

~~units operating in water depths of less than 500 feet. "(2) Disposition.— Amounts collected as fees under paragraph (1) shall be deposited into the general fund of the Treasury. "(3) Billing.— "(A) Annual fees.— The Secretary shall bill designated operators under paragraph (1)(C)(i) annually, with payment required not later than 30 days after such billing. "(B) Fees for drilling rigs.— The Secretary shall bill designated operators under paragraph (1)(C)(ii) not later than 30 days after the end of the month in which the inspection occurred, with payment required not later than 30 days after such billing. "(4) Publication.— The Secretary shall annually make available to the public the following information about each fee deposited into the Fund: "(A) The facility that was inspected. "(B) The name of the operator of such facility. "(C) The amount of the payment." (o) Severance fees.— The Secretary of Interior shall collect annual, non-refundable fees on fossil fuels produced from new leases on Federal lands and the Outer Continental Shelf and deposit the funds into the United States Treasury General Fund. Such fees shall be— (1) not less than \$0.50 per barrel of oil equivalent on oil and natural gas produced from Federal lands and the Outer Continental Shelf; and (2) not less than \$2 per metric ton of coal produced from Federal lands. (p) Idled well fees.— (1) In general.— The Secretary shall, not later than 180 days after the date of enactment of this section, issue regulations to require each operator of an idled well on Federal land and the Outer Continental Shelf to pay an annual, nonrefundable fee for each such idled well in accordance with this subsection. (2) Amounts.— Except as provided in paragraph (5), the amount of the fee shall be as follows: (A) \$500 for each well that has been considered an idled well for at least 1 year, but not more than 5 years. (B) \$1,500 for each well that has been considered an idled well for at least 5 years, but not more than 10 years. (C) \$3,500 for each well that has been considered an idled well for at least 10 years, but not more than 15 years. (D) \$7,500 for each well that has been considered an idled well for at least 15 years. (3) Due date.— An owner of an idled well that is required to pay a fee under this subsection shall submit to the Secretary such fee by not later than October 1 of each year. (4) Civil penalty.— If the operator of a idled well fails to pay the full amount of a fee under this subsection, the Secretary may assess a civil penalty against the operator under section 109 of the Federal Oil and Gas Royalty Management Act of 1982 (30 U.S.C. 1719) as if such failure to pay were a violation under such section. (5) Adjustment for inflation.— The Secretary shall, by regulation not less than once every 4 years, adjust each fee under this subsection to account for inflation. (6) Deposit.— All funds collected pursuant to paragraph (1) shall be deposited into the United States Treasury General Fund. (7) Idled well definition.— For the purposes of this section, the term "idled well" means a well that has been non-operational for at least two consecutive years and for which there is no anticipated beneficial future use. (q) Annual pipeline owners fee.— Not later than 180 days after the date of enactment of this Act, the Bureau of Safety and Environmental Enforcement shall issue regulations to assess an annual fee on owners of offshore oil and gas pipelines. Such fee shall not qualify as a transportation allowance or as a deductible cost in calculating royalties due to the United States and shall be no less than— (1) \$10,000 per mile for such pipelines~~

~~in water with a depth of 500 feet or greater; and (2) \$1,000 per mile for pipelines in water depth of under 500 feet. (r) Royalties on all extracted methane.— (1) Assessment on all production.— (A) In general.— Except as provided in subparagraph (B), royalties paid for gas produced from Federal lands and on the Outer Continental Shelf shall be assessed on all gas produced, including— (i) gas used or consumed within the area of the lease tract for the benefit of the lease; and (ii) all gas that is consumed or lost by venting, flaring, or fugitive releases through any equipment during upstream operations. (B) Exception.— Subparagraph (A) shall not apply with respect to— (i) gas vented or flared for not longer than 48 hours in an acute emergency situation that poses a danger to human health; and (ii) gas used or consumed within the area of the lease tract for the benefit of the lease when the operator is a Tribe or is controlled by a Tribe that is located entirely on the lands of such Tribe. (2) Conforming amendments.— (A) Mineral leasing Act.— The Mineral Leasing Act is amended— (i) in section 14 (30 U.S.C. 223), by adding at the end the following: "Royalties shall be assessed with respect to oil and gas, other than gas vented or flared for not longer than 48 hours in an acute emergency situation that poses a danger to human health and gas used or gas consumed within the area of the lease tract for the benefit of the lease when the operator is a Tribe or is controlled by a Tribe that is located entirely on the lands of such Tribe, without regard to whether oil or gas is removed or sold from the leased land."; (ii) in section 22 (30 U.S.C. 251), by striking "sold or removed"; and (iii) in section 31 (30 U.S.C. 488), by striking "removed or sold" each place it appears. (B) Outer continental shelf lands Act.— The Outer Continental Shelf Lands Act is amended— (i) in section 6(a) (8) (43 U.S.C. 1335(a)(8)), by striking "saved, removed, or sold" each place it appears; and (ii) in section 8(a) (43 U.S.C. 1337(a))— (I) in paragraph (1), by striking "saved, removed, or sold" each place it appears; and (II) by adding at the end the following: "(9) Royalties under this Act shall be assessed with respect to oil and gas, other than gas vented or flared for not longer than 48 hours in an acute emergency situation that poses a danger to human health and gas used or gas consumed within the area of the lease tract for the benefit of the lease when the operator is a Tribe or is controlled by a Tribe that is located entirely on the lands of such Tribe, without regard to whether oil or gas is removed or sold from the leased land.". (s) Elimination of royalty relief.— (1) In general.— (A) Outer Continental Shelf Lands Act relating to the suspension of royalties.— Section 8(a)(1)(H) of the Outer Continental Shelf Lands Act (43 U.S.C. 1337(a)(1)(H)) is amended by striking ", and with suspension of royalties for a period, volume, or value of production determined by the Secretary, which suspensions may vary based on the price of production from the lease". (B) Outer Continental Shelf Lands Act relating to the suspension of royalties.— Section 8(a)(1)(H) of the Outer Continental Shelf Lands Act (43 U.S.C. 1337(a)(1)(H)) is amended by striking ", and with suspension of royalties for a period, volume, or value of production determined by the Secretary, which suspensions may vary based on the price of production from the lease". (C) Outer continental shelf lands Act.— Section 8(a)(3) of the Outer Continental Shelf Lands Act (43 U.S.C. 1337(a)(3)) is amended— (i) by striking subparagraphs (A) and (B);~~

~~and (ii) by redesignating subparagraph (C) as subparagraph (A). (D) Energy policy Act of 2005.— (i) Incentives for natural gas production from deep wells in the shallow waters of the gulf of mexico.— Section 344 of the Energy Policy Act of 2005 (42 U.S.C. 15904) is repealed. (ii) Deep water production.— Section 345 of the Energy Policy Act of 2005 (42 U.S.C. 15905) is repealed. (2) Future provisions.— Royalty relief shall not be permitted under a lease issued under section 8 of the Outer Continental Shelf Lands Act (43 U.S.C. 1337). (3) Provisions relating to naval petroleum reserve in Alaska.— Section 107 of the Naval Petroleum Reserves Production Act of 1976 (42 U.S.C. 6506a) is amended— (A) in subsection (i), by striking paragraphs (2) through (6); and (B) by striking subsection (k). (4) Royalty relief under the mineral leasing Act.— (A) Repeal.— Section 39 of the Mineral Leasing Act (30 U.S.C. 209) is repealed. (B) Conforming amendments.— (i) Section 8721(b) of title 10, United States Code, is amended by striking "202-209" and inserting "202-208". (ii) Section 8735(a) of title 10, United States Code, is amended by striking "202-209" and inserting "202-208". (iii) Section 31(h) of the Mineral Leasing Act (30 U.S.C. 188(h)) is amended by striking "and the provisions of section 39 of this Act" **1201. Repeal of the arctic national wildlife refuge oil and gas program**~~

~~*Section 20001 of Public Law 115-97 is repealed and any leases issued pursuant to section 20001 of Public Law 115-97 are hereby cancelled and all payments related to the leases shall be returned to the lessee(s) within 30 days of enactment of this section.*~~

[NOTE-- DELETED /tX/stD/s100404: Sec. 100404. SBIG Working Group]

[NOTE-- MOVED /tX/stE to /tVII/stM]

Subtitle ~~EM~~— Increasing access to lending and investment capital Outer
Continental Shelf Oil and Gas Leasing

Sec. 71301. Protection of the eastern gulf, Atlantic, and pacific coasts

~~*The Secretary of the Interior may not issue a lease or any other authorization for the exploration, development, or production of oil or natural gas in any of the planning areas on the Outer Continental Shelf in the Pacific Region Planning Areas, in the Atlantic Region Planning Areas, or in the Eastern Gulf of Mexico Planning Area identified on the map entitled "Outer Continental Shelf Lower 48 States Planning Areas" and dated October 18, 2021.*~~

[NOTE-- DELETED /tX/stE/s100505: Sec. 100505. Funding for direct debentures]

[NOTE-- MOVED /tX/stF to /tVII/stN]

(/)

Subtitle FN— ~~Supporting entrepreneurial second chan~~ **Fossil Fuel**
Resources

Sec. 71401. Onshore fossil fuel royalty rates

All new onshore oil, gas, and coal leases issued by the Secretary of the Interior shall be conditioned upon the payment of a royalty at a rate of 18.75 percent in amount or value of the production from the lease. Before a terminated or cancelled oil, gas, or coal lease may be reinstated by the Secretary of the Interior, back royalties must be paid, and future royalties shall be at a rate of 25 percent in amount or value of the production from the lease.

Sec. 71402. Offshore oil and gas royalty rate

All new offshore oil and gas leases on submerged lands of the outer Continental Shelf granted by the Secretary of the Interior shall be conditioned upon the payment of a royalty at a rate of not less than 14 percent in amount or value of the production from the lease.

Sec. 71403. Oil and gas minimum bid

The onshore minimum acceptable bid charged by the Secretary of the Interior shall be \$10 per acre on Federal lands in the contiguous United States authorized to be leased by the Secretary for production of oil and gas. The Secretary of the Interior shall by regulation, at least once every 4 years, adjust the dollar amount to reflect the change in inflation.

Sec. 71404. Deferred coal bonus payments

The Secretary of the Interior may not offer Federal coal leases under a system of deferred bonus payment.

Sec. 71405. Fossil fuel rental rates

The Secretary of the Interior shall require all onshore oil and gas leases in the contiguous United States to be conditioned upon payment by the lessee of a rental of \$3 per acre per year during the 2-year period beginning on the date the lease begins for new leases, and after the end of such two-year period \$5 per acre per year. The Secretary of the Interior shall by regulation, at least once every 4 years, adjust the dollar amounts to reflect the change in inflation. A terminated onshore oil and gas lease may not be reinstated without the payment of back rentals and a requirement that future rentals be at a rate of \$20 per acre per year.

Sec. 71406. Fossil fuel lease term (length)

(a) A coal lease issued by the Secretary of the Interior shall be for a term of ten years. Any lease which is not producing in commercial quantities at the end of 5 years shall be terminated. The aggregate number of years during the period of any lease for which advance royalties may be accepted in lieu of the condition of continued operation shall not exceed 10 years.

(b) Leases for exploration for and development of oil or gas in the contiguous United States issued by the Secretary of the Interior shall be for a primary term of 5 years.

Sec. 71407. Expression of interest fee

(a) IN GENERAL.— The Secretary of the Interior shall charge any person who submits an expression of interest in leasing land in the contiguous United States available for disposition for exploration and development of oil or gas a fee in an amount determined by the Secretary of the Interior under subsection (b).

(b) AMOUNT.— The fee authorized under subsection (a) shall be established by the Secretary of the Interior in an amount that is determined by the Secretary of the Interior to be appropriate to cover the aggregate cost of processing an expression of interest under this section, but not less than \$15 per acre and not more than \$50 per acre of the area covered by the applicable expression of interest.

(c) ADJUSTMENT OF FEE.— The Secretary of the Interior shall, by regulation at least every 4 years, establish a higher expression of interest fee to reflect the change in inflation.

Sec. 71408. Elimination of noncompetitive leasing

The Secretary of the Interior may not issue an oil or gas lease noncompetitively. Land made available by the Secretary of the Interior for oil and gas leasing for which no bid is accepted or received, or the land for which a lease terminates, expires, is cancelled, or is relinquished, may only be made available by the Secretary of the Interior for a new round of sealed, competitive bidding.

Sec. 71409. Oil and gas bonding requirements

Not later than 18 months after the date of enactment of this subtitle, the Secretary of the Interior shall publish a final rule in the Federal Register requiring that an adequate bond, surety, or other financial arrangement be provided by an oil or gas lessee prior to the commencement of surface-disturbing activities on an onshore oil and gas lease issued by the Secretary to ensure the complete and timely restoration and reclamation of any land, water, or other resources (including resources with recreation, range, mineral, watershed, fish or wildlife, natural, scenic, scientific, or historical value) adversely affected by lease activities or operations after the abandonment or cessation of oil and gas operations on the lease. The Secretary of the Interior shall find that a bond, surety or other financial arrangement required by rule or regulation is inadequate if it is for less than the complete and timely reclamation of the least tract, the restoration of any lands or surface waters

adversely affected by lease operations, and, in the case of an idled well, the total plugging and reclamation costs for each idled well controlled by the same operator.

Sec. 71410. Per-acre lease fees

(a) OIL AND GAS LEASE FEES.— The Secretary of the Interior shall charge onshore and offshore oil and gas leaseholders the following annual, non-refundable fees:

(1) CONSERVATION OF RESOURCES FEE.— There is established a Conservation of Resources Fee of \$4 per acre per year on new producing Federal onshore and offshore oil and gas leases.

(2) SPECULATIVE LEASING FEE.— There is established a Speculative Leasing Fee of \$6 per acre per year on new nonproducing Federal onshore and offshore oil and gas leases.

(b) DEPOSIT.— All funds collected pursuant to subsection (a) shall be deposited into the United States Treasury General Fund.

(c) ADJUSTMENT FOR INFLATION.— The Secretary of the Interior shall, by regulation at least once every four years, adjust each fee created by subsection (a) to reflect any increase in inflation.

Sec. 71411. Offshore oil and gas inspection fees

(a) IN GENERAL.—

(1) ESTABLISHMENT.— The Secretary of the Interior shall collect inspection fees from the operators of oil and gas facilities on the outer continental shelf subject to any environmental or safety regulation to prevent or ameliorate blowouts, fires, spills, spillages, or major accidents—

(A) at an aggregate level to offset the annual expenses of such inspections;
and

(B) using a schedule that reflect the differences in complexity among the classes of facilities to be inspected.

(2) ADJUSTMENT FOR INFLATION.— For each fiscal year beginning after fiscal year 2022, the Secretary of the Interior shall adjust the amount of the fees collected under this section for inflation.

(3) FEES FOR FISCAL YEAR 2022.—

(A) ANNUAL FEES.— For fiscal year 2022, the Secretary of the Interior shall collect annual fees from the operator of facilities that are above the waterline, excluding drilling rigs, and are in place at the start of the fiscal year in the following amounts:

(i) \$11,725 for facilities with no wells, but with processing equipment or gathering lines. (l)

(ii) \$18,984 for facilities with 1 to 10 wells, with any combination of active or inactive wells.

(iii) \$35,176 for facilities with more than 10 wells, with any combination of active or inactive wells.

(B) FEES FOR DRILLING RIGS.— For fiscal year 2022, the Secretary of the Interior shall collect fees for each inspection from the operators of drilling rigs in the following amounts:

(i) \$34,059 per inspection for rigs operating in water depths of 500 feet or more.

(ii) \$18,649 per inspection for rigs operating in water depths of less than 500 feet.

(C) FEES FOR NON-RIG UNITS.— For fiscal year 2022, the Secretary of the Interior shall collect fees for each inspection from the operators of well operations conducted via non-rig units in the following amounts:

(i) \$13,260 per inspection for non-rig units operating in water depths of 2,500 feet or more.

(ii) \$11,530 per inspection for non-rig units operating in water depths between 500 and 2,499 feet.

(iii) \$4,470 per inspection for non-rig units operating in water depths of less than 500 feet.

(b) DISPOSITION.— Amounts collected as fees under subsection (a) shall be deposited into the general fund of the Treasury.

(c) BILLING.—

(1) ANNUAL FEES.— The Secretary of the Interior shall bill designated operators under subsection (a)(3)(A) annually, with payment required not later than 30 days after such billing.

(2) FEES FOR DRILLING RIGS.— The Secretary of the Interior shall bill designated operators under subsection (a)(3)(B) not later than 30 days after the end of the month in which the inspection occurred, with payment required not later than 30 days after such billing.

Sec. 71412. Onshore oil and gas inspection fees

(a) IN GENERAL.— The designated operator under each oil and gas lease on Federal land or each unit and communitization agreement that includes one or more such Federal leases that is subject to inspection and that is in force at the start of the fiscal year 2021, shall pay a nonrefundable annual inspection fee in an amount that, except as provided in subsection (b), is established by the Secretary of the Interior by regulation and is sufficient to recover the full costs incurred by the United States for inspection and enforcement with respect to such leases. (l)

(b) AMOUNT.— Until the effective date of regulations under subsection (a)—

(1) the amount of the fee for all States shall be \$1,000 for each lease, unit, or communitization agreement; and

(2) the Secretary of the Interior may increase the fees based upon the actual costs incurred for inspections.

(c) ASSESSMENT FOR FISCAL YEAR 2022.— For fiscal year 2022, the Secretary of the Interior shall assess the fee described under this section at \$1,000 for each lease, unit, or communitization agreement, and shall provide notice of such assessment to each designated operator who is liable for such fee, by not later than 60 days after the date of enactment of this section.

Sec. 71413. Severance fees

The Secretary of the Interior shall collect annual, non-refundable fees on fossil fuels produced from new leases on Federal lands and the Outer Continental Shelf and deposit the funds into the United States Treasury General Fund. Such fees shall be—

(1) \$0.50 per barrel of oil equivalent on oil and natural gas produced from Federal lands and the Outer Continental Shelf; and

(2) \$2 per metric ton of coal produced from Federal lands.

Sec. 71414. Idled well fees

(a) IN GENERAL.— The Secretary of the Interior shall, not later than 180 days after the date of enactment of this section, issue regulations to require each operator of an idled well on Federal land and the Outer Continental Shelf to pay an annual, nonrefundable fee for each such idled well in accordance with this subsection.

(b) AMOUNTS.— Except as provided in subsection (d), the amount of the fee shall be as follows:

(1) \$500 for each well that has been considered an idled well for at least 1 year, but not more than 5 years.

(2) \$1,500 for each well that has been considered an idled well for at least 5 years, but not more than 10 years.

(3) \$3,500 for each well that has been considered an idled well for at least 10 years, but not more than 15 years.

(4) \$7,500 for each well that has been considered an idled well for at least 15 years.

(c) DUE DATE.— An owner of an idled well that is required to pay a fee under this section shall submit to the Secretary of the Interior such fee by not later than October 1 of each year.

(d) ADJUSTMENT FOR INFLATION.— The Secretary of the Interior shall, by regulation not less than once every 4 years, adjust each fee under this section to account for inflation.

(e) DEPOSIT.— All funds collected pursuant to subsection (a) shall be deposited into the United States Treasury General Fund.

(f) IDLED WELL DEFINITION.— For the purposes of this section, the term "idled well" means a well that has been non-operational for at least two consecutive years and for which there is no anticipated beneficial future use.

