

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

(2) supportive services and needs-related pay-
mments authorized under paragraphs (2) and (3) of 
section 134(d) of the Workforce Innovation and Op-
portunity Act, except that the requirements of sub-
paragraphs (B) and (C) of paragraph (3) of such section shall not apply; and

(3) training services, including through individual training accounts, authorized under section 134(c)(3) of the Workforce Innovation and Opportunity Act, except that for purposes of providing transitional jobs as part of those services under this section, section 134(d)(5) of such Act shall be applied by substituting “40 percent” for “10 percent”.

SEC. 22002. ADULT WORKER EMPLOYMENT AND TRAINING ACTIVITIES.

In addition to amounts otherwise available, there is appropriated to the Department of Labor for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $1,000,000,000, to remain available until September 30, 2026, which shall be allotted in accordance with subsection (b)(1) of section 132 and reserved under subsection (a) of section 133 of the Workforce Innovation and Opportunity Act, and allocated under subsection (b)(1)(A) of section 133 of such Act for each local area to provide to adults—

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

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

(3) training services, including through individual training accounts, authorized under section 134(e)(3) of the Workforce Innovation and Opportunity Act, except that for purposes of providing incumbent worker training as part of those services under this section, if such training is provided to low-wage workers, section 134(d)(4)(A)(i) of such Act shall be applied by substituting “40 percent” for “20 percent”.

SEC. 22003. YOUTH WORKFORCE INVESTMENT ACTIVITIES.

In addition to amounts otherwise available, there is appropriated to the Department of Labor for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $1,500,000,000, to remain available until September 30, 2026, which shall be allotted in accordance with subparagraphs (B) and (C) of section 127(b)(1) and reserved under subsection (a) of section 128 of the Workforce Innovation and Opportunity Act, and allocated under
subsection (b) of section 128 of such Act for each local
area to—

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

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

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

SEC. 22004. EMPLOYMENT SERVICE.

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

(1) $400,000,000 for carrying out the State
grant activities authorized under section 7 of the
Wagner-Peyser Act, which shall be allotted in ac-
cordance with section 6 of such Act, except that, for
purposes of this section, funds shall also be reserved
and used for the Commonwealth of the Northern
Mariana Islands and American Samoa in amounts
the Secretary determines appropriate prior to the al-
lotments being made in accordance with section 6 of
such Act.

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

SEC. 22005. REENTRY EMPLOYMENT OPPORTUNITIES.

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

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

(2) $125,000,000, for competitive grants to na-
tional and regional intermediaries to carry out Re-
entry Employment Opportunity programs that pre-
pare for employment young adults with criminal
records, young adults who have been justice system-
involved, or young adults who have dropped out of
school or other educational programs, made with a
priority for projects serving high-crime, high-poverty
areas.
SEC. 22006. REGISTERED APPRENTICESHIPS, YOUTH APPRENTICESHIPS, AND PRE-APPRENTICESHIPS.

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

(1) $500,000,000 for carrying out activities through grants, cooperative agreements, or contracts, including with States and outlying areas (as such terms are defined in paragraphs (45) and (56), respectively, of section 3 of the Workforce Innovation and Opportunity Act), equity intermediaries, and business and labor industry partner intermediaries, to create or expand only—

(A) registered apprenticeship programs;

(B) pre-apprenticeship programs that articulate to registered apprenticeship programs; and

(C) youth apprenticeship programs that—

(i) provide participants with high-quality, classroom-based related instruction and training, and employment opportunities with progressively increasing wages; and
(ii) prepare participants for enrollment in an institution of higher education (as defined in section 101 or 102(c) of the Higher Education Act of 1965), a registered apprenticeship program, and employment.

(2) $500,000,000 for carrying out activities described in paragraph (1) to support programs described in such paragraph that serve a high number or high percentage of individuals with barriers to employment, including individuals with disabilities, or nontraditional apprenticeship populations.

SEC. 22007. INDUSTRY OR SECTOR PARTNERSHIP GRANTS.

(a) Appropriation.—In addition to amounts otherwise available, there is appropriated to the Department of Labor for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $4,600,000,000, to remain available until September 30, 2026, for the Secretary to award, on a competitive basis, grants, contracts, or cooperative agreements to eligible partnerships for the purposes of carrying out employment and training activities for high-skill, high-wage, or in-demand industry sectors or occupations.

(b) Eligibility.—To be eligible to receive funds under this section, an eligible partnership shall submit to
the Secretary an application that includes a description of programs to be supported with such funds, the recognized postsecondary credentials participants in such programs will earn, and related employment opportunities for which participants in such programs will be prepared.

(c) USES OF FUNDS.—An eligible partnership awarded funds under this section shall use such funds to—

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

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

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

(B) training provided through—
(i) registered apprenticeship programs;

(ii) pre-apprenticeship programs that articulate to registered apprenticeship programs;

(iii) youth apprenticeship programs that—

(I) provide participants with high-quality, classroom-based related instruction and training, and employment opportunities with progressively increasing wages; and

(II) prepare participants for enrollment in an institution of higher education (as defined in section 101 or 102(c)) of the Higher Education Act of 1965), a registered apprenticeship program, and employment; or

(iv) joint labor-management organizations; and

(3) directly provide, or arrange for the provision of, services to help individuals with barriers to employment prepare for, complete, and successfully transition out of training described in paragraph (2), which services shall include career services,
portive services, or provision of needs-related pay-
ments authorized under subsections (e)(2), (d)(2),
and (d)(3) of section 134 of the Workforce Innova-
tion and Opportunity Act, except that, for purposes
of this section, subparagraphs (B) and (C) of section
134(d)(3) of that Act shall not apply.

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

(e) State Board or Local Board Funds.—In ad-
dition to amounts otherwise available, there is appro-
priated to the Department of Labor for fiscal year 2022,
out of any money in the Treasury not otherwise appro-
priated, $250,000,000, to remain available until Sep-
tember 30, 2026, to provide direct assistance to State
boards or local boards to support the creation or expansion
of industry or sector partnerships in local areas with high
unemployment rates or high percentages of dislocated
workers or individuals with barriers to employment, as
compared to State or national averages for such rates or
percentages.

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

SEC. 22008. JOB CORPS.

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

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

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

(B) improve and expand access to allow-
ances and services described in section 150 of
such Act; and
(2) for the construction, rehabilitation, and acquisition of Job Corps centers, notwithstanding section 158(c) of the Workforce Innovation and Opportunity Act.

(b) Eligibility of Operators and Service Providers.—For the purposes of carrying out subsection (a), an entity in a State or outlying area (as such term is defined in section 3(45) of the Workforce Innovation and Opportunity Act) shall be eligible to be selected as an operator or service provider.

SEC. 22009. NATIVE AMERICAN PROGRAMS.

In addition to amounts otherwise available, there is appropriated to the Department of Labor for fiscal year 2022, out of any amounts in the Treasury not otherwise appropriated, $50,000,000, to remain available until September 30, 2026, to carry out activities described in section 166(d)(2)(A) of the Workforce Innovation and Opportunity Act.

SEC. 22010. MIGRANT AND SEASONAL FARMWORKER PROGRAMS.

In addition to amounts otherwise available, there is appropriated to the Department of Labor for fiscal year 2022, out of any amounts in the Treasury not otherwise appropriated, $70,000,000, to remain available until September 30, 2026, to carry out activities described in sec-
tion 167(d) of the Workforce Innovation and Opportunity Act, except that, for purposes of providing services as part of such activities to low-income individuals under this section, section 3(36)(A)(ii)(I) of such Act shall be applied by substituting “150 percent of the poverty line” for “the poverty line”.

SEC. 22011. YOUTHBUILD PROGRAM.

In addition to amounts otherwise available, there is appropriated to the Department of Labor for fiscal year 2022, out of any amounts in the Treasury not otherwise appropriated, $15,000,000, to remain available until September 30, 2026, to carry out activities described in section 171(c)(2) of the Workforce Innovation and Opportunity Act, including for the purposes of improving and expanding access to services, stipends, wages, and benefits described in subparagraphs (A)(vii) and (F) of section 171(c)(2) of such Act.

SEC. 22012. SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM.

In addition to amounts otherwise available, there is appropriated to the Department of Labor for fiscal year 2022, out of any amounts in the Treasury not otherwise appropriated, $35,000,000, to remain available until September 30, 2026, for the Senior Community Service Em-
employment program authorized under section 502 of the Older Americans Act of 1965.

SEC. 22013. DEFINITIONS.

In this part:

(1) ELIGIBLE PARTNERSHIP.—The term “eligible partnership” means—

(A) an industry or sector partnership, which shall include multiple representatives described in each of clauses (i) through (iii) of paragraph (26)(A) of section 3 of the Workforce Innovation and Opportunity Act; or

(B) a State board or local board, a joint labor-management organization, or an entity eligible to be a representative under clause (i), (ii), or (iii) of paragraph (26)(A) of section 3 of the Workforce Innovation and Opportunity Act, that is in the process of establishing an industry or sector partnership described in subparagraph (A), to carry out a grant, contract, or cooperative agreement under section 22007.

(2) EVIDENCE-BASED.—The term “evidence-based” has the meaning given the term in section 3(23) of the Carl D. Perkins Career and Technical Education Act of 2006.
(3) Registered Apprenticeship Program.—
The term “registered apprenticeship program”
means an apprenticeship program registered with
the Office of Apprenticeship of the Employment and
Training Administration of the Department of
Labor or a State apprenticeship agency recognized
by the Office of Apprenticeship pursuant to the Act
of August 16, 1937 (commonly known as the “Na-
tional Apprenticeship Act”; 50 Stat. 664, chapter
663).

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

(5) WIOA Definitions.—
(A) In General.—The terms “career
pathway”, “in-demand industry sector or occu-
pation”, “individual with a barrier to employ-
ment”, “industry or sector partnership”, “local
area”, “local board”, “recognized postsecondary
credential”, “State board”, and “supportive
services” have the meanings given the terms in
paragraphs (7), (23), (24), (26), (32), (33),
(52), (57), and (59), respectively, of section 3
of the Workforce Innovation and Opportunity
Act.
(B) Career services.—The term “career services” means services described in section 134(c)(2) of the Workforce Innovation and Opportunity Act.

PART 2—DEPARTMENT OF EDUCATION

SEC. 22101. ADULT EDUCATION AND LITERACY.

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

SEC. 22102. CAREER AND TECHNICAL EDUCATION.

In addition to amounts otherwise available, there is appropriated to the Department of Education for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, the following amounts, to remain available until September 30, 2027:
(1) $600,000,000 for carrying out career and technical education programs authorized under section 124 and section 135 of the Carl D. Perkins Career and Technical Education Act of 2006, which shall be allotted in accordance with section 111 and section 112 of such Act, except that subsection (b) of section 112 shall not apply.

(2) $100,000,000 for carrying out the innovation and modernization program in subsection (e) of section 114 of the Carl D. Perkins Career and Technical Education Act of 2006, except that, for purposes of this paragraph, paragraph (2) of such subsection and the 20 percent limitation in paragraph (1) of such subsection shall not apply and eligible agencies, as defined in section 3(18) of such Act, shall be eligible to receive grants under such program.

SEC. 22103. COMMUNITY COLLEGE AND INDUSTRY PARTNERSHIP GRANTS.

(a) Appropriation.—In addition to amounts otherwise available, there is appropriated to the Department of Education for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $4,895,000,000, to remain available until September 30, 2026, for the Secretary, in coordination with the Secretary of Labor, to
award grants, on a competitive basis, to eligible institutions for the purposes of carrying out employment and training activities for high-skill, high-wage, or in-demand industry sectors or occupations.

(b) ELIGIBILITY.—To be eligible to receive such a grant, an eligible institution shall submit to the Secretary an application that includes a description of programs to be supported with such grant, the recognized postsecondary credentials participants in such programs will earn, and the related employment opportunities for which participants in such programs will be prepared.

(c) USE OF FUNDS.—An eligible institution awarded a grant under this section shall use such grant funds to expand opportunities for attainment of recognized postsecondary credentials that are nationally or regionally portable and stackable for high-skill, high-wage, or in-demand industry sectors or occupations by—

(1) establishing, improving, or scaling high-quality, evidence-based education or career training programs, career pathway programs, or work-based learning programs (including registered apprenticeship programs or pre-apprenticeships that articulate to registered apprenticeship programs);

(2) providing services to help individuals with barriers to employment prepare for, complete, and
successfully transition out of programs described in paragraph (1) supported by such grant, which shall include providing supportive services, career services, career guidance and academic counseling, or job placement assistance; and

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

(A) Creating, developing, or expanding articulation agreements (as defined in section 486A(a) of the Higher Education Act of 1965), credit transfer agreements, corequisite remediation programs, dual or concurrent enrollment programs, or policies and processes to award academic credit for prior learning or for programs described in paragraph (1) supported by such grant.

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

(C) Reducing participants’ cost of attendance in such programs.

(d) ADMINISTRATION.—In addition to amounts otherwise available, there is appropriated to the Department of Education for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $100,000,000, to remain available until September 30, 2026, for nee-
necessary administrative expenses associated with carrying
out this section, including to evaluate the program funded
under this section, and to provide outreach and assistance
to eligible institutions that serve a high number or high
percentage of individuals with barriers to employment in
applying for grants under this section.

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

(f) DEFINITIONS.—In this section:

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

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

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

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

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

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

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

(D) a branch campus of a 4-year public institution of higher education (as defined in section 101 of the Higher Education Act of 1965), if, at such branch campus—

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

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

(2) ELIGIBLE INSTITUTION.—The term “eligible institution” means a community college, a post-secondary vocational institution (as defined in section 102(c) of the Higher Education Act of 1965), or a consortium of such colleges or institutions, that is working directly with an industry or sector partnership, or in the process of establishing such partnership, to carry out a grant under this section.

(3) PERKINS CTE DEFINITIONS.—The terms “career guidance and academic counseling”, “dual
or concurrent enrollment program”, “evidence-based”, and “work-based learning” have the meanings given the terms in paragraphs (7), (15), (23), and (55), respectively, of section 3 of the Carl D. Perkins Career and Technical Education Act of 2006.

(4) REGISTERED APPRENTICESHIP PROGRAM.—The term “registered apprenticeship program” means an apprenticeship program registered with the Office of Apprenticeship of the Employment and Training Administration of the Department of Labor or a State apprenticeship agency recognized by the Office of Apprenticeship pursuant to the Act of August 16, 1937 (commonly known as the “National Apprenticeship Act”; 50 Stat. 664, chapter 663).

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

(6) WIOA DEFINITIONS.—

(A) IN GENERAL.—The terms “career pathway”, “in-demand industry sector or occupation”, “individual with a barrier to employment”, “industry or sector partnership”, “recognized postsecondary credential”, and “supportive services” have the meanings given the
terms in paragraphs (7), (23), (24), (26), (52), and (59), respectively, of section 3 of the Workforce Innovation and Opportunity Act.

(B) CAREER SERVICES.—The term “career services” means services described in section 134(c)(2) of the Workforce Innovation and Opportunity Act.

PART 3—COMPETITIVE INTEGRATED EMPLOYMENT TRANSFORMATION GRANT PROGRAM

SEC. 22201. COMPETITIVE INTEGRATED EMPLOYMENT TRANSFORMATION GRANT PROGRAM.

(a) APPROPRIATION.—In addition to amounts otherwise made available, there is appropriated to the Department of Labor for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, the following amounts, to remain available through fiscal year 2029, for the Secretary of Labor to award grants to covered States in accordance with this section to assist employers in such States who were issued special certificates under section 14(c) of the Fair Labor Standards Act of 1938 (29 U.S.C. 214(c)) (referred to in this part as “special certificates”) in transforming their business and program models from providing employment using special certificates to business and program models that employ and support people with disabilities in competitive integrated employment:
(1) $189,000,000 for subsection (d)(2)(B) or, in a case described in subparagraph (A) of subsection (d)(3), for such subsection.

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

(b) APPLICATIONS.—

(1) IN GENERAL.—To be eligible to receive a grant under this section, a State described in subsection (e)(1) shall submit an application to the Secretary at such time, in such manner, and including such information as the Secretary may reasonably require.

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

(A) a description of the status of the employers in the State providing employment using special certificates, including—

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

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

(iii) the average number of hours such employees work per week; and
(iv) the average hourly wage for such employees;

(B) a description of activities to be funded under the grant, and the goals of such activities, including the activities of the State with respect to competitive integrated employment for people with disabilities; and

(C) assurances that—

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

(I) each employer in the State that, on the date of enactment of this Act, provides employment using special certificates transforming its business and program models as described in subsection (c)(1); and

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

(ii) each individual in the State who is employed under a special certificate will, as a result of such a transformation, be employed in competitive integrated employ-
ment or a combination of competitive inte-
grated employment and integrated services,
including by compensating all employees of
the employer for all hours worked at a rate
that is—

(I) not less than the higher of—

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

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

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

(II) not less than the rate paid
by the employer for the same or simi-
lar work performed by other employ-
ees who are not people with disabil-
ities, and who are similarly situated in
similar occupations by the same em-
employer and who have similar training, experience, and skills; and

(iii) the State will establish an advisory council to monitor and guide the process of transforming business and program models of employers in the State as described in subsection (c)(1).

(c) Use of Funds.—A covered State receiving a grant under this section shall use the grant funds for each of the following activities:

(1) Identifying each employer in the State that will transform its business and program models from employing people with disabilities using special certificates to employing people with disabilities in competitive integrated employment settings, or a setting involving a combination of competitive integrated employment and integrated services.

(2) Implementing a service delivery infrastructure to support people with disabilities who have been employed under special certificates through such a transformation, including providing enhanced integrated services to support people with the most significant disabilities.

(3) Expanding competitive integrated employment and integrated services to be provided to such
people as a result of transformations described in paragraph (1).

(d) ALLOTMENTS.—

(1) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Secretary shall—

(A) determine the number of covered States; and

(B)(i) in a case in which the Secretary determines that there are 15 or more covered States, award each covered State a grant under paragraph (2); or

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

(2) 15 OR MORE COVERED STATES.—

(A) IN GENERAL.—In a case in which the Secretary determines under paragraph (1) that there are 15 or more covered States, from the funds appropriated under subsection (a), the Secretary shall allot to each covered State a grant under this section in an amount equal to the sum of—
(i) the allotment made to the covered State in accordance with subparagraph (B); and

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

(B) ALLOTMENT BASED ON THE NUMBER OF EMPLOYEES EMPLOYED UNDER SPECIAL CERTIFICATES.—From the total amount of the funds appropriated under subsection (a)(1), the Secretary shall allot to each covered State an amount that bears the same relationship to such total amount as the number of people with disabilities who are employed under a special certificate in the covered State bears to the total number of people with disabilities who are employed under a special certificate in all covered States.

(C) ALLOTMENT BASED ON THE NUMBER OF EMPLOYERS WITH SPECIAL CERTIFICATES.—From the total amount of the funds appropriated under subsection (a)(2), the Secretary shall allot to each covered State an amount that bears the same relationship to such total amount as the number of employers
in the covered State who have in effect a special
certificate bears to the total number of employ-
ers in all covered States who have in effect such
a certificate.

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

(3) 14 OR FEWER COVERED STATES.—

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

(B) GRANT PERIODS.—

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

(ii) SECOND 5-YEAR GRANT PERIOD.—
Grants for the second 5-year grant period
shall be awarded—
(I) not earlier than the end of the second year of the first 5-year grant period described in paragraph (1)(B)(ii); and

(II) not later than September 30, 2025.

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

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

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

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

SEC. 22202. GRANTS FOR STATES TO EXPAND COMPETITIVE INTEGRATED EMPLOYMENT.

(a) APPROPRIATION.—In addition to amounts otherwise made available, there is appropriated to the Department of Labor for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $24,000,000, to remain available through fiscal year 2029, for the Sec-
retary of Labor to award grants to covered States in ac-
cordance with this section to assist employers in such
States who were issued special certificates in continuing
to transform their business and program models from pro-
viding employment using special certificates to business
and program models that employ and support people with
disabilities in competitive integrated employment.

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

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

(d) GRANT AWARD.—Not later than 18 months after
the date of enactment of this Act, the Secretary shall
award each covered State a grant in an amount that bears
the same relationship to the total amount appropriated
under subsection (a) as the population of the covered State bears to the total population of all covered States.

(c) Grant Period.—A grant under this section shall be awarded for a period of 5 years.

(f) Definition of Covered State.—In this section, the term “covered State” means a State (as defined in section 3 of the Fair Labor Standards Act of 1938 (29 U.S.C. 203)) that—

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

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

SEC. 22203. TECHNICAL ASSISTANCE.

In addition to amounts otherwise made available, there is appropriated to the Department of Labor for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $6,000,000, to remain available through fiscal year 2029, for the Secretary to, in partnership with the Office of Special Education and Rehabilitative Services of the Department of Education, establish, either directly or through grants, contracts, or cooperative agreements, a national technical assistance center to—

(1) provide technical assistance to employers who are transforming from employing people with
disabilities using special certificates to employing
people with disabilities in competitive integrated em-
ployment settings; and

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

SEC. 22204. SUPPLEMENT AND NOT SUPPLANT.
Any funds made available to a State under this part
shall be used to supplement and not supplant any Federal,
State, or local public funds expended—

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

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

SEC. 22205. DEFINITIONS.
In this part:

(1) Competitive integrated employment.—The term “competitive integrated employ-
ment” has the meaning given such term in section
7(5) of the Rehabilitation Act of 1973 (29 U.S.C. 705(5)).

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

(3) EMPLOYER.—The term “employer” means any person acting directly or indirectly in the interest of an employer in relation to an employee, but does not include any labor organization (other than when acting as an employer) or anyone acting in the capacity of officer or agent of such labor organization.

(4) INTEGRATED SERVICES.—The term “integrated services” means services for people with disabilities that are—

(A) designed to assist such people in developing skills and abilities to reside successfully in home and community-based settings;

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

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

(i) maintaining competitive integrated employment;

(ii) achieving independent living; or
(iii) maximizing socioeconomic self-sufficiency, optimal independence, and full participation in the community;

(D) provided in a community location that is not specifically intended for people with disabilities;

(E) provided in a location that—

(i) allows the people receiving the services to interact with people without disabilities to the fullest extent possible; and

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

(F) provided in multiple locations to allow the individual receiving the services to have options, thereby—

(i) optimizing individual initiative, autonomy, and independence; and

(ii) facilitating choice regarding services and supports, and choice regarding the provider of such services.
(5) People with disabilities.—The term “people with disabilities” includes individuals described in section 14(c)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 214(c)(1)).

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

PART 4—RECRUITMENT, EDUCATION AND TRAINING, RETENTION, AND CAREER ADVANCEMENTS FOR THE DIRECT CARE WORKFORCE

SEC. 22301. DEFINITION.

In this part:

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

(2) WIOA definitions.—The terms “local board”, “recognized postsecondary credential”, and “State board” have the meanings given such terms in paragraphs (33), (52), and (57), respectively, of section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).

(3) Other definitions.—

(A) Direct support worker.—The term “direct support worker” means—
(i) a direct support professional;

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

(iii) a respite care provider who provides short-term support and care to an individual in order to provide relief to a family caregiver;

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

(v) an individual in any other position or job related to those described in clauses (i) through (iv), as determined by the Secretary in consultation with the Secretary of Health and Human Services acting through the Administrator of the Administration for Community Living.

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

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

(i) a State;
(ii) a labor organization or a joint labor-management organization;

(iii) a nonprofit organization with experience in aging, disability, supporting the rights and interests of direct support workers, or training or educating direct support workers;

(iv) an Indian Tribe or Tribal organization (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304));

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

(vi) a State board or local board;

(vii) an area agency on aging (as defined in section 102 of the Older Americans Act of 1965 (42 U.S.C. 3002));

(viii) when in partnership with an entity described in any of clauses (i) through (vii) or with a consortium described in clause (ix)—

(I) an institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20
U.S.C. 1001) or section 102(a)(1)(B) of such Act (20 U.S.C. 1002(a)(1)(B))); or

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

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

(D) FAMILY CAREGIVER.—The term “family caregiver” means a paid or unpaid adult family member or other individual who has a significant relationship with, and who provides a broad range of assistance to, an individual with a chronic or other health condition, disability, or functional limitation.

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

(F) STATE.—The term “State” means each of the 50 States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, American Samoa, Guam, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands.
SEC. 22302. GRANTS TO SUPPORT THE DIRECT CARE WORKFORCE.

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

(b) Applications; Award Basis.—

(1) Applications.—

(A) In General.—An eligible entity seeking a grant under subsection (a) shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary, in coordination with the Secretary of Health and Human Services acting through the Administrator of the Administration for Community Living, may require.

(B) Contents.—Each application under subparagraph (A) shall include—

(i) a description of the type or types of direct support workers the entity plans to serve through the activities supported by the grant;
(ii) a description of the one or more eligible entities collaborating to carry out the activities described in subsection (c); and

(iii) an assurance that—

(I) the eligible entity will consult on the development and implementation of the grant, with direct support workers, their representatives, and recipients of services and the families of the recipients; and

(II) the eligible entity will consult on the implementation of the grant, or coordinate the activities of the grant, with the agencies in the State that are responsible for developmental disability services, aging, education, workforce development, and Medicaid, to the extent that each such entity is not the eligible entity.

(2) DURATION OF GRANTS.—A grant awarded under this section shall be for a period of 3 years, and may be renewed. The Secretary, in coordination with the Secretary of Health and Human Services acting through the Administrator of the Administra-
tion for Community Living, shall award grants (in-
cluding any renewals) under this section in 3-year
cycles subject to the limits set forth in subsection
(a).

(c) Use of Funds.—Each eligible entity receiving
a grant under subsection (a) shall use the grant funds
to—

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

(2) carry out one or more activities for—

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

(B) developing or implementing an edu-
cation and training program for the direct sup-
port workers served by the grant, which shall
include a clearly defined schedule of wages, pro-
gressively increasing and consistent with meas-
urable skill gains or attainment of a recognized
postsecondary credential described in the appli-
cation, to be paid to each direct support worker taking part in such education and training pro-
gram;

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

(D) developing and implementing a strategy for career advancement of direct support workers.

(d) Supplement and Not Supplant.—An eligible entity receiving a grant under this section shall use such grant only to supplement, and not supplant, the amount of funds that, in the absence of such grant, would be available to the eligible entity to address the recruitment, education and training, retention, or career advancement of direct support workers, or provide support for family caregivers, in the State served by the grant.

PART 5—DEPARTMENT OF LABOR INSPECTOR GENERAL AND PROGRAM ADMINISTRATION FUNDING

SEC. 22401. DEPARTMENT OF LABOR INSPECTOR GENERAL.

In addition to amounts otherwise available, there is appropriated to the Office of Inspector General of the Department of Labor for fiscal year 2022, out of any money
in the Treasury not otherwise appropriated, $40,000,000, to remain available until expended, for salaries and expenses necessary for oversight, investigations, and audits of programs, grants, and projects of the Department of Labor funded under this subtitle and subtitle B of this title.

SEC. 22402. PROGRAM ADMINISTRATION.

In addition to amounts otherwise available, there is appropriated to the Department of Labor for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $90,000,000, to remain available until September 30, 2029, for program administration within the Department of Labor for salaries and expenses necessary to implement part 1 (other than section 22007), and parts 3 and 4, of this subtitle.

Subtitle D—Child Care and Universal Pre-kindergarten

SEC. 23001. BIRTH THROUGH FIVE CHILD CARE AND EARLY LEARNING ENTITLEMENT.

(a) Child Care Definitions.—The definitions in section 658P of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858n) shall apply to this section, except as provided in subsection (b) and as otherwise specified.

(b) Additional Definitions.—In this section:
(1) Child care certificate.—

   (A) In general.—The term “child care certificate” means a certificate (that may be a check or other disbursement) that is issued by a State, Tribal, territorial, or local government under this section directly to a parent who shall use such certificate only as payment for child care services or as a deposit for child care services if such a deposit is required of other children being cared for by the provider.

   (B) Rule.—Nothing in this section shall preclude the use of such certificates for sectarian child care services if freely chosen by the parent. For the purposes of this section, child care certificates shall be considered indirect Federal financial assistance to the provider.

(2) Child experiencing homelessness.—

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

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

   (A) full-time or part-time employment;
(B) self-employment;

(C) job search activities;

(D) job training;

(E) secondary, postsecondary, or adult education, including education through a program of high school classes, a course of study at an institution of higher education, classes towards an equivalent of a high school diploma recognized by State law, or English as a second language classes;

(F) health treatment (including mental health and substance use treatment) for a condition that prevents the parent from participating in other eligible activities;

(G) activities to prevent child abuse and neglect, or family violence prevention or intervention activities;

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

(I) employment and training activities under the Workforce Innovation and Opportunity Act;
(J) a work activity described in subsection (d) of section 407 of the Social Security Act (42 U.S.C. 607) for which, consistent with clauses (ii) and (iii) of section 402(a)(1)(A) of such Act (42 U.S.C. 602(a)(1)(A)), a parent or caretaker is treated as being engaged in work for a month in a fiscal year for purposes of the program of block grants to States for temporary assistance for needy families established under part A of title IV of the Social Security Act; and

(K) taking leave under the Family and Medical Leave Act of 1993 (or equivalent provisions for Federal employees), a State or local paid or unpaid leave law, or a program of employer-provided leave.

(4) ELIGIBLE CHILD.—

(A) IN GENERAL.—The term “eligible child” means an individual, subject to subsection (g)(1)(C)(i)(III)—

(i) who is less than 6 years of age;

(ii) who is not yet in kindergarten;

(iii) whose family income—

(I) does not exceed 100 percent of the State median income for a fam-
ily of the same size for fiscal year 2022;

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

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

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

(iv) who—

(I) resides with a parent or parents who are participating in an eligible activity;

(II) is included in a population of vulnerable children identified by the lead agency involved, which at a minimum shall include children with disabilities, infants and toddlers with disabilities, children experiencing homelessness, children in foster care, children in kinship care, and children who
are receiving, or need to receive, child protective services; or

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

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

(i) In general.—A child who is eligible to receive services under this subparagraph shall be treated as an eligible child for the other provisions of this section.