Sec. 71415. Annual pipeline owners fee

(a) IN GENERAL.— Not later than 180 days after the date of enactment of this section, the Bureau of Safety and Environmental Enforcement shall issue regulations to assess an annual fee on owners of existing and new offshore oil and gas pipelines defined as "DOI pipelines" under 30 C.F.R. 250.1001. No portion of such fee that is passed on to a lessee may be deducted as part of a lessee's transportation allowance when calculating royalties due to the United States.

(b) AMOUNTS.— Fees established under this paragraph shall be—

- (1) \$10,000 per mile for pipelines in water with a depth of 500 feet or greater; and
- (2) \$1,000 per mile for pipelines in water depth of under 500 feet.

Sec. 71416. Royalties on all extracted methane

(a) IN GENERAL.— Except as provided in subsection (b), royalties paid for gas produced from Federal lands and on the Outer Continental Shelf shall be assessed on all gas produced, including—

(1) gas used or consumed within the area of the lease tract for the benefit of the lease; and

(2) all gas that is consumed or lost by venting, flaring, or fugitive releases through any equipment during upstream operations.

(b) EXCEPTION.— Subsection (a) shall not apply with respect to gas vented or flared for not longer than 48 hours in an acute emergency situation that poses a danger to human health.

Sec. 71417. Elimination of royalty relief

(a) LIMITATION ON AUTHORITY.— The Secretary of the Interior may not reduce, eliminate, or suspend royalties or net profit share for any oil and gas leases on the Outer Continental Shelf. Royalty relief may not be permitted on any future oil and gas leases on the Outer Continental Shelf.

(b) REPEAL.— Section 39 of the Mineral Leasing Act (30 U.S.C. 209) is repealed.

[NOTE-- MOVED /tXIII/stA to /tVII/stO]

**Subtitle A~~O~~— Universal Paid Family and Medical Leave
Geological Survey**

[NOTE-- DELETED /tXIII/stA/s130001: ~~Sec. 130001. Paid Family and Medical Leave~~]

[NOTE-- DELETED /tXIII/stA/s130002: ~~Sec. 130002. Access to wage information from the National Directory of New Hires for the purpose of administering paid leave~~]

[NOTE-- DELETED /tXIII/stB: ~~Subtitle B— Retirement~~]

[NOTE-- MOVED /tXIII/stB/s131001 to /tXIII/stD/s136001]

~~Sec. 70306. Federal priority streamgages (a) In general.—1501. United States geological survey 3d elevation program~~

~~In addition to amounts otherwise available, there is appropriated to the Director of the United States Geological Survey for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, \$450,000,000, to remain available until September 30, 2031, except that no amounts may be expended after September 30, 2031, for making operational streamgages that are identified by the Secretary of the Interior as Federal priority streamgages. (b) Collaboration with non-federal partners.—The United States Geological Survey shall prioritize the expenditure of funds available under subsection (a) in a manner that seeks to leverage the use of non-Federal funds made available through streamgage funding agreements with States and local agencies to improve environmental quality and water supply reliability. (c) Administrative expenses.—Of the funds provided by this section, no more than 2 percent shall be used for administrative costs to carry out this section to carry out subsection 5(d) of the National Landslide Preparedness Act (43 U.S.C. 3104(d)).~~

~~Sec. 70305. Water resources research and technology institutes (a) In g 1502. Climate adaptation science center.—s~~

~~In addition to amounts otherwise available, there is appropriated to the United States Geological Survey for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, \$750,000,000, to remain available until September 30, 2031, except that no amounts may be expended after September 30, 2031, for carrying out section 104 of the Water Resources Research Act of 1984 (42 U.S.C. 10303). (b) Administrative expenses.—Of the funds provided by this section, no more than 2 percent shall be used for administrative costs to carry out this section for the Regional and National Climate Adaptation Science Centers to provide localized information to help communities respond to climate change.~~

(l)

Title VIII—Committee on Oversight and Reform

[NOTE-- DELETED /tVIII/s80001: ~~Sec. 80001. General Services Administration clean vehicle fleet~~]

[NOTE-- DELETED /tVIII/s80002: ~~Sec. 80002. General Services Administration Office of the Inspector General clean vehicle fleet oversight~~]

Sec. ~~2800021~~. ~~Outlying area~~General Services Administration Clean Fleets

In addition to amounts otherwise available, there is appropriated to the Department of Education Administrator of General Services for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, \$440,92,995,000,000, to remain available until September 30, 2026, for the Secretary of Education to allocate to each outlying area (as defined in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)) an amount in proportion to the amount received by the outlying area under part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311) in the most recent fiscal year relative to the total amount received under such part for such fiscal year by all outlying areas, to carry out the activities described in section 20001(e) in the outlying area procurement of zero-emission and electric vehicles and related costs.

Sec. 800402. Funding for General Services Administration Federal Citizen Services Fund Office of Inspector General

In addition to amounts otherwise available, there is appropriated to the Office of Inspector General of the General Services Administration for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, \$2,0005,000,000, to remain available until September 30, 2031, to be deposited in the Federal Citizen Services Funds support oversight of General Services Administration activities implemented pursuant to this Act.

[NOTE-- DELETED /tVIII/s80011: ~~Sec. 80011. Funding for Information Technology Oversight and Reform (ITOR) account~~]

Sec. 80003. United States Postal Service; ~~e~~ Clean vehicle fleet and facility maintenance Fleets

In addition to amounts otherwise available, there is appropriated to the United States Postal Service for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, \$7,000,000,000, to remain the following available until expended mounts, to be deposited into the Postal Service Fund established under section 2003 of title 39, United

States Code, to acquire electric vehicles for the Postal Service fleet, of which \$3,000,000,000 shall be for the purchase of electric delivery vehicles and \$4,000,000,000 shall be for the purchase:

(1) \$2,573,550,000, to remain available through September 30, 2031, for the purchase of electric delivery vehicles.

(2) \$3,411,450,000, to remain available through September 30, 2031, for the purchase, design, and installation of the re~~ac~~quired infrastructure to support such vehicle~~s~~ electric delivery vehicles at facilities that the United States Postal Service owns or leases from non-Federal entities.

Sec. 80004. United States Postal Service Office of the Inspector General clean vehicle fleet procurement oversight

In addition to amounts otherwise available, there is appropriated to the Office of the Inspector General of the United States Postal Service for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, ~~\$23~~15,000,000, to remain available until expended, to be deposited into the Postal Service Fund established under section ~~through~~ through September 30, 2003 of title 39, United States Code, to per~~form~~form oversight of the United States Postal Service's acquisition and deployment of electric vehicles and such infrastructure as may be required to support such vehicle~~s~~ activities implemented pursuant to this Act.

Sec. 80005. Government Accountability Office Oversight

In addition to amounts otherwise available, there is appropriated to the Comptroller General of the United States for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, \$25,000,000, to remain available until September 30, 2031, for necessary expenses of the Government Accountability Office to support the oversight of—

(1) the distribution and use of funds appropriated under this Act; and

(2) whether the economic, social, and environmental impacts of the funds described in paragraph (1) are equitable.

Sec. 80006. Office of Management and Budget Oversight

In addition to amounts otherwise available, there are appropriated to the Director of the Office of Management and Budget for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, \$25,000,000, to remain available until September 30, 2026, for necessary expenses to—

(1) support the implementation of this Act and the Justice40 Initiative; and

(2) track labor, equity, and environmental standards and performance.

(1)

~~Sec. 70102. Bureau of Indian Affairs (a) BIA road maintenance.— In addition to amounts otherwise available, there is appropriated to the Bureau of Indian Affairs for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, \$300,000,000, to remain available until September 30, 2031, except that no amounts may be expended after September 30, 2031, for carrying out the Act of November 2, 1921 (25 U.S.C. 13; commonly known as the "Snyder Act") for Bureau of Indian Affairs road maintenance and to address the deferred maintenance backlog, of which no more than 2 percent shall be used for administrative costs to carry out this subsection. (b) BIA public safety.— In addition to amounts otherwise available, there is appropriated to the Bureau of Indian Affairs for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, \$200,000,000, to remain available until September 30, 2031, except that no amounts may be expended after September 30, 2031, for carrying out the Act of November 2, 1921 (25 U.S.C. 13; commonly known as the "Snyder Act") for Bureau of Indian Affairs Public Safety and Justice, of which no more than 2 percent shall be used for administrative costs to carry out this subsection. (c) BIA climate resilience.— In addition to amounts otherwise available, there is appropriated to the Bureau of Indian Affairs 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, except that no amounts may be expended after September 30, 2031, for carrying out the Act of November 2, 1921 (25 U.S.C. 13; commonly known as the "Snyder Act") for Tribal climate resilience and adaptation programs, of which no more than 2 percent shall be used for administrative costs to carry out this subsection. (d) Tribal housing.— In addition to amounts otherwise available, there is appropriated to the Bureau of Indian Affairs 80007. General Services Administration Emerging Technologies~~

In addition to amounts otherwise available, there is appropriated to the Administrator of General Services for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, ~~\$500~~975,000,000, to remain available until September 30, 2031, except that no amounts may be expended after September 30, 2031, for carrying out the Act of November 2, 1921 (25 U.S.C. 13; commonly known as the "Snyder Act") to improve Tribal housing, of which no more than 2 percent shall be used for administrative costs to carry out this subsection. (e) Tribal energy.— In addition to amounts otherwise available, there is appropriated to the Bureau of Indian Affairs for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, \$35,000,000, to remain available until September 30, 2031, except that no amounts may be expended after September 30, 2031, for carrying out the Act of November 2, 1921 (25 U.S.C. 13; commonly known as the "Snyder Act") for Tribal energy programs, of which no more than 2 percent shall be used for administrative costs to carry out this subsection. (f) Small and needy program.— Funds made available under this section shall be excluded from the calculation of funds received by those Tribal Governments that participate in the "Small and Needy" program. (g) One-Time basis funds.— Funds made available under this section to Tribes and Tribal organizations under the ~~the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301)~~ shall be available on a one-time basis. Such nonrecurring funds shall not be part of the amount

~~required by section 106 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5325), and such funds shall only be used for the purposes identified in this section engaging and sustainable technologies, and related sustainability and environmental programs.~~

Sec. 80008. General Services Administration Procurement and Technology.

In addition to amounts otherwise available, there is appropriated to the Administrator of General Services for fiscal year 2022 out of any money in the Treasury not otherwise appropriated, \$3,250,000,000, to remain available until September 30, 2031, for the purchase of goods, services, and systems to improve energy efficiency, promote the purchase of lower-carbon materials, and reduce the carbon footprint.

Title IX—Committee on Science, Space, and Technology

[NOTE-- DELETED /tIX/s90001: Sec. 90001. Department of Commerce regional innovation]

[NOTE-- MOVED /tIX/s90002 to /tIX/s90001]

Section 900021.—Funding for Department of Energy laboratory infrastructure research, development, and demonstration activities

(a) OFFICE OF ~~SENERGY EFFICIENCY APPROPRIATION~~ND RENEWABLE ENERGY.— In addition to amounts otherwise available, there is appropriated to the Department of Energy Office of ~~Science~~Energy Efficiency and Renewable Energy for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, \$10,394,804,000,000, to remain available until September 30, 2026, to carry out laboratory infrastructure projects, including — (1) \$7,780,566,000 for ~~G~~demonstration projects, including demonstration Projects, of which — (A) \$220,000,000 shall be used for the Exascale Computing Project; (B) \$493,600,000 shall be used for the Frontier Exascale Computing System ~~of advanced—~~

(1) building technologies;

~~(C2)~~ \$427,400,000 shall be used for the Aurora Exascale Computing System solar energy technologies;

~~(D3)~~ \$155,400,000 shall be used for upgrades to the Nation geothermal Energy Research Scientific Computing Center technologies;

~~(E4)~~ \$38,616,000 shall be used for the Energy Sciences Network wind energy technologies;

~~(F2)~~ \$157,000,000 shall be used for the Advanced Photon Source Upgrade water power technologies;

~~(G)~~ \$729,800,000 shall be used for the Spallation Neutron Source Proton Power Upgrade and Second Target Station; bioenergy technologies; and

~~(H)~~ \$337,600,000 shall be used for the Advanced Light Source Upgrade; vehicle technologies.

~~(I)~~ \$472,850,000 shall be used for the Linac Coherent Light Source-II, including the High Energy Upgrade; ~~(J)~~ \$86,000,000 shall be used for the Cryomodule Repair and Maintenance Facility; ~~(K)~~ \$25,000,000 shall be used for the High Flux Isotope Reactor Pressure Vessel Replacement; ~~(L)~~ \$1,325,000,000 shall be used for United States contributions to the ITER project as authorized in section 972(c) of the Energy Policy Act of 2005 (42 U.S.C. 16312(c)); ~~(M)~~ \$242,300,000 shall be used for the Matter in Extreme Conditions Upgrade; ~~(N)~~ \$581,000,000 shall be used for the Proton Improvement Plan-II project; ~~(O)~~ \$1,300,000,000 shall be used for the Long Baseline Neutrino Facility/Deep Underground Neutrino Experiment; ~~(P)~~ \$13,000,000 shall be used for the Muon to Electron Conversion Experiment; ~~(Q)~~ \$806,000,000 shall be used for the Electron Ion Collider; OFFICE OF SCIENCE.— In addition to amounts otherwise available, there is appropriated to the Office of Science of the Department of Energy for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, to remain available until September 30, 2026—

~~(R)~~ \$243,100,000,000 shall be used for the Oak Ridge National Laboratory Radioisotope Processing Facility; and ~~(S)~~ \$187,000,000 shall be used for the United States Stable Isotope Production and Research Center; ~~(2)~~ \$1,470,238,000 for Major Items of Equipment, of which— ~~(A)~~ \$302,000,000 shall be used for the High Performance Data Facility; ~~(B)~~ \$90,000,000 shall be used for the Nanoscale Science Research Center Recapitalization project to carry out the low-dose radiation research program established under section 306(c) of the Department of Energy Research and Innovation Act (42 U.S.C. 18644(c)(1));

~~(E)~~ \$83,5200,000,000 shall be used for the National Synchrotron Light Source-II Experimental Tools II project; ~~(D)~~ \$59,200,000 shall ~~to carry out the~~ be used for the Material Plasma Exposure Experiment; ~~(E)~~ \$567,875,000 shall be used for such projects for the High Energy Physics program, including— (i) \$237,000,000 for the Cosmic Microwave Background Stage 4 experiment; and (ii) \$223,875,000 for upgrades to the Large Hadron Collider; and ~~(F)~~ \$367,663,000 shall be used for such projects for the Nuclear Physics program, including \$212,500,000 for the Ton-Scale Neutrinoless Double Beta Decay experiment; and ~~(3)~~ \$1,141,000,000 for Science Laboratories Infrastructure, of which— ~~(A)~~ \$111,500,000 shall be used for such projects at the Oak Ridge National Laboratory ion materials research and development program established under section 307(b) of the Department of Energy Research and Innovation Act (42 U.S.C. 18645(b));

~~(B)~~ \$445,200,000,000 shall be used for such projects at the Thomas Jefferson National Accelerator Facility; ~~(C)~~ \$150,400,000 shall be used for such projects at the Princeton Plasma Physics Laboratory; ~~(D)~~ \$29,850,000 shall be used for such projects at the Ames Laboratory; ~~(E)~~ \$90,000,000 shall be used for such projects at the Brookhaven National Laboratory; ~~(F)~~ \$265,000,000 shall be used for such projects at

~~the Lawrence Berkeley National Laboratory; (G) \$152,000,000 shall be used for such projects at the SLAC to carry out the alternative and enabling fusion energy concepts program established under section 307(e) of the Department of Energy Research and Innovation Accelerator Laboratory (42 U.S.C. 18645(e));~~

~~(H4) \$400,325,000,000 shall be used for such projects at the Argonne National Laboratory; and (I) \$127,250,000 shall be used for such projects at the Fermi National Accelerator Laboratory. (b) Energy efficiency and renewable energy appropriation.— In addition to amounts otherwise available, there is appropriated to the Department of Energy Office of Energy Efficiency and Renewable Energy for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, \$349,200,000, to remain available until September 30, 2026, to carry out laboratory infrastructure projects, of which— (1) \$163,000,000 shall be used for the Energy Materials and Processing at Scale project; (2) \$96,200,000 shall be used for the Advanced Research in Integrated Energy Systems initiative; and (3) \$90,000,000 shall be used for high-performance computing equipment and infrastructure. (c) Nuclear energy appropriation.— In addition to amounts otherwise available, there is appropriated to the Department of Energy Office of Nuclear Energy for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, \$408,000,000, to remain available until September 30, 2026, to carry out laboratory infrastructure projects, of which— (1) \$66,000,000 shall be used for the Sample Preparation Laboratory; to carry out the milestone-based fusion energy development program established under section 307(i) of the Department of Energy Research and Innovation Act (42 U.S.C. 18645(i));~~

~~(5) \$140,000,000 to carry out the program of research and technology development in inertial fusion for energy applications established under section 307(d) of the Department of Energy Research and Innovation Act (42 U.S.C. 18645(d)); and~~

~~(26) \$125,200,000,000 shall be used for the Advanced Test Reactor and Materials and Fuel Complex Plant Health projects; (3) \$122,000,000 shall be used for the Advanced Test Reactor Recapitalization project; and (4) \$95,000,000 shall be used for the Versatile Test Reactor to carry out the fusion reactor system design activities authorized in section 955307(j) of the Energy Policy Act of 2005 Department of Energy Research and Innovation Act (42 U.S.C. 162758645(j)).~~

~~(dc) FOFFICE OF FOSSIL ENERGY AND CARBON MANAGEMENT APPROPRIATION.— In addition to amounts otherwise available, there is appropriated to the Department of Energy Office of Fossil Energy and Carbon Management for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, \$210,000,000, to remain available until September 30, 2026, to carry out activities to support high-performance computing equipment and infrastructure on-site demonstration projects on the reduction of environmental impacts of produced water.~~

~~(ed) General laboratory infrastructure DIVERSITY SUPPORT.— In addition to amounts otherwise available, there is appropriated to the Department of Energy Office of Economic Impact and Diversity for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, \$45,080,99600,000, to remain available until September 30, 2026, to carry out activities to support infrastructure at Department of Energy National Laboratories~~

~~for support programs across the Department's civilian research and, development purposes, including General Plant Projects and General Plant Equipment, of which— (1) not less than \$377,301,000 shall be available to the Office of Science; (2) not less than \$209,800,000 shall be available to the Office of Energy Efficiency and Renewable Energy; (3) not less than \$40,000,000 shall be available to the Office of Nuclear Energy; (4) not less than \$190,000,000 shall be available to the Office of Fossil Energy and Carbon Management; and (5) not less than \$102,200,000 shall be available to the Office of Environmental Management, demonstration, and commercial application activities.~~

[NOTE-- DELETED /tIX/s90003: Sec. 90003. Department of Energy research, development, and demonstration activities]

[NOTE-- DELETED /tIX/s90004: Sec. 90004. Environmental Protection Agency climate change research and development]

[NOTE-- DELETED /tIX/s90005: Sec. 90005. Federal Emergency Management Agency assistance to firefighters grants]

[NOTE-- DELETED /tIX/s90006: Sec. 90006. Firefighter grant oversight]

[NOTE-- MOVED /tIX/s90007 to /tIX/s90004]

[NOTE-- MOVED /tXI/s110013 to /tXI/s110008]

Sec. 90002. Air quality and climate research

In addition to amounts otherwise available, there is appropriated to the Environmental Protection Agency 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 air quality and climate research under section 103 of the Clean Air Act (42 U.S.C. 7403) in support of research related to climate change mitigation, adaptation and resilience activities to help reduce the impacts of climate change on human health and welfare; the issuance of award grants for the collection of regional and local climate data to better estimate the economic impacts of climate change and support community-based responses to climate change to better anticipate, prepare for, adapt to, and recover from climate-driven extreme events; research on the impacts of climate change, and the cumulative impacts of pollution exposure, in low-income and disadvantaged communities.

[NOTE-- DELETED /tXI/s110014: Sec. 110014. Hazard mitigation revolving loan fund]

[NOTE-- DELETED /tXI/s110015: Sec. 110015. Upgrading public alert and warning]

[NOTE-- DELETED /tXI/s110016: Sec. 110016. Federal assistance for emergency managers]

[NOTE-- MOVED /tXI/s110017 to /tIX/s90003]

[NOTE-- MOVED /tXI/s110018 to /tXI/s110009]

Sec. 410017. FEMA procurement, construction, and improvements 90003. PFAS replacement assistance to firefighters grants

(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, ~~\$200~~95,000,000, to remain available until September 30, ~~2026~~30, to the ~~Administrator of Federal Emergency Management Agency for grants for personal protective firefighting equipment and firefighting foam that does not contain perfluoroalkyl or polyfluoroalkyl substances.~~

(b) PROGRAM ADMINISTRATION.— In addition to amounts otherwise available, there is appropriated for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, \$5,000,000, to remain available until September 30, ~~2030~~, to the Federal Emergency Management Agency for the ~~administration, renovation, retrofit, technological enhancement, and updated requirements of Federal emergency training centers and Federal emergency operations centers~~ and management of this section.

(c) APPLICATIONS.— With respect to the grant program described in subsection (a), the Administrator of the Federal Emergency Management Agency shall—

(1) require eligible applicants to submit an application at such time, in such form, and containing such information and assurances as the Administrator of the Federal Emergency Management Agency may require; and

(2) establish appropriate review and delivery mechanisms for an application submitted under paragraph (1).

Sec. 900074. National Aeronautics and Space Administration Infrastructure

In addition to amounts otherwise ~~made~~ available, there are appropriated to the National Aeronautics and Space Administration for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, ~~\$4,007~~50,000,000, to remain available until September 30, ~~2026~~8, for repair, recapitalization, ~~and~~modification, modernization, and construction of physical infrastructure and facilities, including related administrative expenses, consistent with the responsibilities ~~authorized under sections 31502 of title 51, United States Code, on maintenance of facilities and section~~and 31503 of title 51, United States Code, ~~on laboratory productivity.~~

[NOTE-- DELETED /tIX/s90008: ~~Sec. 90008. National Aeronautics and Space Administration climate change research and development~~]

[NOTE-- DELETED /tIX/s90009: ~~Sec. 90009. National Aeronautics and Space Administration oversight and cybersecurity~~]

[NOTE-- MOVED /tIX/s90010 to /tIX/s90006]

[NOTE-- MOVED /tIX/s90011 to /tIX/s90007]

[NOTE-- MOVED /tIX/s90012 ^(b) to /tIX/s90009]

Sec. 90005. National aeronautics and space administration climate research and development

In addition to amounts otherwise available, there are appropriated to the National Aeronautics and Space Administration for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, to remain available until September 30, 2028—

(1) \$85,000,000 for research and development on subseasonal to seasonal models and observations, climate resilience and sustainability, and for airborne instruments, campaigns, and surface networks to understand, observe, and mitigate climate change and its impacts, consistent with NASA's mission to expand human knowledge of the Earth, as carried out through programs under the Earth Science Division, and for research and development activities on upper atmospheric research, and for related administrative expenses;

(2) \$30,000,000 for investments in data management and processing to support research, development, and applications to understand, observe, and mitigate climate change and its impacts, consistent with NASA's mission to expand human knowledge of the Earth, as carried out through programs under the Earth Science Division, and for related administrative expenses;

(3) \$25,000,000 for research and development to support the wildfire fighting community and improve wildfire fighting operations through new and existing programs under the authority of the Administrator of the National Aeronautics and Space Administration, and for related administrative expenses; and

(4) \$225,000,000 for aeronautics research and development on sustainable aviation, consistent with sections 40701 and 40702 of title 51, United States Code, and for related administrative expenses.

Sec. 900406. National Institute of Standards and Technology research

In addition to amounts otherwise available, there is appropriated to the National Institute of Standards and Technology for fiscal year 2022, out of any money in the Treasury not otherwise appropriated; \$1,49500,000,000, to remain available until September 30, 2034, except that no amounts may be expended after September 30, 2031, for scientific and technical research pursuant to the National Institute of Standards and Technology Act, for artificial intelligence (including AI safety and control), cybersecurity, quantum information science and technology, biotechnology, communications technologies, advanced manufacturing, resilience to natural hazards including wildfires, greenhouse gas and other climate-related measurement, and for related administrative expenses: Provided, That \$150,000,000 shall be available for cybersecurity research and activities, for research on the impact of fire on structures and communities located at the Wildland Urban Interface under the direction of the Institute, and for related administrative expenses.

⁽¹⁾
Sec. 900407. National Institute of Standards and Technology supporting American manufacturing (a) In general.—hollings manufacturing extension

partnership

In addition to amounts otherwise available, there is appropriated to the National Institute of Standards and Technology for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, ~~\$2,000,000,000~~, to remain available until September 30, 2034, except that no amounts may be expended after September 30, 2031, of which— (1) ~~\$1,000,000,000 shall be~~²⁸, for the Hollings Manufacturing Extension Partnership as authorized by sections 25 and 26 of the National Institute of Standards and Technology Act (15 U.S.C. 278k; 278l), including related administrative expenses; (2) ~~\$850,000,000 shall be to provide funds, through existing programs, for advanced manufacturing research, development, and testbeds, including related administrative expenses; and (3) \$150,000,000 shall be for the creation of a new Manufacturing USA Institute that is focused on semiconductor manufacturing. (b) Limitation.— Amounts provided under subsection (a)(1) shall not be subject to cost share requirements under section 25(e)(2) of the National Institute of Standards and Technology Act (15 U.S.C. 278k(e)(2)). The authority made available pursuant to this preceding sentence shall be elective for any Manufacturing Extension Partnership Center that also receives funding from a State that is conditioned upon the application of a Federal cost sharing requirement~~and for related administrative expenses.

Sec. 90008. National institute of standards and technology manufacturing

In addition to amounts otherwise available, there is appropriated to the National Institute of Standards and Technology for fiscal year 2022, out of any money in the Treasury not otherwise appropriated—

(1) \$220,000,000, to remain available until September 30, 2028, to provide funds for advanced manufacturing research, development, and testbeds, through new and existing programs and public private partnerships, and for related administrative expenses; and

(2) \$20,000,000, to remain available until September 30, 2028, for the development and execution of a cybersecurity workforce training center, and for related administrative expenses.

Sec. 9004209. National Institute of Standards and Technology research facilities/infrastructure

In addition to amounts otherwise available, there is appropriated to the National Institute of Standards and Technology for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, ~~\$4,000,000,000~~, to remain available until September 30, 2034, except that no amounts may be expended after September 30, 2031, for necessary expenses as authorized by sections 13 through 15 of the National Institute of Standards and Technology Act (15 U.S.C. 278c-278e) for construction of new research facilities, including architectural and engineering design, and for renovation and maintenance of existing facilities⁽¹⁾, for the upgrade, replacement, maintenance, or renovation of facilities and

equipment as necessary to conduct laboratory activities, and for related administrative expenses.

[NOTE-- DELETED /tIX/s90013: ~~Sec. 90013. National Institute of Standards and Technology oversight~~]

[NOTE-- DELETED /tIX/s90014: ~~Sec. 90014. National Oceanic and Atmospheric Administration weather, ocean, and climate research and forecasting~~]

[NOTE-- MOVED /tIX/s90015 to /tIX/s90013]

Sec. 70503. NOAA Stock Assessments (a) Stock assessments90010. Oceanic and atmospheric research and forecasting for weather and climate

(a) FORECASTING AND RESEARCH.— In addition to amounts otherwise available, there is appropriated to the National Oceanic and Atmospheric Administration for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, \$200,000,000, to remain available until September 30, 2031, except that no amount may be expended after September 30, 2031, for 26, to accelerate advances and improvements in research, observation systems, modeling, forecasting, assessments, and dissemination of information to the public as it pertains to ocean and atmospheric processes related to weather, coasts, oceans, and climate, and to carrying out section 404102(a) of the Magnuson-Stevens Fishery Conservation and Management ReauthorizWeather Research and Forecasting Innovation Act of 200617 (165 U.S.C. 4884) and, section 417 of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1386) for fisheries data collections, surveys, and science, management, and ecosystem-based assessments in support of federally managed marine fisheries. (b) Administrative expenses.— Of the funds provided by this section, no more than 2 percent shall be used for administrative costs to carry out this section8512(a)), and for related administrative expenses.

(b) RESEARCH GRANTS AND SCIENCE INFORMATION, PRODUCTS, AND SERVICES.— In addition to amounts otherwise available, there are appropriated to the National Oceanic and Atmospheric Administration for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, to remain available until September 30, 2026—

(1) \$100,000,000 for competitive grants to fund climate research as it relates to weather, ocean, coastal, and atmospheric processes and conditions, and impacts to marine species and coastal habitat, and for related administrative expenses; and

(2) \$100,000,000 for education and training pursuant to section 4002(b)(2) of the America COMPETES Act (33 U.S.C. 893a(b)(2)), and for increased development and dissemination of climate science information, products, and services, in support of climate adaptation preparedness as it relates to weather, ocean, coastal, and atmospheric processes and conditions, impacts to marine species and coastal habitat, and for related administrative expenses.

Sec. 90011. Climate education

In addition to amounts otherwise available, there is appropriated to the National Oceanic and Atmospheric Administration for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, \$20,000,000, to remain available until September 30, 2026, for contracts, grants, and technical assistance for education activities and materials under section 4002(b)(2) of the America COMPETES Act (33 U.S.C. 893a(b)(2)) related to improving public understanding of climate change as it relates to weather, ocean, coastal, and atmospheric processes and conditions and marine fisheries and resources, and for related administrative expenses. None of the funds provided by this subsection shall be subject to cost-sharing or matching requirements.

Sec. 90012. Computing capacity and research for weather, oceans, and climate

In addition to amounts otherwise available, there is appropriated to the National Oceanic and Atmospheric Administration for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, \$200,000,000, to remain available until September 30, 2026, for the procurement of additional high-performance computing, data processing capacity, data management, and storage assets, to carry out section 204(a)(2) of the High-Performance Computing Act of 1991 (15 U.S.C. 5524(a)(2)), and for transaction agreements authorized under section 301(d)(1)(A) of the Weather Research and Forecasting Innovation Act of 2017 (15 U.S.C. 8531(d)(1)(A)), and for related administrative expenses.

Sec. 900153. National Oceanic and Atmospheric Administration climate adaptation and resilience activities (a) In general.—Acquisition of hurricane forecasting aircraft

In addition to amounts otherwise available, there is appropriated to the National Oceanic and Atmospheric Administration for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, ~~\$765,139,000,000~~, to remain available until September 30, 2026, to carry out the provisions of the National Climate Program Act (15 U.S.C. 2901–2908), the Weather Research and Forecasting Innovation Act (15 U.S.C. 8501 et seq.), title III of the America COMPETES Act (33 U.S.C. 893, 893a, 893b, and 893c), the National Integrated Drought Information System Act (15 U.S.C. 313d), the Weather Service Organic Act (15 U.S.C. 313 et seq.), the Harmful Algal Bloom and Hypoxia Research and Control Act (33 U.S.C. 4001–4010), and the Federal Ocean Acidification Research and Monitoring Act (33 U.S.C. 3701–3708) to develop and distribute actionable climate information for communities across all States, territories, and Tribal lands of the United States in an equitable manner, to build climate resilience and develop a climate-ready workforce. (b) Use of funds.—The amounts made available in subsection (a) shall be used for the following activities: (1) ~~\$265,000,000~~ to better enable end users, as appropriate, to assess the relative risk of, determine possible adaptation and mitigation strategies for, and make executive and budgetary decisions in response to climate impacts by— (A) increasing end user understanding of the impacts of climate change at the local and regional level; (B) ~~developing~~ ⁽¹⁾ actionable climate information and accessible tools and products; and (C) providing end users with technical assistance. (2) ~~\$500,000,000~~ to recruit, educate, and

~~train a climate-ready workforce to—(A) develop and support on-the-ground community-driven projects to enhance climate adaptation and resilience; (B) support community engagement and participation in monitoring, tracking, and preparing for extreme events; (C) support local resilience to climate impacts; (D) conduct community-driven climate science; and (E) enhance the National Oceanic and Atmospheric Administration's delivery of climate information services, tools, and products, including but not limited to those developed in paragraph (1)(B). (c) End users.—For the purposes of this section, the term "end users" shall include—(1) States; (2) territories; (3) Tribes; (4) local governments; (5) businesses; (6) not-for-profit or other organizations; and (7) individuals. (d) Extreme event.—For the purposes of this section, the term "extreme event" refers to a time and place in which weather, climate, or environmental conditions, such as temperature, precipitation, drought, or flooding, rank above a threshold value near the upper or lower ends of the range of historical measurements~~for the acquisition of hurricane hunter aircraft under section 413(a) of the Weather Research and Forecasting Innovation Act of 2017 (15 U.S.C. 8549(a)).

[NOTE-- DELETED /tIX/s90016: ~~Sec. 90016. National Oceanic and Atmospheric Administration high performance computing~~]

[NOTE-- DELETED /tIX/s90017: ~~Sec. 90017. National Oceanic and Atmospheric Administration phased array radar~~]

[NOTE-- DELETED /tIX/s90018: ~~Sec. 90018. National Oceanic and Atmospheric Administration hurricane hunter aircraft~~]

[NOTE-- DELETED /tIX/s90019: ~~Sec. 90019. National Oceanic and Atmospheric Administration uncrewed systems~~]

[NOTE-- DELETED /tIX/s90020: ~~Sec. 90020. National Oceanic and Atmospheric Administration research infrastructure~~]

[NOTE-- DELETED /tIX/s90021: ~~Sec. 90021. National Oceanic and Atmospheric Administration space weather~~]

[NOTE-- DELETED /tIX/s90022: ~~Sec. 90022. National Oceanic and Atmospheric Administration oversight~~]

[NOTE-- DELETED /tIX/s90023: ~~Sec. 90023. National Science Foundation infrastructure~~]

[NOTE-- DELETED /tIX/s90024: ~~Sec. 90024. National Science Foundation research and development~~]

[NOTE-- DELETED /tIX/s90025: ~~Sec. 90025. National Science Foundation oversight~~]

[NOTE-- DELETED /tIX/s90026: ~~Sec. 90026. Wage rate requirements~~]

[NOTE-- DELETED /tIX/s90027: ~~Sec. 90027. Forced Labor Prohibition~~]

Sec. 90014. National Science Foundation core research

In addition to amounts otherwise available, there is appropriated to the National Science Foundation (referred to in this section as "the Foundation") for fiscal year 2022, out of any money in the Treasury not otherwise appropriated—

(1) \$675,000,000, to remain available until September 30, 2026, to fund or extend new and existing research awards, traineeships, scholarships, and fellowships administered by the National Science Foundation, across all science, technology, engineering, and mathematics disciplines supported by the National Science Foundation, and for related administrative expenses;

(2) \$25,000,000, to remain available until September 30, 2028, for activities and research to ensure broad demographic participation in the activities of the Foundation, consistent with the goals under section 526(a)(7) of the America COMPETES Reauthorization Act of 2010 (42 U.S.C. 1862p-14(a)(7)) and section 3(e) of the National Science Foundation Act of 1950 (42 U.S.C. 1862(e)), and for related administrative expenses; and

(3) \$500,000,000, to remain available until September 30, 2028, for climate change research as it relates to fundamental understanding of physical, chemical, biological, and human systems and the interactions among them, and for related administrative expenses.

Sec. 90015. National Science Foundation technology, innovation, and partnerships directorate

In addition to amounts otherwise available, there is appropriated to the National Science Foundation for fiscal year 2022, out of any money in the Treasury not otherwise appropriated—

(1) \$1,520,000,000, to remain available until September 30, 2026, to fund and administer the Directorate for Technology, Innovation, and Partnerships, which shall accelerate use-inspired and translational research and the development, commercialization, and use of technologies and innovations of national importance, including technologies and innovations relevant to natural disaster mitigation and other societal challenges, through programs of the National Science Foundation, and for related administrative expenses;

(2) \$25,000,000, to remain available until September 30, 2028, for research security activities;

(3) \$200,000,000, to remain available until September 30, 2028, for research capacity building at historically Black colleges and universities, Tribal Colleges and Universities, Hispanic-serving institutions, and other minority-serving institutions, administered through the Directorate for Technology, Innovation, and Partnerships, and for related administrative expenses; and

(4) \$55,000,000, to remain available until September 30, 2028, to fund cybersecurity education and training, including scholarships, through programs of the

National Science Foundation, and for related administrative expenses.

Sec. 90016. National Science Foundation research infrastructure

In addition to amounts otherwise available, there is appropriated to the National Science Foundation for fiscal year 2022, out of any money in the Treasury not otherwise appropriated—

(1) \$200,000,000 to remain available until September 30, 2026, for the repair, renovation, or, in exceptional cases, replacement of obsolete science and engineering facilities primarily devoted to research and research training, and for related administrative expenses;

(2) \$200,000,000, to remain available until September 30, 2026, for additional mid-scale and major research instrumentation, equipment, and infrastructure awards under the direction of the National Science Foundation, and for related administrative expenses; and

(3) \$100,000,000, to remain available until September 30, 2028, for academic research facilities modernization and research instrumentation, including construction, upgrade, renovation, or repair of research infrastructure, at historically Black colleges and universities, Tribal Colleges and Universities, Hispanic-serving institutions, and other minority-serving institutions, through programs of the National Science Foundation, and for related administrative expenses.