(ii) Rule.—Notwithstanding subparagraph (A)(iii), a State may use the payments under subsection (g)(1) for fiscal year 2022, 2023, or 2024, to provide direct child care services described in subsection (h)(1)(A) to children who meet the requirements of clauses (i), (ii), and (iv) of subparagraph (A) and whose family income exceeds the percentage specified in subparagraph (A)(iii) (but does not exceed 250 percent) of State median income for a family of the same size for a given fiscal year, if the State has appropriately prioritized, subject to approval by the Sec-
retary, assistance for such services based on family income.

(iii) **VARIATION IN COST OF LIVING.**—

In determining eligibility under this subparagraph, the State may take into consideration geographic variation in the cost of living among regions of the State and expand eligibility for children described in clause (ii) in a region of the State based on such variation, subject to approval by the Secretary.

(5) **ELIGIBLE CHILD CARE PROVIDER.**—

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

(i) is licensed to provide child care services under State law applicable to the child care services it provides or, in the case of an Indian Tribe or Tribal organization, meets the rules set by the Secretary;

(ii) participates in the State’s tiered system for measuring the quality of eligible child care providers described in subsection
(f)(4)(B), or, in the case of an Indian Tribe or Tribal organization, meets the rules set by the Secretary—

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

(II) for the remainder of the period for which the provider receives funds under this section; and

(iii) satisfies the State and local requirements, including those requirements described in section 658E(c)(2)(I) of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858c(c)(2)(I)), applicable to the child care services it provides.

(B) SPECIAL RULE.—A child care provider who is eligible to provide child care services in a State for children receiving assistance under the Child Care and Development Block Grant Act of 1990 on the date the State submits an application for funds under this section, and remains in compliance with any licensing or registration standards, or regulations, of the State, shall be deemed to be an eligible child care pro-
provider under this section for 3.5 years after the State first receives funding under this section.

(6) FMAP.—The term “FMAP” has the meaning given the term “Federal medical assistance percentage” in the first sentence of section 1905(b) of the Social Security Act (42 U.S.C. 1396d(b)).

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

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

(A) for whom the percentage of children served by the provider who are children with disabilities or infants or toddlers with disabilities reflects the prevalence of children with disabilities and infants and toddlers with disabilities (whichever the provider serves) among children within the State involved; and

(B) that provides care and full participation for children with disabilities and infants
and toddlers with disabilities (whichever the provider serves) alongside children who are—

(i) not children with disabilities; and

(ii) not infants and toddlers with disabilities.

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

(10) INFANT OR TODDLER WITH A DISABILITY.—The term “infant or toddler with a disability” has the meaning given the term in section 632 of the Individuals with Disabilities Education Act (20 U.S.C. 1432).

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

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

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

(e) APPROPRIATIONS.—

(1) STATES.—
(A) **STATE APPROPRIATIONS.**—In addition to amounts otherwise available, there is appropriated to the Department of Health and Human Services for fiscal year 2022, out of any money in the Treasury not otherwise appropriated—

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

(II) $5,730,000,000, to remain available until September 30, 2027, for States and the Commonwealth of Puerto Rico, to carry out the activities described in subsection (h)(1)(B) beginning in fiscal year 2022;

(III) $4,125,600,000, to remain available until September 30, 2027, for States and the Commonwealth of Puerto Rico, to carry out the activities described in subparagraph (A) or (B) of subsection (h)(1), as determined by the State or Commonwealth, beginning in fiscal year 2022; and
(IV) $1,604,400,000, to remain available until September 30, 2027, for States and the Commonwealth of Puerto Rico, to carry out the activities described in subparagraph (A), (B), or (C) of subsection (h)(1), as determined by the State or Commonwealth, beginning in fiscal year 2022;

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

(II) $8,117,500,000, to remain available until September 30, 2027, for States and the Commonwealth of Puerto Rico, to carry out the activities described in subsection (h)(1)(B) beginning in fiscal year 2023;

(III) $5,844,600,000, to remain available until September 30, 2027, for States and the Commonwealth of Puerto Rico, to carry out the activities described in subparagraph (A) or (B) of subsection (h)(1),
as determined by the State or Commonwealth, beginning in fiscal year 2023; and

(IV) $2,272,900,000, to remain available until September 30, 2027, for States and the Commonwealth of Puerto Rico, to carry out the activities described in subparagraph (A), (B), or (C) of subsection (h)(1), as determined by the State or Commonwealth, beginning in fiscal year 2023; and

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

(II) $10,027,500,000, to remain available until September 30, 2027, for States and the Commonwealth of Puerto Rico, to carry out the activities described in subsection (h)(1)(B) beginning in fiscal year 2024;

(III) $7,219,800,000, to remain available until September 30, 2027, for States and the Commonwealth of Puerto Rico, to
carry out the activities described in sub-
paragraph (A) or (B) of subsection (h)(1),
as determined by the State or Common-
wealth, beginning in fiscal year 2024; and

(IV) $2,807,700,000, to remain avail-
able until September 30, 2027, for States
and the Commonwealth of Puerto Rico, to
carry out the activities described in sub-
paragraph (A), (B), or (C) of subsection
(h)(1), as determined by the State or Com-
monwealth, beginning in fiscal year 2024.

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

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

(A) INDIAN TRIBE AND TRIBAL ORGANIZA-
TION APPROPRIATIONS.—In addition to
amounts otherwise available, there is appro-
piated to the Department of Health and
Human Services for fiscal year 2022, out of any
money in the Treasury not otherwise appro-
piated, for grants to Indian Tribes and Tribal
organizations for the purpose of carrying out
the child care program described in this section
(other than carrying out activities described in
paragraph (4), (5), or (6)), consistent, to the
extent practicable as determined by the Sec-
ratary, with the requirements applicable to
States—

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

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

(iii) $1,680,000,000 to remain avail-
able until September 30, 2027, to carry
out the child care program beginning in
fiscal year 2024.
(B) **INDIAN TRIBE AND TRIBAL ORGANIZATION ENTITLEMENT.**—In addition to amounts otherwise available, there is appropriated to the Department of Health and Human Services, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary for each of fiscal years 2025 through 2027, for payments to Indian Tribes and Tribal organizations, for the purpose of carrying out the child care program described in this section (other than carrying out activities described in paragraph (4), (5), or (6)), consistent, to the extent practicable as determined by the Secretary, with the requirements applicable to States.

(3) **TERRITORIES.**—

(A) **TERRITORY APPROPRIATIONS.**—In addition to amounts otherwise available, there is appropriated to the Department of Health and Human Services for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, for grants to Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and the United States Virgin Islands for the purpose of carrying out the child care program described in this section (other than car-
rying out activities described in paragraph (4),
(5), or (6)), consistent, to the extent practicable
as determined by the Secretary, with the re-
quirements applicable to States—

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

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

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

(B) TERRITORY ENTITLEMENT.—In addi-
tion to amounts otherwise available, there is ap-
propriated to the Department of Health and
Human Services, out of any money in the
Treasury not otherwise appropriated, such sums
as may be necessary for each of fiscal years
2025 through 2027, for payments to territories,
for the purpose of carrying out the child care
program described in this section (other than
carrying out activities described in paragraph (4), (5), or (6)), consistent, to the extent practicable as determined by the Secretary, with the requirements applicable to States.

(4) GRANTS TO LOCALITIES.—In addition to amounts otherwise available, there is appropriated to the Department of Health and Human Services for fiscal year 2022, out of any money in the Treasury not otherwise appropriated $4,750,000,000, to remain available until September 30, 2027, to carry out the program of grants to localities described in subsection (i)(2).

(5) HEAD START EXPANSION IN NONPARTICIPATING STATES.—In addition to amounts otherwise available, there is appropriated to the Department of Health and Human Services for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $14,250,000,000 to remain available until September 30, 2027, to carry out the program of awards to Head Start agencies described in subsection (i)(3).

(6) FEDERAL ADMINISTRATION.—In addition to amounts otherwise available, there is appropriated to the Department of Health and Human Services for
fiscal year 2022, out of any money in the Treasury not otherwise appropriated—

(A) $172,000,000, to remain available until September 30, 2027, to carry out subsections (k) and (l) beginning in fiscal year 2022;

(B) $220,000,000, to remain available until September 30, 2027, to carry out subsections (k) and (l) beginning in fiscal year 2023;

(C) $225,000,000, to remain available until September 30, 2027, to carry out subsections (k) and (l) beginning in fiscal year 2024;

(D) $230,000,000, to remain available until September 30, 2027, to carry out subsections (k) and (l) beginning in fiscal year 2025;

(E) $235,000,000, to remain available until September 30, 2027, to carry out subsections (k) and (l) beginning in fiscal year 2026; and

(F) $240,000,000, to remain available until September 30, 2027, to carry out sub-
sections (k) and (l) beginning in fiscal year 2027.

(d) Establishment of Birth Through Five Child Care and Early Learning Entitlement Program.—

(1) In general.—The Secretary is authorized to administer a child care and early learning entitlement program under which an eligible child, in a State, territory, or Indian Tribe, or served by a Tribal organization, with an approved application under subsection (f) or (g), shall be provided an opportunity to obtain high-quality child care services, subject to the requirements of this section.

(2) Assistance for every eligible child.—Beginning on October 1, 2024, every child who applies for assistance under this section, who is in a State with an approved application under subsection (f), or in a territory or Indian Tribe or served by a Tribal organization with an approved application under subsection (g), and who is determined, by a lead agency (or other entity designated by a lead agency) for the State, territory, Indian Tribe, or Tribal organization involved, following standards and procedures established by the Secretary by rule, to be an eligible child, shall be offered
assistance for direct child care services in accordance
with and subject to the requirements and limitations
of this section.

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

(f) Applications and State Plans.—

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

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

(B) for a full State plan, meets the re-
quirements under paragraph (4) and contains
that information.
(2) Period covered by plan.—A State plan contained in the application shall be designed to be implemented—

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

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

(3) Requirements for transitional state plans.—For a period of not more than 3 years following the date of enactment of this Act, the Secretary shall award funds under this section, for the purpose of carrying out a program to expand access to assistance for direct child care services and increase the supply and quality of child care providers within the State, in alignment with the requirements of this section, to States with an approved application that contains a transitional State plan, submitted under paragraph (1)(A) at such time, in such manner, and containing such information as the Secretary shall require, including, at a minimum, an assurance that the State will submit a State plan under paragraph (4).

(4) Requirements for full state plans.—The Secretary shall award funds under this section to States with an approved application that contains
a full State plan, submitted under paragraph (1)(B),
at such time, in such manner, and containing such
information as the Secretary shall by rule require,
including, at a minimum, the following:

(A) Payment rates and cost estimation.—

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

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

(II) will correspond to differences
in quality (including improved quality)
based on the State’s tiered system for
measuring the quality of eligible child
care providers described in subparagraph (B).

(iii) COST ESTIMATION.—Such State plan shall—

(I) demonstrate that the State has, after consulting with relevant entities and stakeholders, developed and uses a statistically valid and reliable cost estimation model or cost study for the payment rates for direct child care services in the State that are sufficient to cover providers’ fixed costs and reflect the cost of child care at each of the tiers of the State’s tiered system for measuring the quality of eligible child care providers described in subparagraph (B), and variations in the cost of direct child care services by geographic area, type of provider, and age of child, and the additional costs associated with providing inclusive care;

(II) certify that the State’s payment rates for direct child care serv-
ices for which assistance is provided in accordance with this section—

(aa) are set (with pay being paid) in accordance with the most recent estimates from the most recent cost estimation model or cost study under subclause (I), so that providers at each tier of the tiered system for measuring provider quality described in subparagraph (B) receive a payment that is sufficient to fully meet the requirements of such tier;

(bb) are set so as to provide payments to providers not at the top tier of the tiered system that are sufficient to enable the providers to increase quality to meet the requirements for the next tier;

(cc) ensure adequate wages for staff of child care providers providing such direct child care services that—
(AA) at a minimum, provide a living wage for all staff of such child care providers; and

(BB) are equivalent to wages for elementary educators with similar credentials and experience in the State; and

(dd) are adjusted on an annual basis for cost of living increases to ensure those payment rates remain sufficient to meet the requirements of this section; and

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

(iii) PAYMENT PRACTICES.—Such State plan shall include an assurance that the State will implement payment practices that support the fixed costs of providing direct child care services.
(B) **Tiered system for measuring the quality of eligible child care providers.**—Such State plan shall certify that the State has implemented, or assure that the State will implement within 3 years after first receiving funds under this section, a tiered system for measuring the quality of eligible child care providers who provide child care services for which assistance is made available under this section. Such tiered system shall—

(i) include a set of standards, for determining the tier of quality of a child care provider, that—

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

(II) includes quality indicators and thresholds that are appropriate for child development in different types of child care provider settings,
including child care centers and the
settings of family child care providers,
and are appropriate for providers
serving different age groups (including mixed age groups) of children;
(ii) include a different set of standards that includes indicators, when appropriate, for care during nontraditional hours of operation; and
(iii) provide for sufficient resources and supports for child care providers at tiers lower than the highest tier to facilitate progression toward meeting higher quality standards.

(C) Achieving High Quality for All Children.—Such State plan shall certify the State has implemented, or will implement within 3 years after first receiving funds under this section, policies and financing practices that will ensure all eligible children can choose to attend child care at the highest quality tier within 6 years after the date of enactment of this Act.

(D) Compensation.—Such plan shall provide a certification that the State has or will have within 3 years after first receiving funds
under this section, a wage ladder for staff of eligible child care providers receiving assistance under this section, including a certification that wages for such staff, at a minimum, will meet the requirements of subparagraph (A)(ii)(II)(cc).

(E) SLIDING FEE SCALE FOR COPAYMENTS.—

(i) IN GENERAL.—Except as provided in clause (ii)(I), the State plan shall provide an assurance that the State will for the period covered by the plan use a sliding fee scale described in clause (ii) to determine a copayment for a family receiving assistance under this section (or, for a family receiving part-time care, a reduced copayment that is the proportionate amount of the full copayment).

(ii) SLIDING FEE SCALE.—A full copayment described in clause (i) shall use a sliding fee scale that provides that, for a family with a family income—

(I) of not more than 75 percent of State median income for a family of the same size, the family shall not
pay a copayment, toward the cost of the child care involved for all eligible children in the family;

(II) of more than 75 percent but not more than 100 percent of State median income for a family of the same size, the copayment shall be more than 0 but not more than 2 percent of that family income, toward such cost for all such children;

(III) of more than 100 percent but not more than 125 percent of State median income for a family of the same size, the copayment shall be more than 2 but not more than 4 percent of that family income, toward such cost for all such children;

(IV) of more than 125 percent but not more than 150 percent of State median income for a family of the same size, the copayment shall be more than 4 but not more than 7 percent of that family income, toward such cost for all such children; and
(V) of more than 150 percent but not more than 250 percent of the State median income for a family of the same size, the copayment shall be 7 percent of that family income, toward such cost for all such children.

(F) Prohibition on charging more than copayment.—The State plan shall certify that the State will not permit a child care provider receiving financial assistance under this section to charge, for direct child care services for an eligible child, more than the total of—

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

(ii) any applicable copayment pursuant to subparagraph (E).

(G) Eligibility.—The State plan shall assure that each child who receives assistance under this section will be considered to meet all eligibility requirements for such assistance, and will receive such assistance, for not less than 12 months unless the child has aged out of the program, and the child’s eligibility determination and redetermination, including any deter-
mination based on the State’s definition of eligible activities, shall be implemented in a manner that supports child well-being and reduces barriers to enrollment, including continuity of services.

(H) POLICIES TO SUPPORT ACCESS TO CHILD CARE FOR UNDERSERVED POPULATIONS.—The State plan shall demonstrate that the State will prioritize increasing access to, and the quality and the supply of, child care in the State for underserved populations, including at a minimum, low-income children, children in underserved areas, infants and toddlers, children with disabilities and infants and toddlers with disabilities, children who are dual language learners, children experiencing homelessness, children in foster or kinship care, children who receive care during nontraditional hours, and vulnerable children as defined by the lead agency pursuant to subsection (b)(4)(A)(iv)(II).

(I) POLICIES.—The State plan shall include a certification that the State will apply, under this section, the policies and procedures described in subparagraphs (A), (B), (I), (J),
(K)(i), (R), and (U) of section 658E(c)(2) of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858c(c)(2)), and the policies and procedures described in section 658H of such Act (42 U.S.C. 9858f), to child care services provided under this section.

(J) LICENSING.—The State plan shall demonstrate that the State has consulted or will consult with organizations (including labor organizations) representing child care directors, teachers, or other staff, early childhood education and development experts, and families to develop, within 2.5 years after first receiving funds under this section, licensing standards appropriate for child care providers and a pathway to such licensure that is available to and appropriate for child care providers in a variety of settings, that will offer providers eligible under the Child Care and Development Block Grant Act of 1990 a reasonable pathway to become eligible providers under this section, and that will assure an adequate supply of child care. Such plan shall describe the timeline the State will use to ensure sufficient time for providers described in subsection (b)(5)(B) to com-
ply with such licensing standards in order to remain eligible providers after 3.5 years after the State first receives funding under this section.

(g) Payments.—

(1) Payments for Fiscal Years 2022 through 2024.—

(A) Definitions.—For purposes of this paragraph—

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

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

(B) Allotments.—For each of fiscal years 2022 through 2024, the Secretary shall, from the amount appropriated under subsection (c)(1)(A) for such fiscal year, make allotments to each State with an application approved under subsection (f) in the same manner as the Secretary makes such allotments using the formula under section 658O(b) of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858m(b)).
(C) Payments.—

(i) Indian Tribes and Tribal Organizations.—

(I) In General.—For each of fiscal years 2022 through 2024, from the amount appropriated for Indian Tribes and Tribal organizations under subsection (c)(2)(A), the Secretary shall make payments to Indian Tribes and Tribal organizations with an application approved under subclause (II), and the Tribes and Tribal organizations shall be entitled to such payments for the purpose of carrying out the child care program described in this section, consistent, to the extent practicable as determined by the Secretary, with the requirements applicable to States.

(II) Applications.—An Indian Tribe or Tribal organization seeking a payment under this clause shall submit an application to the Secretary at such time, in such manner, and containing such information as the Sec-
retary may specify, including an
agreement to provide reports under
subsection (j)(6).

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

(ii) TERRITORIES.—

(I) IN GENERAL.—For each of
fiscal years 2022 through 2024, from
the amount appropriated for terri-
tories under subsection (e)(3)(A), the
Secretary shall make payments to the
territories with an application ap-
proved under subclause (II), and the
territories shall be entitled to such
payments, for the purpose of carrying
out the child care program described
in this section, consistent, to the ex-
tent practicable as determined by the
Secretary, with the requirements applicable to States.

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

(iii) STATES.—For each of fiscal years 2022 through 2024, each State that has an application approved under subsection (f) shall be entitled to a payment under this clause in the amount equal to its allotment under subparagraph (B) for such fiscal year.

(D) AUTHORITIES.—

(i) FISCAL YEARS 2022 THROUGH 2024.—Notwithstanding any other provision of this paragraph, for each of fiscal years 2022 through 2024, the Secretary shall have the authority—

(I) to reallocate funds that were allotted under subparagraph (B) from
any State without an approved application under subsection (f) by the date required by the Secretary, to States with an approved application under that subsection and to eligible localities and Head Start agencies in accordance with subsection (i); and

(II) to reallocate any amounts available for payments under subparagraph (C) that the Secretary elected to allot for—

(aa) an Indian Tribe or Tribal organization without an approved application under subparagraph (C)(i)(II) by the date required by the Secretary, to Tribes or Tribal organizations with such an approved application; and

(bb) any territory without an approved application under subparagraph (C)(ii)(II) by the date required by the Secretary, to territories with such an approved application.
(ii) **Fiscal Year 2025.**—Notwithstanding any other provision of this section, on October 1, 2024, the Secretary shall have the authority to reallocate funds from payments made under subparagraph (C) that are unobligated on such date, to any entity without such unobligated funds that is a State with an approved application under subsection (f), an Indian Tribe or Tribal organization with an approved application under subparagraph (C)(i)(II), a territory with an approved application under subparagraph (C)(ii)(II), to carry out the purposes of this section, or to an eligible locality or Head Start agency in accordance with subsection (i).

(2) **Payments for Fiscal Years 2025 Through 2027.**—

(A) In General.—For each of fiscal years 2025 through 2027:

(i) **Child Care Assistance for Eligible Children.**—

(I) In General.—The Secretary shall pay to each State with an approved application under subsection...
(f), and that State shall be entitled to,
an amount for each quarter equal to
95.440 percent of expenditures (which
shall be the Federal share of such ex-
penditures) in the quarter for direct
child care services described under
subsection (h)(2)(B) for eligible chil-
dren.

(II) Exception.—Funds re-
served from the total under subsection
(h)(2)(C) shall be subject to clause
(ii).

(III) Prohibition.—Activities
described in clause (ii) and clause (iii)
may not be included in the cost of di-
rect child care services described in
this clause.

(ii) Activities to Improve the
Quality and Supply of Child Care
Services.—The Secretary shall pay to
each State with such an approved applica-
tion, and that State shall be entitled to, an
amount equal to the product of 1.06045
and the FMAP of expenditures (which
product shall be the Federal share of such
expenditures) to carry out activities to improve the quality and supply of child care services under subsection (h)(2)(C) subject to the limit specified in clause (i) of such subsection.

(iii) ADMINISTRATION.—The Secretary shall pay to each State with such an approved application, and that State shall be entitled to, an amount equal to 53.022 percent of expenditures (which shall be the Federal share of such expenditures) for the costs of administration incurred by the State—

(I) which shall include costs incurred by the State in carrying out the child care program established in this section; and

(II) which may include, at the option of the State, costs associated with carrying out requirements, policies, and procedures described in section 658H of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858f).
(B) ADVANCE PAYMENT; RETROSPECTIVE
ADJUSTMENT.—For each of fiscal years 2025 through 2027, the Secretary shall make payments under this paragraph for a period on the basis of advance estimates of expenditures submitted by the State and such other investigation as the Secretary may find necessary, and shall reduce or increase the payments as necessary to adjust for any overpayment or underpayment for previous periods. No interest shall be charged or paid on any amount due because of an overpayment or underpayment for previous periods.

(C) TERRITORIES AND TRIBES.—For each of fiscal years 2025 through 2027, from the amounts appropriated under paragraph (2)(B) or (3)(B) of subsection (c) the Secretary shall make payments to territories, and Indian Tribes and Tribal organizations, as the case may be, with applications submitted as described in paragraph (1), and approved by the Secretary for the purpose of carrying out the child care program described in this section, consistent, to the extent practicable as determined by the Secretary (subject to subsection
(d)(2)), with the requirements applicable to States. The Secretary shall make the payments to such territories, Indian Tribes, and Tribal organizations on the basis of their relative need. Each entity that is such a territory, Indian Tribe, or Tribal organization shall be entitled to such a payment as may be necessary to carry out the activities described in subsection (h)(2), and to pay for the costs of administration incurred by the entity, which shall include costs incurred by the entity in carrying out the child care program, and which may include, at the option of the entity, costs associated with carrying out requirements, policies, and procedures described in section 658H of the Child Care and Development Block Grant Act of 1990.

(h) USE OF FUNDS.—

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

(A) assistance for direct child care services, which shall consist only of—
(i) assistance for direct child care services for eligible children through grants and contracts, and child care certificates;

(ii) increasing child care provider payment rates to support the cost of providing high-quality direct child care services, including rates sufficient to support increased wages for staff of eligible child care providers;

(iii) waiving or reducing copayments, to ensure that the families of children receiving assistance under this section do not pay more than 7 percent of family income toward the cost of the child care involved for all eligible children in the family; and

(iv) grants and contracts to cover a portion of fixed operating expenses of eligible child care providers serving eligible children receiving assistance under this section, to support increased wages, program stability, and continuity of services for all children in such program;

(B) activities described in paragraph (2)(C), without regard to the requirement in clause (i)(I) of such paragraph or to the ref-
erences to a quality child care amount in such paragraph; and

(C) costs of administration incurred by the State, which shall include the costs described in subclause (I) of subsection (g)(2)(A)(iii) and may, at the option of the State, include the costs described in subclause (II) of such subsection.

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

(A) IN GENERAL.—Starting on October 1, 2024, a State shall use amounts provided to the State under subsection (g)(2) for direct child care services (provided on a sliding fee scale basis), activities to improve the quality and supply of child care services consistent with paragraph (C), and State administration consistent with subsection (g)(2)(A)(iii).

(B) CHILD CARE ASSISTANCE FOR ELIGIBLE CHILDREN.—

(i) IN GENERAL.—For each of fiscal years 2025 through 2027, from payments made to the State under subsection (g)(2) for that particular fiscal year, the State shall ensure that parents of eligible chil-
dren can access direct child care services provided by an eligible child care provider under this section through a grant or contract as described in clause (ii) or a certificate as described in clause (iii).

(ii) GRANTS AND CONTRACTS.—The State shall award grants or contracts to eligible child care providers, consistent with the requirements under this section, for the provision of child care services for eligible children under this section that, at a minimum—

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

(II) address underserved populations described in subsection (f)(4)(H).

(iii) CERTIFICATES.—The State shall issue a child care certificate directly to a parent who shall use such certificate only as payment for direct child care services or as a deposit for direct child care services if such a deposit is required of other children
being cared for by the provider, consistent with the requirements under this section.

(C) Activities to Improve the Quality and Supply of Child Care Services.—

(i) Quality Child Care Activities.—

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

(II) Use of Quality Child Care Amount.—Each State shall use the quality child care amount described in subclause (I) to implement activities described in this subparagraph to improve the quality and supply of child care services by eligible child care providers, and increase the number of available slots in the State...
for child care services funded under this section, prioritizing assistance for child care providers who are in underserved communities and who are providing, or are seeking to provide, child care services for underserved populations identified in subsection (f)(4)(H).

(III) Administration.—Activities funded under this subparagraph may be administered—

(aa) directly by the lead agency; or

(bb) through other State government agencies, local or regional child care resource and referral organizations, community development financial institutions, other intermediaries with experience supporting child care providers, or other appropriate entities that enter into a contract with the State to provide such assistance.
Activities funded under the quality child care amount described in clause (i) shall include each of the following:

(I) **STARTUP GRANTS AND SUPPLY EXPANSION GRANTS.**—

(aa) **IN GENERAL.**—From a portion of the quality child care amount, a State shall make startup and supply expansion grants to support child care providers who are providing, or seeking to provide, child care services to children receiving assistance under this section, with priority for providers providing or seeking to provide child care in underserved communities and for underserved populations identified in subsection (f)(4)(H), to—

(AA) support startup and expansion costs; and

(BB) assist such providers in meeting health and safety requirements, achiev-
ing licensure, and meeting requirements in the State’s tiered system for measuring the quality of eligible child care providers.

(bb) REQUIREMENT.—As a condition of receiving a startup or supply expansion grant under this subclause, a child care provider shall commit to meeting the requirements of an eligible provider under this section, and providing child care services to children receiving assistance under this section on an ongoing basis.

(II) QUALITY GRANTS.—From a portion of the quality child care amount, a State shall provide quality grants to support eligible child care providers in providing child care services to children receiving assistance under this section to improve the quality of such providers, including—

(aa) supporting such providers in meeting or making
progress toward the requirements for the highest tier of the State’s tiered system for measuring the quality of eligible child care providers under subsection (f)(4)(B); and

(bb) supporting such providers in sustaining child care quality, including supporting increased wages for staff and supporting payment of fixed costs.

(III) FACILITIES GRANTS.—

(aa) IN GENERAL.—From a portion of the quality child care amount, a State shall provide support, including through awarding facilities grants, for remodeling, renovation, or repair of a building or facility to the extent permitted under section 658F(b) of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858).

(bb) ADDITIONAL USES.— For fiscal years 2022 through
2024, and in subsequent years with approval from the Secretary, a State may award such facilities grants for construction, permanent improvement, or major renovation of a building or facility primarily used for providing direct child care services, in accordance with the following:

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

(BB) Eligible child care providers may not use funds for buildings or facilities that are used primarily for sectarian instruction or religious worship.

(CC) The Secretary shall develop parameters on the use of funds under this
subclause for family child care homes.

(DD) The Secretary shall not retain Federal interest after a period of 10 years in any facility built, renovated, or repaired with funds awarded under this subclause.

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

(aa) enter into any agreement related to funds for activities carried out under subclause (III)—

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

(BB) under which any payment could be outlaid after September 30, 2031;

or

(bb) use any other funds available to the Secretary, other
than funds provided under this section, to satisfy obligations initially made for activities carried out under subclause (III).

(V) **State activities to improve the quality of child care services.**—A State shall use a portion of the quality child care amount to improve the quality of child care services available for this program, which shall include—

(aa) supporting the training and professional development of the early childhood workforce, including supporting degree attainment and credentialing for early childhood educators;

(bb) developing, implementing, or enhancing the State’s tiered system for measuring the quality of eligible child care providers under subsection (f)(4)(B);

(cc) improving the supply and quality of developmentally
appropriate and inclusive child
care programs and services for
underserved populations de-
dcribed in subsection (f)(4)(H);

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

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

(VI) TECNICAL ASSISTANCE.—
From a portion of the quality child
care amount, the State shall provide
technical assistance to increase the
supply and quality of eligible child
care providers who are providing, or
seeking to provide, child care services
to children receiving assistance under
this section, including providing sup-
port to enable providers to achieve li-
censure.

(i) GRANTS TO LOCALITIES AND AWARDS TO HEAD

START PROGRAMS.—
(1) **Eligible Locality Defined.**—In this subsection, the term “eligible locality” means a city, county, or other unit of general local government.

(2) **Grants to Localities.**—

(A) **In General.**—The Secretary shall use funds appropriated under subsection (c)(4) or reallocated under subsection (g)(1)(D) to award local Birth Through Five Child Care and Early Learning Grants, as determined by the Secretary, to eligible localities located in States that have not received payments under subsection (g). The Secretary shall award the grants to eligible localities in such a State from the allotment made for that State under subparagraph (B).

(B) **Allotments.**—

(i) **Poverty Line Defined.**—In this subparagraph, the term “poverty line” means the poverty line defined and revised as described in section 673 of the Community Services Block Grant Act (42 U.S.C. 9902).

(ii) **General Authority.**—For each State described in subparagraph (A), the Secretary shall allot for the State for a fis-
cal year an amount that bears the same rel-
relationship to the funds appropriated under
subsection (c)(4) for the fiscal year as the
number of children from families with fam-
ily incomes that are at or below 200 per-
cent of the poverty line, and who are under
the age of 6, in the State bears to the total
number of all such children in all States
described in subparagraph (A).