Title X—Committee on Small Business

~~[NOTE-- DELETED /tXIII/stB/p1/s131101: Sec. 131101. Tax imposed on employers failing to maintain or facilitate automatic contribution plan or arrangement]~~

~~[NOTE-- DELETED /tXIII/stB/p1/s131102: Sec. 131102. Deferral-only arrangements]~~

~~[NOTE-- DELETED /tXIII/stB/p1/s131103: Sec. 131103. Increase in credit limitation for small employer pension plan startup costs including for automatic contribution plan or arrangement]~~

~~[NOTE-- DELETED /tXIII/stB/p1/s131104: Sec. 131104. Credit for certain small employer automatic retirement arrangements]~~

~~[NOTE-- DELETED /tXIII/stB/p2/s131201: Sec. 131201. Matching payments for elective deferral and IRA contributions by certain individuals]~~

(1)

[NOTE-- DELETED /tXIII/stB/p2/s131202: ~~Sec. 131202. Deadline to fund IRA with tax refund~~]

[NOTE-- MOVED /tXIII/stC to /tX/stA]

Subtitle ~~GA~~— ~~Child care access and equity~~ Increasing Federal Contracting Opportunities for Small Businesses

[NOTE-- DELETED /tXIII/stC/s132001: ~~Sec. 132001. Child care access~~]

[NOTE-- DELETED /tXIII/stC/s132002: ~~Sec. 132002. Infrastructure grants to improve child care safety~~]

[NOTE-- DELETED /tXIII/stC/s132003: ~~Sec. 132003. Technical assistance~~]

[NOTE-- DELETED /tXIII/stC/s132004: ~~Sec. 132004. Tribal child care access and growth~~]

[NOTE-- DELETED /tXIII/stC/s132005: ~~Sec. 132005. Raising the floor for child care provider wages~~]

[NOTE-- DELETED /tXIII/stC/s132006: ~~Sec. 132006. Common provisions~~]

[NOTE-- DELETED /tXIII/stD: ~~Subtitle D— Trade adjustment assistance~~]

[NOTE-- DELETED /tXIII/stD/s133001: ~~Sec. 133001. Short title~~]

[NOTE-- DELETED /tXIII/stD/s133002: ~~Sec. 133002. Application of provisions relating to trade adjustment assistance~~]

[NOTE-- DELETED /tXIII/stD/p1/s133101: ~~Sec. 133101. Filing petitions~~]

[NOTE-- DELETED /tXIII/stD/p1/s133102: ~~Sec. 133102. Group eligibility requirements~~]

[NOTE-- DELETED /tXIII/stD/p1/s133103: ~~Sec. 133103. Application of determinations of eligibility to workers employed by successors-in-interest~~]

[NOTE-- DELETED /tXIII/stD/p1/s133104: ~~Sec. 133104. Provision of benefit information to workers~~]

[NOTE-- DELETED /tXIII/stD/p1/s133105: ~~Sec. 133105. Qualifying requirements for workers~~]

[NOTE-- DELETED /tXIII/stD/p1/s133106: ~~Sec. 133106. Modification to trade readjustment allowances~~]

- [NOTE-- DELETED /tXIII/stD/p1/s133107: ~~Sec. 133107. Automatic extension of trade readjustment allowances]~~
- [NOTE-- DELETED /tXIII/stD/p1/s133108: ~~Sec. 133108. Employment and case management services]~~
- [NOTE-- DELETED /tXIII/stD/p1/s133109: ~~Sec. 133109. Training]~~
- [NOTE-- DELETED /tXIII/stD/p1/s133110: ~~Sec. 133110. Job search, relocation, and child care allowances]~~
- [NOTE-- DELETED /tXIII/stD/p1/s133111: ~~Sec. 133111. Agreements with States]~~
- [NOTE-- DELETED /tXIII/stD/p1/s133112: ~~Sec. 133112. Reemployment trade adjustment assistance program]~~
- [NOTE-- DELETED /tXIII/stD/p1/s133113: ~~Sec. 133113. Extension of trade adjustment assistance to public agency workers]~~
- [NOTE-- DELETED /tXIII/stD/p1/s133114: ~~Sec. 133114. Definitions]~~
- [NOTE-- DELETED /tXIII/stD/p1/s133115: ~~Sec. 133115. Subpoena power]~~
- [NOTE-- DELETED /tXIII/stD/p2/s133201: ~~Sec. 133201. Petitions and determinations]~~
- [NOTE-- DELETED /tXIII/stD/p2/s133202: ~~Sec. 133202. Approval of adjustment proposals]~~
- [NOTE-- DELETED /tXIII/stD/p2/s133203: ~~Sec. 133203. Technical assistance]~~
- [NOTE-- DELETED /tXIII/stD/p2/s133204: ~~Sec. 133204. Definitions]~~
- [NOTE-- DELETED /tXIII/stD/p2/s133205: ~~Sec. 133205. Plan for sustained outreach to potentially-eligible firms]~~
- [NOTE-- DELETED /tXIII/stD/p3/s133301: ~~Sec. 133301. Trade adjustment assistance for communities]~~
- [NOTE-- DELETED /tXIII/stD/p3/s133302: ~~Sec. 133302. Trade adjustment assistance for community colleges and career training]~~
- [NOTE-- DELETED /tXIII/stD/p4/s133401: ~~Sec. 133401. Definitions]~~
- [NOTE-- DELETED /tXIII/stD/p4/s133402: ~~Sec. 133402. Group eligibility requirements]~~
- [NOTE-- DELETED /tXIII/stD/p4/s133403: ~~Sec. 133403. Benefit information to agricultural commodity producers]~~

[NOTE-- DELETED /tXIII/stD/p4/s133404: ~~Sec. 133404. Qualifying requirements and benefits for agricultural commodity producers]~~

[NOTE-- DELETED /tXIII/stD/p5/s133501: ~~Sec. 133501. Extension of and appropriations for trade adjustment assistance program]~~

[NOTE-- DELETED /tXIII/stD/p5/s133502: ~~Sec. 133502. Applicability of trade adjustment assistance provisions]~~

[NOTE-- DELETED /tXIII/stE: ~~Subtitle E—~~]

[NOTE-- MOVED /tXIII/stE/p1/s134101 to /tXIII/stA/p1/s134101]

[NOTE-- MOVED /tXIII/stE/p2/s134201 to /tXIII/stA/p2/s134201]

[NOTE-- MOVED /tXIII/stE/p2/s134202 to /tXIII/stA/p2/s134202]

[NOTE-- MOVED /tXIII/stE/p3/s134301 to /tXIII/stA/p3/s134301]

[NOTE-- MOVED /tXIII/stE/p3/s134302 to /tXIII/stA/p3/s134302]

[NOTE-- MOVED /tXIII/stE/p3/s134303 to /tXIII/stA/p3/s134303]

[NOTE-- MOVED /tXIII/stE/p3/s134304 to /tXIII/stA/p3/s134304]

Sec. 100101. Veteran Federal procurement entrepreneurship training program

(a) APPROPRIATIONS.— In addition to amounts otherwise available, there is appropriated to the Small Business Administration *for fiscal year 2022*, out of any money in the Treasury not otherwise appropriated, ~~\$35,000,000 for each of fiscal years 2022 through 2028, to remain available until September 30, 2030~~, for carrying out subsection (h) of section 32 of the Small Business Act (15 U.S.C. 657b), as added by this section. ~~Amounts appropriated by this subsection shall remain available for 3 fiscal years.~~

(b) ESTABLISHMENT.—

Section 32 of the Small Business Act (15 U.S.C. 657b) is amended by adding at the end the following:

"(h) VETERAN FEDERAL PROCUREMENT ENTREPRENEURSHIP TRAINING PROGRAM.— The Administrator, acting through the Associate Administrator, shall make grants to, or enter into cooperative agreements with, nonprofit entities to operate a Federal procurement entrepreneurship training program to provide assistance to small business concerns owned and controlled by veterans regarding how to increase the likelihood of being awarded contracts with the Federal Government. A grant or cooperative agreement under this subsection—

"(1) shall be made to or entered into with nonprofit entities that have a track record of successfully providing educational and job training services to ~~targeted~~ veteran populations from diverse locations; ~~"(2) shall include terms under which the nonprofit entities may, at the discretion of the Administrator, be required to match any Federal funds received for the program with State, local, or private sector funds; and~~

~~"(2) shall include terms under which the nonprofit entities shall use a diverse group of professional service experts, such as Federal, State, and local contracting~~

experts and private sector industry experts with first-hand experience in Federal Government contracting, to provide assistance to small business concerns owned and controlled by veterans through a program operated under this section."

Sec. 100102. Expanding surety bond program

(a) APPROPRIATIONS.— In addition to amounts otherwise available, there is appropriated to the Small Business Administration for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, ~~—\$100,000,000,~~ to remain available until September 30, 2031, ~~—~~

(1) \$85,000,000 for additional capital for the fund established under section 412 of the Small Business Investment Act of 1958 (15 U.S.C. 694c); and

(2) \$15,000,000 for administrative expenses and oversight costs related to carrying out this section, and any amendments made by this section.

(b) EXPANDING SURETY BOND PROGRAM.— Part B of title IV of the Small Business Investment Act of 1958 (~~15 U.S.C. 694a et seq.~~) is amended—

(1) in section 411 (~~15 U.S.C. 694b~~)—

(A) in subsection (a)(1)—

(i) in subparagraph (A), by striking "\$6,500,000" and inserting "\$10,000,000"; and

(ii) by amending subparagraph (B) to read as follows:

"(B) The Administrator may guarantee a surety under subparagraph (A) for a total work order or contract entered into by a Federal agency in an amount that does not exceed \$20,000,000."; and

(B) in subsection (e)(2), by striking "\$6,500,000" and inserting "the amount described in subparagraph (A) or (B) of subsection (a)(1), as applicable"; and

(2) in section 412(~~a~~) (15 U.S.C. 694c) ~~— (A) in subsection (a)), in the third sentence, by striking ", excluding administrative expenses,"; (B) by redesignating subsection (b) as subsection (c); and (C) by inserting after subsection (a) the following: "(b) Not more than 15 percent of the amount that is in the fund described in subsection (a) on the first day of each fiscal year may be obligated during that fiscal year to cover costs incurred by the Administration in connection with the management and administration of this part, including costs related to information technology and systems, personnel, outreach activities, and relevant contracts."~~

[NOTE-- MOVED /tX/stA/s100103 to /tX/stB/s100201]

Subtitle B—Empowering Small Business Creation and Expansion in Underrepresented Communities

Sec. 100493. Uplift Accelerator Program; Business Development Academy (a) Uplift Accelerator Program.—201. Funding for uplift incubators

(4a) APPROPRIATIONS.—(A) ~~IN GENERAL.~~ In addition to amounts otherwise available, there is appropriated to the Small Business Administration 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, ~~to~~

~~(1) \$850,000,000 for carrying out subparagraph (K) of section 7(j)(10) section 49 of the Small Business Act (15 U.S.C. 636(j)(10)), as added by this subsection; and (B) Set aside.—Of amounts made available under subparagraph (A), not more than 15 percent may be used by the Administrator for administrative expenses and costs related to monitoring and oversight (b); and~~

~~(2) \$150,000,000 for administrative expenses and costs related to carrying out section 49 of the Small Business Act, as added by subsection (b).~~

(2b) ESTABLISHMENT.— ~~Section 7(j)(10) of t~~The Small Business Act ~~is amended—~~

~~(1) by redesignating section 49 (15 U.S.C. 636(j)(10) 1 note) is amended by adding at the end the following: "(K) Uplift Accelerator Program.—section 54; and~~

~~(2) by inserting after section 48 the following:~~

"Sec. 49. Uplift incubators

"(ia) DEFINITIONS.— In this subparagraph~~ection~~:

"(1) Accelerator.— The term 'accelerator' means ~~an~~ECONOMIC DEVELOPMENT ORGANIZATION.— ~~The term 'economic development organization'—~~

~~"(aa) that provides mentorship and other support to growing, startup, and newly established small business concerns; and "(bb) offers startup capital or the opportunity to raise capital from outside investors to growing, startup, and newly established small business concerns~~A) means a regional, State, tribal, or local private nonprofit organization established for purposes of promoting or otherwise facilitating economic development; and

"(B) includes community financial institutions, as defined in section 7(a) (36)(A).

"(H2) ELIGIBLE ENTITYAPPLICANT.— The term 'eligible entityapplicant' means

"(aaA) an economic development organization;

"(B) an SBA partner organization;

"(C) a historically ~~b~~Black college or university;

"(bbD) an institution of higher education, as defined in section 101 of the Higher Education Act of 1965, which primarily educates students who are Black or African American, Hispanic or Latino, American Indian, Alaska Native, Asian, Native Hawaiian, or other Pacific Islander; or

"(eeE) a junior or ^(I)community college, as defined in section 312(f) of the Higher Education Act of 1965.

~~"(H3)~~ ELIGIBLE SMALL BUSINESS CONCERN.— The term 'eligible small business concern' means a ~~small business concern—~~~~"(aa) located in a HUBZone, as defined in section 31(b); "(bb) owned and controlled by~~business concern that—

"(A) is organized or incorporated in the United States;

"(B) is operating primarily in the United States;

"(C) meets—

"(i) the applicable industry-based size standard established under section 3; or

"(ii) the alternate size standard applicable to the program under section 7(a) or the loan programs under title V of the Small Business Investment Act of 1958;

"(D) is—

"(i) in the planning stages or has been in business for not more than 5 years as of the date on which assistance under this section commences; or

"(ii) a small government contractor; and

"(E) is—

"(i) owned and controlled by 1 or more members of an underrepresented community; or

"(ii) a Native Entity.

"(4) HISTORICALLY BLACK COLLEGE OR UNIVERSITY.— The term 'historically Black college or university' means a 'part B institution', as defined in section 322 of the Higher Education Act of 1965.

"(5) MEMBER OF AN UNDERREPRESENTED COMMUNITY.— The term 'member of an underrepresented community' means an individual—

"(A) who is a resident of—

"(i) a low-income community, as defined in section 45D(e) of the Internal Revenue Code of 1986;

~~"(cc) owned and controlled by a resident of~~(ii) a low-income rural community; "(dd) or

"(iii) a HUBZoned, and controlled bys defined in section 31(b);

"(B) who is a member of an Indian or Alaska Native tribe, band, nation, pueblo, village, community, component band, or component reservation, individually identified (including parenthetically) in the most recent list published pursuant to section 104 of the Federally Recognized Indian Tribe List Act of 1994;

~~"(ee) owned and controlled by a Native Entity; "(ff) owned and controlled by an individual~~(c) with a disability, as defined in section 3 of the Americans with Disabilities Act of 1990; or "(gg) otherwise identified by the Administrator.

~~"(IV) Historically black college or university.—The term 'historically black college or university' means a 'part B institution', as defined under section 322 of the Higher Education Act of 1965. "(V) Incubator.—The term 'incubator' means an organization—"(aa) that provides mentorship and other support to growing, startup, and established small business concerns; and "(bb) that may provide a co-working environment or a month-to-month lease program~~

~~"(D) who is a veteran;~~

~~"(E) who completed a term of imprisonment; or~~

~~"(F) who is otherwise identified by the Administrator.~~

~~"(VI) NATIVE ENTITY.—The term 'Native Entity' means—~~

~~"(aa) an Indian tribe, including an Alaska Native village or Regional or Village Corporation, as defined in section 4 of the Indian Self-Determination and Education Assistance Act, including an Alaska Native village or Regional or Village Corporation; and~~

~~"(bb) a Native Hawaiian organization, as that term is defined in section 6207 of the Elementary and Secondary Education Act of 1965.~~

~~"(ii) Use of funds.—The Administrator is authorized to establish a) SBA PARTNER ORGANIZATION.—The term 'SBA partner organization' means any organization awarded financial assistance in the form of a grant, prize, competitive grant program to make grants to eligible entities to establish accelerators or incubators to support eligible small business concerns in developing—"(I) business readiness, including by providing services such as accounting, organization, human resources, and legal assistance; "(II) growth readiness, including assistance to build past performance and relationships with prime contractors; "(III) readiness to submit bids for prime contracts, including assistance in developing skills, conducting market research, and drafting capability statements and proposals; or "(IV) global readiness, including assistance in establishing long-term, additional revenue streams outside of the United States. "(iii) Acquisition authorities.—The Administration, or contract for the purpose of conducting a public project funded, either in whole or in part, under a program of the Administration.~~

~~"(8) SMALL GOVERNMENT CONTRACTOR.—The term 'small government contractor' means a small business concern that is performing a government contract or subcontract.~~

~~"(9) UPLIFT INCUBATOR.—The term 'uplift incubator' means an organization that is designed to accelerate the growth and success of startups and small business concerns through a variety of business support resources and services, including—~~

~~"(A) access to physical workspace and facilities;~~

~~"(B) access to capital, business education, and counseling;~~

"(C) networking opportunities;

"(D) mentorship opportunities;

"(E) assistance in becoming prime contractors and submitting bids for prime contracts;

"(F) conducting market research, drafting strator shallments, and identifying acquisition authorities under which eligible small business concerns assisted under this subparagraph~~ection~~ may enter into Federal contracts or agreements with Federal agencies. "(iv) Amount.— During the period beginning on the date of the enactment of this subparagraph and ending not later than 10 years after such date, the Administrator shall award not more than an aggregate total of \$1,000,000,000 in grants to eligible entities under this subparagraph." (b) Business Development Academy.— (1) Appropriations.— (A) In general.— In addition to amounts otherwise available, there is appropriated to the Small Business Administration for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, \$725,000,000 to remain available until September 30, 2031, to carry out subparagraph (L) of section 7(j); and

"(G) other services intended to aid in developing a business.

"(b) AUTHORITY.— The Administrator may provide financial assistance on a competitive basis in the form of a grant, prize, cooperative agreement, or contract to an eligible applicant for purposes of—

"(10) of the Small Business Act (15 U.S.C. 636(j)(10)), as added by this subsection. (B) Set aside.— Of amounts made available under subparagraph (A), not m~~providing the services of a uplift incubator~~ more than 15 percent may be used by the Administrator for administrative expenses and costs related to monitoring and oversight. (2) Establishment.— Section 7(j)(10) of the Small Business Act (15 U.S.C. 636(j)(10)), as amended by subsection (a), is further amended by adding at the end the following: "(L) Business Development Academy.—~~o eligible small business concerns; or~~

"(2) expanding or establishing a network of the eligible applicant to provide the services of a uplift incubator to eligible small business concerns.

"(i) Definition of eligible entity~~USE OF FUNDS.—~~ In this paragraph, the term 'eligible entity' has the meaning given in subparagraph (K)(i). "(ii) Use of funds.— The Administrator is authorized to establish a competitive grant program to make grants to eligible entities to support Program Participants. "(iii) Duties of eligible entities.— An eligible entity that receives a grant under this subparagraph shall use such grant to— "(I) develop and establish a foundational 12-month executive mentoring and training program for small business concerns described in clause (ii); "(II) recruit and enroll participants in the program described in subclause (I), including by providing in~~en~~eligible applicant that receives assistance under this section—

"(1) shall support areas⁽¹⁾ that serve members of an underrepresented community by providing the services of a uplift incubator; and

"(2) shall not impose or otherwise collect a fee or other compensation from eligible small business concerns in connection with the provision of such services.

"(d) PENALTIES FOR PARTICIPATION; "(III) DEVELOP CERTIFICATION PROGRAM FAILURE TO ABIDE BY TERMS FOR ELIGIBLE ENTITIES BASED ON PROVEN BEST PRACTICES CONDITIONS OF AWARD.— At the discretion of the Administration; or and "(IV) conduct research into the effectiveness of the program described in clause (iv)(1). "(iv) Amount.— During the period beginning on the date of the enactment of this subparagraph in addition to any other civil or criminal consequences, the Administrator shall withhold payments to and ending not later than 10 years after such date, the Administrator shall award not more than the eligible applicant or order the eligible applicant to return any aggregate total of \$725,000,000 in grants to eligible entities assistance provided under this section for failure to abide by the terms under this subparagraph conditions of such assistance."

Sec. 100202. Office of Native American Affairs

(a) APPROPRIATIONS.— In addition to amounts otherwise available, there is appropriated to the Small Business Administration, out of any money in the Treasury not otherwise appropriated, \$2,000,000 for each of for fiscal years 2022 through 2034 for, \$10,000,000, to remain available until September 30, 2029, to carrying out section 540 of the Small Business Act, as added by subsection (b). Amounts appropriated by this subsection shall remain available until September 30, 2034.