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

(D) REQUIREMENTS.—The Secretary shall
specify the requirements for an eligible locality
to provide access to child care, which child care
requirements shall, to the greatest extent prac-
ticable, be consistent with the requirements ap-
licable to States under this section.
(E) RECOPMENT OF UNUSED FUNDS.—

Notwithstanding any other provision of this section, for each of fiscal years 2023 through 2027, the Secretary shall have the authority to recoup any unused funds allotted under subparagraph (B) for awards under paragraph (3)(A) to Head Start agencies in accordance with paragraph (3).

(3) HEAD START EXPANSION IN NONPARTICIPATING STATES.—

(A) IN GENERAL.—The Secretary shall use funds appropriated under subsection (c)(5), reallocated under subsection (g)(1)(D), or recouped under paragraph (2) to make awards to Head Start agencies in a State described in paragraph (2)(A) to carry out the purposes of the Head Start Act in such State.

(B) RULE.—For purposes of carrying out the Head Start Act in circumstances not involving awards under this paragraph, funds awarded under subparagraph (A) shall not be included in the calculation of a “base grant” as such term is defined in section 640(a)(7)(A) of the Head Start Act (42 U.S.C. 9835(a)(7)(A)).
(C) **DEFINITION.**—In this paragraph, the term “Head Start agency” means an entity designated or eligible to be designated as a Head Start agency under section 641(a)(1) of the Head Start Act or as an Early Head Start agency (by receiving a grant) under section 645A(a) of such Act.

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

(j) **PROGRAM REQUIREMENTS.**—

(1) **NONDISCRIMINATION.**—The following provisions of law shall apply to any program or activity that receives funds provided under this section:

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

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

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

(2) Prohibition on additional eligibility requirements.—No individual shall be determined, by the Secretary, a State, or another recipient of funds under this section, to be ineligible for child care services provided under this section, except on the basis of eligibility requirements specified in or under this section.

(3) Maintenance of effort.—

(A) In general.—A State that receives payments under this section for a fiscal year, in using the funds made available through the payments, shall maintain the expenditures of the State for child care services at the average level of such expenditures by the State for the 3 preceding fiscal years.

(B) Counting rule.—State expenditures counted for purposes of meeting the requirement in subparagraph (A) may also be counted for purposes of meeting the requirement to provide a non-Federal share under clause (i), (ii), or (iii), as appropriate, of subsection (g)(2)(A).

(4) Supplement not supplant.—Funds received under this section shall be used to supplement and not supplant other Federal, State, and local public funds expended to provide child care services
in the State on the date of enactment of this Act, calculated as the average amount of such Federal, State, and local public funds expended for fiscal years 2019, 2020, and 2021.

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

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

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

(ii) shall be provided from State or local sources, contributions from philanthropy or other private organizations, or a combination of such sources and contributions; and

(B) for activities to improve the quality and supply of child care services described in subsection (g)(2)(A)(ii), and administration described in subsection (g)(2)(A)(iii)—

(i) shall not include contributions being used as a non-Federal share or match for another Federal award;
(ii) shall be provided from State or local sources, contributions from philanthropy or other private organizations, or a combination of such sources and contributions; and

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

(6) REPORTS.—A State, Indian Tribe, Tribal organization, or territory receiving funds under this section shall provide to the Secretary such periodic reports, providing a detailed accounting of the uses of the funds received under this section, as the Secretary may require for the administration of this section. The State, Indian Tribe, Tribal organization, or territory shall begin to provide the reports beginning not later than 60 days after its initial receipt of a payment under subsection (g)(1).

(k) MONITORING AND ENFORCEMENT.—

(1) REVIEW OF COMPLIANCE WITH REQUIREMENTS AND STATE PLAN.—The Secretary shall review and monitor compliance of States, territories, Tribal entities, and local entities with this section and State compliance with the transitional State
plan described in subsection (f)(3) or the full State plan described in subsection (f)(4).

(2) Issuance of Rule.—The Secretary shall establish by rule procedures for—

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

(B) notifying a State when the Secretary has determined there has been a failure by the State to comply with a requirement of this section; and

(C) imposing sanctions under this subsection for such a failure.

(l) Federal Administration.—Using funds reserved under subsection (c)(6), the Secretary shall carry out administration of this section, shall provide (including through the use of grants or cooperative agreements) technical assistance to States, territories, Indian Tribes, and Tribal organizations, and shall carry out research, and evaluations related to this section.

(m) Transition Provisions.—

(1) Treatment of Child care and Development Block Grant Funds.—For each of fiscal years 2025, 2026, and 2027, a State receiving as-
assistance under this section shall not use more than
10 percent of any funds received under the Child
Care and Development Block Grant Act of 1990 to
provide assistance for direct child care services to
children who are under the age of 6, are not yet in
kindergarten, and are eligible under that Act.

(2) Special rules regarding eligibility.—
Any child who is less than 6 years of age, is not yet
in kindergarten, and is receiving assistance under
the Child Care and Development Block Grant Act of
1990 on the date funding is first allocated to the
lead agency for the State, territory, Indian Tribe, or
Tribal organization involved under this section—

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

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

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

SEC. 23002. UNIVERSAL PRESCHOOL.

(a) Definitions.—In this section:

(1) Child experiencing homelessness.—
The term “child experiencing homelessness” means
an individual who is a homeless child or youth under section 725 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a).

(2) Child with a disability.—The term “child with a disability” has the meaning given the term in section 602 of the Individuals with Disabilities Education Act (20 U.S.C. 1401).

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

(4) Dual language learner.—The term “dual language learner” means a child who is learning 2 or more languages at the same time, or a child who is learning a second language while continuing to develop the child’s first language.

(5) Eligible child.—The term “eligible child” means a child who is age 3 or 4, on the date established by the applicable local educational agency for kindergarten entry.

(6) Eligible provider.—The term “eligible provider” means—
(A) a local educational agency, acting
alone or in a consortium or in collaboration
with an educational service agency (as defined
in section 8101 of the Elementary and Sec-
ondary Education Act of 1965 (20 U.S.C.
7801)), that is licensed by the State or meets comparable health and safety standards;

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

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

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

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

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

(9) **LOCAL EDUCATIONAL AGENCY.**—The term “local educational agency” has the meaning given the term in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

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

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

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

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

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

(b) **UNIVERSAL PRESCHOOL.**—
(1) Appropriations for States.—

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

(i) $3,200,000,000, to remain available until September 30, 2027, for payments to States, for carrying out subsection (d) beginning in fiscal year 2022;

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

(iii) $4,800,000,000, to remain available until September 30, 2027, for payments to States, for carrying out subsection (d) beginning in fiscal year 2023;

(iv) $1,200,000,000, to remain available until September 30, 2027, for payments to States, for carrying out subsections (c)(3) and (d) beginning in fiscal year 2023;

(v) $6,400,000,000, to remain available until September 30, 2027, for pay-
ments to States, for carrying out subsection (d) beginning in fiscal year 2024; and

(vi) $1,600,000,000 to remain available until September 30, 2027, for payments to States, for carrying out subsections (c)(3) and (d) beginning in fiscal year 2024.

(B) ADDITIONAL APPROPRIATIONS.—In addition to amounts otherwise available, there is appropriated to the Department of Health and Human Services, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary for each of fiscal years 2025 through 2027, for payments to States, for carrying out this section (except provisions and activities covered by paragraph (2)).

(2) ADDITIONAL APPROPRIATIONS.—In addition to amounts otherwise available, there is appropriated to the Department of Health and Human Services for fiscal year 2022, out of any money in the Treasury not otherwise appropriated—

(A) $2,500,000,000, to remain available until September 30, 2027, for carrying out pay-
ments to Indian Tribes and Tribal organizations for activities described in this section;

(B) $1,250,000,000, to remain available until September 30, 2027, for carrying out payments to the territories, to be distributed among the territories on the basis of their relative need, as determined by the Secretary in accordance with the objectives of this section, for activities described in this section;

(C) $300,000,000, to remain available until September 30, 2027, for carrying out payments to eligible local entities that serve children in families who are engaged in migrant or seasonal agricultural labor, for activities described in this section;

(D)(i) $165,000,000, to remain available until September 30, 2027, for carrying out Federal activities to support the activities funded under this section, including administration, monitoring, technical assistance, and research, beginning in fiscal year 2022;

(ii) $200,000,000 to remain available until September 30, 2027, for carrying out Federal activities to support the activities funded under this section, including administration, moni-
toring, technical assistance, and research, begin-
ing in fiscal year 2023;

(iii) $200,000,000, to remain available until September 30, 2027, for carrying out Federal activities to support the activities funded under this section, including administration, monitoring, technical assistance, and research, beginning in fiscal year 2024;

(iv) $208,000,000, to remain available until September 30, 2027, for carrying out Federal activities to support the activities funded under this section, including administration, monitoring, technical assistance, and research, beginning in fiscal year 2025;

(v) $212,000,000, to remain available until September 30, 2027, for carrying out Federal activities to support the activities funded under this section, including administration, monitoring, technical assistance, and research, beginning in fiscal year 2026; and

(vi) $216,000,000, to remain available until September 30, 2027, for carrying out Federal activities to support the activities funded under this section, including administration,
monitoring, technical assistance, and research, beginning in fiscal year 2027;

(E)(i) $2,500,000,000, to remain available until September 30, 2027, to improve compensation of Head Start staff consistent with subparagraphs (A)(i) and (B)(viii) of section 640(a)(5) of the Head Start Act (42 U.S.C. 9835(a)(5)), notwithstanding section 653(a) of such Act (42 U.S.C. 9848(a)), beginning in fiscal year 2022;

(ii) $2,500,000,000, to remain available until September 30, 2027, to improve compensation of Head Start staff consistent with subparagraphs (A)(i) and (B)(viii) of section 640(a)(5) of the Head Start Act (42 U.S.C. 9835(a)(5)), notwithstanding section 653(a) of such Act (42 U.S.C. 9848(a)), beginning in fiscal year 2023;

(iii) $2,500,000,000, to remain available until September 30, 2027, to improve compensation of Head Start staff consistent with subparagraphs (A)(i) and (B)(viii) of section 640(a)(5) of the Head Start Act (42 U.S.C. 9835(a)(5)), notwithstanding section 653(a) of such Act (42 U.S.C. 9848(a)), beginning in fiscal year 2024;
such Act (42 U.S.C. 9848(a)), beginning in fiscal year 2024;

(iv) $2,500,000,000, to remain available until September 30, 2027, to improve compensation of Head Start staff consistent with subparagraphs (A)(i) and (B)(viii) of section 640(a)(5) of the Head Start Act (42 U.S.C. 9835(a)(5)), notwithstanding section 653(a) of such Act (42 U.S.C. 9848(a)), beginning in fiscal year 2025;

(v) $2,500,000,000, to remain available until September 30, 2027, to improve compensation of Head Start staff consistent with subparagraphs (A)(i) and (B)(viii) of section 640(a)(5) of the Head Start Act (42 U.S.C. 9835(a)(5)), notwithstanding section 653(a) of such Act (42 U.S.C. 9848(a)), beginning in fiscal year 2026; and

(vi) $2,500,000,000, to remain available until September 30, 2027, to improve compensation of Head Start staff consistent with subparagraphs (A)(i) and (B)(viii) of section 640(a)(5) of the Head Start Act (42 U.S.C. 9835(a)(5)), notwithstanding section 653(a) of
such Act (42 U.S.C. 9848(a)), beginning in fiscal year 2027;

(F) $9,500,000,000, to remain available until September 30, 2027, to carry out the program of grants to localities described in subsection (f)(2); and

(G) $9,500,000,000, to remain available until September 30, 2027, to carry out the program of awards to Head Start agencies described in subsection (f)(3).

(c) Payments for State Universal PreSchool Services.—

(1) IN GENERAL.—A State that has submitted, and had approved by the Secretary in collaboration with the Secretary of Education, the State plan described in paragraph (5) is entitled to a payment under this subsection.

(2) PAYMENTS TO STATES.—

(A) Payments for fiscal years 2022 through 2024.—From amounts made available under subsection (b)(1) for carrying out subsections (c)(3) and (d) for any of fiscal years 2022 through 2024, the Secretary shall allot for the fiscal year, to each State that has a State plan under paragraph (5) or transitional State
plan under paragraph (7) that is approved for
a period including that fiscal year, an amount
for the purpose of providing grants to eligible
providers to provide high-quality preschool,
using a formula that considers—

(i) the proportion of the number of
children who are below the age of 6 and
whose families have a family income at or
below 200 percent of the poverty line for
the most recent year for which satisfactory
data are available, residing in the State, as
compared to the number of such children,
who reside in all States with approved
plans for the fiscal year for which the al-
lotment is being made; and

(ii) the existing Federal preschool in-
vestments in the State under the Head
Start Act, as of the date of the allotment.

(B) PAYMENTS FOR FISCAL YEARS 2025
THROUGH 2027.—

(i) PRESCHOOL SERVICES.—For each
of fiscal years 2025 through 2027, the
Secretary shall pay to each State with an
approved State plan under paragraph (5),
an amount for that year equal to—
(I) 95.440 percent of the State’s expenditures in the year for preschool
services provided under subsection (d), for fiscal year 2025;

(II) 79.534 percent of the State’s expenditures in the year for such pre-
school services, for fiscal year 2026;
and

(III) 63.627 percent of the State’s expenditures in the year for
such preschool services, for fiscal year 2027.

(ii) STATE ACTIVITIES.—The Sec-
retary shall pay to each State with an ap-
proved State plan under paragraph (5) an
amount for a fiscal year equal to 53.022
percent of the amount of the State’s ex-
penditures for the activities described in
paragraph (3), except that in no case shall
a payment for a fiscal year under this
clause exceed the amount equal to 5 per-
cent of the State’s expenditures described
in clause (i) for such fiscal year.

(iii) NON-FEDERAL SHARE.—The re-
mainder of the cost paid by the State for
preschool services, that is not provided under clause (i), shall be considered the non-Federal share of the cost of those services. The remainder of the cost paid by the State for State activities, that is not provided under clause (ii), shall be considered the non-Federal share of the cost of those activities.

(iv) ADVANCE PAYMENT; RETROSPECTIVE ADJUSTMENT.—The Secretary shall make a payment under clause (i) or (ii) for a year on the basis of advance estimates of expenditures submitted by the State and such other investigation as the Secretary may find necessary, and shall reduce or increase the payment as necessary to adjust for any overpayment or underpayment for a previous year.

(C) AUTHORITIES.—

(i) FISCAL YEARS 2022 THROUGH 2024.—Notwithstanding any other provision of this paragraph, for each of fiscal years 2022 through 2024, the Secretary shall have the authority to reallocate funds that were allotted under subparagraph (A)
from any State without an approved State
plan under paragraph (5) or transitional
State plan under paragraph (7) by the
date required by the Secretary, to States
with an approved State plan or transitional
State plan under such paragraph (5) or
(7) and to eligible localities and Head
Start agencies in accordance with sub-
section (f).

(ii) **Fiscal Year 2025.**—Notwith-
standing any other provision of this sec-
tion, on October 1, 2024, the Secretary
shall have the authority to reallocate funds
from payments made from allotments
under subparagraph (A) that are unobli-
gated on such date, to any State without
such unobligated funds that is a State with
an approved State plan under paragraph
(5) or transitional State plan under para-
graph (7) to carry out the purposes of this
section or to an eligible locality or Head
Start agency in accordance with subsection
(f).
(3) STATE ACTIVITIES.—A State that receives a payment under paragraph (2) shall carry out all of the following activities:

(A) State administration of the State preschool program described in this section.

(B) Supporting a continuous quality improvement system for providers of preschool services participating, or seeking to participate, in the State preschool program, through the use of data, research, monitoring, training, technical assistance, professional development, and coaching.

(C) Providing outreach and enrollment support for families of eligible children.

(D) Supporting data systems building.

(E) Supporting staff of eligible providers in pursuing credentials and degrees, including baccalaureate degrees.

(F) Supporting activities that ensure access to inclusive preschool programs for children with disabilities.

(G) Providing age-appropriate transportation services for children, which at a minimum shall include transportation services for
children experiencing homelessness and children in foster care.

(H) Conducting or updating a statewide needs assessment of access to high-quality preschool services.

(4) LEAD AGENCY.—The Governor of a State desiring for the State to receive a payment under this subsection shall designate a lead agency (such as a State agency or joint interagency office) for the administration of the State’s preschool program under this section.

(5) STATE PLAN.—In order to be eligible for payments under this section, the Governor of a State shall submit a State plan to the Secretary for approval by the Secretary, in collaboration with the Secretary of Education, at such time, in such manner, and containing such information as the Secretary shall by rule require, that includes a plan for achieving universal, high-quality, free, inclusive, and mixed-delivery preschool services. Such plan shall include, at a minimum, each of the following:

(A) A certification that—

(i) the State has in place, or will have in place no later than 18 months after the State first receives funding under this sec-
tion, developmentally appropriate, evidence-based preschool standards that, at a minimum, are as rigorous as the standards specified in subparagraph (B) of section 641A(a)(1) of the Head Start Act (42 U.S.C. 9836a(a)(1)) and include program standards for class sizes and ratios; and

(ii) the State will coordinate such standards with other early learning standards in the State.

(B) An assurance that the State will ensure—

(i) all preschool services in the State funded under this section will—

(I) be universally available to all children in the State without any additional eligibility requirements; and

(II) be high-quality, free, and inclusive; and

(ii) that the local preschool programs in the State funded under this section will—

(I) by not later than 1 year after the program receives such funding, meet the State’s preschool education
standards described in subparagraph (A);

(II) offer programming that meets the duration requirements of at least 1,020 annual hours;

(III) adopt policies and practices to conduct outreach and provide expedited enrollment, including prioritization, to—

(aa) children experiencing homelessness (which, in the case of a child attending a program provided by an eligible provider described in subsection (a)(6)(A), shall include immediate enrollment for the child);

(bb) children in foster care or kinship care;

(cc) children in families who are engaged in migrant or seasonal agricultural labor;

(dd) children with disabilities, including eligible children who are served under part C of
the Individuals with Disabilities Education Act; and

(ee) dual language learners;

(IV) provide for salaries, and set schedules for salaries, for staff of providers in the State preschool program that are equivalent to salaries of elementary school staff with similar credentials and experience;

(V) at a minimum, provide a living wage for all staff of such providers; and

(VI) require educational qualifications for teachers in the preschool program including, at a minimum, requiring that lead teachers in the preschool program have a baccalaureate degree in early childhood education or a related field by not later than 6 years after the date on which the State first receives funds under this section, except that—

(aa) subject to item (bb), the requirements under this subclause shall not apply to individ-
uals who were employed by an eligible provider or early education program for a cumulative 3 of the 5 years immediately preceding the date of enactment of this Act and have the necessary content knowledge and teaching skills for early childhood educators, as demonstrated through measures determined by the State; and

(bb) nothing in this section shall require the State to lessen State requirements for educational qualifications, in existence on the date of enactment of this Act, to serve as a teacher in a State preschool program.

(C) For States with existing publicly funded State preschool programs (as of the date of submission of the State plan), a description of how the State plans to use funding provided under this section to ensure that such existing programs in the State meet the requirements of this section for a State preschool program.
(D) A description of how the State, in establishing and operating the State preschool program supported under this section, will—

(i) support a mixed-delivery system for any new slots funded under this section, including by facilitating the participation of Head Start programs and programs offered by licensed child care providers;

(ii) ensure the State preschool program does not disrupt the stability of infant and toddler child care throughout the State;

(iii) ensure adequate consultation with the State Advisory Council on Early Childhood Education and Care designated or established in section 642B(b)(1)(A)(i) of the Head Start Act (42 U.S.C. 9837b(b)(1)(A)(i)) in the development of its plan, including consultation in how the State intends to distribute slots under clause (v);

(iv) partner with Head Start agencies to ensure the full utilization of Head Start programs within the State; and
(v) distribute new preschool slots and resources equitably among child care (including family child care) providers, Head Start agencies, and schools within the State.

(E) A certification that the State, in operating the program described in this section for a fiscal year—

(i) will not reduce the total preschool slots provided in State-funded preschool programs from the number of such slots in the previous fiscal year; or

(ii) if the number of eligible children identified in the State declines from the previous fiscal year, will maintain at least the previous year’s ratio of the total preschool slots described in clause (i) to eligible children so identified.

(F) An assurance that the State will use funding provided under this section to ensure children with disabilities have access to and participate in inclusive preschool programs consistent with provisions in the Individuals with Disabilities Education Act, and a description of how the State will collaborate with entities car-
rying out programs under section 619 or part C of the Individuals with Disabilities Education Act, to support inclusive preschool programs.

  (G) A certification that the State will support the continuous quality improvement of programs providing preschool services under this section, including support through technical assistance, monitoring, and research.

  (H) A certification that the State will ensure a highly qualified early childhood workforce to support the requirements of this section.

  (I) An assurance that the State will meet the requirements of clauses (ii) and (iii) of section 658E(e)(2)(T) of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858c(e)(2)(T)), with respect to funding and assessments under this section.

  (J) A certification that subgrant and contract amounts provided as described in subsection (d) will be sufficient to enable eligible providers to meet the requirements of this section, and will provide for increased payment amounts based on the criteria described in subclauses (IV) and (V) of subparagraph (B)(ii).
(K) An agreement to provide to the Secretary such periodic reports, providing a detailed accounting of the uses of funding received under this section, as the Secretary may require for the administration of this section.

(6) DURATION OF THE PLAN.—Each State plan shall remain in effect for a period of not more than 3 years. Amendments to the State plan shall remain in effect for the duration of the plan.

(7) TRANSITIONAL STATE PLAN.—For a period of not more than 3 years following the date of enactment of this Act, the Secretary shall award funds under this section for the purpose of expanding access to universal, high-quality, free, inclusive, and mixed-delivery preschool in alignment with the requirements of this section to States with an approved transitional State plan, at such time, in such manner, and containing such information as the Secretary shall require, including at a minimum an assurance that the State will submit a State plan under paragraph (5).

(d) SUBGRANTS AND CONTRACTS FOR LOCAL PRESCHOOL PROGRAMS.—

(1) SUBGRANTS AND CONTRACTS.—
(A) IN GENERAL.—A State that receives a payment under subsection (e)(2) for a fiscal year shall use amounts provided through the payment to pay the costs of subgrants to, or contracts with, eligible providers to operate universal, high-quality, free, and inclusive preschool programs (which State-funded programs may be referred to in this section as “local preschool programs”) through the State preschool program in accordance with paragraph (3). A State shall reduce or increase the amounts provided under such subgrants or contracts if needed to adjust for any overpayment or underpayment described in subsection (e)(2)(B)(iv).

(B) AMOUNT.—A State shall award a subgrant or contract under this subsection in a sufficient amount to enable the eligible provider to operate a local preschool program that meets the requirements of subsection (e)(5)(B), which amount shall reflect variations in the cost of preschool services by geographic area, type of provider, and age of child, and the additional costs associated with providing inclusive preschool services for children with disabilities.
(C) DURATION.—The State shall award a subgrant or contract under this subsection for a period of not less than 3 years, unless the subgrant or contract is terminated or suspended, or the subgrant period is reduced, for cause.

(2) ENHANCED PAYMENTS FOR COMPREHENSIVE SERVICES.—In awarding subgrants or contracts under this subsection and in addition to meeting the requirements of paragraph (1)(B), the State shall award subgrants or contracts with enhanced payments to eligible providers that offer local preschool programs funded under this subsection to a high percentage of low-income children to support comprehensive services.

(3) ESTABLISHING AND EXPANDING UNIVERSAL PRESCHOOL PROGRAMS.—

(A) ESTABLISHING AND EXPANDING UNIVERSAL PRESCHOOL PROGRAMS IN HIGH-NEED COMMUNITIES.—In awarding subgrants or contracts under this subsection, the State shall first prioritize establishing and expanding universal local preschool programs within and across high-need communities by awarding subgrants or contracts to eligible providers oper-
ating within and across, or with capacity to op-
erate within and across, such high-need commu-
nities. The State shall—

(i) use a research-based methodology
approved by the Secretary to identify such
high-need communities, as determined
by—

(I) the rate of poverty in the
community;

(II) rates of access to high-qual-
ity preschool within the community;
and

(III) other indicators of commu-
nity need as required by the Sec-
retary; and

(ii) distribute funding for preschool
services under this section within such a
high-need community so that a majority of
children in the community are offered such
preschool services before the State estab-
lishes and expands preschool services in
communities with lower levels of need.

(B) USE OF FUNDS.—Subgrants or con-
tacts awarded under subparagraph (A) shall be
used to enroll and serve children in such a local
preschool program involved, including by paying
the costs—

(i) of personnel (including classroom
and administrative personnel), including
compensation and benefits;

(ii) associated with implementing the
State’s preschool standards, providing cur-
riculum supports, and meeting early learn-
ing and development standards;

(iii) of professional development,
teacher supports, and training;

(iv) of implementing and meeting de-
velopmentally appropriate health and safe-
ty standards (including licensure, where
applicable), teacher to child ratios, and
group size maximums;

(v) of materials, equipment, and sup-
plies; and

(vi) of rent or a mortgage, utilities,
building security, indoor and outdoor
maintenance, and insurance.

(4) ESTABLISHING AND EXPANDING UNIVERSAL
PRESCHOOL PROGRAMS IN ADDITIONAL COMMU-
NITIES.—Once a State that receives a payment
under subsection (c)(2) meets the requirements of
paragraph (3) with respect to establishing and expanding local preschool programs within and across high-need communities, the State shall use funds from such payment to enroll and serve children in local preschool programs, as described in such paragraph, in additional communities in accordance with the metrics described in paragraph (3)(A)(i). Such funds shall be used for the activities described in clauses (i) through (vi) of paragraph (3)(B).

(e) **Payments for Universal Preschool Services to Indian Tribes and Territories.**—

(1) **Indian Tribes and Tribal Organizations.**—

(A) **In General.**—For each of fiscal years 2022 through 2027, from the amount appropriated for Indian Tribes and Tribal organizations under subsection (b)(2)(A), the Secretary shall make payments to Indian Tribes and Tribal organizations with an application approved under subparagraph (B), and the Tribes and Tribal organizations shall be entitled to such payments for the purpose of carrying out the preschool program described in this section, consistent, to the extent practicable as deter-
mined by the Secretary, with the requirements applicable to States.

(B) APPLICATIONS.—An Indian Tribe or Tribal organization seeking a payment under this paragraph shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may specify.

(2) TERRITORIES.—

(A) IN GENERAL.—For each of fiscal years 2022 through 2027, from the amount appropriated for territories under subsection (b)(2)(B), the Secretary shall make payments to the territories with an application approved under subparagraph (B), and the territories shall be entitled to such payments, for the purpose of carrying out the preschool program described in this section, consistent, to the extent practicable as determined by the Secretary, with the requirements applicable to States.

(B) APPLICATIONS.—A territory seeking a payment under this paragraph shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may specify.
(3) Lead Agency.—The head of an Indian tribe or territory desiring for the Indian tribe or a related tribal organization, or territory, to receive a payment under this subsection shall designate a lead agency (such as a tribal or territorial agency or joint interagency office) for the administration of the pre-school program of the Indian tribe or territory, under this section.

(f) Grants to Localities and Head Start Expansion in Nonparticipating States.—

(1) Eligible locality defined.—In this subsection, the term “eligible locality” means a city, county, or other unit of general local government, a local educational agency, or a Head Start agency.

(2) Grants to Localities.—

(A) In general.—The Secretary, in consultation with the Secretary of Education, shall use funds reserved in subsection (b)(2)(F) or reallocated under subsection (c)(2)(C) to award local universal preschool grants, as determined by the Secretary of Health and Human Services, to eligible localities located in States that have not received payments under subsection (c)(2)(A). The Secretary shall award the grants to eligible localities in a State from the allot-
ment made for that State under subparagraph (B). The Secretary shall specify the requirements for an eligible locality to conduct a preschool program under this subsection which shall, to the greatest extent practicable, be consistent with the requirements applicable to States under this section, for a universal, high-quality, free, and inclusive preschool program.

(B) ALLOTMENTS.—For each State described in subparagraph (A), the Secretary shall allot for the State for a fiscal year an amount that bears the same relationship to the funds appropriated under subsection (b)(2)(F) for the fiscal year as the number of children from families with family incomes at or below 200 percent of the poverty line, and who are under the age of 6, in the State bears to the total number of all such children in all States described in subparagraph (A).

(C) APPLICATION.—To receive a grant from the corresponding State allotment under this subsection, an eligible locality shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require. The requirements
for the application shall, to the greatest extent practicable, be consistent with the State plan requirements applicable to States under this section.

(D) Recoupment of unused funds.—Notwithstanding any other provision of this section, for each of fiscal years 2023 through 2027, the Secretary shall have the authority to recoup any unused funds allotted under subparagraph (B) for awards under paragraph (3)(A) to Head Start agencies in accordance with paragraph (3).

(3) Head Start expansion in nonparticipating states.—

(A) In general.—The Secretary shall use funds appropriated under subsection (b)(2)(G), reallocated under subsection (c)(2)(C), or recouped under paragraph (2) to make awards to Head Start agencies in a State described in paragraph (2)(A) to carry out the purposes of the Head Start Act in such State.

(B) Rule.—For purposes of carrying out the Head Start Act in circumstances not involving awards under this paragraph, funds awarded under subparagraph (A) shall not be in-
cluded in the calculation of a “base grant” as such term is defined in section 640(a)(7)(A) of the Head Start Act (42 U.S.C. 9835(a)(7)(A)).

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

(4) PRIORITY FOR SERVING UNDERSERVED COMMUNITIES.—In making determinations to award a grant or make an award under this subsection, the Secretary shall give priority to entities serving communities with a high percentage of children from families with family incomes at or below 200 percent of the poverty line.