(b) ESTABLISHMENT.—

The Small Business Act (45 U.S.C. 631 et seq.) is amended by inserting after section 5049, as added by section 100201 of this title, the following:

"Sec. 540. Office of Native American Affairs

"(a) DEFINITIONS.— In this section:

"(1) INDIAN TRIBE.— The term 'Indian Tribe' has the meaning given in section 4 of the Indian Self-Determination and Education Assistance Act.

"(2) NATIVE AMERICAN.— The term 'Native American' means a member of an Indian Tribe.

"(3) NATIVE HAWAIIAN ORGANIZATION.— The term 'Native Hawaiian Organization' has the meaning given in section 6207 of the Elementary and Secondary Education Act of 1965.

"(4) RESOURCE PARTNERS.— The term 'resource partners' means—

"(A) small business development centers;

"(B) women's business centers described in section 29;

"(C) chapters of the Service Corps of Retired Executives established under section 8(b)(1)(B); and

"(D) Veteran Business Outreach Centers described in section 32.

"(b) ESTABLISHMENT.— There is established in the Administration an Office of Native American Affairs, in this section referred to as the 'Office', which shall provide entrepreneurship outreach and development assistance to Native Americans, Native Hawaiian Organizations and members thereof, and Indian Tribes, through the Native American Outreach Program established under subsection (c).

"(c) NATIVE AMERICAN OUTREACH PROGRAM.—

"(1) ESTABLISHMENT.— The Administrator shall establish and administer a Native American Outreach Program within the Office—

"(A) to ensure that small business concerns owned and controlled by Native Americans, Native Hawaiian Organizations, and Indian Tribes, and Native American entrepreneurs have access to programs and services of the Administration;

"(B) to provide information to State, local, and tribal governments and other interested persons about Federal assistance available to small business concerns owned and controlled by Native Americans, Native Hawaiian Organizations, and Indian Tribes, and Native American entrepreneurs; and

"(C) to ensure access to in-person and virtual counseling and training services to small business concerns owned and controlled by Native Americans, Native Hawaiian Organizations, and Indian Tribes, and Native American entrepreneurs.

"(2) SERVICES.— The services described in paragraph (1) shall include—

"(A) financial education on applying for and securing credit, loan guarantees, surety bonds, and investment capital, managing financial operations, and preparing and presenting financial statements and business plans;

"(B) education on management of a small business concern, including planning, organizing, staffing, and marketing;

"(C) identifying ~~domestic and international~~ market opportunities; and

"(D) implementing economic and business development strategies to improve long-term job growth."

Sec. 100203. Office of Rural Affairs

(a) APPROPRIATIONS.—~~(1) IN GENERAL.—~~ In addition to amounts otherwise available, there is appropriated to the Small Business Administration, out of any money in the Treasury not otherwise appropriated, ~~\$2,000,000 for each of for~~ fiscal years 2022 through 2031 for carrying out this section. Amounts appropriated by this subsection shall remain available until September 30, 2031. ~~(2) Set aside.—~~ Of the amounts made available under this subsection for a fiscal year, not more than 15 percent shall be available for administrative expenses related to carrying out this, \$10,000,000, to remain available until September 30, 2029, to carry out subsection (d) of section 26 of the Small Business Act (15 U.S.C. 653), as added by subsection (b).

(b) OFFICE OF RURAL AFFAIRS.—

Section 26 of the Small Business Act (15 U.S.C. 653) is amended by adding at the end the following:

"(d) RURAL ~~SMALL BUSINESS~~ ~~CONFERENCE~~S.—~~"(1) IN GENERAL.—~~ The Office shall administer 1 or more annual Rural Small Business Conferences, to be held in various regions of the United States. The purpose of such Conferences shall be to—

"(A1) promote policies and programs of the Administration specific to small business concerns located in rural areas, and make publicly available information about such policies and programs;

"(B2) coordinate with all offices of the Administration, resource partners, lenders, and other interested persons to ensure that the needs of small business concerns located in rural area are being met; and

"(C3) analyze data on the effectiveness of programs of the Administration that benefit small business concerns located in rural areas."

Sec. 100204. Office of Emerging Markets

(a) APPROPRIATIONS.— In addition to amounts otherwise available, there is appropriated to the Small Business Administration, out of any money in the Treasury not otherwise appropriated in fiscal year 2022, \$210,000,000 for each of fiscal years 2022 through 2034 for, to remain available until September 30, 2029, to carrying out subsection (o) of section 7 of the Small Business Act (15 U.S.C. 636), as added by subsection (b). ~~Amounts appropriated by this subsection shall remain available until September 30, 2031.~~

(b) ESTABLISHMENT.—

Section 7 of the Small Business Act (15 U.S.C. 636) is amended by adding at the end the following:

"(o) OFFICE OF EMERGING MARKETS.—

"(1) DEFINITIONS.— In this subsection—

"(A) the term 'Director' means the Director of the Office of Emerging Markets;

"(B) the term 'microloan program' means the program described in subsection (m);

"(C) the term 'small business concern in an emerging market' means a small business concern—

"(i) that is located in—

"(I) a low-income or moderate-income area for purposes of the Community Development Block Grant Program under title I of the Housing and Community Development Act of 1974; or

"(II) a HUBZone, as that term is defined in section 31(b);

"(ii) that is growing/^(/) newly established, or a startup;

"(iii) owned and controlled by veterans;

"(iv) owned and controlled by individuals with a disability, as defined in section 3 of the Americans with Disabilities Act of 1990; or

"(v) owned and controlled by other individuals or groups identified by the Administrator.

"(2) ESTABLISHMENT.— There is established within the Office of Capital Access of the Administration an office to be known as the 'Office of Emerging Markets', ~~which shall be responsible for the planning, coordination, implementation, evaluation, and improvement of the efforts of the Administrator to enhance the economic well-being of small business concerns in an emerging market.~~ "(3) Administration.— The Office of Emerging Markets shall be administered by a Director, who shall— "(A) create and implement strategies and programs that provide an integrated approach to the development of small business concerns in an emerging market; "(B) review the effectiveness and impact of access to capital programs (including the microloan program) of the Administration and recommend policies on such programs with respect to small business concerns in an emerging market; "(C) coordinate with the Office of Entrepreneurial Develop be responsible for the planning, coordination, implementation, evaluation, and improvement and of the Office of Veterans Business Development orts of the Administration or to establish partnerships to advance the goal of improving the economic success of small business concerns in an emerging market; "(D) consult with the Associate Administrator of the Office of Field Operations; and "(E) coordinate the activities of— "(i) the SBIC Working Group established under section 10404 of the Act to provide for reconciliation pursuant to title II of S. Con. Res. 14; "(ii) the Office of Native American Affairs established under section 51; and "(iii) the Office of Rural Affairs established under section 26 enhance the economic well-being of small business concerns in an emerging market."

Sec. 100205. State Trade Expansion Program

In addition to amounts otherwise available, there is appropriated to the Small Business Administration for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, \$30,000,000 for each of fiscal years 2022 through 2025 for—

(1) \$31,710,000, to remain available until September 30, 2027, to carrying out section 22(l) of the Small Business Act (15 U.S.C. 649(l)). Amounts appropriated by this subsection shall remain available for 3 in fiscal year 2023, and

(2) \$31,710,000, to remain available until September 30, 2027, to carry out section 22(l) of the Small Business Act (15 U.S.C. 649(l)) in fiscal years 2024.

Subtitle C—Encouraging Small Businesses to Fully Engage in the Innovation Economy

(1)

Sec. 100404. Pathway to Prime Grant Program **301. Growth accelerator competition**

(a) APPROPRIATIONS.—~~(1) IN GENERAL.~~— In addition to amounts otherwise available, there is appropriated to the Small Business Administration for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, to remain available until September 30, 2031—

~~(A1) \$75190,000,000 to for carrying out subsection (b)(1) of section 4951 of the Small Business Act, as added by subsection (b); and~~

~~(B2) \$4510,000,000 to carry out subsection (b)(2) of for administrative expenses and oversight costs related to carrying out section 4951 of the Small Business Act, as added by subsection (b).~~

~~(2b) Set aside.~~— Of the amount made available to carry out this section for any fiscal year, not more than 15 percent may be used by the Administrator for administrative expenses. ~~(b) Establishment.~~— The Small Business Act (15 U.S.C. 631 et seq.) is amended— (1) by redesignating section 49 (15 U.S.C. 631 note) as section 55; and (2) by inserting after section 48 the following: "Sec. 49. Pathway to Prime Grant Program "(a) Definitions.— In this section: "(1) Eligible entity.— The term 'eligible entity' means— "(A) a historically black college or university; or "(B) an institution of higher education, as defined in section 101 of the Higher Education Act of 1965, which primarily educates students who are Black or African American, Hispanic or Latino, American Indian, Alaska Native, Asian, Native Hawaiian, or other Pacific Islander" **IN GENERAL.**—

The Small Business Act is amended by inserting after section 50, as added by section 100202 of this title, the following:

"Sec. 51. Growth accelerator competition

"(a) DEFINITIONS.— In this section:

"(1) AWARD.— The term 'award' means a grant, prize, contract, cooperative agreement, or other cash or cash equivalent.

"(2) HISTORICALLY BLACK COLLEGE OR UNIVERSABILITY.— The term 'historically black college or universability' has the meaning given the term 'part B institution' underin section 322 of the Higher Education Americans with Disabilities Act of 196590.

"(3) Pathway firm.— The term 'pathway firm' means a small business concern that is— "(A) a subcontractor of the Federal Government; "(B) a contractor or subcontractor of a State, local, or tribal government, including such contractor or subcont **ELIGIBLE ENTITY.**— The term 'eligible entity' means—

"(A) an eligible applicant, as defined in section 49; or

"(B) an organization that is a growth accelerator located in the United States.

"(4) GROWTH ACCELERATOR FOR A PROJECT FUNDED BY THE GARES ACT (PUBLIC LAW 116-136), THE AMERICAN RESCUE PLAN ACT OF 2021 (PUBLIC LAW 117-2), OR AN ACT PROVIDING FUNDS FOR INFRASTRUCTURE THAT IS ENACTED DURING THE 117TH CONGRESS (AS DETERMINED BY THE ADMINISTRATOR).— The term 'growth accelerator' means an organization that—

"(A) supports new small business concerns that have a focus on technology, research, and development;

"(bB) Establishment.— The Administrator works with a new small establish a program to assist pathway firms to become prime contractors of the Federal Government by—business concern for a predetermined amount of time;

"(4C) making competitive grants to eligible entities to establish a national contracting and subconprovides mentorship and instructing network and database of pathway firms and grantees under paragraph (2) to track and connect pathway firms with Federal prime contracting opportunities based on the record of the pathway firm in competing for and obtaining—"(A) prime contracts or contracts with Federal, State, local, or tribal governments;on to small business concerns to grow the business concern; or

"(D) offers startup capital or the opportunity to raise capital from outside investors to small business concerns.

"(B5) subcontracts with Federal prime contractors; and "(C) subcontracts from State, local, or tribal governments participating in projects funded by the CARES Act (Public Law 116-136), the American Rescue Plan Act of 2021 (Public Law 117-2), or an Act providing funds for infrastructure that is enacted during the 117th Congress (as determined by—NEW SMALL BUSINESS CONCERN.— The term 'new small business concern' means a small business concern that has been in operation for not more than 5 years.

"(b) ESTABLISHMENT.— The Administrator; and "(2) shall makinge competitive grants to not fewer than 20 State or local governments or federally recognized Tribal governments towards of not less than \$100,000 to eligible entities to accelerate the growth of new small business concerns by providing—

"(A1) participate in the national small business contracting network establish assistance to small business concerns to access capital and fin—paragraph (4)d mentors and networking opportunities; and

"(B2) assist pathway firms within the geographic regions served by those governments. "(c) Use of funds.— A recipient of a grant madevice to small business concerns, including advising on market analysis, company strategy, revenue growth, commercialization, and securing funding.

"(c) USE OF FUNDS.— An award under this section shall—

"(1) provide resources to enable pathway firms to gain the experience and capabilities necessary to compete for and obtain prime contracts; "(2) facilitate engagement between pathway firms and Federal, State, local, or tribal governments; "(3) work with the Administration to ensure that prime contractors with subcontracting plans under section 8(d) meet the requirements of those plans; "(4) work with the Administration to maximize opportunities for small business concerns to obtaining subcontracts from State, local, or tribal governments participating in projects funded by the CARES Act (Public Law (1) 116-136), the American Rescue Plan Act of 2021 (Public Law 117-2), or an Act providing funds for infrastructure that is enacted during

~~the 117th Congress (as determined by the Administrator); and "(5) make publicly available data to advocate for best practices and policies that promote small business concerns as prime contractors of the Federal Government~~may be used by an eligible entity recipient for construction costs, acquisition of physical workspace and facilities, and programmatic purposes to benefit new small business concerns; and

"(2) may not be used by an eligible entity recipient to provide capital to new small business concerns directly or through the subaward of funds.

"(d) PENALTIES FOR FAILURE TO ABIDE BY TERMS OR CONDITIONS OF AWARD.— At the discretion of the Administrator and in addition to any other civil or criminal consequences, the Administrator shall withhold payments to an eligible entity or order the eligible entity to return an award made under this section for failure to abide by the terms and conditions of the award."

Subtitle D— Increasing Equity Opportunities

Sec. 100401. Increasing equity investment ~~by~~in the SBIC program

~~(a) Venture small business investment company facility.— (1) APPROPRIATIONS.— In addition to amounts otherwise available, there is appropriated to the *Small Business Administration* for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, \$20,000,000, to remain available until September 30, 2031, \$9,500,000,000, to be deposited into the facility established under section 321 of the Small Business Investment Act of 1958, as added by paragraph (2)~~for carrying out this section.

~~(2b) ESTABLISHMENT.— The Small Business Investment Act of 1958 (15 U.S.C. 661 et seq.), is amended—~~

~~(A1) in section 103 (15 U.S.C. 662)—~~

~~(iA) in paragraph (9)(B)(iii)—~~

~~(i) in subclause (II), by striking "and" at the end;~~

~~(ii) in subclause (III), by adding "and" at the end; and~~

~~(iii) by adding at the end the following:~~

~~"(IV) funds obtained from any financial institution identified under section 302(b);"; and~~

~~(iiB) in paragraph (10)— (i) in subparagraph (A3)(C), by ~~adding~~striking "and" at the end; and (ii) by striking subparagraphs (B) and (C) and inserting the following: "(B) partnership interests purchased by the Administration, as described in section 321."; (B) in section 302(a)(1) (15 U.S.C. 682(a)(1))— (i) in subparagraph (A), by striking "or" at the end; (ii) in subparagraph (B), by striking the period at the end and inserting "; or"; and (iii) by adding at the end the following: "(C) \$2,000,000, adjusted every 5 years for inflation, with respect to each licensee participating in the facility under section 321."; (C) in an aggregate amount that~~

does not exceed 33 percent of the private capital of the applicant or licensee";
and

(2) in section 303(b)(2)(B)~~4~~ (15 U.S.C. 683(b)(2)(B)), by striking "\$350,000,000" and inserting "\$400,000,000"; and (D) in section 304~~4~~, by adding at the end the following:

"(e) Notwithstanding section 310(c)(6), a licensee under section 321 may, subject to ~~regulation~~rules to be issued by the Administration, invest equity capital in investment funds ~~which~~that—

"(1) are majority controlled by members of an underrepresented community, (as defined in section 5049 of the Small Business Act);

"(2) receive annual assistance provided by such licensee; or

"(3) meet additional criteria as determined by the Administration."; and

(E3) by adding at the end of the following:

"Sec. 321. ~~Venture small business investment company facility~~Emerging managers program

"(a) DEFINITIONS.— In this section:

"(1) COVERED INVESTMENTS.— The term 'covered investments' means investments in—

"(A) infrastructure, including—

"(i) roads, bridges, and mass transit;

"(ii) water supply and sewer;

"(iii) the electrical grid;

"(iv) broadband and telecommunications;

"(v) clean energy; or

"(vi) child care and elder care;

"(B) manufacturing;

"(C) low-income communities, as that term is defined in section 45D(e) of the Internal Revenue Code of 1986;

"(D) HUBZones, as defined in section 31(b) of the Small Business Act;

"(E) small business concerns owned and controlled by a member of an Indian tribe individually identified (including parenthetically) in the most recent list published pursuant to section 104 of the Federally Recognized Indian Tribe List Act of 1994;

"(F) small business concerns owned and controlled by an individual with a disability, as defined in section 3 of the Americans with Disabilities Act of 1990;

"(G) small business concerns owned and controlled by a veteran; or

"(H) ~~small business~~^(I) concerns identified by the Administrator as critical.

~~"(2) Facility.— The term 'facility' means the facility established under~~

~~subsection (b). "(3) Partnership interest.—The term 'partnership interest' means a limited partnership equity interest in a licensee purchased and held by the Administration under this section. "(4) Venture small business investment company.—The term 'venture small business investment company' means a private equity fund—"(A) that makes early-stage venture capital investments in small business concerns approved to participate in the facility by the Administration; and "(B) for which 75 percent of total financings shall be invested in covered investments, of which not more than 33 percent of such investments are in small business concerns in infrastructure or manufacturing. "(b) Establishment and administration of facility.—"(1) In general.—The Administrator shall establish and carry out a facility to purchase partnership interests from venture small business investment companies. "(2) Administration.—The facility shall be administered by the Administrator acting through the Associate Administrator described in section 201. "(3) Use of amounts.—The Administrator shall use amounts deposited in the facility to purchase partnership interests from venture small business investment companies. "(4) Bifurcation.—Losses to the Administration under this section—"(A) shall not be offset by fees or any other charges on licenses not authorized by the Administration; "(B) shall be borne solely by the facility; and "(C) shall not be included in the calculation of the subsidy rate under section 303(j). "(c) Licensing matters.—"(1) In general.—A venture small business investment company shall be licensed under section 304(e) and approved by the Administrator to issue partnership interests. "(2) Consideration.—In issuing a license under paragraph (1), the Administrator shall take into consideration investment risk through criteria set by the Administrator. "(d) Required investments.—"(1) In general.—Except as described in paragraph (2), a venture small business investment company shall invest solely in small business concerns. "(2) Exception and waiver.—Notwithstanding section 340(c)(6) and subject to rules issued by the Administrator, a venture small business investment company may invest equity capital in venture capital funds if—"(A) such venture capital funds are majority controlled by underrepresented individuals; "(B) not less than 50 percent of total capital of each such venture capital fund is invested in covered investments; and "(C) the venture small business investment company provides annual assistance to the venture capital fund. "(e) Partnership interests.—"(1) In general.—The Administrator may, out of amounts available in the facility, purchase partnership interests as described in this subsection. "(2) Issuance and purchase of partnership interests.—"(A) In general.—The Administrator may purchase venture equity securities issued by a venture small business investment company in an amount that does not exceed the lesser of 100 percent of the private capital of the venture small business investment company or a lesser amount to be determined by the Administrator. "(3) Partnership interest terms.—A partnership interest purchased by the Administrator from a venture small business investment~~

~~company under this subsection shall be subject to such restrictions and limitations as the Administrator may determine.~~ (b) ~~Emerging managers program.~~ (1) ~~Appropriations.~~— In addition to amounts otherwise available, there is appropriated to the Small Business Administration for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, \$20,000,000, to remain available until September 30, 2031, for carrying out this subsection. (2) ~~Establishment.~~— The Small Business Investment Act of 1958 (15 U.S.C. 661 et seq.), as amended by subsection (a), is further amended by adding at the end the following: "Sec. 322. Emerging managers program "(a) Definitions.— In this section: "(1) Covered investments.— The term 'covered investments' has the meaning given in section 321 industries identified by the Administrator.