(g) ALLOWABLE SOURCES OF NON-FEDERAL SHARE.—For purposes of calculating the amount of the non-Federal share, as determined under subsection (c)(2)(B)(iii), relating to a payment under subsection (c)(2)(B), a State’s non-Federal share—

(1) may be in cash or in kind, fairly evaluated, including facilities or property, equipment, or services;
(2) shall include any increase in amounts spent by the State to expand half-day kindergarten programs in the State, as of the day before the date of enactment of this Act, into full-day kindergarten programs;

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

(4) shall be provided from State or local sources, contributions from philanthropy or other private organizations, or a combination of such sources and contributions; and

(5) shall count not more than 100 percent of the State’s current spending on prekindergarten programs, calculated as the average amount of such spending by the State for fiscal years 2019, 2020, and 2021, toward the State’s non-Federal share.

(h) MAINTENANCE OF EFFORT.—

(1) IN GENERAL.—If a State reduces its combined fiscal effort per child for the State preschool program (whether a publicly funded preschool program or a program under this section) or through State supplemental assistance funds for Head Start programs assisted under the Head Start Act, or through any State spending on preschool services for
any fiscal year that a State receives payments under subsection (e)(2) (referred to in this paragraph as the “reduction fiscal year”) relative to the previous fiscal year, the Secretary, in collaboration with the Secretary of Education, shall reduce support for such State under such subsection by the same amount as the total reduction in that State fiscal effort for such reduction fiscal year.

(2) **Waiver.**—The Secretary, in collaboration with the Secretary of Education, may waive the requirements of paragraph (1) if—

(A) the Secretaries determine that a waiver would be appropriate due to a precipitous decline in the financial resources of a State as a result of unforeseen economic hardship, or a natural disaster, that has necessitated across-the-board reductions in State services during the 5-year period preceding the date of the determination, including for early childhood education programs; or

(B) due to the circumstance of a State requiring reductions in specific programs, including early childhood education programs, the State presents to the Secretaries a justification and demonstration why other programs could
not be reduced and how early childhood edu-
cation programs in the State will not be dis-
proportionately harmed by such State reduc-
tions.

(i) SUPPLEMENT NOT SUPPLANT.—Funds received
under this section shall be used to supplement and not
supplant other Federal, State, and local public funds ex-
pended on prekindergarten programs in the State on the
date of enactment of this Act, calculated as the average
amount of such Federal, State, and local public funds ex-
pended for fiscal years 2019, 2020, and 2021.

(j) NONDISCRIMINATION PROVISIONS.—The fol-
lowing provisions of law shall apply to any program or ac-
tivity that receives funds provided under this section:

(1) Title IX of the Education Amendments of
1972.

(2) Title VI of the Civil Rights Act of 1964.

(3) Section 504 of the Rehabilitation Act of

(4) The Americans with Disabilities Act of
1990.

(k) MONITORING AND ENFORCEMENT.—

(1) REVIEW OF COMPLIANCE WITH REQUIRE-
MENTS AND STATE PLAN.—The Secretary shall re-
view and monitor compliance of States, territories,
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Tribal entities, and local entities with this section and State compliance with the State plan described in subsection (c)(5) or State transitional plan described in subsection (c)(7).

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

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

(B) notifying a State when the Secretary has determined there has been a failure by the State to comply with a requirement of this section; and

(C) imposing sanctions under this subsection for such a failure.

Subtitle E—Human Services and Community Supports

SEC. 24001. ASSISTIVE TECHNOLOGY.

In addition to amounts otherwise available, there is appropriated for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $10,000,000, to remain available until expended, for necessary expenses to carry out section 4 of the Assistive Technology Act of 1998 (29 U.S.C. 3003).
SEC. 24002. FAMILY VIOLENCE PREVENTION AND SERVICES FUNDING.

In addition to amounts otherwise available, there is appropriated to the Secretary of Health and Human Services, for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $30,000,000, to remain available until expended, for necessary administrative expenses to carry out subsections (c) and (d) of section 2204 of the American Rescue Plan Act of 2021 (Public Law 117–2).

SEC. 24003. PREGNANCY ASSISTANCE FUND.

Section 10214 of the Patient Protection and Affordable Care Act (42 U.S.C. 18204) is amended by adding at the end the following new sentence:

“In addition, there is appropriated for fiscal year 2022, out of any money in the Treasury not otherwise appropriated—

“(1) $25,000,000, to remain available until expended, to carry out this part in fiscal year 2022;

“(2) $25,000,000, to remain available until expended, to carry out this part in fiscal year 2023; and

“(3) $25,000,000, to remain available until expended, to carry out this part in fiscal year 2024.”.
SEC. 24004. FUNDING FOR THE AGING NETWORK AND INFRASTRUCTURE.

(a) APPROPRIATION.—In addition to amounts otherwise available, there are appropriated for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, to the Department of Health and Human Services—

(1) $75,000,000 for the Research, Demonstration, and Evaluation Center for the Aging Network for necessary expenses to carry out the activities of the Center under section 201(g) of the Older Americans Act of 1965 (OAA);

(2) $655,000,000 for necessary expenses to carry out part B of title III of the OAA, including for—

(A) supportive services of the type made available for fiscal year 2021 and authorized under such part;

(B) investing in the aging services network for the purposes of improving the availability of supportive services, including investing in the aging services network workforce;

(C) the acquisition, alteration, or renovation of facilities, including multipurpose senior centers and mobile units; and
(D) construction or modernization of facilities to serve as multipurpose senior centers;

(3) $140,000,000 for necessary expenses to carry out part C of title III of the OAA, including to support the modernization of infrastructure and technology, including kitchen equipment and delivery vehicles, to support the provision of congregate nutrition services and home delivered nutrition services under such part;

(4) $150,000,000 for necessary expenses to carry out part E of title III of the OAA, including section 373(e) of such part;

(5) $50,000,000 for necessary expenses to carry out title VI of the OAA, including part C of such title;

(6) $50,000,000 for necessary expenses to carry out the long-term care ombudsman program under title VII of the OAA;

(7) $59,000,000 for necessary expenses for technical assistance centers or national resource centers supported under the OAA, including all such centers that received funding under title IV of the OAA for fiscal year 2021, in order to support technical assistance and resource development related to culturally appropriate care management and services
for older individuals with the greatest social need, including racial and ethnic minority individuals;

(8) $15,000,000 for necessary expenses for technical assistance centers or national resource centers supported under the OAA that are focused on providing services for older individuals who are underserved due to their sexual orientation or gender identity;

(9) $1,000,000 for necessary expenses for efforts of national training and technical assistance centers supported under the OAA to—

(A) support expanding the reach of the aging services network to more effectively assist older individuals in remaining socially engaged and active;

(B) provide additional support in technical assistance and training to the aging services network to address the social isolation of older individuals;

(C) promote best practices and identify innovation in the field; and

(D) continue to support a repository for innovations designed to increase the ability of the aging services network to tailor social en-
gagement activities to meet the needs of older
individuals; and
(10) $5,000,000 for necessary expenses to carry
out section 417 of the OAA.

Amounts appropriated by this subsection shall remain
available until expended.

(b) NONAPPLICABILITY OF CERTAIN REQUIRE-
MENTS.—The non-Federal contribution requirements
under sections 304(d)(1)(D) and 431(a) of the Older
Americans Act of 1965, and section 373(h)(2) of such Act,
shall not apply to—

(1) any amounts made available under this sec-
tion; or

(2) any amounts made available under section
2921 of the American Rescue Plan Act of 2021
(Public Law 117–2).

SEC. 24005. TECHNICAL ASSISTANCE CENTER FOR SUP-
PORTING DIRECT CARE AND CAREGIVING.

(a) IN GENERAL.—In addition to amounts otherwise
available, there is appropriated to the Secretary of Health
and Human Services, acting through the Administrator of
the Administration for Community Living, for fiscal year
2022, out of any money in the Treasury not otherwise ap-
propriated, $20,000,000, to remain available until Sep-
tember 30, 2031, for necessary expenses to establish, di-
directly or through grants, contracts, or cooperative agreements, a national technical assistance center (referred to in this section as the “Center”) to—

(1) provide technical assistance for supporting direct care workforce recruitment, education and training, retention, and career advancement, and for supporting family caregivers and caregiving activities;

(2) develop and disseminate a set of replicable models or evidence-based or evidence-informed strategies or best practices for recruitment, education and training, retention, and career advancement of direct support workers;

(3) provide recommendations for education and training curricula for direct support workers; and

(4) provide recommendations for activities to further support paid and unpaid family caregivers, including expanding respite care.

(b) Direct Support Worker Defined.—In this section, the term “direct support worker” has the meaning given such term in section 22301.

SEC. 24006. FUNDING TO SUPPORT UNPAID CAREGIVERS.

(a) In General.—In addition to amounts otherwise available, there is appropriated to the Secretary of Health and Human Services (referred to in this section as the
“Secretary”) for fiscal year 2022, out of any money in
the Treasury not otherwise appropriated, $40,000,000, to
remain available until expended, for carrying out the pur-
pose described in subsection (b).

(b) USE OF FUNDING.—The Secretary, acting
through the Assistant Secretary for Aging, shall use
amounts appropriated by subsection (a) for necessary ex-
penses to make awards, pursuant to section 373(i) of the
Older Americans Act of 1965 (42 U.S.C. 3030s–1(i)), to
States, public agencies, private nonprofit agencies, institu-
tions of higher education, and organizations, including
Tribal organizations, for initiatives to address the behav-
ioral health needs of family caregivers and older relative
caregivers.

SEC. 24007. FUNDING TO SUPPORT INDIVIDUALS WITH DE-
VELOPMENTAL DISABILITIES.

(a) IN GENERAL.—In addition to amounts otherwise
available, there is appropriated to the Secretary of Health
and Human Services (referred to in this section as the
“Secretary”), for fiscal year 2022, out of any money in
the Treasury not otherwise appropriated, $25,000,000, to
remain available until expended, for carrying out the pur-
pose described in subsection (b).

(b) USE OF FUNDING.—The Secretary, acting
through the Administrator of the Administration for Com-
munity Living, shall use amounts appropriated by sub-
section (a) for necessary expenses to award grants, con-
tracts, or cooperative agreements to public or private non-
profit entities pursuant to section 162(a) of the Develop-
mental Disabilities Assistance and Bill of Rights Act of
2000 (42 U.S.C. 15082(a)) for initiatives within the De-
partment of Health and Human Services to address the
behavioral health needs of individuals with developmental
disabilities.

SEC. 24008. OFFICE OF THE INSPECTOR GENERAL OF THE
DEPARTMENT OF HEALTH AND HUMAN SERVICES.

In addition to amounts otherwise available, there is
appropriated to the Department of Health and Human
Services for fiscal year 2022, out of any money in the
Treasury not otherwise appropriated, $50,000,000, to re-
main available until expended, for the Office of Inspector
General of the Department of Health and Human Serv-
ices, for salaries and expenses necessary for oversight, in-
vestigations, and audits of programs, grants, and projects
funded under this subtitle and subtitle D of this title.

SEC. 24009. APPROPRIATION TO THE LEGAL SERVICES COR-
PORATION.

In addition to amounts otherwise available, there is
appropriated to the Legal Services Corporation for fiscal
year 2022, out of any money in the Treasury not otherwise appropriated, $100,000,000, to remain available through September 30, 2027, to carry out the Legal Services Corporation Act.

Subtitle F—National Service and Workforce Development in Support of Climate Resilience and Mitigation

SEC. 25001. CORPORATION FOR NATIONAL AND COMMUNITY SERVICE AND THE NATIONAL SERVICE TRUST.

(a) AmeriCorps State and National.—

(1) In general.—In addition to amounts otherwise available, there is appropriated for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, to the Corporation for National and Community Service, $3,200,000,000, to remain available until September 30, 2026, which shall be used to make funding adjustments to existing (as of the date of enactment of this Act) awards and make new awards to entities (whether or not such entities are already recipients of a grant or other agreement on the date of enactment of this Act) to support national service programs described in paragraphs (1)(A), (2)(A), (3)(A), and (5)(A) of subsection (a),
and subsection (b)(2), of section 122 of the National
and Community Service Act of 1990 and national
service programs carrying out activities described in
clauses (i), (ii), (iii), (v), (vi), and (vii) of paragraph
(4)(B) of subsection (a) of such section, to increase
living allowances and improve benefits of partici-
pants in such programs.

(2) REQUIREMENTS.—For the purposes of car-
rying out paragraph (1)—

(A) the Corporation shall waive the re-
quirements described in section 121(e)(1) of the
National and Community Service Act of 1990,
in whole or in part, if a recipient of a grant or
other agreement for such a national service pro-
gram demonstrates—

(i) the recipient will serve underserved
or low-income communities, and a signifi-
cant percentage of participants in such
program are low-income individuals; and

(ii) without such waiver, the recipient
cannot meet the requirements of this sec-
tion;

(B) section 189(a) of such Act shall be ap-
plied by substituting “125 percent of the
amount of the minimum living allowance of a
full-time participant per full-time equivalent position” for “$18,000 per full-time equivalent position”; and

(C) section 140(a)(1) of such Act shall be applied by substituting “200 percent of the poverty line” for “the average annual subsistence allowance provided to VISTA volunteers under section 105 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4955)”.

(b) State Commissions.—

(1) In general.—In addition to amounts otherwise available, there is appropriated for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, to the Corporation for National and Community Service, $400,000,000, to remain available until September 30, 2026, which shall be used to make funding adjustments to existing (as of the date of enactment of this Act) awards and make new awards to States to operate State Commissions on National and Community Service.

(2) Match waiver.—For the purposes of carrying out paragraph (1), the Corporation shall waive the matching requirement described in section 126(a)(2) of the National and Community Service Act of 1990, in whole or in part, for a State Com-
mission, if such State Commission demonstrates
need for such waiver.

(c) National Civilian Community Corps.—In ad-
dition to amounts otherwise available, there is appro-
priated for fiscal year 2022, out of any money in the
Treasury not otherwise appropriated, to the Corporation
for National and Community Service, $80,000,000, to re-
main available until September 30, 2029, which shall be
used to increase the living allowance and benefits of par-
ticipants in the National Civilian Community Corps au-
thorized under section 152 of the National and Commu-
ity Service Act of 1990.

(d) AmeriCorps Vista.—

(1) In General.—In addition to amounts oth-
erwise available, there is appropriated for fiscal year
2022, out of any money in the Treasury not other-
wise appropriated, to the Corporation for National
and Community Service, $600,000,000 to remain
available until September 30, 2029, which shall be
used to increase the subsistence allowances and im-
prove benefits of participants in the Volunteers in
Service to America program authorized under sec-
tion 102 of the Domestic Volunteer Service Act of
(2) REQUIREMENT.—For purposes of carrying
out paragraph (1)—

(A) section 105(b)(2)(A) of the Domestic
Volunteer Service Act of 1973 shall be applied
by substituting “200 percent” for “95 percent”;
and

(B) section 105(b)(2)(B) of the Domestic
Volunteer Service Act of 1973 shall be applied
by substituting “210 percent” for “105 per-
cent”.

(e) NATIONAL SERVICE IN SUPPORT OF CLIMATE
RESILIENCE AND MITIGATION.—

(1) IN GENERAL.—In addition to amounts oth-
erwise available, there is appropriated for fiscal year
2022, out of any money in the Treasury not other-
wise appropriated, to the Corporation for National
and Community Service, $6,915,000,000, which
shall be used for the purposes specified in paragraph
(3).

(2) AVAILABILITY OF FUNDS.—Amounts appro-
priated under paragraph (1) shall—

(A) be available until September 30, 2026,
for national service programs described in para-
graphs (1)(A), (2)(A), (3)(A), and (5)(A) of
subsection (a), and subsection (b)(2), of section
122 of the National and Community Service Act of 1990 and national service programs carrying out activities described in clauses (i), (ii), (iii), (v), (vi), and (vii) of paragraph (4)(B) of subsection (a) of such section; and

(B) be available until September 30, 2029, for National Civilian Community Corps programs authorized under section 152 of the National and Community Service Act of 1990 and Volunteers in Service to America programs authorized under section 102 of the Domestic Volunteer Service Act of 1973.

(3) USE OF FUNDS.—

(A) IN GENERAL.—The Corporation shall use amounts appropriated under paragraph (1) to fund programs described in subparagraph (B) to carry out projects or activities described in section 122(a)(3)(B) of the National and Community Service Act of 1990.

(B) PROGRAMS.—The programs described in subparagraph (A) shall include—

   (i) national service programs described in paragraphs (1)(A), (2)(A), (3)(A), and (5)(A) of subsection (a), and subsection (b)(2), of section 122 of the Na-
and national service programs carrying out activities described in clauses (i), (ii), (iii), (v), (vi), and (vii) of paragraph (4)(B) of subsection (a) of such section;

(ii) National Civilian Community Corps programs authorized under section 152 of the National and Community Service Act of 1990; and

(iii) Volunteers in Service to America programs authorized under section 102 of the Domestic Volunteer Service Act of 1973.

(C) TERMS.—In funding programs described in subparagraph (A), the Corporation shall ensure—

(i) awards are made to entities that serve, and have representation from, low-income communities or communities experiencing (or at risk of experiencing) adverse health and environmental conditions;

(ii) such programs utilize culturally competent and multilingual strategies;

(iii) projects carried out through such programs are planned with community
input, and implemented by diverse participants who are from communities being served by such programs; and

(iv) such programs provide participants with workforce development opportunities, such as pre-apprenticeships that articulate to registered apprenticeship programs, and pathways to post-service employment in high-quality jobs, including registered apprenticeships.

(4) REQUIREMENTS.—For the purposes of carrying out paragraph (1)—

(A) in implementing national service programs described in paragraph (3)(B)(i) and funded by the appropriations specified in paragraph (1)—

(i) the Corporation shall waive the requirements described in section 121(e)(1) of the National and Community Service Act of 1990, in whole or in part, if a recipient of a grant or other agreement for the national service program involved demonstrates—

(I) the recipient will serve underserved or low-income communities,
and a significant percentage of participants in such program are low-income individuals; and

(II) without such waiver, the recipient cannot meet the requirements of this section;

(ii) section 189(a) of the National and Community Service Act of 1990 shall be applied by substituting “125 percent of the amount of the minimum living allowance of a full-time participant per full-time equivalent position” for “$18,000 per full-time equivalent position”;

(iii) section 140(a)(1) of the National and Community Service Act of 1990 shall be applied by substituting “200 percent of the poverty line” for “the average annual subsistence allowance provided to VISTA volunteers under section 105 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4955)” ; and

(iv) the Corporation shall waive the matching requirement described in section 126(a)(2) of the National and Community Service Act of 1990, in whole or in part,
for a State Commission, if such State
Commission demonstrates need for such
waiver; and

(B) in implementing national service pro-
grams described in paragraph (3)(B)(iii) and
funded by the appropriations specified in para-
graph (1)—

(i) section 105(b)(2)(A) of the Domes-
tic Volunteer Service Act of 1973 shall be
applied by substituting “200 percent” for
“95 percent”; and

(ii) section 105(b)(2)(B) of the Do-
mestic Volunteer Service Act of 1973 shall
be applied by substituting “210 percent”
for “105 percent”.

(f) Administrative Costs.—

(1) In general.—In addition to amounts oth-
erwise available, there is appropriated for fiscal year
2022, out of any money in the Treasury not other-
wise appropriated, to the Corporation for National
and Community Service, $1,010,400,000, to remain
available until September 30, 2029, which shall be
used for Federal administrative expenses to carry
out programs and activities funded under this sec-
tion, including—
(A) corrective actions to address recommendations arising from audits of the financial statements of the Corporation and the National Service Trust, and, in consultation with the Inspector General of the Corporation, the development of fraud prevention and detection controls and risk-based anti-fraud monitoring for grants and other financial assistance funded under this section; and

(B) coordination of efforts and activities with the Departments of Labor and Education to support the national service programs funded under subsections (a), (c), (d), and (e) in improving the readiness of participants to transition to high-quality jobs or further education.

(2) Fiscal Year 2030 Program Administration.—In addition to amounts otherwise available, there is appropriated for fiscal year 2030, out of any money in the Treasury not otherwise appropriated, to the Corporation for National and Community Service, $79,800,000, to remain available until September 30, 2030, which shall be used, in fiscal year 2030, for Federal administrative expenses to carry out programs and activities funded under this section.
(3) PLAN.—In addition to amounts otherwise available, there is appropriated for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, to the Corporation, $300,000, to remain available until September 30, 2023, which shall be used by the Chief Executive Officer of the Corporation to—

(A) develop, publish, and implement, not later than 180 days after the date of enactment of this Act, a project, operations, and management plan for funds appropriated under this section; and

(B) consult with the Secretary of Labor and the Inspector General of the Corporation in developing the plan under subparagraph (A).

(4) OUTREACH.—In addition to amounts otherwise made available, there is appropriated for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, to the Corporation for National and Community Service, $49,500,000, to remain available until September 30, 2030, for outreach to and recruitment of members from communities traditionally underrepresented in national service programs and members of a community expe-
riencing a significant dislocation of workers, including energy transition communities.

(g) **Office of Inspector General.**—In addition to amounts otherwise available, there is appropriated for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, to the Corporation for National and Community Service, $75,000,000, to remain available until September 30, 2030, which shall be used for the Office of Inspector General of the Corporation for salaries and expenses necessary for oversight and audit of programs and activities funded under this section.

(h) **National Service Trust.**—

(1) **In general.**—In addition to amounts otherwise available, there is appropriated for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, to the National Service Trust, $1,150,000,000, to remain available until September 30, 2030, for—

(A) administration of the National Service Trust; and

(B) payment to the Trust for the provision of national service educational awards and interest expenses—
(i) for participants, for a term of service supported by funds made available under subsection (e); and

(ii) pursuant to section 145(a)(1)(A) of the National and Community Service Act of 1990.

(2) SUPPLEMENTAL EDUCATIONAL AWARDS.—

(A) APPROPRIATION.—In addition to amounts otherwise available, there is appropriated for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, to the National Service Trust, $1,660,000,000, to remain available until September 30, 2030, for payment to the National Service Trust for the purpose of providing a supplemental national service educational award to an individual eligible to receive a national service educational award pursuant to section 146(a), and the individual’s transferee pursuant to section 148(f), of the National and Community Service Act of 1990, for a term of service that began after the date of enactment of this Act in a national service program (including a term of service supported by funds made available under subsection (e)).
(B) AWARD AVAILABILITY.—The supplemental educational award referred to in subparagraph (A) shall be available to an individual or their transferee described in subparagraph (A) in accordance with the paragraph (3).

(C) CALCULATION.—The amount of the supplemental educational award that shall be available to an individual or their transferee described in subparagraph (A) shall be calculated as follows:

(i) AMOUNT FOR FULL-TIME NATIONAL SERVICE.—For an individual who completes a required term of full-time national service, or the individual’s transferee—

(I) in a case in which the award year for which the national service position is approved by the Corporation is award year 2022-2023, 50 percent of the maximum amount of a Federal Pell Grant under section 401 of the Higher Education Act of 1965 that a student eligible for such Grant may
receive in the aggregate for such award year; and

(II) in a case in which the award year for which the national service position is approved by the Corporation is award year 2023-2024 or a subsequent award year, 50 percent of the total maximum Federal Pell Grant under section 401 of the Higher Education Act of 1965 that a student eligible for such Grant may receive in the aggregate for such award year.

(ii) **AMOUNT FOR PART-TIME NATIONAL SERVICE.**—For an individual who completes a required term of part-time national service, or the individual’s transferee, 50 percent of the amount determined under clause (i).

(iii) **AMOUNT FOR PARTIAL COMPLETION OF NATIONAL SERVICE.**—For an individual released from completing the full-time or part-time term of service agreed to by the individuals, or the individual’s transferee, the portion of the amount determined under clause (i) that corresponds
to the portion of the term of service completed by the individual.

(3) Period of availability for national service educational awards.—

(A) In general.—Notwithstanding section 146(d) of the National and Community Service Act of 1990, relating to a period of time for use of a national service educational award, or any extensions to such time period granted under section 146(d)(2) of such Act, an individual eligible to receive a national service educational award for a term of service supported by funds made available under subsection (e), or the individual’s transferee, and an individual eligible to receive a supplemental educational award described in paragraph (2) for a term of service, or the individual’s transferee, shall not use, after September 30, 2030, the national service educational award or supplemental educational award for the term of service involved, and the national service educational award and supplemental educational award shall be available for the lengths of time described in sub-paragraph (B).
(B) Lengths of Time.—The lengths of time described in this subparagraph are as follows:

(i) For an individual who completes the term of service involved by September 30, 2023 or the individual’s transferee, until the end of the 7-year period beginning on that date.

(ii) For an individual who completes such term of service by September 30, 2024 or the individual’s transferee, until the end of the 6-year period beginning on that date.

(iii) For an individual who completes such term of service by September 30, 2025 or the individual’s transferee, until the end of the 5-year period beginning on that date.

(iv) For an individual who completes such term of service by September 30, 2026 or the individual’s transferee, until the end of the 4-year period beginning on that date.

(v) For an individual who completes such term of service by September 30,
2027 or the individual’s transferee, until
the end of the 3-year period beginning on
that date.

(vi) For an individual who completes
such term of service by September 30,
2028 or the individual’s transferee, until
the end of the 2-year period beginning on
that date.

(vii) For an individual who completes
such term of service by September 30,
2029 or the individual’s transferee, until
the end of the 1-year period beginning on
that date.

(i) LIMITATION.—The funds made available under
this section are subject to the condition that the Corpora-
tion shall not—

(1) use such funds to make any transfer to the
National Service Trust for any use, or enter into any
agreement involving such funds—

(A) that is for a term extending beyond
September 30, 2031; or

(B) for which or under which any payment
could be outlaid after September 30, 2031; and
(2) use any other funds available to the Corporation to liquidate obligations made under this section.

(j) **Definition.**—For purposes of this section, the term “registered apprenticeship program” means an apprenticeship program registered with the Office of Apprenticeship of the Employment and Training Administration of the Department of Labor, or a State apprenticeship agency recognized by the Office of Apprenticeship, pursuant to the Act of August 16, 1937 (commonly known as the “National Apprenticeship Act”; 50 Stat. 664, chapter 663).

**SEC. 25002. WORKFORCE DEVELOPMENT IN SUPPORT OF CLIMATE RESILIENCE AND MITIGATION.**

(a) **YOUTHBUILD.**—In addition to amounts otherwise available, there is appropriated to the Department of Labor for fiscal year 2022, out of any amounts in the Treasury not otherwise appropriated, $450,000,000, to remain available until September 30, 2026, to support activities aligned with high-quality employment opportunities in industry sectors or occupations related to climate resilience or mitigation and aligned with the activities described in subsection (e)(3) of section 25001 by—
(1) carrying out activities described in section 171(e)(2) of the Workforce Innovation and Opportunity Act; and

(2) improving and expanding access to services, stipends, wages, and benefits described in subparagraphs (A)(vii) and (F) of section 171(c)(2) of such Act.

(b) **JOB CORPS.**—

(1) **IN GENERAL.**—In addition to amounts otherwise available, there is appropriated to the Department of Labor for fiscal year 2022, out of any amounts in the Treasury not otherwise appropriated, $450,000,000, to remain available until September 30, 2026, to support activities aligned with high-quality employment opportunities in industry sectors or occupations related to climate resilience or mitigation and aligned with the activities described in subsection (e)(3) of section 25001 by—

(A) providing funds to operators and service providers to—

(i) carry out the activities and services described in sections 148 and 149 of the Workforce Innovation and Opportunity Act; and
(ii) improve and expand access to allowances and services described in section 150 of such Act; and

(B) notwithstanding section 158(c) of such Act, constructing, rehabilitating, and acquiring Job Corps centers to support activities described in subparagraph (A).

(2) ELIGIBILITY.—For the purposes of carrying out paragraph (1), an entity in a State or outlying area shall be eligible to be selected as an operator or service provider.

(c) PRE-APPRENTICESHIP, AND REGISTERED APPRENTICESHIP PROGRAMS.—

(1) Pre-apprenticeship programs.—In addition to amounts otherwise available, there is appropriated to the Department of Labor for fiscal year 2022, out of any amounts in the Treasury not otherwise appropriated, $1,000,000,000, to remain available until September 30, 2026, to carry out activities through grants, cooperative agreements, or contracts to create or expand pre-apprenticeship programs that articulate to registered apprenticeship programs, are aligned with high-quality employment opportunities in industry sectors or occupations related to climate resilience or mitigation, and are
aligned with the activities described in subsection (e)(3) of section 25001.

(2) **Pre-apprenticeship Partnerships.**—In addition to amounts otherwise available, there is appropriated to the Department of Labor for fiscal year 2022, out of any amounts in the Treasury not otherwise appropriated, $150,000,000, to remain available until September 30, 2026, to support partnerships between entities carrying out pre-apprenticeship programs that articulate to registered apprenticeship programs and entities funded under subsection (e) of section 25001 to ensure past and current participants in programs funded under subsection (e)(1) of section 25001 have access to such pre-apprenticeship programs.

(3) **Registered Apprenticeship Programs.**—In addition to amounts otherwise available, there is appropriated to the Department of Labor for fiscal year 2022, out of any amounts in the Treasury not otherwise appropriated, $450,000,000, to remain available until September 30, 2026, to carry out activities through grants, cooperative agreements, or contracts to create or expand registered apprenticeship programs in climate-related nontraditional apprenticeship occupations.
(4) Participants with barriers to employment and nontraditional apprenticeship populations.—In addition to amounts otherwise available, there is appropriated to the Department of Labor for fiscal year 2022, out of any amounts in the Treasury not otherwise appropriated, $350,000,000, to remain available until September 30, 2026, for entities to carry out pre-apprenticeship programs described in paragraph (1), and registered apprenticeship program described in paragraph (3), serving a high number or high percentage of individuals with barriers to employment, including individuals with disabilities, or nontraditional apprenticeship populations.

(d) Reentry Employment Opportunities Program.—In addition to amounts otherwise available, there is appropriated to the Department of Labor for fiscal year 2022, out of any amounts in the Treasury not otherwise appropriated, $1,000,000,000, to remain available until September 30, 2026, for the Reentry Employment Opportunities program, which amount shall be used to support activities aligned with high-quality employment opportunities in industry sectors or occupations related to climate resilience or mitigation and aligned with the activities described in subsection (e)(3) of section 25001.
(c) Paid Youth Employment Opportunities.—In addition to amounts otherwise available, there is appropriated for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, to the Department of Labor, $350,000,000, to remain available until September 30, 2026, to carry out activities through grants, contracts, or cooperative agreements, for the purposes of providing in-school youth and out-of-school youth with paid work experiences authorized under section 129(c)(2)(C) of the Workforce Innovation and Opportunity Act that are—

(1) carried out by State or local public agencies or private nonprofit entities, including community-based organizations;

(2) provided in conjunction with supportive services and other elements described in section 129(c)(2) of such Act;

(3) aligned with the activities described in subsection (e)(3) of section 25001; and

(4) designed to prepare participants for—

(A) high-quality, unsubsidized employment opportunities in industry sectors or occupations related to climate resilience or mitigation;
(B) enrollment in an institution of higher education (as defined in section 101 or 102(e) of the Higher Education Act of 1965); and

(C) registered apprenticeship programs.