"(2) EMERGING MANAGER COMPANY.— The term 'emerging manager company' means an investment management firm that is focused on investing private equity and that meets not less than 2 of the following criteria:

"(A) The partners of the firm have—

"(i) an investment track record of less than 10 years of combined investment experience; or

"(ii) a documented record of successful business experience.

"(B) The firm has a focus on underserved markets.

"(C) The firm is not less than 50 percent owned, managed, or controlled by members of an underrepresented community (as defined in section 5049 of the Small Business Act).

"(b) ESTABLISHMENT.— The Administrator shall establish an emerging managers program pursuant to which managers with substantial experience in operating small business investment companies—

~~"(1) may enter into a written agreement approved by the Administrator to provide guidance and assistance to an applicant for a license for a small business investment company that is to be managed by an emerging manager company. The manager with substantial experience; and~~

~~"(2) may hold a minority financial interest in the small business investment company that is to be managed by an emerging manager company described in paragraph (1).~~

"(c) LICENSING.— An applicant described in subsection (b)(1) shall apply ~~with~~ for a license under section 301(c) and shall—

"(1) have private capital not to exceed \$100,000,000;

"(2) be managed by not less than two individuals;

"(3) be a second generation fund or earlier; and

"(4) focus its investment strategy on covered investments.

"(d) WAIVER OF MAXIMUM LEVERAGE.— The approval of a written agreement under subsection (b) by the Administrator shall operate as a waiver of the

requirements of section 303(b)(2)(B) to the extent that such section would otherwise apply.

"(e) INCREASED LEVERAGE MAXIMUM.— An existing small business investment company that enters into a written agreement under subsection (b) ~~that is approved by the Administrator~~ may receive an increase in the maximum leverage cap of the company under section 303(b)(2)—

"(1) under subparagraph (A) of such section, with respect to a single license, by not more than \$17,500,000; and

"(2) under subparagraph (B) of such section, with respect to multiple licenses under common control, by not more than \$35,000,000."

Sec. 100402. MicroCap small business investment company license

(a) APPROPRIATIONS.— In addition to amounts otherwise available, there is appropriated to the Administration for fiscal year 2022, out of amounts in the Treasury not otherwise appropriated, \$40,000,000, to remain available until September 30, 2031, to carry out paragraph (5) of section 301(c) of the Small Business Investment Act of 1958 (15 U.S.C. 681(c)), as added by subsection (b).

(b) MICROCAP SMALL BUSINESS INVESTMENT COMPANY LICENSE.—

Section 301(c) of the Small Business Investment Act of 1958 (15 U.S.C. 681(c)) is amended by adding at the end the following:

"(5) MICROCAP SMALL BUSINESS INVESTMENT COMPANY LICENSE.—

"(A) IN GENERAL.— The Administrator may issue ~~a number of~~ licenses under this subsection to applicants—

"(i) that do not satisfy the qualification requirements under paragraph (3)(A)(ii) to the extent that such requirements relate to investment experience and track record, including any such requirements further set forth in section 107.305 of title 13, Code of Federal Regulations, or any successor regulation;

"(ii) that would otherwise be issued a license under this subsection, except that the management of the applicant does not satisfy the requirements under paragraph (3)(A)(ii) to the extent that such requirements relate to investment experience and track record, including any such requirements further set forth in section 107.305 of title 13, Code of Federal Regulations, or any successor regulation;

"(iii) for which the ~~fund~~ managers of such applicant have—

"(I) a documented record of successful business experience;

"(II) a record of business management success; or

"(III) knowledge in the particular industry or business for which the applicant is pursuing an investment strategy; and

"(iv) that have demonstrated appropriate qualifications for the license, based on factors determined by the Administrator.

"(B) REQUIRED INVESTMENTS.— ~~The~~ licensee under this paragraph shall invest not less than 50 percent of the total financings of ~~such~~the licensee in covered investments (as defined in section 321), of which not more than 33 percent of ~~such~~those investments are in small business concerns in infrastructure or manufacturing.

~~"(C) Timing for issuance of license.— The Administrator shall establish policies to ensure the timely disposition and issuance of licenses under this paragraph.~~ "(D) LEVERAGE.— A company licensed pursuant to this paragraph shall—

"(i) not be eligible to receive leverage in an amount that is more than \$50,000,000; and

"(ii) be able to access leverage in an amount that is not more than 200 percent of the private capital of the ~~applied~~company.

"(E) INVESTMENT COMMITTEE.— If a company licensed pursuant to this paragraph has investment committee members or control persons who are principals approved by the Administration ~~or~~ or control persons of licensed small business investment companies not licensed under this paragraph, such licensee or licensees shall not be deemed to be under common control with the company licensed pursuant to this paragraph solely for the purpose of section 303(b)(2)(B).

"(F) FEES.— In addition to the fees authorized under sections 301(e) and 310(b), the Administration may prescribe fees to be paid by each company designated to operate under this paragraph."-

Sec. 100403. Funding for SBIC outreach and education

(a) APPROPRIATIONS.— In addition to amounts otherwise available, there is appropriated to the Small Business Administration for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, \$2,500,000, to remain available until September 30, 2031, for carrying out this section.

(b) OUTREACH AND EDUCATION.— The Administrator shall develop and implement a program to promote to, conduct outreach to, and educate prospective licensees on the licensing procedures and other programs of small business investment companies under title III of the Small Business Investment Act of 1958 (~~15 U.S.C. 681 et seq.~~).

Subtitle E—Increasing Access to Lending and Investment Capital

(1)

Sec. 100501. Funding for Community Advantage Loan Program

(a) APPROPRIATIONS.— In addition to amounts otherwise available, there is appropriated to the Small Business Administration for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, to remain available until September 30, 2031—

(1) ~~\$284,024,800~~,000 for carrying out paragraph (38) of section 7(a) of the Small Business Act (15 U.S.C. 636(a)), as added by subsection (b);

(2) ~~\$54,000,000~~ for carrying out subparagraph (F) of the Administrator of the Small Business Administration to develop a training course and provide free or low-cost training to covered institutions making loans under the program established under such paragraph (38); and

(3) ~~\$344,047,100~~,000 for administrative expenses related to carrying out such paragraph (38), including issuing interim final rules.

(b) ESTABLISHMENT.—

Section 7(a) of the Small Business Act (15 U.S.C. 636(a)) is amended by adding at the end the following:

"(38) COMMUNITY ADVANTAGE LOAN PROGRAM.—

"(A) DEFINITIONS.— In this paragraph—

"(i) the term 'covered institution' means—

"(I) a development company, as defined in section 103 of the Small Business Investment Act of 1958, participating in the loan program established under title V of such Act;

"(II) a non-Federally regulated entity certified as a community development financial institution under the Community Development Banking and Financial Institutions Act of 1994;

"(III) an intermediary, as defined in subsection (m)(11), that is a nonprofit organization and is participating in the microloan program under subsection (m); and

"(IV) an eligible intermediary, as defined in subsection (l)(1), participating in the small business intermediary lending pilot program established under subsection (l)(2);

"(ii) the term '~~existing~~new business' means a small business concern that has been in existence for not less than 2 years on the date on which a loan is made to the small business concern under the program; "(iii) the term 'new business' means a small business concern that has been in existence business for not more than 2 years on the date on which a loan is made to the small business concern under the program;

"(iv) the term 'program' means the Community Advantage Loan Program established under subparagraph (B);

"(v) the term 'small business concern in an underserved market' means a small business concern—

"(I) that is located in—

"(aa) a low- to moderate-income community;

"(bb) a HUBZone, as that term is defined in section 31(b);

"(cc) a rural area; or

"(dd) any area for which a disaster declaration or determination described in subparagraph (B), (C), or (E) of subsection (b)(2) has been made that has not terminated more than 2 years ~~before the date~~ (or later, as determined by the Administrator) before the date on which a loan is made to such concern under such subsection, or in any area for which a major disaster described in subsection (b)(2) (A) has been declared, that period shall be 5 years; or

"(II) that is a new business;

"(III) owned and controlled by veterans;

"(IV) owned and controlled by an individual who has completed a term of imprisonment;

"(V) owned and controlled by an individual with a disability, as that term is defined in section 3 of the Americans with Disabilities Act of 1990;

"(VI) owned and controlled by a member of an Indian tribe individually identified (including parenthetically) in the most recent list published pursuant to section 104 of the Federally Recognized Indian Tribe List Act of 1994; or

"(VII) otherwise identified by the Administrator.

"(B) ESTABLISHMENT.— There is established a Community Advantage Loan Program under which the Administration may guarantee loans made by covered institutions under this subsection, ~~including~~ with an emphasis on loans made to small business concerns in an underserved market.

"(C) REQUIREMENT TO MAKE LOANS TO UNDERSERVED MARKETS.— Not less than ~~560~~ percent of loans made by a covered institution under the program shall consist of loans made to small business concerns in an underserved market.

"(D) MAXIMUM LOAN AMOUNT.—

"(i) IN GENERAL.— Except as provided in clause (ii), the maximum loan amount for a loan guaranteed under the program is \$250,000.

"(ii) EXCEPTIONS.—

"(I) REQUESTED EXCEPTION.—

"(aa) IN GENERAL.— Upon request by a covered institution, the Administrator may ~~approve a guarantee of a loan~~ under the program that is more than \$250,000 and not more than \$350,000.

"(bb) NOTIFICATION.— As soon as practicable and not later than 14 business ~~(days)~~ after receiving a request under item (aa), the Administration shall—

"(AA) review the request; and

"(BB) provide a decision regarding the request to the covered institution making the loan.

"(II) MAJOR DISASTERS.— The maximum loan amount for a loan guaranteed under the program that is made to a small business concern located in an area affected by a major disaster described in subsection (b)(2)(A) is \$350,000.

"(E) INTEREST RATES.— The maximum interest rate for a loan guaranteed under the program shall not exceed the maximum interest rate, as determined by the Administration, applicable to other loans guaranteed under this subsection.

~~"(F) Training.— The Administrator shall develop a training course and provide free or low-cost training to covered institutions making loans under the program."~~

Sec. 100502. Funding for credit enhancement and small dollar loan funding

(a) APPROPRIATIONS.— In addition to amounts otherwise available, there is appropriated to the Small Business Administration for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, to remain available until September 30, 2031—

(1) ~~\$3,365,01,480,600~~, 600,000 to carry out paragraph (39) of section 7(a) of the Small Business Act (15 U.S.C. 636(a)), as added by subsection (b); and

(2) ~~\$4,400,484,000~~, 000 for administrative expenses related to carrying out such paragraph (39), including issuing interim final rules within 90 days after the date of the enactment of this title, of which \$25,000,000 is reserved for grants to conduct outreach to entities eligible to receive a loan under such paragraph (39).

(b) SMALL DOLLAR LOAN FUNDING.— Section 7(a) of the Small Business Act (15 U.S.C. 636(a)), as amended by section 100501, is further amended—

(1) in paragraph (1)(A)(i), in the third sentence, by striking "; and" and all that follows through the period at the end and inserting a period;

(2) in paragraph (4)(A), by striking the comma after "prescribed by the Administration" and all that follows through the period at the end and inserting a period;

(3) in paragraph (26), by inserting "(except for those collected under paragraph (39))" after "profits"; and

(4) by adding at the end the following:

"(39) SMALL DOLLAR LOAN FUNDING.—

"(A) DEFINITIONS.— In this paragraph:

"(i) SMALL GOVERNMENT CONTRACTOR.— The term 'small government contractor' means a small business concern that is performing a Government contract.

"(ii) SMALL MANUFACTURER.— The term 'small manufacturer' means a small business concern that is assigned a North American Industry

Classification System code beginning with 31, 32, or 33 at the time at which the small business concern receives loan under this subsection.

"(B) DIRECT LOANS.— The Administrator is authorized to originate and disburse direct loans, including through partnerships with third parties, to small business concerns.

"(C) ~~Terms.~~—"(i) ~~MAXIMUM LOAN SIZE.~~— Notwithstanding paragraph (3)(C) of this subsection, a loan made in accordance with this paragraph shall be—

"(i) except as provided in subclause (Hii), not more than \$150,000; or

"(Hii) not more than \$1,000,000, if the borrower is a small manufacturer or a small government contractor.

"(D) FEES.— With respect to each loan made in accordance with this paragraph, the Administrator, an authorized third party, or an agent may—

"(i) impose, collect, retain, and utilize fees, which may be charged to the borrower, to cover any costs associated with referring applications or originating, making, underwriting, disbursing, closing, servicing, or liquidating the loan, including any direct lending agent costs, other program or contract costs, or other agent administrative expenses;

"(ii) impose, collect, retain, and use fees (including unused fees and draw fees), which may be charged to the borrower on loans for revolving lines of credit; and

"(iii) pay third parties, including direct lending agents and financial institutions, with which the Administration partners for assistance in referring applicants or promoting, originating, making, underwriting, disbursing, closing, servicing, or liquidating loans in accordance with this paragraph on behalf of the Administration.

"(E) ~~Other terms.~~—"(i) ~~In general~~ TERMS.— Not later than 90 days after the date of the enactment of this paragraph, the Administrator shall issue interim final rules ~~relating to the underwriting criteria, interest rate, maturity, and~~ and revise any relevant rules to establish ~~the terms of a loan made in accordance with this paragraph and revising any other rules necessary to carry out this paragraph.~~ "(ii) ~~Repayment.~~— Not later than 90 days after the date of the enactment of this paragraph, the Administrator shall issue rules ~~to allow reasonable assurance of repayment of a loan made in accordance with this paragraph, including reasonable assurance of repayment from the assets converting to cash to be the sole and primary form of repayment under~~ and conditions for a direct loan, including repayment, underwriting criteria, interest rate, maturity, and other terms of a loan made in accordance with this paragraph."

(l)

Sec. 100503. Extension of temporary fee reductions

(a) APPROPRIATIONS.— In addition to amounts otherwise available, there is appropriated to the Small Business Administration for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, \$~~1,009~~50,000,000, to remain available until September 30, 2026, for carrying out this section and any amendments made by this section.

(b) 7(A) LOAN PROGRAM.— Section 326 of the Economic Aid to Hard-Hit Small Businesses, Nonprofits, and Venues Act (title III of division N of Public Law 116–260; 134 Stat. 2036; 15 U.S.C. 636 note) is amended—

(1) in subsection (a)(2), by striking "October 1, 2021" and inserting "October 1, 2026"; and

(2) in subsection (b)(2), by striking "October 1, 2021" and inserting "October 1, 2026".

(c) OTHER FEES.— Section 327 of the Economic Aid to Hard-Hit Small Businesses, Nonprofits, and Venues Act (title III of division N of Public Law 116–260; 134 Stat. 2037; 15 U.S.C. 636 note) is amended—

(1) in subsection (a)(1), by striking "September 30, 2021" and inserting "September 30, 2026"; and

(2) in subsection (b)(1), by striking "September 30, 2021" and inserting "September 30, 2026".

Sec. 100504. Funding for cooperatives

(a) APPROPRIATIONS.— In addition to amounts otherwise available, there is appropriated to the Small Business Administration for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, \$5100,000,000, to remain available until September 30, 2031, for carrying out paragraph (40) of section 7(a) of the Small Business Act (15 U.S.C. 636(a)), as added by subsection (b).

(b) COOPERATIVE LENDING PILOT.—

Section 7(a) of the Small Business Act (15 U.S.C. 636(a)), as amended by section 100502, is further amended by adding at the end the following:

"(40) COOPERATIVE LENDING PILOT.—

"(A) DEFINITIONS.— In this paragraph:

"(i) COMMUNITY FINANCIAL INSTITUTION.— The term 'community financial institution' has the meaning given in paragraph (36)(A);

"(ii) COOPERATIVE.— The term 'cooperative'—

"(I) means an entity determined by the Administrator to be a cooperative; and

"(II) includes ⁽¹⁾ an entity owned by employees or consumers of the entity.

"(iii) ELIGIBLE EMPLOYEE-OWNED BUSINESS CONCERN.— The term 'eligible employee-owned business concern' means—

"(I) a cooperative in which the employees of the cooperative are eligible for membership;

"(II) a qualified employee trust; or

"(III) other employee-owned entities as determined by the Administrator.

"(iv) PILOT PROGRAM.— The term 'pilot program' means the pilot program established under subparagraph (B).

"(B) ESTABLISHMENT.— There is established a pilot program under which the Administrator shall guarantee loans (including loans made by community financial institutions), without the requirement of a personal or entity guarantee, where such loans ~~or shall be~~ made to cooperatives or eligible employee-owned business concerns.

"(C) TERMINATION.— The pilot program shall terminate on the date that is 5 years after the date of enactment of this paragraph."

(c) DELEGATED LENDING AUTHORITY FOR PREFERRED LENDERS.— Section 5(b)(7) of the Small Business Act (15 U.S.C. 634(b)(7)) is amended by striking "paragraph (15) or (35)" and inserting "paragraph (15), (35), or (40)".

Subtitle F— Supporting Entrepreneurial Second Chances

Sec. 100601. Reentry entrepreneurship counseling and training for incarcerated and formerly incarcerated individuals

(a) REENTRY ENTREPRENEURSHIP COUNSELING AND TRAINING FOR INCARCERATED INDIVIDUALS.—

(1) APPROPRIATIONS.— In addition to amounts otherwise available, there is appropriated to the Small Business Administration, out of ~~any~~ money in the Treasury not otherwise appropriated ~~\$5,000,000 for each of~~ fiscal years 2022 through, 35,000,000, to remain available until September 30, 2029, to carry out section ~~532~~ of the Small Business Act, as added by paragraph (2). ~~Amounts appropriated by this subsection shall remain available for 3 fiscal years.~~

(2) IN GENERAL.— The Small Business Act ~~(15 U.S.C. 634 et seq.)~~ is amended by inserting after section ~~521~~, as added by section ~~100301~~ of this title, the following:

"Sec. 532. Reentry entrepreneurship counseling and training for incarcerated individuals

⁽¹⁾
"(a) DEFINITIONS.— In this section:

"(1) COVERED INDIVIDUAL.— The term 'covered individual' means an individual who is completing a term of imprisonment in a facility designated as a minimum, low, or medium security.

"(2) RESOURCE PARTNERS.— The term 'resource partners' means a small business development center (defined in section 3) or a women's business center (described under section 29).

"(b) ESTABLISHMENT.— The Administrator shall coordinate with resource partners and associations formed to pursue matters of common concern to resource partners to provide entrepreneurship counseling and training services to covered individuals pursuant to subsection (c).

"(c) USE OF FUNDS.— Amounts made available under this section shall be used to

"(1) develop and deliver a curriculum, including classroom instruction and in-depth training to develop skills related to business planning and financial literacy;

"(2) train mentors and instructors;

"(3) establish public-private partnerships to support covered individuals; and

"(4) identify opportunities to access capital."

(b) REENTRY ENTREPRENEURSHIP COUNSELING AND TRAINING FOR FORMERLY INCARCERATED INDIVIDUALS.—

(1) APPROPRIATIONS.— In addition to amounts otherwise available, there is appropriated to the Small Business Administration, out of any money in the Treasury not otherwise appropriated \$5,000,000, ~~for each of fiscal years 2022 through~~ for fiscal year 2022, \$35,000,000, to remain available until September 30, 2028, to carry out section 543 of the Small Business Act, as added by paragraph (2). ~~Amounts appropriated by this subsection shall remain available for 3 fiscal years.~~

(2) IN GENERAL.— The Small Business Act (~~15 U.S.C. 631 et seq.~~) is amended by inserting after section 532, as added by subsection (a), the following:

"Sec. 543. Reentry entrepreneurship counseling and training for formerly incarcerated individuals

"(a) COVERED INDIVIDUAL DEFINED.— In this section, the term 'covered individual' means an individual who completed a term of imprisonment.

"(b) ESTABLISHMENT.— The Administrator shall establish a program under which the Service Corps of Retired Executives authorized by section 8(b)(1)(B) shall provide entrepreneurship counseling and training services to covered individuals on a nationwide basis.

"(c) USE OF FUNDS.— Amounts made available under this section shall be used by the Service Corps of Retired Executives for providing to covered individuals the following services:

"(1) Regular individualized mentoring sessions to identify and support development of the business plans of covered individuals.

"(2) Workshops on topics specifically tailored to meet the needs of covered individuals.

"(3) Instructional videos designed specifically for covered individuals on how to start or expand a small business concern."

Sec. 100602. New ~~S~~start entrepreneurial development program for formerly incarcerated individuals

(a) APPROPRIATIONS.— In addition to amounts otherwise available, there is appropriated to the Small Business Administration, out of any money in the Treasury not otherwise appropriated for fiscal year 2022, \$35,000,000, for each of fiscal years 2022 through to remain available until September 30, 2028, for carrying out this section. ~~Amounts appropriated by this subsection shall remain available for 3 fiscal years.~~

(b) DEFINITIONS.— In this section—

(1) COVERED INDIVIDUAL.— The term "covered individual" means an individual who—

(A) completed a term of imprisonment; and

(B) meets the offense eligibility requirements set forth in any applicable policy notice or other guidance issued by the Small Business Administration for the program established under section 7(m) of the Small Business Act (15 U.S.C. 636(m)).

(2) INTERMEDIARY; MICROLOAN.— The terms "intermediary" and "microloan" have the meanings given those terms, respectively, in section 7(m)(11) of the Small Business Act (15 U.S.C. 636(m)(11)).

(3) PARTICIPATING LENDER.— The term "participating lender" means a participating lender described under section 7(a) of the Small Business Act (15 U.S.C. 636(a)).

(4) PILOT PROGRAM.— The term "pilot program" means the pilot program established under subsection (b).

(5) RESOURCE PARTNER.— The term "resource partner" means—

(A) a small business development center (defined in section 3 of the Small Business Act (15 U.S.C. 632));

(B) a women's business center (described under section 29 of such Act (15 U.S.C. 656));

(C) a chapter of the Service Corps of Retired Executives (established under section 8(b)(1)(B) of such Act ((15 U.S.C. 637(b)(1)(B))); and

(D) a Veteran Business Outreach Center (described under section 32 of such Act (15 U.S.C. 657b)).

(c) ESTABLISHMENT.— The Administrator shall establish a pilot program to award grants to organizations, or partnerships of organizations, to provide assistance to covered individuals throughout the United States.

(d) APPLICATION.—

(1) **IN GENERAL.**— An organization or partnership of organizations desiring a grant under the pilot program shall submit an application to the Administrator in such form, in such manner, and containing such information as the Administrator may reasonably require.

(2) **CONTENTS.**— An application submitted under paragraph (1) shall—

(A) demonstrate that the applicant has a partnership with, or is, an intermediary that shall make microloans to covered individuals;

(B) demonstrate an ability to provide a full range of entrepreneurial development programming on an ongoing basis;

(C) include a plan for reaching covered individuals, including by identifying particular target populations within the community in which a covered individual lives;

(D) include a plan to refer covered individuals who have completed participation in the pilot program to existing resource partners and participating lenders;

(E) include a comprehensive plan for the use of grant funds, including estimates for administrative expenses and outreach costs; and

(F) any other requirements, as determined by the Administrator.

(e) MATCHING REQUIREMENT.—

(1) **IN GENERAL.**— As a condition of a grant provided under the pilot program, the Administrator shall require the recipient of the grant to contribute an amount equal to 25 percent of the amount of the grant, obtained solely from non-Federal sources.

(2) **FORM.**— In addition to cash or other direct funding, the contribution required under paragraph (1) may include indirect costs or in-kind contributions paid for under non-Federal programs.

Subtitle G— Other Matters

Sec. 100701. Administrative expenses

(a) **IN GENERAL.**— In addition to amounts otherwise available, there is appropriated to the Administration for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, \$1,250,000,000, to remain available until September 30, 2034~~0~~, for administrative expenses related to carrying out this title (or any amendments made by this title), except as otherwise provided in this title.

(b) **RULEMAKING.**— Using amounts made available under subsection (a), not later than 30 days after the date of the enactment of this Act, the Administrator may issue rules, including interim final rules, as necessary to carry out this title and the amendments made by this title. ~~(c) **RECISSION.**— With respect to amounts appropriated under subsection (a)~~

~~(1) the Secretary of the Treasury shall complete all disbursements and remaining obligations before September 30, 2031; and (2) the unexpended balance of such amounts September 30, 2031, shall be rescinded and deposited into the general fund of the Treasury.~~

Sec. 100702. Office of the Inspector General of the Small Business Administration

In addition to amounts otherwise available, there is appropriated to the Office of the Inspector General of the Small Business Administration for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, ~~\$25,012,500,000~~, to remain available until September 30, 2034, for audits, investigations, and other oversight of projects and activities carried out with funds made available by this title to the Small Business Administration.

Title XI—Committee on Transportation and Infrastructure

Sec. 110001. Affordable housing access program

(a) ~~IN GENERAL.—~~ In addition to amounts otherwise available, there is appropriated for fiscal year 2022, out of any ~~fundsmoney~~ in the Treasury not otherwise appropriated, ~~\$9,99750,000,000~~, to remain available until September 30, 2026, ~~for competitive grants to support access to affordable housing and the enhancement of mobility for residents in disadvantaged communities or neighborhoods, in persistent poverty communities, or for low-income riders generally.~~ (b) ~~Criteria and process.—~~ ~~To~~ the Secretary of Housing and Urban Development and the Administrator of the Federal Transit Administration ~~shall establish criteria and a process for the allocation of funds made available~~ to make competitive grants under this section in a manner to ensure that such funds 5307, 5311, and 5339(c) of title 49, United States Code, to support—

(1) access to affordable housing;

(2) enhanced mobility for residents and riders, including those in disadvantaged communities and neighborhoods, persistent poverty communities, or for low-income riders generally; ~~or~~ and

(3) other community benefits for residents of disadvantaged communities or neighborhoods, persistent poverty communities, or for low-income riders generally identified by the Secretary and the Administrator related to enhanced transit service, including—

(A) access to job and educational opportunities;

(B) better connections ~~(d)~~ medical care; ~~or~~ and

(C) enhanced access to grocery stores with fresh foods to help eliminate food deserts.

~~(eb) ADMINISTRATION OF FUNDS.— Funds made available under this section shall—(1) be available to recipients and—~~

~~(1) shall not be~~ subrecipients eligible under chapter 53 of title 49, United States Code; ~~(2) after allocation, be administered by the Administrator of the Federal Transit Administration— (A) to recipients and subrecipients in urban areas, as if such funds were provided to any prior restriction on the total amount of funds available for implementation or execution of programs authorized under sections 5307, 5311, 5312, 5314, or 5339(c) of title 49, United States Code;~~

~~(B2) to recipients and subrecipients in rural areas, as if such funds were provided under section 5311 of such title; (C) for any project activities related to the acquisition of zero-emission buses or related infrastructure, as if funds for such activities were awarded under section 5339(c) of such title; (D) for any activities related to research that supports efforts to reduce barriers to the deployment of zero-emission transit vehicles in disadvantaged communities or neighborhoods and rural areas, including barriers related to the cost of such vehicles, as if funds for such activities were provided under notwithstanding requirements related to Government share under such sections, shall be available for up to 100 percent of the net cost of a project;~~

~~(3) notwithstanding section 534207(a)(1) of such title; or (E) for any activities related to the training and development of the transit workforce that provides service to disadvantaged communities or neighborhoods and rural areas, including the creation of new employment opportunities in the transit industry for workers from such communities, neighborhoods or areas, as if funds for such activities were provided under section 5314 of such title; (3) not be subject to any restriction on the total amount of funds available for implementation or execution of programs authorized under section 5307, 5311, 5312, 5314, or 5339 of title 49, United States Code; (4) notwithstanding paragraph (1), be available for grants for up to 100 percent of the net cost of a project; and (5), may be used for operating costs of equipment and facilities in an urbanized area with a population equal to or greater than 200,000 individuals; and~~

~~(4) shall~~ be expended in compliance with the requirements of part 26 of title 49, Code of Federal Regulations.

~~(ec) ELIGIBLE ACTIVITIES.— Eligible activities for funds made available under this subsection (a) shall be—~~

~~(1) construction of a new fixed guideway capital project;~~

~~(2) construction of a bus rapid transit project or a corridor-based bus rapid transit project that utilizes zero-emission vehicles, including costs related to the acquisition of such vehicles and related charging or fueling infrastructure, or a collection of such projects;~~

~~(3) the establishment or expansion of high-frequency bus service that utilizes zero-emission buses, including costs related to the acquisition of such vehicles and~~

~~related charging or fueling infrastructure, but does not have all of the features of a bus rapid transit project or corridor-based bus rapid transit project; (4) an expansion of the service area or the frequency of service of recipients or subrecipients;~~

~~(4) the acquisition of zero-emission vehicles or related infrastructure under section 534439(c) of title 49, United States Code, which may include operational expenses, including the provision of fare-free or reduced-fare service, or the acquisition of vehicles or infrastructure to expand service; (5) notwithstanding subsection (a)(1) of section 5307 of such title,to expand service in urban areas and the acquisition of vehicles under section 5311 of such title to expand service in non-urban areas;~~

~~(5) an expansion of the service area or the frequency of service of recipients under such section, which may include operational expensesor subrecipients under sections 5307 or 5311 of such title, including the provision of fare-free or reduced-fare service, or the acquisition of zero-emission vehicles or infrastructure to expand service;~~

~~(6) renovation or construction of facilities and incidental expenses to continue or expandrelated to transit service in disadvantaged communities or neighborhoods or service that benefits low-income riders generally;~~

~~(7) research activities and capital expenses related to research under section 5312 of such title that support efforts to reduce barriers to the deployment of zero-emission transit vehicles in disadvantaged communities or neighborhoods and rural areas, including barriers related to the cost of such vehicles; (8) activities under section 5314 of such title that support the training and development of the transit workforce that provides service to disadvantaged communities or neighborhoods and rural areas, including the creation of new employment opportunities in the transit industry for workers from such communities, neighborhoods, or areas; (9) additional assistance to project sponsors of new fixed guideway capital projects, core capacity improvement projects, or corridor-based bus rapid transit projects not yet open to revenue service, notwithstanding applicable requirements regarding Government share of contributions toward net project cost of the project or the share of contributions from a program carried outprovided by the Administrator of the Federal Transit Administration, if—~~

~~(A) the applicant demonstrates that the availability of funding under this section provides additional support for access to affordable housing and the enhancement of mobility for residents in disadvantaged communities or neighborhoods, persistent poverty communities, or for low-income riders generally in the service area of the recipient; transit services consistent with the purposes describedrequirements in subsection (b); and~~

~~(B) assistance under this paragraph does not increase by more than 10 percentage points—~~

~~(i) the Government's share of contributions toward net project cost; or~~

(ii) the Government share of assistance from a program carried out by the Administrator of the Federal Transit Administration;

~~(408)~~ fleet transition, route, or other public transportation planning, including planning related to economic development; ~~or (44) and~~

~~(9)~~ projects to upgrade the accessibility of bus or rail public transportation services for persons with disabilities, including individuals who use wheelchairs, ~~in disadvantaged communities or neighborhood.~~

(d) RESEARCH, TECHNICAL ASSISTANCE, AND TRAINING.— In addition to amounts otherwise available, there is appropriated for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, \$150,000,000, to remain available until September 30, 2026, for grants under sections 5312 or 5314 of title 49, United States Code, (excluding grants related to any activities or agreements with international entities or foreign nationals) for—

(1) activities under section 5312 of such title that support efforts to reduce barriers to the deployment of zero-emission transit vehicles in disadvantaged communities or neighborhoods and rural areas, including barriers related to the cost of such vehicles; and

(2) activities under section 5314 of such title for training and development activities to support the provision of service to disadvantaged communities or neighborhoods and rural areas.

(e) ADMINISTRATIVE EXPENSES.— In addition to amounts otherwise available, there is appropriated for fiscal year 2022, out of any ~~fund~~money in the Treasury not otherwise appropriated, \$100,000,000, to remain available until September 30, 2026, for the following: ~~(1) The costs of administering and overseeing the implementation of administrative expenses and oversight costs of carrying out this section. (2) T and to~~ make new awards or to increase prior awards to provide technical assistance and capacity building for eligible recipients or subrecipients under this section.

(f) PERIOD OF AVAILABILITY.— Any funds provided from the general fund of the Treasury to carry out grants under section 5339(c) of title 49, United States Code, for fiscal years 2025 and 2026 shall remain available until September 30, 2028.

Sec. 110002. Community climate incentive grants ~~(a) Federal Highway Administration appropriation program~~

(a) IN GENERAL.—

Chapter 1 of title 23, United States Code, is amended by adding at the end the following:

"§ 177. Community climate incentive grant program

"(a) ESTABLISHMENT.— In addition to amounts otherwise available, there is appropriated for fiscal year 2022, out of any ~~fund~~money in the Treasury not otherwise appropriated, \$50,000,000, to remain available until September 30, 2026, to the Administrator of the Federal Highway Administration—

"(1) to establish a greenhouse gas performance measure that requires States to set performance targets to reduce greenhouse gas emissions;

"(2) to establish an incentive structure to reward States that demonstrate the most significant progress towards achieving reductions in greenhouse gas emissions;

"(3) to establish consequences for States that do not achieve reductions in greenhouse gas emissions;

"(4) to issue guidance and regulations; and provide technical assistance; as necessary to implement this section; and

"(5) ~~from any remaining amounts after carrying out paragraphs (1) through (4), for operations and administration of the Federal Highway Administration.~~ (b) *G in carrying out this section.*

"(b) INCENTIVE GRANTS TO STATES.— In addition to amounts otherwise available, there is appropriated for fiscal year 2022, out of any funds money in the Treasury not otherwise appropriated, \$950,000,000, to remain available until September 30, 2026, to the Administrator of the Federal Highway Administration; for incentive grants for carbon reduction projects, to be awarded to States that—

"(1) qualify for a reward under the incentive structure established by the Administrator of the Federal Highway Administration under subsection (a)(2); or

"(2) have ~~adopted~~ incorporated carbon reduction strategies that contribute to achieving net-zero greenhouse gas emissions by 2050; ~~and have incorporated such strategies into the transportation plans required under section 135 of title 23, United States Code.~~ (c) *G.*

"(c) COMMUNITY CLIMATE GRANTS TO OTHER ELIGIBLE ENTITIES.—

"(1) IN GENERAL.— In addition to amounts otherwise available, there is appropriated for fiscal year 2022, out of any funds money in the Treasury not otherwise appropriated, \$3,000,000,000, to remain available until September 30, 2026, to the Administrator of the Federal Highway Administration ~~for to award grants, to be awarded~~ on a competitive basis, for carbon reduction projects to eligible entities that are not States. ~~(d) Use of funds.— (1) In general.— Funds made available under subsections (b) and (c) shall be administered as if made available under chapter 4 of title 23, United States Code, and a~~

"(2) FEDERAL SHARE.— The Federal share of the cost of a project carried out with a grant under this subsection may be up to 100 percent.

"(d) USE OF FUNDS.—

"(1) IN GENERAL.— A project carried out under this subsection (b) or (c) shall be treated as a project on a Federal-aid highway under such chapter. (2) Grants to States.— F.

"(2) COMPLIANCE WITH EXISTING REQUIREMENTS.— Funds made available for a grant under subsection (b), and funds made available for a grant under subsection (b); that are administered by or (through a State department of transportation, shall be

expended in compliance with the requirements of part 26 of title 49, Code of Federal Regulations.

~~“(e) Federal share.—(1) In general.—The Federal share for a recipient of funds that is not a State under this section may be up to 100 percent. (2) States.—The Federal share for a recipient of funds under this section that is a State shall be determined in accordance with section 120 of title 23, United States Code. (f) LIMITATION.—Funds made available under this section shall not—~~

~~“(1) be subject to any restriction or limitation on the total amount of funds available for implementation or execution of programs authorized for Federal-aid highways; and or~~

~~“(2) be used for projects that result in additional through travel lanes for single occupant passenger vehicles. (g~~

~~“(f) DEFINITIONS.—In this section:~~

~~“(1) CARBON REDUCTION PROJECT.—A The term 'carbon reduction project' means a project—~~

~~“(A) that is eligible under title 23, United State Code, and his title; and~~

~~“(B) that— (A~~

~~“(i) will result in significant reductions in greenhouse gas emissions related to a surface transportation facility or project; (B~~

~~“(ii) provides zero-emission transportation options; (C~~

~~“(iii) reduces dependence on single-occupant vehicle trips; or (D~~

~~“(iv) advances carbon reduction strategies adopted by an eligible entity that contribute to achieving net-zero greenhouse gas emissions by 2050.~~

~~“(2) ELIGIBLE ENTITY.—The term "eligible entity" means—~~

~~“(A) a unit of local government;~~

~~“(B) a political subdivision of a State;~~

~~“(C) a territory;~~

~~“(D) a metropolitan planning organization (as defined in section 134 of title 23, United States Code (b));~~

~~“(E) a special purpose district or public authority with a transportation function;~~

~~“(F) a recipient of funds under section 202 of title 23, United State Code entity described in section 207(m)(1)(E); or~~

~~“(G) a State.”~~

~~(3b) State.—The term "State" has the meaning given the term in section 101 of title 23, United States Code CLERICAL AMENDMENT.—~~

~~The analysis for chapter 1 of title 23, United States Code, is amended by adding at the end the following:~~

~~(1)~~

~~"177. Community climate incentive grant program."~~

Sec. 110003. Neighborhood access and equity grants program

(a) IN GENERAL.—

Chapter 1 of title 23, United States Code, is further amended by adding at the end the following:

“§ 178. Neighborhood access and equity grant program

“(a) IN GENERAL.— In addition to amounts otherwise available, there is appropriated for fiscal year 2022, out of any ~~fund~~money in the Treasury not otherwise appropriated, \$~~3,952,370,000,000~~, to remain available until September 30, 2026, to the Administrator of the Federal Highway Administration—~~(1) for~~ for competitive grants to eligible entities described in subsection (b)—

“(1) to improve walkability, safety, and affordable transportation access through construction (as such term is defined in section 101 of title 23, United States Code) of projects that are context-sensitive—

“(A) to remove, remediate, or reuse a facility described in subsection (c)(1);

“(B) to replace a facility described in subsection (c)(1) with a facility that is at-grade or lower speed;

“(C) to retrofit or cap a facility described in subsection (c)(1);

“(D) to build or improve complete streets, multiuse trails, regional greenways, or active transportation networks ~~or~~ and spines; or

“(E) to provide affordable access to essential destinations, public spaces, or transportation links and hubs;

“(2) ~~for~~ mitigation grants to eligible entities described in subsection (b) ~~to~~ or remediate negative impacts on the human or natural environment resulting from a facility described in subsection (c)(2) in a disadvantaged or underserved community, including construction (as such term is defined in section 101 of title 23, United States Code) of—

“(A) noise barriers to reduce impacts resulting from a facility described in subsection (c)(2);

“(B) technologies, infrastructure, and activities to reduce surface transportation-related air pollution, including greenhouse gas emissions;

“(C) infrastructure or protective features to reduce or manage stormwater run-off resulting from a facility described in subsection (c)(2), including through natural infrastructure and pervious, permeable, or porous pavement;

“(D) infrastructure and natural features to reduce; or ~~to~~ mitigate; urban heat island hot spots in the transportation right-of-way or on surface transportation facilities; or

“(E) safety improvements for vulnerable road users; and

“(3) ~~for~~ grants to eligible entities described in subsection (b) for planning and capacity building activities in disadvantaged or underserved communities to—

“(A) identify, monitor, or assess local and ambient air quality, emissions of transportation greenhouse gases, hot spot areas of extreme heat or elevated air pollution, gaps in tree canopy coverage, or flood prone ~~locations~~; transportation infrastructure;

“(B) assess transportation equity or pollution impacts and develop local anti-displacement policies and community benefit agreements;

“(C) conduct predevelopment activities for projects eligible under this subsection;

“(D) expand public participation in transportation planning by individuals and organizations in disadvantaged or underserved communities; or

“(E) administer or obtain technical assistance related to activities described in this subsection.