(f) Department of Labor Inspector General.—In addition to amounts otherwise available, there is appropriated to the Office of Inspector General of the Department of Labor for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $10,000,000, to remain available until expended, for salaries and expenses necessary for oversight, investigations, and audits of programs, grants, and projects of the Department of Labor funded under this section.

(g) Administration.—

(1) In general.—In addition to amounts otherwise available, there is appropriated to the Department of Labor for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $69,800,000, to remain available until September 30, 2029, for program administration within the Department of Labor for salaries and expenses necessary to implement this section.

(2) Plan.—In addition to amounts otherwise available, there is appropriated for fiscal year 2022, out of any money in the Treasury not otherwise ap-
propriated, to the Department of Labor, $200,000, to remain available until September 30, 2023, which shall be used by the Secretary to—

(A) develop, publish, and implement, not later than 180 days after the date of enactment of this Act, a project, operations, and management plan for funds appropriated under this section; and

(B) consult with the Chief Executive Officer of the Corporation for National and Community Service in developing the plan under subparagraph (A).

(h) Definition.—For purposes of this section:

(1) Climate-related nontraditional apprenticeship occupation.—The term “climate-related nontraditional apprenticeship occupation” means an apprenticeable occupation—

(A) that aligns with the activities described in subsection (e)(3) of section 25001;

(B) in an industry sector that trains less than 10 percent of all civilian registered apprentices as of the date of the enactment of this Act; and

(C) that is related to climate resilience or mitigation.
(2) Registered Apprenticeship Program.—

The term “registered apprenticeship program” means an apprenticeship program registered with the Office of Apprenticeship of the Employment and Training Administration of the Department of Labor, or a State apprenticeship agency recognized by the Office of Apprenticeship, pursuant to the Act of August 16, 1937 (commonly known as the “National Apprenticeship Act”; 50 Stat. 664, chapter 663).

(3) WIOA Definitions.—The terms “community-based organization”, “individual with a barrier to employment”, “in-school youth”, “outlying area”, and “out-of-school youth” have the meanings given such terms in paragraphs (10), (24), (27), (45), and (46), respectively, of section 3 of the Workforce Innovation and Opportunity Act.

Subtitle G—Prescription Drug Coverage Provisions

SEC. 26001. REQUIREMENTS WITH RESPECT TO COST-SHARING FOR CERTAIN INSULIN PRODUCTS.

(a) ERISA.—

(1) In general.—Subpart B of part 7 of subpart B of title I of the Employee Retirement Income
Security Act of 1974 (29 U.S.C. 1185 et seq.) is amended by adding at the end the following:

“SEC. 726. REQUIREMENTS WITH RESPECT TO COST-SHARING FOR CERTAIN INSULIN PRODUCTS.

“(a) IN GENERAL.—For plan years beginning on or after January 1, 2023, a group health plan or health insurance issuer offering group health insurance coverage shall provide coverage of selected insulin products, and with respect to such products, shall not—

“(1) apply any deductible; or

“(2) impose any cost-sharing in excess of the lesser of, per 30-day supply—

“(A) $35; or

“(B) the amount equal to 25 percent of the negotiated price of the selected insulin product net of all price concessions received by or on behalf of the plan or coverage, including price concessions received by or on behalf of third-party entities providing services to the plan or coverage, such as pharmacy benefit management services.

“(b) DEFINITIONS.—In this section:

“(1) SELECTED INSULIN PRODUCTS.—The term ‘selected insulin products’ means at least one of each dosage form (such as vial, pump, or inhaler dosage
forms) of each different type (such as rapid-acting, short-acting, intermediate-acting, long-acting, ultra long-acting, and premixed) of insulin (as defined below), when available, as selected by the group health plan or health insurance issuer.

“(2) INSULIN DEFINED.—The term ‘insulin’ means insulin that is licensed under subsection (a) or (k) of section 351 of the Public Health Service Act (42 U.S.C. 262) and continues to be marketed under such section, including any insulin product that has been deemed to be licensed under section 351(a) of such Act pursuant to section 7002(e)(4) of the Biologics Price Competition and Innovation Act of 2009 (Public Law 111–148) and continues to be marketed pursuant to such licensure.

“(c) OUT-OF-NETWORK PROVIDERS.—Nothing in this section requires a plan or issuer that has a network of providers to provide benefits for selected insulin products described in this section that are delivered by an out-of-network provider, or precludes a plan or issuer that has a network of providers from imposing higher cost-sharing than the levels specified in subsection (a) for selected insulin products described in this section that are delivered by an out-of-network provider.
“(d) RULE OF CONSTRUCTION.—Subsection (a) shall not be construed to require coverage of, or prevent a group health plan or health insurance coverage from imposing cost-sharing other than the levels specified in subsection (a) on, insulin products that are not selected insulin products, to the extent that such coverage is not otherwise required and such cost-sharing is otherwise permitted under Federal and applicable State law.

“(e) APPLICATION OF COST-SHARING TOWARDS DEDUCTIBLES AND OUT-OF-POCKET MAXIMUMS.—Any cost-sharing payments made pursuant to subsection (a)(2) shall be counted toward any deductible or out-of-pocket maximum that applies under the plan or coverage.”.

(2) CLERICAL AMENDMENT.—The table of contents in section 1 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1001 et seq.) is amended by inserting after the item relating to section 725 the following:

“Sec. 726. Requirements with respect to cost-sharing for certain insulin products.”.

(b) INTERNAL REVENUE CODE.—

(1) IN GENERAL.—Subchapter B of chapter 100 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:
“SEC. 9826. REQUIREMENTS WITH RESPECT TO COST-SHARING FOR CERTAIN INSULIN PRODUCTS.

“(a) IN GENERAL.—For plan years beginning on or after January 1, 2023, a group health plan shall provide coverage of selected insulin products, and with respect to such products, shall not—

“(1) apply any deductible; or

“(2) impose any cost-sharing in excess of the lesser of, per 30-day supply—

“(A) $35; or

“(B) the amount equal to 25 percent of the negotiated price of the selected insulin product net of all price concessions received by or on behalf of the plan, including price concessions received by or on behalf of third-party entities providing services to the plan, such as pharmacy benefit management services.

“(b) DEFINITIONS.—In this section:

“(1) SELECTED INSULIN PRODUCTS.—The term ‘selected insulin products’ means at least one of each dosage form (such as vial, pump, or inhaler dosage forms) of each different type (such as rapid-acting, short-acting, intermediate-acting, long-acting, ultra long-acting, and premixed) of insulin (as defined below), when available, as selected by the group health plan.
“(2) INSULIN DEFINED.—The term ‘insulin’ means insulin that is licensed under subsection (a) or (k) of section 351 of the Public Health Service Act (42 U.S.C. 262) and continues to be marketed under such section, including any insulin product that has been deemed to be licensed under section 351(a) of such Act pursuant to section 7002(e)(4) of the Biologics Price Competition and Innovation Act of 2009 (Public Law 111–148) and continues to be marketed pursuant to such licensure.

“(c) OUT-OF-NETWORK PROVIDERS.—Nothing in this section requires a plan that has a network of providers to provide benefits for selected insulin products described in this section that are delivered by an out-of-network provider, or precludes a plan that has a network of providers from imposing higher cost-sharing than the levels specified in subsection (a) for selected insulin products described in this section that are delivered by an out-of-network provider.

“(d) RULE OF CONSTRUCTION.—Subsection (a) shall not be construed to require coverage of, or prevent a group health plan from imposing cost-sharing other than the levels specified in subsection (a) on, insulin products that are not selected insulin products, to the extent that such coverage is not otherwise required and such cost-sharing is
otherwise permitted under Federal and applicable State law.

“(e) APPLICATION OF COST-SHARING TOWARDS DEDUCTIBLES AND OUT-OF-POCKET MAXIMUMS.—Any cost-sharing payments made pursuant to subsection (a)(2) shall be counted toward any deductible or out-of-pocket maximum that applies under the plan.”.

(2) CLERICAL AMENDMENT.—The table of sections for subchapter B of chapter 100 of such Code is amended by adding at the end the following new item:

“Sec. 9826. Requirements with respect to cost-sharing for certain insulin products.”.

SEC. 26002. OVERSIGHT OF PHARMACY BENEFIT MANAGER SERVICES.

(a) ERISA.—

(1) IN GENERAL.—Subtitle B of title I of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1021 et seq.) is amended—

(A) in subpart B of part 7 (29 U.S.C. 1185 et seq.), by adding at the end the following:

“SEC. 727. OVERSIGHT OF PHARMACY BENEFIT MANAGER SERVICES.

“(a) IN GENERAL.—For plan years beginning on or after January 1, 2023, a group health plan (or health in-
insurance issuer offering group health insurance coverage
in connection with such a plan) or an entity or subsidiary
providing pharmacy benefits management services on be-
half of such a plan or issuer shall not enter into a contract
with a drug manufacturer, distributor, wholesaler, subcon-
tractor, rebate aggregator, or any associated third party
that limits the disclosure of information to plan sponsors
in such a manner that prevents the plan or issuer, or an
entity or subsidiary providing pharmacy benefits manage-
ment services on behalf of a plan or issuer, from making
the reports described in subsection (b).

“(b) REPORTS.—

“(1) IN GENERAL.—For plan years beginning
on or after January 1, 2023, not less frequently
than once every 6 months, a health insurance issuer
offering group health insurance coverage or an enti-
ty providing pharmacy benefits management services
on behalf of a group health plan or an issuer pro-
viding group health insurance coverage shall submit
to the plan sponsor (as defined in section 3(16)(B))
of such group health plan or group health insurance
coverage a report in accordance with this subsection
and make such report available to the plan sponsor
in a machine-readable format. Each such report
shall include, with respect to the applicable group health plan or health insurance coverage—

“(A) as applicable, information collected from drug manufacturers by such issuer or entity on the total amount of copayment assistance dollars paid, or copayment cards applied, that were funded by the drug manufacturer with respect to the participants and beneficiaries in such plan or coverage;

“(B) a list of each drug covered by such plan, issuer, or entity providing pharmacy benefit management services that was dispensed during the reporting period, including, with respect to each such drug during the reporting period—

“(i) the brand name, chemical entity, and National Drug Code;

“(ii) the number of participants and beneficiaries for whom the drug was filled during the plan year, the total number of prescription fills for the drug (including original prescriptions and refills), and the total number of dosage units of the drug dispensed across the plan year, including
whether the dispensing channel was by retail, mail order, or specialty pharmacy;

“(iii) the wholesale acquisition cost, listed as cost per days supply and cost per pill, or in the case of a drug in another form, per dose;

“(iv) the total out-of-pocket spending by participants and beneficiaries on such drug, including participant and beneficiary spending through copayments, coinsurance, and deductibles; and

“(v) for any drug for which gross spending of the group health plan or health insurance coverage exceeded $10,000 during the reporting period—

“(I) a list of all other drugs in the same therapeutic category or class, including brand name drugs and biological products and generic drugs or biosimilar biological products that are in the same therapeutic category or class as such drug; and

“(II) the rationale for preferred formulary placement of such drug in that therapeutic category or class;
“(C) a list of each therapeutic category or class of drugs that were dispensed under the health plan or health insurance coverage during the reporting period, and, with respect to each such therapeutic category or class of drugs, during the reporting period—

“(i) total gross spending by the plan, before manufacturer rebates, fees, or other manufacturer remuneration;

“(ii) the number of participants and beneficiaries who filled a prescription for a drug in that category or class;

“(iii) if applicable to that category or class, a description of the formulary tiers and utilization mechanisms (such as prior authorization or step therapy) employed for drugs in that category or class;

“(iv) the total out-of-pocket spending by participants and beneficiaries, including participant and beneficiary spending through copayments, coinsurance, and deductibles; and

“(v) for each therapeutic category or class under which 3 or more drugs are in-
cluded on the formulary of such plan or coverage—

“(I) the amount received, or expected to be received, from drug manufacturers in rebates, fees, alternative discounts, or other remuneration—

“(aa) to be paid by drug manufacturers for claims incurred during the reporting period; or

“(bb) that is related to utilization of drugs, in such therapeutic category or class;

“(II) the total net spending, after deducting rebates, price concessions, alternative discounts or other remuneration from drug manufacturers, by the health plan or health insurance coverage on that category or class of drugs; and

“(III) the net price per course of treatment or single fill, such as a 30-day supply or 90-day supply, incurred by the health plan or health insurance coverage and its participants and
beneficiaries, after manufacturer rebates, fees, and other remuneration for drugs dispensed within such therapeutic category or class during the reporting period;

“(D) total gross spending on prescription drugs by the plan or coverage during the reporting period, before rebates and other manufacturer fees or remuneration;

“(E) total amount received, or expected to be received, by the health plan or health insurance coverage in drug manufacturer rebates, fees, alternative discounts, and all other remuneration received from the manufacturer or any third party, other than the plan sponsor, related to utilization of drug or drug spending under that health plan or health insurance coverage during the reporting period;

“(F) the total net spending on prescription drugs by the health plan or health insurance coverage during the reporting period; and

“(G) amounts paid directly or indirectly in rebates, fees, or any other type of remuneration to brokers, consultants, advisors, or any other individual or firm who referred the group health
plan's or health insurance issuer's business to
the pharmacy benefit manager.

“(2) Privacy Requirements.—Health insur-
ance issuers offering group health insurance cov-
erage and entities providing pharmacy benefits man-
agement services on behalf of a group health plan
shall provide information under paragraph (1) in a
manner consistent with the privacy, security, and
breach notification regulations promulgated under
section 264(c) of the Health Insurance Portability
and Accountability Act of 1996, and shall restrict
the use and disclosure of such information according
to such privacy regulations.

“(3) Disclosure and Redisclosure.—

“(A) Limitation to Business Associates.—A group health plan receiving a report
under paragraph (1) may disclose such informa-
tion only to business associates of such plan as
defined in section 160.103 of title 45, Code of
Federal Regulations (or successor regulations).

“(B) Clarification Regarding Public
Disclosure of Information.—Nothing in
this section prevents a health insurance issuer
offering group health insurance coverage or an
entity providing pharmacy benefits management
services on behalf of a group health plan from placing reasonable restrictions on the public disclosure of the information contained in a report described in paragraph (1), except that such issuer or entity may not restrict disclosure of such report to the Department of Health and Human Services, the Department of Labor, or the Department of the Treasury.

“(C) LIMITED FORM OF REPORT.—The Secretary shall define through rulemaking a limited form of the report under paragraph (1) required to be submitted to plan sponsors who are drug manufacturers, drug wholesalers, or other direct participants in the drug supply chain, in order to prevent anti-competitive behavior.

“(4) REPORT TO GAO.—A health insurance issuer offering group health insurance coverage or an entity providing pharmacy benefits management services on behalf of a group health plan shall submit to the Comptroller General of the United States each of the first 4 reports submitted to a plan sponsor under paragraph (1) with respect to such coverage or plan, and other such reports as requested, in accordance with the privacy requirements under
paragraph (2) and the disclosure and redisclosure standards under paragraph (3), and such other information that the Comptroller General determines necessary to carry out the study under section 30606(b) of the Act entitled ‘An Act to provide for reconciliation pursuant to title II of S. Con. Res. 14’.

“(c) ENFORCEMENT.—

“(1) IN GENERAL.—The Secretary, in consultation with the Secretary of Health and Human Services and the Secretary of the Treasury, shall enforce this section.

“(2) FAILURE TO PROVIDE TIMELY INFORMATION.—A health insurance issuer or an entity providing pharmacy benefit management services that violates subsection (a) or fails to provide information required under subsection (b), or a drug manufacturer that fails to provide information under subsection (b)(1)(A) in a timely manner, shall be subject to a civil monetary penalty in the amount of $10,000 for each day during which such violation continues or such information is not disclosed or reported.

“(3) FALSE INFORMATION.—A health insurance issuer, entity providing pharmacy benefit manage-
ment services, or drug manufacturer that knowingly
provides false information under this section shall be
subject to a civil money penalty in an amount not
to exceed $100,000 for each item of false informa-
tion. Such civil money penalty shall be in addition to
other penalties as may be prescribed by law.

“(4) PROCEDURE.—The provisions of section
1128A of the Social Security Act, other than sub-
section (a) and (b) and the first sentence of sub-
section (c)(1) of such section shall apply to civil
monetary penalties under this subsection in the
same manner as such provisions apply to a penalty
or proceeding under section 1128A of the Social Se-
curity Act.

“(5) WAIVERS.—The Secretary may waive pen-
alties under paragraph (2), or extend the period of
time for compliance with a requirement of this sec-
tion, for an entity in violation of this section that
has made a good-faith effort to comply with this sec-
tion.

“(d) RULE OF CONSTRUCTION.—Nothing in this sec-
tion shall be construed to permit a health insurance issuer,
group health plan, or other entity to restrict disclosure to,
or otherwise limit the access of, the Department of Labor
to a report described in subsection (b)(1) or information
related to compliance with subsection (a) by such issuer,

plan, or entity.

“(e) DEFINITION.—In this section, the term ‘whole-
sale acquisition cost’ has the meaning given such term in
section 1847A(c)(6)(B) of the Social Security Act.”; and

(B) in section 502(b)(3) (29 U.S.C.
1132(b)(3)), by inserting “(other than section
727)” after “part 7”.

(2) CLERICAL AMENDMENT.—The table of con-
tents in section 1 of the Employee Retirement In-
is amended by inserting after the item relating to
section 726 the following new item:

“Sec. 727. Oversight of pharmacy benefit manager services.”.

(b) INTERNAL REVENUE CODE.—

(1) IN GENERAL.—Subchapter B of chapter
100 of the Internal Revenue Code of 1986, as
amended by section ____001(b), is further amended
by adding at the end the following:

“SEC. 9827. OVERSIGHT OF PHARMACY BENEFIT MANAGER
SERVICES.

“(a) IN GENERAL.—For plan years beginning on or
after January 1, 2023, a group health plan or an entity
or subsidiary providing pharmacy benefits management
services on behalf of such a plan shall not enter into a
contract with a drug manufacturer, distributor, whole-
saler, subcontractor, rebate aggregator, or any associated third party that limits the disclosure of information to plan sponsors in such a manner that prevents the plan, or an entity or subsidiary providing pharmacy benefits management services on behalf of a plan, from making the reports described in subsection (b).

“(b) REPORTS.—

“(1) IN GENERAL.—For plan years beginning on or after January 1, 2023, not less frequently than once every 6 months, an entity providing pharmacy benefits management services on behalf of a group health plan shall submit to the plan sponsor (as defined in section 3(16)(B) of the Employee Retirement Income Security Act of 1974) of such group health plan a report in accordance with this subsection and make such report available to the plan sponsor in a machine-readable format. Each such report shall include, with respect to the applicable group health plan—

“(A) as applicable, information collected from drug manufacturers by such entity on the total amount of copayment assistance dollars paid, or copayment cards applied, that were funded by the drug manufacturer with respect
to the participants and beneficiaries in such plan;

“(B) a list of each drug covered by such plan or entity providing pharmacy benefit management services that was dispensed during the reporting period, including, with respect to each such drug during the reporting period—

“(i) the brand name, chemical entity, and National Drug Code;

“(ii) the number of participants and beneficiaries for whom the drug was filled during the plan year, the total number of prescription fills for the drug (including original prescriptions and refills), and the total number of dosage units of the drug dispensed across the plan year, including whether the dispensing channel was by retail, mail order, or specialty pharmacy;

“(iii) the wholesale acquisition cost, listed as cost per days supply and cost per pill, or in the case of a drug in another form, per dose;

“(iv) the total out-of-pocket spending by participants and beneficiaries on such drug, including participant and beneficiary
spending through copayments, coinsurance, and deductibles; and

“(v) for any drug for which gross spending of the group health plan exceeded $10,000 during the reporting period—

“(I) a list of all other drugs in the same therapeutic category or class, including brand name drugs and biological products and generic drugs or biosimilar biological products that are in the same therapeutic category or class as such drug; and

“(II) the rationale for preferred formulary placement of such drug in that therapeutic category or class;

“(C) a list of each therapeutic category or class of drugs that were dispensed under the health plan during the reporting period, and, with respect to each such therapeutic category or class of drugs, during the reporting period—

“(i) total gross spending by the plan, before manufacturer rebates, fees, or other manufacturer remuneration;
“(ii) the number of participants and beneficiaries who filled a prescription for a drug in that category or class;

“(iii) if applicable to that category or class, a description of the formulary tiers and utilization mechanisms (such as prior authorization or step therapy) employed for drugs in that category or class;

“(iv) the total out-of-pocket spending by participants and beneficiaries, including participant and beneficiary spending through copayments, coinsurance, and deductibles; and

“(v) for each therapeutic category or class under which 3 or more drugs are included on the formulary of such plan—

“(I) the amount received, or expected to be received, from drug manufacturers in rebates, fees, alternative discounts, or other remuneration—

“(aa) to be paid by drug manufacturers for claims incurred during the reporting period; or
“(bb) that is related to utilization of drugs, in such therapeutic category or class;

“(II) the total net spending, after deducting rebates, price concessions, alternative discounts or other remuneration from drug manufacturers, by the health plan on that category or class of drugs; and

“(III) the net price per course of treatment or single fill, such as a 30-day supply or 90-day supply, incurred by the health plan and its participants and beneficiaries, after manufacturer rebates, fees, and other remuneration for drugs dispensed within such therapeutic category or class during the reporting period;

“(D) total gross spending on prescription drugs by the plan during the reporting period, before rebates and other manufacturer fees or remuneration;

“(E) total amount received, or expected to be received, by the health plan in drug manufacturer rebates, fees, alternative discounts, and
all other remuneration received from the manufacturer or any third party, other than the plan sponsor, related to utilization of drug or drug spending under that health plan during the reporting period;

“(F) the total net spending on prescription drugs by the health plan during the reporting period; and

“(G) amounts paid directly or indirectly in rebates, fees, or any other type of remuneration to brokers, consultants, advisors, or any other individual or firm who referred the group health plan’s business to the pharmacy benefit manager.

“(2) PRIVACY REQUIREMENTS.—Entities providing pharmacy benefits management services on behalf of a group health plan shall provide information under paragraph (1) in a manner consistent with the privacy, security, and breach notification regulations promulgated under section 264(c) of the Health Insurance Portability and Accountability Act of 1996, and shall restrict the use and disclosure of such information according to such privacy regulations.

“(3) DISCLOSURE AND REDISCLOSURE.—
“(A) LIMITATION TO BUSINESS ASSOCIATES.—A group health plan receiving a report under paragraph (1) may disclose such information only to business associates of such plan as defined in section 160.103 of title 45, Code of Federal Regulations (or successor regulations).

“(B) CLARIFICATION REGARDING PUBLIC DISCLOSURE OF INFORMATION.—Nothing in this section prevents an entity providing pharmacy benefits management services on behalf of a group health plan from placing reasonable restrictions on the public disclosure of the information contained in a report described in paragraph (1), except that such entity may not restrict disclosure of such report to the Department of Health and Human Services, the Department of Labor, or the Department of the Treasury.

“(C) LIMITED FORM OF REPORT.—The Secretary shall define through rulemaking a limited form of the report under paragraph (1) required to be submitted to plan sponsors who are drug manufacturers, drug wholesalers, or other direct participants in the drug supply
chain, in order to prevent anti-competitive behavior.

“(4) REPORT TO GAO.—An entity providing pharmacy benefits management services on behalf of a group health plan shall submit to the Comptroller General of the United States each of the first 4 reports submitted to a plan sponsor under paragraph (1) with respect to such plan, and other such reports as requested, in accordance with the privacy requirements under paragraph (2) and the disclosure and redisclosure standards under paragraph (3), and such other information that the Comptroller General determines necessary to carry out the study under section 30606(b) of an Act to provide for reconciliation pursuant to title II of S. Con. Res. 14.

“(c) ENFORCEMENT.—

“(1) IN GENERAL.—The Secretary, in consultation with the Secretary of Labor and the Secretary of Health and Human Services, shall enforce this section.

“(2) FAILURE TO PROVIDE TIMELY INFORMATION.—An entity providing pharmacy benefit management services that violates subsection (a) or fails to provide information required under subsection (b), or a drug manufacturer that fails to provide in-
formation under subsection (b)(1)(A) in a timely manner, shall be subject to a civil monetary penalty in the amount of $10,000 for each day during which such violation continues or such information is not disclosed or reported.

“(3) False information.—An entity providing pharmacy benefit management services, or drug manufacturer that knowingly provides false information under this section shall be subject to a civil money penalty in an amount not to exceed $100,000 for each item of false information. Such civil money penalty shall be in addition to other penalties as may be prescribed by law.

“(4) Procedure.—The provisions of section 1128A of the Social Security Act, other than subsection (a) and (b) and the first sentence of subsection (c)(1) of such section shall apply to civil monetary penalties under this subsection in the same manner as such provisions apply to a penalty or proceeding under section 1128A of the Social Security Act.

“(5) Waivers.—The Secretary may waive penalties under paragraph (2), or extend the period of time for compliance with a requirement of this section, for an entity in violation of this section that
has made a good-faith effort to comply with this section.

“(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to permit a group health plan or other entity to restrict disclosure to, or otherwise limit the access of, the Department of the Treasury to a report described in subsection (b)(1) or information related to compliance with subsection (a) by such plan or entity.

“(e) DEFINITION.—In this section, the term ‘whole-sale acquisition cost’ has the meaning given such term in section 1847A(c)(6)(B) of the Social Security Act.”.

(2) CLERICAL AMENDMENT.—The table of sections for subchapter B of chapter 100 of the Internal Revenue Code of 1986, as amended by the preceding provisions of this Act, is further amended by adding at the end the following new item:

“Sec. 9827. Oversight of pharmacy benefit manager services.”.

(c) FUNDING.—For purposes of carrying out the amendments made by this section there are appropriated out of amounts in the Treasury not otherwise appropriated, $43,750,000 for the Department of Labor for Fiscal Year 2022.
Subtitle H—Affordable Health Care Coverage

SEC. 27001. ENSURING AFFORDABILITY OF COVERAGE FOR CERTAIN LOW-INCOME POPULATIONS.

(a) Reducing Cost Sharing Under Qualified Health Plans.—Section 1402 of the Patient Protection and Affordable Care Act (42 U.S.C. 18071) is amended—

(1) in subsection (b)—

(A) in paragraph (2), by inserting “(or, with respect to plan years 2023, 2024, and 2025, whose household income does not exceed 400 percent of the poverty line for a family of the size involved)” before the period; and

(B) in the matter following paragraph (2), by adding at the end the following new sentence: “In the case of an individual who is determined at any point to have a household income for 2022 that does not exceed 138 percent of the poverty line for a family of the size involved, such individual shall, for each month during such year, be treated as having a household income equal to 100 percent for purposes of applying this section.”; and

(2) in subsection (c)—
(A) in paragraph (1)(A), in the matter preceding clause (i), by inserting “, with respect to eligible insureds (other than, with respect to plan years 2023, 2024, and 2025, specified enrollees (as defined in paragraph (6)(C))),” after “first be achieved”;

(B) in paragraph (2), in the matter preceding subparagraph (A), by inserting “with respect to eligible insureds (other than, with respect to plan years 2023, 2024, and 2025, specified enrollees)” after “under the plan”;

(C) in paragraph (3)—

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

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

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

“(6) SPECIAL RULE FOR SPECIFIED ENROLLees.—

“(A) IN GENERAL.—The Secretary shall establish procedures under which the issuer of a qualified health plan to which this section ap-
plies shall reduce cost-sharing under the plan with respect to months occurring during plan years 2023, 2024, and 2025 for enrollees who are specified enrollees (as defined in subparagraph (C)) in a manner sufficient to increase the plan’s share of the total allowed costs of benefits provided under the plan to 99 percent of such costs.

“(B) METHODS FOR REDUCING COST SHARING.—

“(i) IN GENERAL.—An issuer of a qualified health plan making reductions under this paragraph shall notify the Secretary of such reductions and the Secretary shall, out of funds made available under clause (ii), make periodic and timely payments to the issuer equal to 12 percent of the total allowed costs of benefits provided under each such plan to specified enrollees during plan years 2023, 2024, and 2025.

“(ii) APPROPRIATION.—In addition to amounts otherwise available, there are appropriated, out of any money in the Treasury not otherwise appropriated, such sums
as may be necessary to the Secretary to
make payments under clause (i).

“(C) Specified enrollee defined.—

For purposes of this section, the term ‘specified
enrollee’ means, with respect to a plan year, an
eligible insured who is determined at any point
to have a household income for such plan year
that does not exceed 138 percent of the poverty
line for a family of the size involved. Such in-
sured shall be deemed to be a specified enrollee
for each month in such plan year.

“(D) Retroactive payment and reimburse-
ment for services.—

“(i) In general.—

“(I) Eligibility for retro-
active payment and reim-
bursement for services.—For plan year
2025, for a specified enrollee, the
qualified health plan in which the
specified enrollee is enrolled shall
make payments to providers and fa-
cilities or reimburse the specified en-
rollee for any item or service fur-
nished to such specified enrollee dur-
ing the retroactive coverage period
that would have been covered under
the terms of the coverage had the
specified enrollee been enrolled in the
plan at the time such item or service
was furnished.

“(II) LIMITATION OF RETRO-
ACTIVE PAYMENT AND REIMBURSE-
MENT FOR SERVICES TO CURRENT
PLAN YEAR.—In no case shall pay-
ment or reimbursement for items and
services by a qualified health plan
pursuant to subclause (I) be required
to be made for items and services fur-
nished in a month that precedes the
first month of the applicable plan
year.

“(ii) METHODS FOR FINANCING RET-
ROACTIVE PAYMENT AND REIMBURSEMENT
FOR SERVICES.—

“(I) NOTIFICATION OF PAYMENT
AND REIMBURSEMENT TO PROVIDERS,
FACILITIES, OR INDIVIDUALS.—A
qualified health plan shall notify the
Secretary, in a form and manner
specified by the Secretary, of pay-
ments or reimbursements made for any items and services furnished to a specified enrollee during the retroactive coverage period pursuant to clause (i).

“(II) Payments to qualified health plans.—The Secretary shall make periodic and timely payments to a qualified health plan described in subclause (I) equal to 100 percent of the value of the payment or reimbursement made by the qualified health plan related to items and services furnished during the retroactive coverage period, including reasonable administrative expenses incurred by such plan, as the Secretary determines appropriate.

“(iii) Coordination of benefits.—If a specified enrollee for whom a qualified health plan retroactively makes payments or reimbursements for items and services under clause (i) had coverage under a group health plan or health insurance coverage at the time such items and services
were furnished, such plan or coverage shall have primary payment responsibility for such items and services, and the qualified health plan shall make a payment or reimbursement under clause (i) only if such group health plan or health insurance coverage has not made, or cannot reasonably be expected to make, payment with respect to such item or service. If such group health plan or health insurance coverage has made a partial payment, or can reasonably be expected to make a partial payment, the qualified health plan shall be responsible for payment or reimbursement for the remaining cost of such items and services to the specified enrollee, after such partial payment has been made under the terms of such plan or coverage.

“(iv) Conditions for receipt of payment.—As a condition of payment under clause (ii)(II), a qualified health plan—

“(I) may not hold a specified enrollee liable for amounts in excess of the cost-sharing that would have ap-
plied under the qualified health plan
for items and services payed for as de-
scribed in clause (i), if such services
were provided by an in-network facil-
ity or provider;

“(II) may not collect a premium
from a specified enrollee in association
with payments for items and services
furnished during the retroactive cov-
ereage period;

“(III) shall grant the specified
enrollee access to the right to appeal
any adverse payment or reimburse-
ment determination with respect to
payments and reimbursements de-
scribed in this subparagraph through
the process established in section
2719(a) of the Public Health Service
Act, as though such determination
were an adverse benefit determination
described in such section; and

“(IV) may not deny payment to a
provider or facility or reimbursement
to a specified enrollee for a covered
item or service on the basis that the
terms of the coverage would have re-
quired prior authorization or other
medical management restrictions or
limitations.

“(v) PAYMENT FOR ITEMS AND SERV-
ICES.—A qualified health plan shall make
a payment or reimbursement under this
 subparagraph in the case of an item or
service provided by—

“(I) an in-network facility or pro-
vider equal to the amount that such
plan would otherwise pay with respect
to enrolled individuals under the
terms of the coverage; and

“(II) an out-of-network facility or
provider equal to the amount deter-
mined using the independent dispute
resolution process described in section
2799A–1(c) of the Public Health
Service Act, as if such item or service
were an item or service described in
such section in which the open nego-
tiation process did not result in a de-
termination of an amount of payment.
“(vi) IMPLEMENTATION.—In implementing clause (v)(II), the Secretary, as appropriate, shall designate an initiation date for the independent dispute resolution process described in such clause to be used in lieu of the initiation date described in section 2799A–1(c)(1)(B) of the Public Health Service Act.

“(vii) RETROACTIVE COVERAGE PERIOD.—In this subparagraph, subject to clause (i)(II), the term ‘retroactive coverage period’, with respect to a specified enrollee described in clause (i), means the period that begins on the first day of the third month before the month in which the specified enrollee first enrolls as a specified enrollee, and ending on the day before the effective date of the specified enrollee’s coverage.

“(viii) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated, and there are appropriated, out of amounts in the Treasury not otherwise appropriated, such funds as may be
necessary to make payments under clause (ii)(II).”.

(b) **Open Enrollments Applicable to Certain Lower-income Populations.**—Section 1311(c) of the Patient Protection and Affordable Care Act (42 U.S.C. 18031(c)) is amended—

(1) in paragraph (6)—

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

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

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

“(E) with respect to a qualified health plan with respect to which section 1402 applies, for months occurring during the period beginning on January 1, 2022, and ending on December 31, 2025, enrollment periods described in subparagraph (A) of paragraph (8) for individuals described in subparagraph (B) of such paragraph.”; and

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

“(8) **Special Enrollment Period for Certain Low-income Populations.**—
“(A) IN GENERAL.—The enrollment period described in this paragraph is, in the case of an individual described in subparagraph (B), the continuous period beginning on the first day that such individual is so described.

“(B) INDIVIDUAL DESCRIBED.—For purposes of subparagraph (A), an individual described in this subparagraph is an individual—

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

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

(c) ADDITIONAL BENEFITS FOR CERTAIN LOW-INCOME INDIVIDUALS FOR PLAN YEARS 2024 AND 2025.—

Section 1301(a) of the Patient Protection and Affordable Care Act (42 U.S.C. 18021(a)) is amended—

(1) in paragraph (1)—

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

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

“(D) provides, with respect to a plan offered in the silver level of coverage to which section 1402 applies during plan year 2024 and 2025, for benefits described in paragraph (5) in the case of an individual who has a household income that does not exceed 138 percent of the poverty line for a family of the size involved, and who is eligible to receive cost-sharing reductions under section 1402.”; and

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

“(5) ADDITIONAL BENEFITS FOR CERTAIN LOW-INCOME INDIVIDUALS FOR PLAN YEAR 2024 AND 2025.—

“(A) IN GENERAL.—

“(i) BENEFITS.—For purposes of paragraph (1)(D), the benefits described in this paragraph to be provided by a qualified health plan are benefits consisting of—
“(I) non-emergency medical transportation services (as described in section 1902(a)(4) of the Social Security Act) for which Federal payments would have been available under title XIX of the Social Security Act had such services been furnished to an individual enrolled under a State plan (or waiver of such plan) under such title; and

“(II) services described in subsection (a)(4)(C) of section 1905 of such Act for which Federal payments would have been so available; which are not otherwise provided under such plan as part of the essential health benefits package described in section 1302(a).

“(ii) CONDITION ON PROVISION OF BENEFITS.—Benefits described in this paragraph shall be provided—

“(I) without any restriction on the choice of a qualified provider from whom an individual may receive such benefits; and
“(II) without any imposition of cost sharing.

“(B) Payments for additional benefits.—

“(i) In general.—An issuer of a qualified health plan making payments for services described in subparagraph (A) furnished to individuals described in paragraph (1)(D) during plan year 2024 or 2025 shall notify the Secretary of such payments and the Secretary shall, out of funds made available under clause (ii), make periodic and timely payments to the issuer equal to payments for such services so furnished.

“(ii) Appropriation.—In addition to amounts otherwise available, there is appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to the Secretary to make payments under clause (i).”.

(d) Education and Outreach Activities.—

(1) In general.—Section 1321(e) of the Patient Protection and Affordable Care Act (42 U.S.C.
18041(c)) is amended by adding at the end the follow-

ing new paragraph:

“(3) Outreach and educational activities.—

“(A) In general.—In the case of an Ex-
change established or operated by the Secretary
within a State pursuant to this subsection, the
Secretary shall carry out outreach and edu-
cational activities for purposes of informing in-
dividuals described in section 1902(a)(10)(A)(i)(VIII) of the Social Security
Act who reside in States that have not ex-
pended amounts under a State plan (or waiver
of such plan) under title XIX of such Act for
all such individuals about qualified health plans
offered through the Exchange, including by in-
forming such individuals of the availability of
coverage under such plans and financial assist-
ance for coverage under such plans. Such out-
reach and educational activities shall be pro-
vided in a manner that is culturally and linguis-
tically appropriate to the needs of the popu-
lations being served by the Exchange (including
hard-to-reach populations, such as racial and
sexual minorities, limited English proficient
populations, individuals residing in areas where
the unemployment rates exceeds the national
average unemployment rate, individuals in rural
areas, veterans, and young adults).

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

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

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

“(ii) Such term includes the following:

“(I) An association health plan.

“(II) Short-term limited duration
insurance.

“(D) FUNDING.—In addition to amounts
otherwise available, there is appropriated, out of
any money in the Treasury not otherwise ap-
propriated, to remain available until expended,
$105,000,000 for fiscal year 2022 to carry out
this paragraph, of which—
“(i) $15,000,000 shall be used to carry out this paragraph in fiscal year 2022; and

“(ii) $30,000,000 shall be used to carry out this paragraph for each of fiscal years 2023 through 2025.

“(E) RETROACTIVE ITEMS AND SERVICES.—The outreach and education activities described in subparagraph (A) shall include providing information to individuals on the availability of payment and reimbursement for services during the retroactive coverage period, as defined in section 1402(c)(6)(D)(vi).”.

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

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

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

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

“(B) FEDERAL EXCHANGES.—For purposes of carrying out this subsection, with respect to an Exchange established and operated
by the Secretary within a State pursuant to section 1321(e), the Secretary shall obligate not less than $10,000,000 out of amounts collected through the user fees on participating health insurance issuers pursuant to section 156.50 of title 45, Code of Federal Regulations (or any successor regulations) for fiscal year 2022, and not less than $20,000,000 for each of fiscal years 2023, 2024, and 2025. Such amount so obligated for a fiscal year shall remain available until expended.

“(C) RETROACTIVE ITEMS AND SERVICES.—Grants provided pursuant to subparagraph (B) shall require organizations receiving such grants to provide information to individuals on the availability of payment and reimbursement for services during the retroactive coverage period, as defined in section 1402(c)(6)(D)(vii).”.

(e) FUNDING.—In addition to amounts otherwise available, there is appropriated to the Secretary of Health and Human Services for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $65,000,000, to remain available until expended, for purposes of carrying out the provisions of, and the amend-
ments made by, this section, section 27002, and section
27003. For purposes of carrying out section
1402(c)(6)(D) of the Patient Protection and Affordable
Care Act (as added by this section) there are appropriated
out of amounts in the Treasury not otherwise appro-
ried, $5,000,000 for fiscal year 2022, to remain avail-
able until expended.

SEC. 27002. ESTABLISHING A HEALTH INSURANCE AFFORD-
ABILITY FUND.

(a) In General.—Subtitle D of title I of the Patient
Protection and Affordable Care Act is amended by insert-
ing after section 1343 (42 U.S.C. 18063) the following
new part:

“PART 6—IMPROVE HEALTH INSURANCE
AFFORDABILITY FUND

“SEC. 1351. ESTABLISHMENT OF PROGRAM.

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

“(a) IN GENERAL.—A State shall use the funds allocated to the State under this part for one of the following purposes:

“(1) To provide reinsurance payments to health insurance issuers with respect to individuals enrolled under individual health insurance coverage (other than through a plan described in subsection (b)) offered by such issuers.

“(2) To provide assistance (other than through payments described in paragraph (1)) to reduce out-of-pocket costs, such as copayments, coinsurance, premiums, and deductibles, of individuals enrolled under qualified health plans offered on the individual market through an Exchange and of individuals enrolled under standard health plans offered through a basic health program established under section 1331.

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

“(1) A grandfathered health plan (as defined in section 1251).
“(2) A plan (commonly referred to as a ‘transitional plan’) continued under the letter issued by the Centers for Medicare & Medicaid Services on November 14, 2013, to the State Insurance Commissioners outlining a transitional policy for coverage in the individual and small group markets to which section 1251 does not apply, and under the extension of the transitional policy for such coverage set forth in the Insurance Standards Bulletin Series guidance issued by the Centers for Medicare & Medicaid Services on March 5, 2014, February 29, 2016, February 13, 2017, April 9, 2018, March 25, 2019, January 31, 2020, and January 19, 2021, or under any subsequent extensions thereof.

“(3) Student health insurance coverage (as defined in section 147.145 of title 45, Code of Federal Regulations, or any successor regulation).

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

“SEC. 1353. STATE ELIGIBILITY AND APPROVAL; DEFAULT SAFEGUARD.

“(a) ENCOURAGING STATE OPTIONS FOR ALLOCATIONS.—

“(1) IN GENERAL.—Subject to subsection (b), to be eligible for an allocation of funds under this
part for a year (beginning with 2023), a State shall submit to the Administrator an application at such time (but, in the case of allocations for 2023, not later than 120 days after the date of the enactment of this part and, in the case of allocations for a subsequent year, not later than January 1 of the previous year) and in such form and manner as specified by the Administrator containing—

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

“(B) such other information as the Administrator may require.

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

“(3) Subsequent year application approval.—If an application of a State is approved for a purpose described in section 1352 for a year, such application shall be treated as approved for
such purpose for each subsequent year through 2025.

“(4) **Oversight Authority and Authority to Revoke Approval.**—

“(A) **Oversight.**—The Secretary may conduct periodic reviews of the use of funds provided to a State under this section, with respect to a purpose described in section 1352, to ensure the State uses such funds for such purpose and otherwise complies with the requirements of this section.

“(B) **Revocation of Approval.**—The approval of an application of a State, with respect to a purpose described in section 1352, may be revoked if the State fails to use funds provided to the State under this section for such purpose or otherwise fails to comply with the requirements of this section.

“(b) **Default Federal Safeguard for 2022, 2023, 2024, and 2025 for Certain States.**—

“(1) **In General.**—For 2022, 2023, 2024, and 2025, in the case of a State described in paragraph (5), with respect to such year, the State shall not be eligible to submit an application under subsection (a), and the Administrator, in consultation with the
applicable State authority, shall from the amount calculated under paragraph (3) for such year, carry out the purpose described in paragraph (2) in such States for such year.

“(2) SPECIFIED USE.—The amount described in paragraph (3), with respect to States described in paragraph (5) for 2022, 2023, 2024, or 2025, shall be used to carry out the purpose described in section 1352(a)(1) in such States for such year, as applicable, by providing reinsurance payments to health insurance issuers with respect to attachment range claims (as defined in section 1354(b)(2), using the dollar amount specified in subparagraph (B) of such section for 2023, 2024, and 2025, and the dollar amount determined under paragraph (3)(A) for 2022) in an amount equal to, subject to paragraph (4), the percentage (specified by the Secretary under section 1354(b)(2) for 2023, 2024, or 2025, or under paragraph (3)(A) for 2022) of the amount of such claims.

“(3) AMOUNT DESCRIBED.—

“(A) AMOUNT FOR 2022.—

“(i) IN GENERAL.—The amount described in this paragraph, with respect to 2022, is the amount equal to the total sum
of amounts that the Secretary estimates
would be expended under this subsection
for such year on attachment range claims
(as defined in section 1354(b)(2)(A)) of in-
dividuals residing in States described in
paragraph (5) if each such State used such
funds only for the purpose described sec-
tion 1352(a)(1) at the dollar amounts and
percentage specified under clause (ii) for
such year.

“(ii) SPECIFICATIONS.—For purposes
of clause (i), the Secretary shall determine
the dollar amount and the percentage to be
specified under this clause for a year in a
manner to ensure that the total amount of
expenditures under this subsection for
2022 is estimated to equal the total
amount appropriated for such year under
paragraph (6) if such expenditures were
used solely for the purpose described in
clause (i) for attachment range claims at
the dollar amounts and percentage so spec-
ified for such year.

“(B) AMOUNT FOR 2023-2025.—The
amount described in this paragraph, with re-
spect to 2023, 2024, or 2025, is the amount
equal to the total sum of amounts that the Sec-
retary would otherwise estimate under section
1354(b)(2)(A)(i) for such year for all States de-
scribed in paragraph (5) for such year, as appli-
cable, if such States were not so described for
such year.

“(4) ADJUSTMENT.—For purposes of this sub-
section, if the cost of paying the total eligible attach-
ment range claims for States described in paragraph
(5) for a year at the percentage otherwise specified
under, as applicable, section 1354(b)(2)(B) or para-
graph (3)(A)(ii), would differ from the amount cal-
culated under, as applicable, subparagraph (A)(i) or
(B) of paragraph (3) for such year, the Secretary
may apply a percentage under paragraph (3)—

“(A) with respect to 2022, that is different
from the percentage otherwise specified in para-
graph (3)(A)(ii); or

“(B) with respect to 2023, 2024, or 2025,
that is different from the percentage otherwise
specified in section 1354(b)(2)(B) for such
year.

“(5) STATE DESCRIBED.—A State described in
this paragraph, with respect to years 2022, 2023,
2024, and 2025, is a State that, as of January 1 of
2021, 2022, 2023, or 2024, respectively, was not ex-
pending amounts under the State plan (or waiver of
such plan) for all individuals described in section
1902(a)(10)(A)(i)(VIII) during such year.

“(6) APPROPRIATION.—In addition to amounts
otherwise available, including under section 1354,
there is appropriated, out of any money in the
Treasury not otherwise appropriated,
$1,000,000,000 for fiscal year 2022 for payment of
attachment range claims under this subsection, to
remain available until expended.

“SEC. 1354. ALLOCATIONS.

“(a) APPROPRIATION.—In addition to amounts oth-
erwise available, there is appropriated, out of any money
in the Treasury not otherwise appropriated,
$30,000,000,000 for fiscal year 2022, of which—

“(1) $10,000,000,000, to remain available until
September 30, 2026, to provide allocations for
States under subsection (b) and payments under
section 1353(b) in fiscal year 2023;

“(2) $10,000,000,000, to remain available until
September 30, 2026, to provide allocations for
States under subsection (b) and payments under
section 1353(b) in fiscal year 2024; and
“(3) $10,000,000,000, to remain available until September 30, 2026, to provide allocations for States under subsection (b) and payments under section 1353(b) in fiscal year 2025.

“(b) ALLOCATIONS.—

“(1) PAYMENT.—

“(A) IN GENERAL.—From amounts appropriated under subsection (a) for a year, the Secretary shall, with respect to a State not described in section 1353(b) for such year and not later than the date specified under subparagraph (B) for such year, allocate for such State the amount determined for such State and year under paragraph (2).

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

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

“(ii) for 2024 or 2025, January 1 of the previous year.

“(C) NOTIFICATIONS OF ALLOCATION AMOUNTS.—For 2024 and 2025, the Secretary shall notify each State of the amount deter-
mined for such State under paragraph (2) for such year by not later than January 1 of the previous year.

“(2) ALLOCATION AMOUNT DETERMINATIONS.—

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

“(i) the amount that the Secretary estimates would be expended under this part for such year on attachment range claims of individuals residing in such State if such State used such funds only for the purpose described in paragraph (1) of section 1352(a) at the dollar amounts and percentage specified under subparagraph (B) for such year; minus

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

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

“(II) the estimated amount of premium tax credits under section 36B of the Internal Revenue Code of 1986 that would be attributable to individuals residing in such State for such year if section 1353(b) applied for such year and applied with respect to such State for such year.

For purposes of the previous sentence and section 1353(b)(3), the term ‘attachment range claims’ means, with respect to an individual, the claims for such individual that exceed a dollar amount specified by the Secretary for a year, but do not exceed a ceiling dollar amount specified by the Secretary for such year, under subparagraph (B).

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

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

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

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

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

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

“(B) ADJUSTED PREMIUM AMOUNT DE-
FINED.—For purposes of subparagraph (A), the
term ‘adjusted premium amount’ means, with
respect to a qualified health plan and a year,
the monthly premium for such plan and year
that would have applied had such plan not re-
ceived any payments described in subparagraph
(A) for such year.”; and

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

(c) IMPLEMENTATION AUTHORITY.—The Secretary
of Health and Human Services may implement the provi-
sions of, and the amendments made by, this section by
subregulatory guidance or otherwise.
SEC. 27003. FUNDING FOR THE PROVISION OF HEALTH INSURANCE CONSUMER INFORMATION.

Section 2793(e) of the Public Health Service Act (42 U.S.C. 300gg–93(e)) is amended by adding at the end the following new paragraph:

“(3) FUNDING FOR 2022 THROUGH 2025.—In addition to amounts otherwise available, there is appropriated, out of any money in the Treasury not otherwise appropriated, $100,000,000 for 2022, to remain available until expended, of which $25,000,000 shall be used for each of 2022 through 2025 to carry out this section.”.

SEC. 27004. REQUIREMENTS WITH RESPECT TO COST-SHARING FOR INSULIN PRODUCTS.

(a) IN GENERAL.—Part D of title XXVII of the Public Health Service Act (42 U.S.C. 300gg–111 et seq.) is amended by adding at the end the following:

“SEC. 2799A–11. REQUIREMENTS WITH RESPECT TO COST-SHARING FOR CERTAIN INSULIN PRODUCTS.

“(a) IN GENERAL.—For plan years beginning on or after January 1, 2023, a group health plan or health insurance issuer offering group or individual health insurance coverage shall provide coverage of selected insulin products, and with respect to such products, shall not—

“(1) apply any deductible; or
“(2) impose any cost-sharing in excess of the lesser of, per 30-day supply—

“(A) $35; or

“(B) the amount equal to 25 percent of the negotiated price of the selected insulin product net of all price concessions received by or on behalf of the plan or coverage, including price concessions received by or on behalf of third-party entities providing services to the plan or coverage, such as pharmacy benefit management services.

“(b) DEFINITIONS.—In this section:

“(1) SELECTED INSULIN PRODUCTS.—The term ‘selected insulin products’ means at least one of each dosage form (such as vial, pump, or inhaler dosage forms) of each different type (such as rapid-acting, short-acting, intermediate-acting, long-acting, ultra long-acting, and premixed) of insulin (as defined below), when available, as selected by the group health plan or health insurance issuer.

“(2) INSULIN DEFINED.—The term ‘insulin’ means insulin that is licensed under subsection (a) or (k) of section 351 and continues to be marketed under such section, including any insulin product that has been deemed to be licensed under section
351(a) pursuant to section 7002(e)(4) of the Biologics Price Competition and Innovation Act of 2009 and continues to be marketed pursuant to such licensure.

“(c) Out-of-network Providers.—Nothing in this section requires a plan or issuer that has a network of providers to provide benefits for selected insulin products described in this section that are delivered by an out-of-network provider, or precludes a plan or issuer that has a network of providers from imposing higher cost-sharing than the levels specified in subsection (a) for selected insulin products described in this section that are delivered by an out-of-network provider.

“(d) Rule of construction.—Subsection (a) shall not be construed to require coverage of, or prevent a group health plan or health insurance coverage from imposing cost-sharing other than the levels specified in subsection (a) on, insulin products that are not selected insulin products, to the extent that such coverage is not otherwise required and such cost-sharing is otherwise permitted under Federal and applicable State law.

“(e) Application of cost-sharing towards deductibles and out-of-pocket maximums.—Any cost-sharing payments made pursuant to subsection (a)(2)
shall be counted toward any deductible or out-of-pocket maximum that applies under the plan or coverage.”.

(b) No Effect on Other Cost-Sharing.—Section 1302(d)(2) of the Patient Protection and Affordable Care Act (42 U.S.C. 18022(d)(2)) is amended by adding at the end the following new subparagraph:

“(D) Special rule relating to insulin coverage.—The exemption of coverage of selected insulin products (as defined in section 2799A–11(b) of the Public Health Service Act) from the application of any deductible pursuant to section 2799A–11(a)(1) of such Act, section 726(a)(1) of the Employee Retirement Income Security Act of 1974, or section 9826(a)(1) of the Internal Revenue Code of 1986 shall not be considered when determining the actuarial value of a qualified health plan under this subsection.”.

(c) Coverage of Certain Insulin Products Under Catastrophic Plans.—Section 1302(e) of the Patient Protection and Affordable Care Act (42 U.S.C. 18022(e)) is amended by adding at the end the following:

“(4) Coverage of certain insulin products.—
“(A) IN GENERAL.—Notwithstanding paragraph (1)(B)(i), a health plan described in paragraph (1) shall provide coverage of selected insulin products, in accordance with section 2799A–11 of the Public Health Service Act, for a plan year before an enrolled individual has incurred cost-sharing expenses in an amount equal to the annual limitation in effect under subsection (c)(1) for the plan year.

“(B) TERMINOLOGY.—For purposes of subparagraph (A)—

“(i) the term ‘selected insulin products’ has the meaning given such term in section 2799A–11(b) of the Public Health Service Act; and

“(ii) the requirements of section 2799A–11 of such Act shall be applied by deeming each reference in such section to ‘individual health insurance coverage’ to be a reference to a plan described in paragraph (1).”.

SEC. 27005. COST-SHARING REDUCTIONS FOR INDIVIDUALS RECEIVING UNEMPLOYMENT COMPENSATION.

Section 1402(f) of the Patient Protection and Affordable Care Act (42 U.S.C. 18071(f)) is amended—

(1) in the header, by striking “2021” and inserting “CERTAIN YEARS”;

(2) in the matter preceding paragraph (1), by striking “2021” and inserting “any of years 2021 through 2022”; and

(3) in paragraph (2), by striking “133 percent” and inserting “150 percent”.

SEC. 27006. OVERSIGHT OF PHARMACY BENEFIT MANAGER SERVICES.

(a) IN GENERAL.—Title XXVII of the Public Health Service Act (42 U.S.C. 300gg et seq.), as amended by section 27004, is further amended—

(1) in part D (42 U.S.C. 300gg–111 et seq.), by adding at the end the following new section:

“SEC. 2799A–12. OVERSIGHT OF PHARMACY BENEFIT MANAGER SERVICES.

“(a) IN GENERAL.—For plan years beginning on or after January 1, 2023, a group health plan or health insurance issuer offering group health insurance coverage or an entity or subsidiary providing pharmacy benefits management services on behalf of such a plan or issuer
shall not enter into a contract with a drug manufacturer, distributor, wholesaler, subcontractor, rebate aggregator, or any associated third party that limits the disclosure of information to plan sponsors in such a manner that prevents the plan or issuer, or an entity or subsidiary providing pharmacy benefits management services on behalf of a plan or issuer, from making the reports described in subsection (b).

“(b) REPORTS.—

“(1) IN GENERAL.—For plan years beginning on or after January 1, 2023, not less frequently than once every 6 months, a health insurance issuer offering group health insurance coverage or an entity providing pharmacy benefits management services on behalf of a group health plan or an issuer providing group health insurance coverage shall submit to the plan sponsor (as defined in section 3(16)(B) of the Employee Retirement Income Security Act of 1974) of such group health plan or health insurance coverage a report in accordance with this subsection and make such report available to the plan sponsor in a machine-readable format. Each such report shall include, with respect to the applicable group health plan or health insurance coverage—
“(A) as applicable, information collected from drug manufacturers by such issuer or entity on the total amount of copayment assistance dollars paid, or copayment cards applied, that were funded by the drug manufacturer with respect to the participants and beneficiaries in such plan or coverage;

“(B) a list of each drug covered by such plan, issuer, or entity providing pharmacy benefit management services that was dispensed during the reporting period, including, with respect to each such drug during the reporting period—

“(i) the brand name, chemical entity, and National Drug Code;

“(ii) the number of participants and beneficiaries for whom the drug was filled during the plan year, the total number of prescription fills for the drug (including original prescriptions and refills), and the total number of dosage units of the drug dispensed across the plan year, including whether the dispensing channel was by retail, mail order, or specialty pharmacy;
“(iii) the wholesale acquisition cost, listed as cost per days supply and cost per pill, or in the case of a drug in another form, per dose;

“(iv) the total out-of-pocket spending by participants and beneficiaries on such drug, including participant and beneficiary spending through copayments, coinsurance, and deductibles; and

“(v) for any drug for which gross spending of the group health plan or health insurance coverage exceeded $10,000 during the reporting period—

“(I) a list of all other drugs in the same therapeutic category or class, including brand name drugs and biological products and generic drugs or biosimilar biological products that are in the same therapeutic category or class as such drug; and

“(II) the rationale for preferred formulary placement of such drug in that therapeutic category or class;

“(C) a list of each therapeutic category or class of drugs that were dispensed under the
health plan or health insurance coverage during the reporting period, and, with respect to each such therapeutic category or class of drugs, during the reporting period—

“(i) total gross spending by the plan, before manufacturer rebates, fees, or other manufacturer remuneration;

“(ii) the number of participants and beneficiaries who filled a prescription for a drug in that category or class;

“(iii) if applicable to that category or class, a description of the formulary tiers and utilization mechanisms (such as prior authorization or step therapy) employed for drugs in that category or class;

“(iv) the total out-of-pocket spending by participants and beneficiaries, including participant and beneficiary spending through copayments, coinsurance, and deductibles; and

“(v) for each therapeutic category or class under which 3 or more drugs are included on the formulary of such plan or coverage—
“(I) the amount received, or expected to be received, from drug manufacturers in rebates, fees, alternative discounts, or other remuneration—

“(aa) to be paid by drug manufacturers for claims incurred during the reporting period; or

“(bb) that is related to utilization of drugs, in such therapeutic category or class;

“(II) the total net spending, after deducting rebates, price concessions, alternative discounts or other remuneration from drug manufacturers, by the health plan or health insurance coverage on that category or class of drugs; and

“(III) the net price per course of treatment or single fill, such as a 30-day supply or 90-day supply, incurred by the health plan or health insurance coverage and its participants and beneficiaries, after manufacturer rebates, fees, and other remuneration
for drugs dispensed within such therapeu-
tic category or class during the re-
porting period;

“(D) total gross spending on prescription
drugs by the plan or coverage during the re-
porting period, before rebates and other manu-
facturer fees or remuneration;

“(E) total amount received, or expected to be received, by the health plan or health insur-
ance coverage in drug manufacturer rebates, fees, alternative discounts, and all other remu-
neration received from the manufacturer or any third party, other than the plan sponsor, re-
lated to utilization of drug or drug spending under that health plan or health insurance cov-
erage during the reporting period;

“(F) the total net spending on prescription
drugs by the health plan or health insurance coverage during the reporting period; and

“(G) amounts paid directly or indirectly in rebates, fees, or any other type of remuneration to brokers, consultants, advisors, or any other individual or firm who referred the group health plan’s or health insurance issuer’s business to the pharmacy benefit manager.
“(2) Privacy requirements.—Health insurance issuers offering group health insurance coverage and entities providing pharmacy benefits management services on behalf of a group health plan shall provide information under paragraph (1) in a manner consistent with the privacy, security, and breach notification regulations promulgated under section 264(c) of the Health Insurance Portability and Accountability Act of 1996, and shall restrict the use and disclosure of such information according to such privacy regulations.

“(3) Disclosure and redisclosure.—

“(A) Limitation to business associates.—A group health plan receiving a report under paragraph (1) may disclose such information only to business associates of such plan as defined in section 160.103 of title 45, Code of Federal Regulations (or successor regulations).

“(B) Clarification regarding public disclosure of information.—Nothing in this section prevents a health insurance issuer offering group health insurance coverage or an entity providing pharmacy benefits management services on behalf of a group health plan from placing reasonable restrictions on the public dis-
closure of the information contained in a report
described in paragraph (1), except that such
issuer or entity may not restrict disclosure of
such report to the Department of Health and
Human Services, the Department of Labor, or
the Department of the Treasury.

“(C) LIMITED FORM OF REPORT.—The
Secretary shall define through rulemaking a
limited form of the report under paragraph (1)
required to be submitted to plan sponsors who
are drug manufacturers, drug wholesalers, or
other direct participants in the drug supply
chain, in order to prevent anti-competitive be-

“(4) REPORT TO GAO.—A health insurance
issuer offering group health insurance coverage or
an entity providing pharmacy benefits management
services on behalf of a group health plan shall sub-
mit to the Comptroller General of the United States
each of the first 4 reports submitted to a plan spon-
sor under paragraph (1) with respect to such cov-
erage or plan, and other such reports as requested,
in accordance with the privacy requirements under
paragraph (2) and the disclosure and redisclosure
standards under paragraph (3), and such other in-
formation that the Comptroller General determines
necessary to carry out the study under section
30606(b) of An Act to provide for reconciliation pur-

“(c) ENFORCEMENT.—

“(1) IN GENERAL.—The Secretary, in consulta-
tion with the Secretary of Labor and the Secretary
of the Treasury, shall enforce this section.

“(2) FAILURE TO PROVIDE TIMELY INFORMA-
TION.—A health insurance issuer or an entity pro-
viding pharmacy benefit management services that
violates subsection (a) or fails to provide information
required under subsection (b), or a drug manufac-
turer that fails to provide information under sub-
section (b)(1)(A) in a timely manner, shall be sub-
ject to a civil monetary penalty in the amount of
$10,000 for each day during which such violation
continues or such information is not disclosed or re-
ported.

“(3) FALSE INFORMATION.—A health insurance
issuer, entity providing pharmacy benefit manage-
ment services, or drug manufacturer that knowingly
provides false information under this section shall be
subject to a civil money penalty in an amount not
to exceed $100,000 for each item of false informa-
tion. Such civil money penalty shall be in addition to other penalties as may be prescribed by law.

“(4) PROCEDURE.—The provisions of section 1128A of the Social Security Act, other than subsection (a) and (b) and the first sentence of subsection (c)(1) of such section shall apply to civil monetary penalties under this subsection in the same manner as such provisions apply to a penalty or proceeding under section 1128A of the Social Security Act.

“(5) WAIVERS.—The Secretary may waive penalties under paragraph (2), or extend the period of time for compliance with a requirement of this section, for an entity in violation of this section that has made a good-faith effort to comply with this section.

“(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to permit a health insurance issuer, group health plan, or other entity to restrict disclosure to, or otherwise limit the access of, the Department of Health and Human Services to a report described in subsection (b)(1) or information related to compliance with subsection (a) by such issuer, plan, or entity.
“(e) DEFINITION.—In this section, the term ‘whole-
sale acquisition cost’ has the meaning given such term in
section 1847A(c)(6)(B) of the Social Security Act.”; and

(2) in section 2723 (42 U.S.C. 300gg–22)—

(A) in subsection (a)—

(i) in paragraph (1), by inserting

“(other than subsections (a) and (b) of
section 2799A–12)” after “part D”; and

(ii) in paragraph (2), by inserting

“(other than subsections (a) and (b) of
section 2799A–12)” after “part D”;

(B) in subsection (b)—

(i) in paragraph (1), by inserting

“(other than subsections (a) and (b) of
section 2799A–12)” after “part D”;

(ii) in paragraph (2)(A), by inserting

“(other than subsections (a) and (b) of
section 2799A–12)” after “part D”; and

(iii) in paragraph (2)(C)(ii), by insert-
ing “(other than subsections (a) and (b) of
section 2799A–12)” after “part D”.

(b) GAO STUDY.—

(1) IN GENERAL.—Not later than 3 years after
the date of enactment of this Act, the Comptroller
General of the United States shall report to Congress on—

(A) pharmacy networks of group health plans, health insurance issuers, and entities providing pharmacy benefit management services under such group health plan or group or individual health insurance coverage, including networks that have pharmacies that are under common ownership (in whole or part) with group health plans, health insurance issuers, or entities providing pharmacy benefit management services or pharmacy benefit administrative services under group health plan or group or individual health insurance coverage;

(B) as it relates to pharmacy networks that include pharmacies under common ownership described in subparagraph (A)—

(i) whether such networks are designed to encourage enrollees of a plan or coverage to use such pharmacies over other network pharmacies for specific services or drugs, and if so, the reasons the networks give for encouraging use of such pharmacies; and
(ii) whether such pharmacies are used by enrollees disproportionately more in the aggregate or for specific services or drugs compared to other network pharmacies;

(C) whether group health plans and health insurance issuers offering group or individual health insurance coverage have options to elect different network pricing arrangements in the marketplace with entities that provide pharmacy benefit management services, the prevalence of electing such different network pricing arrangements;

(D) pharmacy network design parameters that encourage enrollees in the plan or coverage to fill prescriptions at mail order, specialty, or retail pharmacies that are wholly or partially-owned by that issuer or entity; and

(E) the degree to which mail order, specialty, or retail pharmacies that dispense prescription drugs to an enrollee in a group health plan or health insurance coverage that are under common ownership (in whole or part) with group health plans, health insurance issuers, or entities providing pharmacy benefit management services or pharmacy benefit ad-
ministrative services under group health plan or

receive reimbursement that is greater than the
median price charged to the group health plan
or health insurance issuer when the same drug
is dispensed to enrollees in the plan or coverage
by other pharmacies included in the pharmacy
network of that plan, issuer, or entity that are
not wholly or partially owned by the health ins-

(2) REQUIREMENT.—The Comptroller General
of the United States shall ensure that the report
under paragraph (1) does not contain information
that would allow a reader to identify a specific plan
or entity providing pharmacy benefits management
services or otherwise contain commercial or financial
information that is privileged or confidential.

(3) DEFINITIONS.—In this subsection, the
terms “group health plan”, “health insurance cov-

(c) FUNDING.—For purposes of carrying out the
amendments made by this section there are appropriated
out of amounts in the Treasury not otherwise appropriated, $80,000,000 for the Centers for Medicare & Medicaid Services for Fiscal Year 2022.

**Subtitle I—Public Health**

**PART 1—HEALTH CARE INFRASTRUCTURE AND WORKFORCE**

**SEC. 28001. FUNDING TO SUPPORT CORE PUBLIC HEALTH INFRASTRUCTURE FOR STATE, TERRITORIAL, LOCAL, AND TRIBAL HEALTH DEPARTMENTS AT THE CENTERS FOR DISEASE CONTROL AND PREVENTION.**

(a) In General.—In addition to amounts otherwise available, there is appropriated to the Secretary of Health and Human Services (in this subtitle referred to as the “Secretary”), acting through the Director of the Centers for Disease Control and Prevention (in this section referred to as the “Director”), for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, and to remain available until expended—

(1) for the purposes of carrying out subsection (c)(1)—

(A) $300,000,000 in fiscal year 2022;

(B) $450,000,000 in fiscal year 2023; and

(C) $1,500,000,000 in each of fiscal years 2024 through 2026; and
(2) for the purposes of carrying out subsection (d)—

(A) $100,000,000 in fiscal year 2022;

(B) $150,000,000 in fiscal year 2023; and

(C) $500,000,000 in each of fiscal years 2024 through 2026.

(b) Use of Funds.—Amounts made available pursuant to subsection (a) shall be used to support core public health infrastructure activities to strengthen the public health system of the United States, including by awarding grants under this section and expanding and improving activities of the Centers for Disease Control and Prevention under subsections (c) and (d).

(e) Grants.—

(1) Awards.—For the purpose of addressing core public health infrastructure needs, the Secretary shall award a grant to each State or territorial health department; to each local health department that serves a county with a population of at least 2,000,000 or a city with a population of at least 400,000; and to Tribes, Tribal organizations, or urban Indian health organizations.

(2) Reallocation to Local Health Departments.—A State health department receiving funds under paragraph (1) shall allocate at least 35
percent of the funds to local health departments, as applicable, to support contributions of the local health departments within the State that are not eligible for a grant under paragraph (1) to core public health infrastructure.

(3) FORMULA GRANTS TO HEALTH DEPARTMENTS.—In awarding grants under paragraph (1), the Secretary shall award funds to each health department in accordance with a formula which, as applicable, considers population size, the Social Vulnerability Index of the Centers for Disease Control and Prevention, and other factors as determined by the Secretary.

(4) REQUIREMENTS.—To be eligible for a grant under this section, an entity shall—

(A) submit an application in such form and containing such information as the Secretary shall require;

(B) demonstrate to the satisfaction of the Secretary that—

(i) funds received through the grant will be expended only to supplement, and not supplant, non-Federal and Federal funds otherwise available to the entity for
the purpose of addressing core public health infrastructure needs; and

(ii) with respect to activities for which the grant is awarded, the entity will maintain expenditures of non-Federal amounts for such activities at a level not less than the level of such expenditures maintained by the entity for fiscal year 2019; and

(C) agree to report annually to the Director regarding the use of the grant funds.

(d) **CORE PUBLIC HEALTH INFRASTRUCTURE AND ACTIVITIES FOR THE CDC.**—The Secretary, acting through the Director, shall expand and improve the core public health infrastructure and activities of the Centers for Disease Control and Prevention to support activities necessary to address unmet, ongoing, and emerging public health needs, including prevention, preparation for, and response to public health emergencies.

(e) **DEFINITION.**—In this section, the term “core public health infrastructure” means activities that strengthen the quality and capacity of State, territorial, and local health departments, and Tribes, Tribal organizations, or urban Indian health organizations to fulfill their core mission to improve public health, including—

(1) health equity activities;
(2) workforce capacity and competency;
(3) all hazards public health preparedness and response;
(4) testing capacity, including test platforms, mobile testing units, and personnel;
(5) health information, health information systems, and health information analysis (including data analytics);
(6) epidemiology and disease surveillance;
(7) contact tracing;
(8) public health policy and communications;
(9) financial management;
(10) community partnership development; and
(11) relevant components of organizational capacity.

(f) Supplement Not Supplant.—Amounts made available by this section shall be used to supplement, and not supplant, amounts otherwise made available for the purposes described in this part.

SEC. 28002. FUNDING FOR HEALTH CENTER CAPITAL GRANTS.

(a) In General.—In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $2,000,000,000, to remain available until
expended, for necessary expenses for awarding grants and
entering into cooperative agreements for capital projects
to health centers funded under section 330 of the Public
Health Service Act (42 U.S.C. 254b) to be awarded with-
out regard to the time limitation in subsection (e)(3) and
subsections (e)(6)(A)(iii), (e)(6)(B)(iii), and (r)(2)(B) of
such section 330, and for necessary expenses for awarding
grants and cooperative agreements for capital projects to
Federally qualified health centers, as described in section
1861(aa)(4)(B) of the Social Security Act (42 U.S.C.
1395x(aa)(4)(B)). The Secretary shall take such steps as
may be necessary to expedite the awarding of such grants
to Federally qualified health centers for capital projects.

(b) USE OF FUNDS.—Amounts made available to a
recipient of a grant or cooperative agreement pursuant to
subsection (a) shall be used for—

(1) health center facility alteration, renovation,
remodeling, expansion, construction, and other cap-
tital improvement costs, including the costs of amor-
tizing the principal of, and paying interest on, loans
for such purposes; and

(2) the purchase, renovation, or maintenance of
mobile clinics and related vehicles and equipment.
SEC. 28003. FUNDING FOR TEACHING HEALTH CENTER

GRADUATE MEDICAL EDUCATION.

(a) IN GENERAL.—In addition to amounts otherwise available, and notwithstanding the limitations referred to in subsections (b)(2) and (d)(2) of section 340H of the Public Health Service Act (42 U.S.C. 256h), there is appropriated to the Secretary for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $3,370,000,000, to remain available until expended, for—

(1) the program of payments to teaching health centers that operate graduate medical education programs under such section; and

(2) the award of teaching health center development grants pursuant to section 749A of the Public Health Service Act (42 U.S.C. 293l–1).

(b) EXEMPTION FROM AMOUNT AND DURATION LIMITATIONS.—Subsection (b) of section 749A of the Public Health Service Act (42 U.S.C. 293l–1) shall not apply with respect to amounts awarded under such section out of amounts appropriated under subsection (a) or under section 2604 of the American Rescue Plan Act (Public Law 117–2).

(e) USE OF FUNDS.—Amounts made available pursuant to subsection (a) shall be used for the following activities:
(1) For making payments to establish new approved graduate medical residency training programs pursuant to section 340H(a)(1)(C) of the Public Health Service Act (42 U.S.C. 256h(a)(1)(C)).

(2) For making payments under section 340H(a)(1)(A) of the Public Health Service Act (42 U.S.C. 256h(a)(1)(A)) to qualified teaching health centers for maintenance of filled positions at existing approved graduate medical residency training programs.

(3) For making payments under section 340H(a)(1)(B) of the Public Health Service Act (42 U.S.C. 256h(a)(1)(B)) for the expansion of existing approved graduate medical residency training programs.

(4) For making awards under section 749A of the Public Health Service Act (42 U.S.C. 293l–1) to teaching health centers for the purpose of establishing new accredited or expanded primary care residency programs.

(5) To provide an increase to the per resident amount described in section 340H(a)(2) of the Public Health Service Act (42 U.S.C. 256h(a)(2)).
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(d) PRIORITY USES OF FUNDS.—In making payments and awards under subsection (c), the Secretary shall, in addition to the requirements of paragraphs (3)(A) and (3)(B) of section 340H of the Public Health Service Act (42 U.S.C. 256h), make payments and awards to eligible entities in a manner that takes into consideration States or territories in which there is no existing qualified teaching health center funded by payments under such section 340H.

SEC. 28004. FUNDING FOR CHILDREN’S HOSPITALS THAT OPERATE GRADUATE MEDICAL EDUCATION PROGRAMS.

In addition to amounts otherwise available, and notwithstanding the caps on awards specified in paragraphs (1) and (2) of subsection (b) and (h)(1) of section 340E of the Public Health Service Act (42 U.S.C. 256e), there is appropriated to the Secretary for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $200,000,000, to remain available until expended, for carrying out such section 340E of the Public Health Service Act (42 U.S.C. 256e).

SEC. 28005. FUNDING FOR NATIONAL HEALTH SERVICE CORPS.

(a) IN GENERAL.—In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal
year 2022, out of any money in the Treasury not otherwise appropriated, $2,000,000,000, to remain available until expended, for carrying out sections 338A, 338B, and 338I of the Public Health Service Act (42 U.S.C. 254l, 254l–1, 254q–1).

(b) CONDITIONS.—With respect to grants awarded under section 338I of the Public Health Service Act (42 U.S.C. 254q–1) out of amounts appropriated under subsection (a), the following conditions shall apply:

(1) Section 338I(b) of the Public Health Service Act (42 U.S.C. 254q–1(b)) shall not apply.

(2) Notwithstanding section 338I(d)(2) of the Public Health Service Act (42 U.S.C. 254q–1(d)(2)), not more than 10 percent of an award to a State from such amounts may be used by the State for costs of administering the State loan repayment program.

SEC. 28006. FUNDING FOR THE NURSE CORPS.

In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $500,000,000, to remain available until expended, for carrying out section 846 of the Public Health Service Act (42 U.S.C. 297n).
SEC. 28007. FUNDING FOR SCHOOLS OF MEDICINE IN UNDERSERVED AREAS.

(a) In General.—In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $500,000,000, to remain available until expended, for purposes of making awards to eligible entities for the establishment, improvement, or expansion of an allopathic or osteopathic school of medicine, or a branch campus of an allopathic or osteopathic school of medicine, consistent with subsection (b).

(b) Use of Funds.—The Secretary, acting through the Administrator of the Health Resources and Services Administration, shall use amounts appropriated by subsection (a) to award grants to eligible entities to—

(1) recruit, enroll, and retain students, including individuals who are from disadvantaged backgrounds (including racial and ethnic groups underrepresented among medical students and health professions), individuals from rural and underserved areas, low-income individuals, and first generation college students (as defined in section 402A(h)(3) of the Higher Education Act of 1965 (20 U.S.C. 1070a–11(h)(3))), at a school of medicine or osteopathic medicine or branch campus of a school of medicine or osteopathic medicine;
(2) develop, implement, and expand curriculum that emphasizes care for rural and underserved populations, including accessible and culturally appropriate and linguistically appropriate care and services, at such school or branch campus;

(3) plan and construct a school of medicine or osteopathic medicine in an area in which no other such school or branch campus of such a school is based;

(4) plan, develop, and meet criteria for accreditation for a school of medicine or osteopathic medicine or branch campus of such a school;

(5) hire faculty, including faculty from racial and ethnic groups who are underrepresented among the medical and other health professions, and other staff to serve at such a school or branch campus;

(6) support educational programs at such a school or branch campus, including modernizing curriculum;

(7) modernize and expand infrastructure at such a school or branch campus; or

(8) support other activities that the Secretary determines will further the establishment, improvement, or expansion of a school of medicine or osteo-
pathic medicine or branch campus of a school of medicine or osteopathic medicine.

(c) DEFINITIONS.—In this section:

(1) ELIGIBLE ENTITY.—The term “eligible entity” means—

(A) an institution of higher education, as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001); or

(B) a minority-serving institution, as described in section 371(a) or 326(e)(1) of the Higher Education Act of 1965 (20 U.S.C. 1067q(a), 1063b(e)(1)).

(2) BRANCH CAMPUS.—

(A) IN GENERAL.—The term “branch campus”, with respect to a school of medicine or osteopathic medicine, means an additional location of such school that is geographically apart and independent of the main campus, at which the school offers at least 50 percent of the program leading to a degree of doctor of medicine or doctor of osteopathy that is offered at the main campus.

(B) INDEPENDENCE FROM MAIN CAMPUS.—For purposes of subparagraph (A), the location of a school described in such subpara-
graph shall be considered to be independent of
the main campus described in such subpara-
graph if the location—

(i) is permanent in nature;

(ii) offers courses in educational pro-
grams leading to a degree, certificate, or
other recognized educational credential;

(iii) has its own faculty and adminis-
trative or supervisory organization; and

(iv) has its own budgetary and hiring
authority.

SEC. 28008. FUNDING FOR SCHOOLS OF NURSING IN UN-
DERSERVED AREAS.

(a) In General.—In addition to amounts otherwise
available, there is appropriated to the Secretary for fiscal
year 2022, out of any money in the Treasury not otherwise
appropriated, $500,000,000, to remain available until ex-
pended, for purposes of making awards to schools of nurs-
ing (as defined in section 801 of the Public Health Service
Act (42 U.S.C. 296)) to enhance and modernize nursing
education programs and increase the number of faculty
and students at such schools.

(b) Use of Funds.—The Secretary, acting through
the Administrator of the Health Resources and Services
Administration, shall use amounts appropriated by subsection (a) to award grants for purposes of—

(1) recruiting, enrolling, and retaining students at such school, with a priority for students from disadvantaged backgrounds (including racial or ethnic groups underrepresented in the nursing workforce), individuals from rural and underserved areas, low-income individuals, and first generation college students (as defined in section 402A(h)(3) of the Higher Education Act of 1965 (20 U.S.C. 1070a–11(h)(3)));

(2) creating, supporting, or modernizing educational programs and curricula at such school;

(3) retaining current faculty, and hiring new faculty, with an emphasis on faculty from racial or ethnic groups that are underrepresented in the nursing workforce;

(4) modernizing infrastructure at such school, including audiovisual or other equipment, personal protective equipment, simulation and augmented reality resources, telehealth technologies, and virtual and physical laboratories;

(5) partnering with a health care facility, nurse-managed health clinic, or community health center in order to provide educational opportunities for the
purpose of establishing or expanding clinical education;

(6) enhancing and expanding nursing programs that prepare nurse researchers and scientists;

(7) establishing nurse-led intradisciplinary and interprofessional educational partnerships; or

(8) other activities that the Secretary determines will further the development, improvement, and expansion of schools of nursing.

SEC. 28009. FUNDING FOR PALLIATIVE CARE AND HOSPICE EDUCATION AND TRAINING.

(a) In General.—In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $25,000,000, to remain available until expended, to support the establishment or operation of programs that—

(1) support training of health professionals in palliative and hospice care (including through traineeships or fellowships); and

(2) foster patient and family engagement, integration of palliative and hospice care with primary care and other appropriate specialties, and collaboration with community partners to address gaps in
health care for individuals in need of palliative or hospice care.

(b) USE OF FUNDS.—The Secretary shall, giving priority to applicants proposing to carry out programs or activities that demonstrate coordination with other Federal or State programs and are expected to substantially benefit rural populations, medically underserved populations, medically underserved communities, Indian Tribes or Tribal organizations, or Urban Indian organizations, use amounts appropriated by subsection (a) to carry out a program to award grants or contracts to entities defined in paragraph (1), (3), or (4) of section 799B of the Public Health Service Act (42 U.S.C. 295p) or section 801(2) of such Act (42 U.S.C. 296) for purposes of carrying out the following activities:

(1) Clinical training on providing integrated palliative and hospice care and primary care delivery services.

(2) Interprofessional or interdisciplinary training to practitioners from multiple disciplines and specialties, including training on the provision of care to individuals with palliative or hospice care needs.

(3) Establishing or maintaining training-related community-based programs for individuals with pal-
liative or hospice care needs and caregivers to improve quality of life, and where appropriate, health outcomes for individuals who have palliative or hospice care needs.

SEC. 28010. FUNDING FOR PALLIATIVE MEDICINE PHYSICIAN TRAINING.

(a) In General.—In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $20,000,000, to remain available until expended, to carry out a program to award grants and contracts to accredited schools of medicine, schools of osteopathic medicine, teaching hospitals, and graduate medical education programs for the purpose of providing support for projects that fund the training of physicians or specialists who plan to teach or practice palliative medicine.

(b) Use of Funds.—Amounts made available to an awardee pursuant to subsection (a) shall be used to—

(1) provide training in interprofessional or interdisciplinary team-based palliative medicine through a variety of service rotations, such as rotations with respect to consultation services or acute and chronic care services, and rotations in other health care settings, including extended care facilities, ambulatory care and comprehensive evaluation
units, hospices, home care, and community care pro-
grams;

(2) develop specific performance-based meas-
ures to evaluate the competency of trainees; and

(3) provide training in interprofessional or
interdisciplinary, team-based palliative medicine.

(c) Graduate Medical Education Program De-

fined.—In this section, the term “graduate medical edu-
cation program” means a program sponsored by an ac-
credited school of medicine, an accredited school of osteo-
pathic medicine, a hospital, or a public or private institu-
tion that—

(1) offers postgraduate medical training in the
specialties and subspecialties of medicine; and

(2) has been accredited by—

(A) the Accreditation Council for Graduate
Medical Education; or

(B) the American Osteopathic Association
through its Committee on Postdoctoral Train-
ing (or a successor committee).

SEC. 28011. FUNDING FOR PALLIATIVE CARE AND HOSPICE

Academic Career Awards.

In addition to amounts otherwise available, there is
appropriated to the Secretary for fiscal year 2022, out of
any money in the Treasury not otherwise appropriated,
$20,000,000, to remain available until expended, to establish a program, consistent with section 753(b) of the Public Health Service Act (42 U.S.C. 294c(b)), except that such program shall be to provide awards to accredited schools of medicine, osteopathic medicine, nursing, social work, psychology, allied health, dentistry, or chaplaincy applying on behalf of board-certified or board-eligible individuals in hospice and palliative medicine that have an early-career junior (non-tenured) faculty appointment at an accredited school of medicine, or osteopathic medicine, nursing, social work, psychology, allied health, dentistry, or chaplaincy, to promote the academic career development of individuals as hospice and palliative care specialists.

SEC. 28012. FUNDING FOR HOSPICE AND PALLIATIVE NURSING.

(a) IN GENERAL.—In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $20,000,000, to remain available until expended, to establish a program to award grants and contracts to accredited schools of nursing, health care facilities, programs leading to certification as a certified nurse assistant, partnerships of such schools and facilities, or partnerships of such programs and facilities to develop
and implement, in coordination with other hospice and palliative care programs administered by the Department of Health and Human Services, programs and initiatives to train and educate individuals in providing interprofessional, interdisciplinary, team-based palliative care in health-related educational, hospital, hospice, home, or long-term care settings.

(b) Use of Funds.—Amounts made available to an awardee pursuant to subsection (a) shall be used to—

(1) provide training to individuals who will provide palliative care in health-related educational, hospital, home, hospice, or long-term care settings;

(2) develop and disseminate curricula relating to palliative care in health-related educational, hospital, home, hospice, or long-term care settings;

(3) train faculty members in palliative care in health-related educational, hospital, home, hospice, or long-term care settings; and

(4) provide continuing education to individuals who provide palliative care in health-related educational, home, hospice, or long-term care settings.

SEC. 28013. FUNDING FOR DISSEMINATION OF PALLIATIVE CARE INFORMATION.

(a) In General.—In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal
year 2022, out of any money in the Treasury not otherwise
appropriated, $5,000,000, to remain available until ex-
pended, for the purpose described in subsection (b).

(b) USE OF FUNDS.—The Secretary, after consulta-
tion with appropriate medical and other health profes-
sional societies and palliative care and hospice stake-
holders, shall use amounts appropriated by subsection (a)
to award grants or contracts to State or local govern-
ments, Indian Tribes and Tribal organizations, urban In-
dian organizations, or nonprofit private entities (or con-
sortia of any such entities) to disseminate information to
inform patients, families, caregivers, direct care workers,
and health professionals about the benefits of palliative
care throughout the continuum of care for patients with
serious or life-threatening illness. Such awareness cam-
paign shall include—

(1) information, resources, communication, and
education materials about hospice and palliative care
services for patients facing serious or life-threat-
ening illnesses and their families;

(2) materials that explain the role of profes-
sionals trained in hospice and palliative care in pro-
viding team-based care for patients and families
throughout the continuum of care for serious or life-
threatening illness; and
(3) materials for specific populations, including patients with serious or life-threatening illness who are among medically underserved populations (as defined in section 330(b)(3) of the Public Health Service Act (42 U.S.C. 254b(b)(3)) and families of such patients or health professionals serving medically underserved populations.

PART 2—PANDEMIC PREPAREDNESS

SEC. 28021. FUNDING FOR LABORATORY ACTIVITIES AT THE CENTERS FOR DISEASE CONTROL AND PREVENTION.

(a) IN GENERAL.—In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $1,400,000,000 to remain available until expended, for purposes of carrying out activities consistent with subsection (b).

(b) USE OF FUNDS.—The Secretary, acting through the Director of the Centers for Disease Control and Prevention, shall use amounts made available pursuant to subsection (a) for the following activities:

(1) Supporting renovation, improvement, expansion, and modernization of State and local public health laboratory infrastructure (as the term “lab-
oratory” is defined in section 353 of the Public Health Service Act (42 U.S.C. 263a)), including—

(A) the improvement and enhancement of testing and response capacity;
(B) improvements and expansion of State and local public health laboratories that participate in the Laboratory Response Network;
(C) the improvement and expansion of genomic sequencing capabilities to detect emerging diseases and variant strains; and
(D) the improvement and expansion of public health biosafety and biosecurity capacity.

(2) Enhancing the capacity of the laboratories of the Centers for Disease Control and Prevention as described in subparagraphs (A) through (D) of paragraph (1).

SEC. 28022. FUNDING FOR PUBLIC HEALTH AND PREPAREDNESS RESEARCH, DEVELOPMENT, AND COUNTERMEASURE CAPACITY.

(a) In General.—In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $1,300,000,000, to carry out activities to prepare for, and respond to, public health emergencies declared under section 319 of the Public Health Service Act
(42 U.S.C. 247d), as described in subsection (b), to remain available until expended.

(b) USE OF FUNDS.—The Secretary, acting through the Assistant Secretary for Preparedness and Response, shall use amounts made available pursuant to subsection (a)—

(1) to support surge capacity, including through construction, expansion, or modernization of facilities, to respond to a public health emergency, and for development, procurement, and domestic manufacture of drugs, active pharmaceutical ingredients, vaccines and other biological products, diagnostic technologies and products, medical devices (including personal protective equipment), vials, syringes, needles, and other components or supplies for the Strategic National Stockpile under section 319F–2 of the Public Health Service Act (42 U.S.C. 247d–6b);

(2) to support expanded vaccine production capacity and capabilities, including by developing or acquiring new technology and expanding manufacturing capacity through construction, expansion, or modernization of facilities;

(3) to support activities to mitigate supply chain risks and enhance supply chain elasticity and resilience for critical drugs, active pharmaceutical in-
ingredients, and supplies (including essential medicines, medical countermeasures, and supplies in shortage or at risk of shortage), drug and vaccine raw materials, and other supplies, as the Secretary determines appropriate, including construction, expansion, or modernization of facilities, adoption of advanced manufacturing processes, and other activities to support domestic manufacturing of such supplies;

(4) to support activities conducted by the Biomedical Advanced Research and Development Authority for advanced research, standards development, and domestic manufacturing capacity for drugs, including essential medicines, diagnostics, vaccines, therapeutics, and personal protective equipment; and

(5) to support increased biosafety and biosecurity in research supported by the Department of Health and Human Services on infectious diseases, including by modernization or improvement of facilities.
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SEC. 28023. FUNDING FOR INFRASTRUCTURE MODERNIZATION AND INNOVATION AT THE FOOD AND DRUG ADMINISTRATION.

In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, to remain available until expended, with respect to improving and modernizing infrastructure at the Food and Drug Administration and enhancing food and medical product safety—

(1) $150,000,000 for improving technological infrastructure, including through developing integrated systems and improving the interoperability of information technology systems; and

(2) $150,000,000 for modernizing laboratory infrastructure of, or used by, the Food and Drug Administration, including modernization of facilities related to, and supporting, such laboratory infrastructure, including through planning for, and the construction, repair, improvement, extension, alteration, demolition, and purchase of, fixed equipment or facilities.
PART 3—MATERNAL MORTALITY

SEC. 28031. FUNDING FOR LOCAL ENTITIES ADDRESSING SOCIAL DETERMINANTS OF MATERNAL HEALTH.

(a) IN GENERAL.—In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $100,000,000, to remain available until expended, for carrying out a program to award grants or contracts to community-based organizations, Indian Tribes and Tribal organizations, Urban Indian organizations, Native Hawaiian organizations, or other nonprofit organizations working with a community-based organization, or consortia of any such entities, operating in areas with high rates of adverse maternal health outcomes or with significant racial or ethnic disparities in maternal health outcomes.

(b) USE OF FUNDING.—Amounts made available by subsection (a) shall be used for the following activities:

(1) Addressing social determinants of health, including social determinants of maternal health, for pregnant and postpartum individuals and eliminating racial and ethnic disparities in maternal health outcomes by offering programs and resources to address social determinants of health; hiring, training, or retaining staff; and establishing or sup-
porting a culturally and linguistically appropriate re-
source center that provides multiple social services
programs in a single location.

(2) Promoting evidence-based health literacy
and pregnancy, childbirth, and parenting education
for pregnant and postpartum individuals, and indi-
viduals seeking to become pregnant.

(3) Providing support from perinatal health
workers, including clinical and community-based
staff members that provide direct care and support
services to pregnant and postpartum individuals.

(4) Providing culturally congruent, linguistically
appropriate, and trauma-informed training and re-
sources to social services providers and perinatal
health workers, including clinical and community-
based staff members that provide direct care and
support services to pregnant and postpartum indi-
viduals.

(c) TECHNICAL ASSISTANCE.—Using amounts made
available under subsection (a), the Secretary shall—

(1) conduct outreach to eligible entities to apply
for grants or contracts under subsection (a); and

(2) provide technical assistance, including
through a grant or contract, to eligible entities re-
ceiving funding pursuant to subsection (a).
SEC. 28032. FUNDING FOR THE OFFICE OF MINORITY HEALTH.

(a) In General.—In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $75,000,000, to remain available until expended, for carrying out a program to award grants or contracts to community-based organizations operating in areas with high rates of adverse maternal health outcomes or with significant racial or ethnic disparities in maternal health outcomes.

(b) Use of Funds.—The Secretary, acting through the Deputy Assistant Secretary for Minority Health, shall use amounts made available under subsection (a) to award grants for the following activities:

(1) Addressing social determinants of health, including social determinants of maternal health, for pregnant and postpartum individuals and eliminating racial and ethnic disparities in maternal health outcomes by offering programs and resources to address social determinants of health; hiring, training, or retaining staff; and establishing or supporting a culturally and linguistically appropriate resource center that provides multiple social services programs in a single location.
(2) Promoting evidence-based health literacy and pregnancy, childbirth, and parenting education for pregnant and postpartum individuals, and individuals seeking to become pregnant.

(3) Providing support from perinatal health workers, including clinical and community-based staff members that provide direct care and support services to pregnant and postpartum individuals.

(4) Providing culturally congruent, linguistically appropriate, and trauma-informed training and resources to social service providers and perinatal health workers, including clinical and community-based staff members that provide direct care and support services to pregnant and postpartum individuals.

(c) TECHNICAL ASSISTANCE.—Using amounts made available under subsection (a), the Secretary shall—

(1) conduct outreach to eligible entities to apply for grants or contracts under subsection (a); and

(2) provide technical assistance, including through a grant or contract, to eligible entities receiving funding pursuant to subsection (a).
SEC. 28033. FUNDING TO GROW AND DIVERSIFY THE NURSING WORKFORCE IN MATERNAL AND PERINATAL HEALTH.

(a) In General.—In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $170,000,000, to remain available until expended, for carrying out a program to award grants or contracts to accredited schools of nursing for the purpose of growing and diversifying the perinatal nursing workforce, including through improving the capacity and supply of health care providers.

(b) Uses of Funds.—

(1) Awardees.—Prioritizing students and registered nurses who plan to practice or currently practice in an underserved area, amounts made available to awardees by subsection (a) shall, consistent with section 846 of the Public Health Service Act (42 U.S.C. 297n), be used for the following activities:

(A) Providing scholarships to students, including those from racial and ethnic groups underrepresented in the health professions, seeking to become nurse practitioners whose education includes a focus on maternal and perinatal health.
(B) Providing scholarships to students seeking to become clinical nurse specialists whose education includes a focus on maternal and perinatal health.

(C) Providing scholarships to students seeking to become certified nurse midwives.

(D) Providing scholarships to registered nurses seeking certification as an obstetrics and gynecology registered nurse.

(2) SECRETARY.—The Secretary shall use amounts made available pursuant to subsection (a) for the following activities:

(A) Developing and implementing strategies to recruit and retain a diverse pool of students seeking to enter careers focused on maternal and perinatal health.

(B) Developing partnerships with practice settings in an underserved area for the clinical placements of students at the schools receiving such grants.

(C) Developing curriculum for students seeking to enter careers focused on maternal and perinatal health that includes training programs on bias, racism, discrimination, providing
culturally competent care, or trauma-informed care.

SEC. 28034. FUNDING FOR PERINATAL QUALITY COLLABORATIVES.

In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $50,000,000, to remain available until expended, for carrying out a program to establish or support perinatal quality collaboratives to improve perinatal care and perinatal health outcomes for pregnant and postpartum individuals and their infants.

SEC. 28035. FUNDING TO GROW AND DIVERSIFY THE DOULA WORKFORCE.

(a) IN GENERAL.—In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $50,000,000, to remain available until expended, for carrying out a program to award grants or contracts to health professions schools, academic health centers, State or local governments, territories, Indian Tribes and Tribal organizations, Urban Indian organizations, Native Hawaiian organizations, or other appropriate public or private nonprofit entities (or consortia of any such entities, including entities promoting multidisci-
plinary approaches), to establish or expand programs to
grow and diversify the doula workforce, including through
improving the capacity and supply of health care pro-
viders.

(b) Use of Funds.—Amounts made available by
subsection (a) shall be used for the following activities:

(1) Establishing programs that provide edu-
cation and training to individuals seeking appro-
priate training or certification as doulas.

(2) Expanding the capacity of existing pro-
grams described in paragraph (1), for the purpose of
increasing the number of students enrolled in such
programs, including by awarding scholarships for
students who agree to work in underserved commu-
nities after receiving such education and training.

(3) Developing and implementing strategies to
recruit and retain students from underserved com-
unities, particularly from demographic groups ex-
periencing high rates of maternal mortality and se-
vere maternal morbidity, including racial and ethnic
minority groups, into programs described in para-
graphs (1) and (2).
SEC. 28036. FUNDING TO GROW AND DIVERSIFY THE MATERNAL MENTAL HEALTH AND SUBSTANCE USE DISORDER TREATMENT WORKFORCE.

(a) IN GENERAL.—In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $75,000,000, to remain available until expended, for carrying out a program to award grants or contracts to health professions schools, academic health centers, State or local governments, territories, Indian Tribes and Tribal organizations, Urban Indian organizations, Native Hawaiian organizations, or other appropriate public or private nonprofit entities (or consortia of any such entities, including entities promoting multidisciplinary approaches), to establish or expand programs to grow and diversify the maternal mental health and substance use disorder treatment workforce, including through improving the capacity and supply of health care providers.

(b) USE OF FUNDS.—Amounts made available by subsection (a) shall be used for the following activities:

(1) Establishing programs that provide education and training to individuals seeking appropriate licensing or certification as mental health or substance use disorder treatment providers who plan
to specialize in maternal mental health conditions or
substance use disorders.

(2) Expanding the capacity of existing pro-
grams described in paragraph (1), for the purposes
of increasing the number of students enrolled in
such programs, including by awarding scholarships
for students.

(3) Developing and implementing strategies to
recruit and retain students from underserved com-
munities into programs described in paragraphs (1)
and (2).

SEC. 28037. FUNDING FOR MATERNAL MENTAL HEALTH EQ-
UITY GRANT PROGRAMS.

(a) In General.—In addition to amounts otherwise
available, there is appropriated to the Secretary for fiscal
year 2022, out of any money in the Treasury not otherwise
appropriated, $100,000,000, to remain available until ex-
expended, for carrying out a program to award grants or
contracts to community-based organizations, Indian
Tribes and Tribal organizations, Urban Indian organiza-
tions, Native Hawaiian organizations, health care pro-
viders, accredited medical schools, accredited schools of
nursing, teaching hospitals, accredited midwifery pro-
grams, physician assistant education programs, residency
or fellowship programs, or other nonprofit organizations,
schools, or programs determined appropriate by the Secretary, or consortia of any such entities, to address mental health conditions and substance use disorders with respect to pregnant and postpartum individuals, and individuals seeking to become pregnant, in areas with high rates of adverse maternal health outcomes or with racial or ethnic disparities in maternal health outcomes.

(b) USE OF FUNDS.—Amounts made available pursuant to subsection (a), prioritizing community-based organizations, shall be used for—

(1) supporting the integration of, and coordination between, mental health and substance use disorder treatment services and professionals and the primary care settings where pregnant and postpartum individuals, and individuals seeking to become pregnant, regularly receive health care services;

(2) improving the quality of mental health and substance use disorder treatment services provided to pregnant and postpartum individuals, and individuals seeking to become pregnant, including education and training activities for maternity care providers and initiatives to prevent suicide or self-harm, with a focus on services provided to individuals from
racial and ethnic minority groups with high rates of maternal mortality and morbidity; and

(3) raising awareness of and reducing stigma associated with mental health and substance use disorder treatment disorders impacting pregnant and postpartum individuals, and individuals seeking to become pregnant, with a focus on individuals from racial and ethnic minority groups with high rates of maternal mortality and morbidity.

SEC. 28038. FUNDING FOR EDUCATION AND TRAINING AT HEALTH PROFESSIONS SCHOOLS TO IDENTIFY AND ADDRESS HEALTH RISKS ASSOCIATED WITH CLIMATE CHANGE.

(a) In General.—In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $85,000,000, to remain available until expended, for carrying out a program to award grants or contracts to accredited medical schools, accredited schools of nursing, teaching hospitals, accredited midwifery programs, physician assistant education programs, residency or fellowship programs, or other schools or programs determined appropriate by the Secretary, or consortia of any such entities, to support the development and integration of education and training programs for identifying and ad-
dressing health risks associated with climate change for pregnant, lactating, and postpartum individuals.

(b) USE OF FUNDS.—Amounts made available by subsection (a) shall be used for developing, integrating, and implementing curriculum and continuing education that focuses on the following:

(1) Identifying and addressing health risks associated with climate change for pregnant, lactating, and postpartum individuals and individuals with the intent to become pregnant.

(2) Racial and ethnic disparities in exposure to, and the effects of, health risks associated with climate change for pregnant, lactating, and postpartum individuals and individuals with the intent to become pregnant and related impacts of implicit and explicit bias, racism, and discrimination in health care.

(3) Patient counseling and mitigation strategies relating to health risks associated with climate change for pregnant, lactating, and postpartum individuals.
SEC. 28039. FUNDING FOR MINORITY-SERVING INSTITUTIONS TO STUDY MATERNAL MORTALITY, SEVERE MATERNAL MORBIDITY, AND ADVERSE MATERNAL HEALTH OUTCOMES.

(a) IN GENERAL.—In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $50,000,000, to remain available until expended for carrying out a program to award grants or contracts to minority-serving institutions described in sections 371(a) and 326(e)(1) of the Higher Education Act of 1965 (20 U.S.C. 1067q(a), 1063b(e)(1)) to conduct research on and study maternal mortality, severe maternal morbidity, and maternal health outcomes, with a focus on health disparities.

(b) USE OF FUNDS.—Amounts made available to an awardee under subsection (a) shall be used for the purpose specified in such subsection, including the following activities:

(1) Developing and implementing systematic processes of listening to the stories of pregnant and postpartum individuals from racial and ethnic minority groups, and perinatal health workers supporting such individuals, to fully understand the causes of, and inform potential solutions to, the ma-
ternal mortality and severe maternal morbidity crisis within their respective communities.

(2) Assessing the differences in, and potential causes of, relatively low rates of maternal mortality among Hispanic individuals and foreign-born Black women.

(e) TECHNICAL ASSISTANCE.—Using amounts made available by subsection (a), the Secretary shall conduct outreach to minority-serving institutions (as described in sections 371(a) and 326(c)(1) of the Higher Education Act of 1965 (20 U.S.C. 1067q(a), 1063b(e)(1))—

(1) to inform and raise awareness of the availability funding through a grant or contract awarded pursuant to this section;

(2) to provide technical assistance, including through a grant or contract, on the application process for grants or contracts awarded pursuant to subsection (a); and

(3) to promote capacity building to eligible entities for grant applications pursuant to subsection (a).
SEC. 28040. FUNDING FOR IDENTIFICATION OF MATERNITY CARE HEALTH PROFESSIONAL TARGET AREAS.

In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $25,000,000, to remain available until expended, for carrying out section 332(k) of the Public Health Service Act (42 U.S.C. 254e(k)).

SEC. 28041. FUNDING FOR MATERNAL MORTALITY REVIEW COMMITTEES TO PROMOTE REPRESENTATIVE COMMUNITY ENGAGEMENT.

In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $50,000,000, to remain available until expended, for carrying out section 317K(d) of the Public Health Service Act (42 U.S.C. 247b–12(d)) to promote community engagement in maternal mortality review committees to increase the diversity of a committee’s membership with respect to race and ethnicity, location, and professional background.
SEC. 28042. FUNDING FOR THE SURVEILLANCE FOR EMERGING THREATS TO MOTHERS AND BABIES.

(a) In General.—In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $100,000,000, to remain available until expended, for carrying out section 317C of the Public Health Service Act (42 U.S.C. 247b–4) with respect to conducting surveillance for emerging threats to mothers and babies.

(b) Use of Funds.—Amounts made available by subsection (a) shall be used for the following activities:

(1) Expanding the Surveillance for Emerging Threats to Mothers and Babies activities of the Centers for Disease Control and Prevention.

(2) Working with public health, clinical, and community-based organizations to provide timely, continually updated, evidence-based guidance to families and health care providers on ways to reduce risk to pregnant and postpartum individuals and their newborns and tailor interventions to improve their long-term health.

(3) Partnering with more State, Tribal, territorial, and local public health programs in the collection and analysis of clinical data on the impact of COVID–19 on pregnant and postpartum patients
and their newborns, particularly among patients
from racial and ethnic minority groups.

(4) Establishing regionally based centers of ex-
cellence to offer medical, public health, and other
knowledge (in coordination with State and Tribal
public health authorities) to ensure that commu-
nities, especially communities with large populations
of individuals from racial and ethnic minority
groups, have access to the information and resources
that can help pregnant and postpartum individuals
and newborns get the recommended health care and
social support services they need in response to lo-
cally relevant emerging public health threats.

SEC. 28043. FUNDING FOR ENHANCING REVIEWS AND SUR-
VEILLANCE TO ELIMINATE MATERNAL MOR-
TALITY PROGRAM.

(a) In General.—In addition to amounts otherwise
available, there is appropriated to the Secretary for fiscal
year 2022, out of any money in the Treasury not otherwise
appropriated, $30,000,000, to remain available until ex-
pended, for carrying out the Enhancing Reviews and Sur-
veillance to Eliminate Maternal Mortality program estab-
lished under section 317K of the Public Health Service
(b) USE OF FUNDS.—Amounts made available by subsection (a) shall be used for the following activities:

(1) Expanding the Enhancing Reviews and Surveillance to Eliminate Maternal Mortality program (commonly known as the “ERASE MM program”) of the Centers for Disease Control and Prevention.

(2) Expanding partnerships with States, territories, Indian Tribes, and Tribal organizations to support Maternal Mortality Review Committees.

(3) Providing technical assistance to existing maternal mortality review committees.

SEC. 28044. FUNDING FOR THE PREGNANCY RISK ASSESSMENT MONITORING SYSTEM.

(a) IN GENERAL.—In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $15,000,000, to remain available until expended, for carrying out section 317K of the Public Health Service Act (42 U.S.C. 247b–12) with respect to the Pregnancy Risk Assessment Monitoring System.

(b) USE OF FUNDS.—Amounts made available by subsection (a) shall be used for the following activities:

(1) Supporting COVID–19 supplements to the Pregnancy Risk Assessment Monitoring System questionnaire.
(2) Conducting a rapid assessment of COVID–19 awareness, impact on care and experiences, and use of preventive measures among pregnant, laboring and birthing, and postpartum individuals.

(3) Supporting the transition of the questionnaire described in paragraph (1) to an electronic platform and expanding the distribution of the questionnaire to a larger population, with a special focus on reaching underrepresented communities.

SEC. 28045. FUNDING FOR THE NATIONAL INSTITUTE OF CHILD HEALTH AND HUMAN DEVELOPMENT.

In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $15,000,000, to remain available until expended, consistent with the child health and human development activities of the Eunice Kennedy Shriver National Institute of Child Health and Human Development described in section 448 of the Public Health Service Act (42 U.S.C. 285g), to conduct or support research for interventions to mitigate the effects of COVID–19 on pregnant, lactating, and postpartum individuals, with a particular focus on individuals from racial and ethnic minority groups.
SEC. 28046. FUNDING FOR EXPANDING THE USE OF TECHNOLOGY-ENABLED COLLABORATIVE LEARNING AND CAPACITY BUILDING MODELS FOR PREGNANT AND POSTPARTUM INDIVIDUALS.

(a) In general.—In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $30,000,000, to remain available until expended, for carrying out a program to award grants or contracts to community-based organizations, Indian Tribes and Tribal organizations, Urban Indian organizations, health care providers, accredited medical schools, accredited schools of nursing, teaching hospitals, accredited midwifery programs, physician assistant education programs, residency or fellowship programs, or other schools or programs determined appropriate by the Secretary, or consortia of any such entities, that are operating in underserved areas with high rates of adverse maternal health outcomes or significant racial and ethnic disparities in maternal health outcomes, to evaluate, develop, and expand the use of technology-enabled collaborative learning and capacity building models (as defined in section 330N of the Public Health Service Act (42 U.S.C. 254c–20)).

(b) Use of funds.—
(1) Awardees.—A recipient of a grant or contract awarded pursuant to subsection (a) shall use such amounts to—

(A) train maternal health care providers, students, staff of community-based organizations, and other entities described in subsection (a) through the use and expansion of technology-enabled collaborative learning and capacity building models, including hardware and software that—

(i) enables distance learning and technical support; and

(ii) supports the secure exchange of electronic health information; and

(B) conduct evaluations on the use of technology-enabled collaborative learning and capacity building models to improve maternal health outcomes.

(2) Secretary.—The Secretary shall use amounts made available pursuant to subsection (a) to provide technical assistance to recipients of grants awarded pursuant to subsection (a) on the development, use, and sustainability of technology-enabled collaborative learning and capacity building models.
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to expand access to maternal health services pro-
vided by such entities.

SEC. 28047. FUNDING FOR PROMOTING EQUITY IN MATERNAL HEALTH OUTCOMES THROUGH DIGITAL TOOLS.

(a) IN GENERAL.—In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $30,000,000, to remain available until expended, for carrying out a program to award grants or contracts to community-based organizations, Indian Tribes and Tribal organizations, Urban Indian organizations, health care providers, accredited medical schools, accredited schools of nursing, teaching hospitals, accredited midwifery programs, physician assistant education programs, residency or fellowship programs, or other schools or programs determined appropriate by the Secretary, or consortia of any such entities, that are operating in underserved areas with high rates of adverse maternal health outcomes or significant racial and ethnic disparities in maternal health outcomes to reduce racial and ethnic disparities in maternal health outcomes by increasing access to digital tools related to maternal health care.

(b) USE OF FUNDS.—Amounts made available to an awardee pursuant to subsection (a) shall be used for the
purpose specified in such subsection, including for increasing access to telehealth technologies (as defined in section 330I of the Public Health Service Act (42 U.S.C. 254c–14)) and digital tools that could improve maternal health outcomes, such as wearable technologies, patient portals, telehealth services, and web-based and mobile phone applications, digital health services, secure text messaging, online provider communities, mobile clinical decision support services, and clinical tools to increase diagnostic accuracy.

(c) **Technical Assistance.**—Using amounts made available under subsection (a), the Secretary shall provide technical assistance, including through a grant or contract, to eligible entities receiving funding pursuant to subsection (a) on the development, use, evaluation, and post-grant sustainability of digital tools designed to promote equity and reduce disparities in maternal health outcomes.

**SEC. 28048. FUNDING FOR ANTIDISCRIMINATION AND BIAS TRAINING.**

(a) **In General.**—In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $50,000,000, to remain available until expended, for the purpose described in subsection (b).
(b) Use of Funds.—The Secretary shall, with a focus on maternal health providers, use amounts appropriated under subsection (a) to carry out a program to award competitive grants or contracts to national non-profit organizations focused on improving health equity, accredited schools of medicine or nursing, and other health professional training programs to develop, disseminate, review, research, and evaluate training for health professionals and all staff who interact with patients to reduce discrimination and bias in the provision of health care, with a focus on maternal health care.

PART 4—OTHER PUBLIC HEALTH INVESTMENTS

SEC. 28051. FUNDING FOR MENTAL HEALTH AND SUBSTANCE USE DISORDER PROFESSIONALS.

In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $50,000,000, to remain available until expended, for purposes of carrying out section 597 of the Public Health Service Act (42 U.S.C. 290ll).

SEC. 28052. FUNDING TO SUPPORT PEER RECOVERY SPECIALISTS.

In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal year 2022, out of any money in the Treasury not otherwise appropriated,
$25,000,000, to remain available until expended, to carry
out section 509 of the Public Health Service Act (42
U.S.C. 290bb–2) with respect to strengthening recovery
community organizations and their statewide network of
recovery stakeholders.

SEC. 28053. FUNDING FOR PROJECT AWARE.

In addition to amounts otherwise available, there is
appropriated to the Secretary for fiscal year 2022, out of
any money in the Treasury not otherwise appropriated,$15,000,000, to remain available until expended, for car-
rying out section 520A of the Public Health Service Act
(42 U.S.C. 290bb–32) with respect to advancing wellness
and resiliency in education.

SEC. 28054. FUNDING FOR THE NATIONAL SUICIDE PRE-
VENTION LIFELINE.

In addition to amounts otherwise available, there is
appropriated to the Secretary for fiscal year 2022, out of
any money in the Treasury not otherwise appropriated,$75,000,000, to remain available until expended, for ad-
vancing infrastructure for the National Suicide Prevention
Lifeline program under section 520E–3 of the Public
Health Service Act (42 U.S.C. 290bb–36c) in order to ex-
pand existing capabilities for response in a manner that
avoids duplicating existing capabilities for text-based crisis
support.
SEC. 28055. FUNDING FOR COMMUNITY VIOLENCE AND TRAUMA INTERVENTIONS.

(a) In General.—In addition to amounts otherwise available, there is appropriated to the Secretary, for fiscal year 2022, out of any money in the Treasury not otherwise appropriated $2,500,000,000, to remain available until expended, for the purposes described in subsection (b):

(b) Use of Funding.—The Secretary, acting through the Director of the Centers for Disease Control and Prevention, and in consultation with the Assistant Secretary for Mental Health and Substance Use, the Administrator of the Health Resources and Services Administration, the Deputy Assistant Secretary for Minority Health, and the Assistant Secretary for the Administration for Children and Families, shall use amounts appropriated by subsection (a) to support public health-based interventions to reduce community violence and trauma, taking into consideration the needs of communities with high rates of, and prevalence of risk factors associated with, violence-related injuries and deaths, by—

(1) awarding competitive grants or contracts to local governmental entities, States, territories, Indian Tribes and Tribal organizations, Urban Indian organizations, hospitals and community health centers, nonprofit community-based organizations, culturally specific organizations, victim services pro-
providers, or other entities as determined by the Secretary (or consortia of such entities) to support evidence-informed, culturally competent, and developmentally appropriate strategies to reduce community violence, including outreach and conflict mediation, hospital-based violence intervention, violence interruption, and services for victims and individuals and communities at risk for experiencing violence, such as trauma-informed mental health care and counseling, social-emotional learning and school-based mental health services, workforce development services, and other services that prevent or mitigate the impact of trauma, build appropriate skills, or promote resilience; and

(2) supporting training, technical assistance, research, evaluation, public health surveillance systems, data collection, and coordination among relevant stakeholders, to facilitate support for strategies to reduce community violence and ensure safe and healthy communities.

(c) EXPENDITURE REQUIREMENT.—All expenditures made pursuant to subsection (a) shall be made on or before September 30, 2031.
SEC. 28056. FUNDING FOR THE NATIONAL CHILD TRAUMATIC STRESS NETWORK.

In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $5,000,000, to remain available until expended, for carrying out section 582 of the Public Health Service Act (42 U.S.C. 290hh–1) with respect to addressing the problem of high-risk or medically underserved persons who experience violence-related stress.

SEC. 28057. FUNDING FOR HIV HEALTH CARE SERVICES PROGRAMS.

In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $75,000,000, to remain available until expended, for necessary expenses for modifications to existing contracts, and supplements to existing grants and cooperative agreements under sections 2601, 2611, 2651, 2671, and 2692(a) of the Public Health Service Act (42 U.S.C. 300ff–11, 300ff–21, 300ff–51, 300ff–71, 300ff–111).

SEC. 28058. FUNDING FOR CLINICAL SERVICES DEMONSTRATION PROJECT.

In addition to amounts otherwise available, there is appropriated to the Secretary, acting through the Administrator of the Health Resources and Services Administration—
tion, for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $60,000,000, to remain available until expended, to carry out a program to award grants or contracts to public and private nonprofit clinics for the provision of clinical services, pursuant to a demonstration project under section 318(b)(2) of the Public Health Service Act (42 U.S.C. 247c(b)(2)).

SEC. 28059. FUNDING TO SUPPORT THE LIFESPAN RESPITE CARE PROGRAM.

In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $5,000,000, to remain available until expended, for carrying out sections 2902, 2903, and 2904 of the Public Health Service Act (42 U.S.C. 300ii–1, 300ii–2, 300ii–3).

SEC. 28060. FUNDING TO INCREASE RESEARCH CAPACITY AT CERTAIN INSTITUTIONS.

(a) In General.—In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $75,000,000, to remain available until expended, for the purposes described in subsection (b).
(b) USE OF FUNDS.—The Secretary, acting through the Director of the National Institutes of Health, shall use amounts made available under subsection (a) to—

(1) maintain and expand programs to increase research capacity at minority-serving institutions (as described in sections 371(a) and 326(e)(1) of the Higher Education Act of 1965 (20 U.S.C. 1067q(a), 1063b(e)(1))), including by supporting the Path to Excellence and Innovation program of the National Institutes of Health;

(2) support centers of excellence under sections 464z–4 and 736 of the Public Health Service Act (42 U.S.C. 285t–1, 293);

(3) support efforts to diversify the national scientific workforce and expand recruitment and retention of individuals who are—

(A) underrepresented in the biomedical, clinical, behavioral, and social sciences; and

(B) from disadvantaged backgrounds; and

(4) support and expand the activities of the Scientific Workforce Diversity Office of the National Institutes of Health.
SEC. 28061. FUNDING FOR RESEARCH RELATED TO DEVELOPMENTAL DELAYS.

(a) In General.—In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $10,000,000, to remain available until expended, for the purpose described in subsection (b).

(b) Use of Funds.—The Secretary, acting through the Director of the National Institutes of Health, shall use amounts appropriated by subsection (a) to conduct or support research related to developmental delays, including speech and language delays in infants and toddlers, characterizing speech and language development and outcomes in infants and toddlers through early adolescence. Such research shall include studies, including longitudinal studies, conducted or supported by the National Institute on Deafness and Other Communication Disorders, the Eunice Kennedy Shriver National Institute of Child Health and Human Development, and other relevant institutes and centers of the National Institutes of Health.

SEC. 28062. SUPPLEMENTAL FUNDING FOR THE WORLD TRADE CENTER HEALTH PROGRAM.

(a) In General.—Title XXXIII of the Public Health Service Act is amended by adding at the end the following:
SEC. 3352. SUPPLEMENTAL FUND.

(a) In general.—There is established a fund to be known as the World Trade Center Health Program Supplemental Fund (referred to in this section as the ‘Supplemental Fund’), consisting of amounts deposited into the Supplemental Fund under subsection (b).

(b) Amount.—Out of any money in the Treasury not otherwise appropriated, there is appropriated for fiscal year 2022, $2,860,000,000, for deposit into the Supplemental Fund, which amounts shall remain available through fiscal year 2031.

(c) Use of Funds.—Amounts deposited into the Supplemental Fund under subsection (b) shall be available, without further appropriation and without regard to any spending limitation under section 3351(c), to the WTC Program Administrator as needed at the discretion of such Administrator for carrying out any provision in this title, including sections 3303 and 3341(c).

(d) Return of Funds.—Any amounts that remain in the Supplemental Fund on September 30, 2031, shall be deposited into the Treasury as miscellaneous receipts.”.

(b) Conforming Amendments.—Title XXXIII of the Public Health Service Act is amended—

(1) in section 3311(a)(4)(B)(i)(II) (42 U.S.C. 300mm–21(a)(4)(B)(i)(II)), by striking “section 3351” and inserting “sections 3351 and 3352”;

(3) in section 3331 (42 U.S.C. 300mm–41)—

(A) in subsection (a), by inserting “and the World Trade Center Health Program Supplemental Fund” before the period at the end; and

(B) in subsection (d)—

(i) in paragraph (1)(B), by inserting “(excluding any expenditures from amounts in the World Trade Center Health Program Supplemental Fund under section 3352)” before the period at the end; and

(ii) in paragraph (2), in the flush text following subparagraph (C), by inserting “(excluding any expenditures from amounts in the World Trade Center Health Program Supplemental Fund under section 3352)” before the period at the end; and

(4) in section 3351(b) (42 U.S.C. 300mm–61(b))—
(A) in paragraph (2), by inserting “or as available from the World Trade Center Health Program Supplemental Fund under section 3352” before the period at the end; and

(B) in paragraph (3), by inserting “or as available from the World Trade Center Health Program Supplemental Fund under section 3352” before the period at the end.