“(b) ELIGIBLE ENTITIES DESCRIBED.— An eligible entity referred to in subsection (a) is

~~“(1) a State (as such term is defined in section 101 of title 23, United States Code);~~

“(2) a unit of local government;

~~“(3) a political subdivision of a State (as such term is defined in section 101 of title 23;~~

“(4) an entity described in section 207(m)(1)(E);

~~“(5) a territory of the United States Code); (4;~~

~~“(6) a recipient of funds under section 202 of title 23, United States Code; (5) a territory of the United States; (6) a purpose district or public authority with a transportation function;~~

~~“(7) a metropolitan planning organization (as defined in section 134(b) of title 23, United States Code); or (7~~

“(8) with respect to a grant described in subsection (a)(3), in addition to an eligible entity described in paragraphs (1) through (6Z), a nonprofit organization or institution of higher education that has entered into a partnership with an eligible entity described in paragraphs (1) through (6Z).

“(c) FACILITY DESCRIBED.— A facility referred to in subsection (a) is—

“(1) a surface transportation facility for which high speeds, grade separation, or other design factors create an obstacle to connectivity within a community; or

“(2) a surface transportation facility which is a source of air pollution, noise, stormwater, or other burden to a disadvantaged or underserved community.

~~“(d) Local technical assistance/~~INVESTMENT IN ECONOMICALLY DISADVANTAGED COMMUNITIES.—

“(1) IN GENERAL.— In addition to amounts otherwise available, there is appropriated for fiscal year 2022⁽¹⁾, out of any funds money in the Treasury not otherwise appropriated, \$51,580,000,000, to remain available until September 30, 2026, to the

Administrator of the Federal Highway Administration for— ~~(1) guidance, technical assistance, templates, training, or tools to facilitate efficient and effective contracting, design, and project delivery by units of local government; (2) subgrants to units of local government to build capacity of such local government to assume responsibilities to deliver surface transportation projects; and (3) operations and administration of the Federal Highway Administration. (e) Use of funds.— (1) In general.— The Administrator shall provide grants to eligible entities described in subsection (b) that submit an application to the Administrator at such time, in such manner, and containing such information as the Administration requires. (2) Minimum investment.— Not less than \$1,580,000,000 of funds made available under subsection to provide grants for projects in communities described in paragraph (2) for the same purposes and administered in the same manner as described in subsection (a).~~

"(2) COMMUNITIES DESCRIBED.— A community referred to in paragraph (a1) shall be distributed for projects in a communities, that—

"(A) ~~are~~ is economically disadvantaged, including an underserved community or a community located in an area of persistent poverty;

"(B) ~~have~~ s entered or will enter into a community benefits agreement with representatives of the community;

"(C) ~~have~~ s an anti-displacement policy, a community land trust, or a community advisory board in effect; or

"(D) ~~have~~ s demonstrated a plan for employing local residents in the area impacted by the activity or project proposed under this section. ~~(f)~~

"(e) ADMINISTRATION.—

"(1) IN GENERAL.— Amounts made available under subsection (a) shall be administered as if made available under chapter 1 of title 23, United States Code, and a project carried out under this subsection (a) or (d) shall be treated as a project on a Federal-aid highway under such chapter. (2) Grants to State.

"(2) COMPLIANCE WITH EXISTING REQUIREMENTS.— Funds made available for a grant under ~~sub~~this section ~~(a)~~and administered by or through a State department of transportation shall be expended in compliance with the requirements of part 26 of title 49, Code of Federal Regulations. ~~(g)~~

"(f) COST SHARE.— The Federal share of the cost of an activity carried out using a grant awarded under this section shall be not more than 80 percent, except that the Federal share of the cost of a project in a disadvantaged or underserved community may be up to 100 percent.

"(g) TECHNICAL ASSISTANCE.— In addition to amounts otherwise available, there is appropriated 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 the Administrator of the Federal Highway Administration for—

"(1); guidance, technical assistance, templates, training, or tools to facilitate efficient and effective contracting, design, and project delivery by units of local government;

"(2) subgrants to units of local government to build capacity of such units of local government to assume responsibilities to deliver surface transportation projects; and

"(3) operations and administration of the Federal Highway Administration.

"(h) LIMITATIONS.— Funds made available under this section shall not—

"(1) be subject to any restriction or limitation on the total amount of funds available for implementation or execution of programs authorized for Federal-aid highways; and

"(2) be used for a project for additional through travel lanes for single-occupant passenger vehicles.—"

(b) CLERICAL AMENDMENT.—

The analysis for chapter 1 of title 23, United States Code, is further amended by adding at the end the following:

"178. Neighborhood access and equity grant program."

Sec. 110004. ~~Feder~~Territorial Highway Administration ~~section 202~~program funding

(a) IN GENERAL.— In addition to amounts otherwise made available, there is appropriated for fiscal year 2022, out of any funds ~~money~~ in the Treasury not otherwise appropriated, \$4,00320,000,000, to remain available until September 30, 2026, to the Administrator of the Federal Highway Administration for ~~the purposes described under section 202 of title 23, United States Code.~~ (b) Distribution of funds.— ~~The Administrator of the Federal Highway Administration shall administer amounts made available under subsection (a) as if allocated under section 202~~ distribution under section 165(c), of title 23, United States Code.

(e) LIMITATION.— Funds made available under this section shall not be subject to any restriction or limitation on the total amount of funds available for implementation or execution of programs authorized for Federal-aid highways.

[NOTE-- MOVED /tXI/s110005 to /tXI/s110019]

[NOTE-- MOVED /tXI/s110006 to /tXI/s110005]

Sec. 110065. Traffic safety clearinghouse

(a) IN GENERAL.— In addition to amounts otherwise made available, there is appropriated for fiscal year 2022, out of any funds ~~money~~ in the Treasury not otherwise appropriated, \$400,047,500,000 to remain available until September 30, 2026, for the Administrator of the National Highway Traffic Safety Administration to make 1 or more grants, cooperative agreements, or contracts with 1 or more qualified institutions to—

- (1) operate a national clearinghouse for fair and equitable traffic safety enforcement programs; (f)

(2) conduct research relating to, and develop, systems for States to collect traffic safety enforcement data, and provide technical assistance to States collecting such data, including the sharing of data to a national database;

(3) develop recommendations and best practices to help States collect and use traffic safety enforcement data to promote equity and reduce traffic-related fatalities and injuries; and

(4) develop information and educational programs relating to implementing equitable traffic safety enforcement best practices to assist States and local communities.

(b) ADMINISTRATION.— ~~Not more than 5 percent of the amounts made available under this section may be used for salaries, expenses, and administration of the National Highway Traffic Safety Administration~~In addition to amounts otherwise made available, there is appropriated for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, \$2,500,000 to remain available until September 30, 2026, for the Administrator of the National Highway Traffic Safety Administration for the salaries, expenses, and costs of administering this section.

(c) DEFINITION OF STATE.— In this section the term "State" has the meaning given the term in section 401 of title 23, United States Code.

[NOTE-- DELETED /tXI/s110007: ~~Sec. 110007. Automated vehicles and mobility innovation~~]

[NOTE-- DELETED /tXI/s110008: ~~Sec. 110008. Local transportation priorities~~]

[NOTE-- MOVED /tXI/s110009 to /tXI/s110006]

Sec. 1100096. Passenger rail improvement, modernization, and emissions reduction grants

(a) APPROPRIATION.— In addition to amounts otherwise available, there is appropriated to the Secretary of Transportation for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, \$10,000,000,000, to remain available until September 30, 2026, for financial assistance under chapter 261 of title 49, United States Code, to eligible entities for eligible projects.

(b) DEFINITIONS.— ~~Of~~In the funds provided pursuant to sub~~is~~ section:

(a), not less than 40 percent shall be used for eligible projects as described under subsection (e)(1)(A). (c) FEDERAL SHARE.— The term "corridor" means an existing, modified, or proposed intercity passenger rail share. For any financial assistance provided pursuant to this section, the Federal share may not exceed 90 percent of the total cost of the eligible project. (d) OVERSIGHT.— Not more than 1 percent of the amounts made available service (as defined in section 26106(b)(5) of title 49, United States Code). (1)

(2) ELIGIBLE ENTITY.— The term "eligible entity" means—

~~(A) an entity that is eligible to receive financial assistance under subsection (a) shall be for the use of the Secretary of Transportation for the costs of award and project management of financial assistance provided 26101 of title 49, United States Code; and~~

~~(B) an applicant that is eligible to receive a grant under this section. (e) Definitions.— In this section: 26106 of title 49, United States Code.~~

~~(43) ELIGIBLE PROJECT.— The term "eligible project" means—~~

~~(A) a planning project for high-speed rail corridor development that consists of planning activities eligible to receive financial assistance under section 26101(b)(1) of title 49, United States Code; or and~~

~~(B) a capital project for high-speed rail corridor development that—~~

~~(i) is eligible to receive a grant for a capital project (as defined in section 26106(b)(3) of title 49, United States Code); and~~

~~(ii) directly serves rail stations within urban areas; (as published by the Bureau of the Census;) that are located in close proximity to a census tract; (as published by the Bureau of the Census;) within the urban area that has a greater density population density than the urban area as a whole; and (ii) is eligible to receive financial assistance for a capital project, as defined in section 26106(b)(3) of title 49, United States Code. (2) Eligible entity.— The term "eligible entity" means— (A) an entity eligible to receive financial assistance under section 26101 of title 49, United States Code; or (B) an applicant eligible to receive a grant under section 26106 of title 49, United States Code. (3.~~

~~(4) HIGH-SPEED RAIL.— The term "high-speed rail" means non-highway ground transportation that is owned or operated by an eligible entity and reasonably expected to reach speeds of—~~

~~(A) 160 miles per hour or more faster on a shared-use right-of-way; or~~

~~(B) 186 miles per hour or more faster on a dedicated right-of-way.~~

~~(4c) Corridor.— The term "corridor" means an existing, modified, or proposed intercity passenger rail service, as defined in section 26106(b) of title 49, United States Code. ALLOCATION.— Not less than \$1,000,000,000 of the amounts appropriated by subsection (a) shall be used for eligible projects described in subsection (b)(3)(A).~~

~~(d) FEDERAL SHARE.— For any financial assistance and grants provided pursuant to this section, the Federal share may not exceed 90 percent of the total cost of the eligible project.~~

~~(e) OVERSIGHT.— Not more than \$100,000,000 of the amounts appropriated by subsection (a) may be used by the Secretary of Transportation for the costs of award and project management of financial assistance provided under this section.~~

[NOTE-- DELETED /XI/s1100/10: Sec. 110010. Railroad rehabilitation infrastructure and financing credit risk premium assistance]

[NOTE-- MOVED /tXI/s110011 to /tXI/s110007]

Sec. 1100407. Alternative fuel and low-emission aviation technology program

(a) ~~In general.~~—~~APPROPRIATION AND ESTABLISHMENT.~~— *For purposes of establishing a competitive grant program to provide grants to eligible entities to carry out projects located in the United States that produce, transport, blend, or store sustainable aviation fuel, or develop, demonstrate, or apply low-emission aviation technologies, in addition to amounts otherwise made available, there is* ~~are~~ *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, 2026; ~~for the Secretary of Transport—~~

~~(1) \$247,000,000 for projects relating to provide grants to, and enter into cost-sharing agreements with, eligible entities to carry out projects located in the United States that— (1) develop, demonstrate, or apply~~ *the production, transportation, blending, or storage of sustainable aviation fuel;*

~~(2) \$47,000,000 for projects relating to~~ low-emission aviation technologies; ~~or~~ *and*

~~(23) produce, transport, blend, or store sustainable aviation fuels that would reduce greenhouse gas emiss~~ *\$6,000,000 to fund the award of grants under this sections, attributable to the operation of aircraft that have fuel uplift in the United States.* ~~(b) Sele~~ *end oversight of the program, by the Secretary.*

~~(b) CONSIDERATIONS.~~— In carrying out subsection (a), the Secretary shall consider, with respect to a proposed project—

~~(1) the anticipated public benefits of the project; (2) the pot~~ *capacity for the eligible entity* to increase the domestic production and deployment of sustainable aviation fuel or the use of low-emission aviation technologies among the United States commercial aviation and aerospace industry;

~~(32) the potential for creating new jobs in the United States; (4)~~ *rejected greenhouse gas emissions from such project, including emissions resulting from the development of the project, and* the potential the project has to reduce or displace, on a lifecycle basis, United States greenhouse gas emissions associated with air travel;

~~(53) the proposed utilization of non-Federal cost-share contribution~~ *capacity to create new jobs and develop supply chain partnerships in the United States;*

~~(64) for projects related to the production of sustainable aviation fuel, the potential~~ *rejected lifecycle* greenhouse gas emissions impact of such fuel on a lifecycle basis *benefits from the proposed project,* which shall include feedstock; ~~and~~ fuel production; and potential direct and indirect greenhouse gas emissions (including resulting from changes in land use); ~~(7) how the project will strengthen the leadership of the United States in either sustainable aviation fuels or in low-emission aviation technologies; (8) and~~

~~(5) the benefits of ensuring a diversity of feedstocks for sustainable aviation fuel, inci~~ *ing the use of waste carb* ~~(h) oxides and direct air capture;~~

~~(9c) the potential for partnerships with relevant supply chain stakeholders for sustainable aviation fuel; (10) the potential to leverage existing industrial infrastructure to accelerate the deployment of sustainable aviation fuels; (11) aeronautical construction and design improvements that result in more efficient aircraft, including new aircraft architectures, innovative propulsion integration, and high-performance lightweight materials; (12) more efficient aircraft engines, including innovative engine architectures, hybrid-electric engines, and all-electric engines suitable for fully or partially powering aircraft operations; and (13) air traffic management and navigation technologies that permit more efficient flight patterns. (e) Funding distribution.— Of the amount made available under subsection (a), 30 percent of such amount shall be awarded for projects described in COST SHARE.— The Federal share of the cost of a project carried out using grant funds under subsection (a) shall be a maximum of 90 percent of the proposed total cost of the project, and the Secretary shall consider the extent to which a proposed project meets the considerations described in subsection (b) in determining the Federal share under this subsection.~~

~~(a)(1) and 70 percent of such amount shall be awarded for projects described in FUEL EMISSIONS REDUCTION TEST.— For purposes of clause (ii) of subsection (a)(2), (d) Federal cost share.— The Secretary shall determine a higher Federal share of project costs for any cost-share agreement or grant awarded to any eligible recipient for a project under subsection (a) that involves a low-emission aviation technology that exceeds a 20 percent reduction in fuel burn compared to current best in class aircraft or a sustainable aviation fuel that substantially exceeds a 50 percent lifecycle greenhouse gas emission reduction compared to conventional jet fuels. (e) Program requirements.— As a condition of receiving funds under this section, the Secretary may approve an award under this section only if the Secretary has received written assurances from the recipient that adopt at least 1 methodology for testing lifecycle greenhouse gas emissions that meets the requirements of such clause.~~

~~(e) DEFINITIONS.— In this section:~~

~~(1) ELIGIBLE ENTITY.— The term "eligible entity" means—~~

~~(A) a State or local government, including the District of Columbia, other than an airport sponsor;~~

~~(B) an air carrier;~~

~~(C) an airport sponsor;~~

~~(4D) any low-emission aviation technology that is funded or is part of a project funded by a grant under subsection (a)(1) is produced in the United States; (2) any sustainable aviation fuel that is part of a project funded by a grant under subsection (a)(2) is— (A) produced in the United States; and (B) is not derived from feedstocks that are developed through practices that threaten mass deforestation, harm biodiversity, or otherwise promote environmentally unsustainable processes; and (3) the recipient of grant funding has adequately~~

~~considered the environmental justice and equity impacts of any project on underserved communities~~ accredited institution of higher education;

~~(E) a research institution;~~

~~(F) a person or entity engaged in the production, transportation, blending, or storage of sustainable aviation fuel in the United States or feedstocks in the United States that could be used to produce sustainable aviation fuel;~~

~~(G) a person or entity engaged in the development, demonstration, or application of low-emission aviation technologies; or~~

~~(H) nonprofit entities or nonprofit consortia with experience in sustainable aviation fuels, low-emission aviation technologies, or other clean transportation research programs.~~

~~(f2) Development projects.— Section 47112(a) of title 49, United States Code, is amended by inserting "or labor for a project funded under section 110041 of the Act entitled "An Act to provide for reconciliation pursuant to title II of S. Con. Res. 14" at~~ FEEDSTOCK.— The term "feedstock" means sources of hydrogen and carbon not originating from unrefined or refined petrochemicals.

~~(3) INDUCED LAND-USE CHANGE VALUES.— The term "this subchapter". (g) Administrative expenses.— The Secretary may retain up to 1 percent of the funds provided under this section to fund the award of, and oversight by the Secretary of, grants made unde~~ induced land-use change values" means the greenhouse gas emissions resulting from the conversion of land to the production of feedstocks and from the conversion of other land due to the displacement of crops or animals for t ~~his~~ section. ~~(h) Definitions.— In this section:~~ ch the original land was previously used.

~~(44) Eligible entity~~ LIFECYCLE GREENHOUSE GAS EMISSIONS.— The term "eligible entity" means ~~(A) a State or local government other than an airport sponsor; (B) an air carrier; (C) an airport sponsor; (D) an accredited institution of higher e~~ feedstock production; (E) a person or entity engaged in the production, transportation, blending or storage of sustainable aviation fuel or, collection of feedstock, transportation of feedstocks that could be used to produce sustainable aviation fuel; (F) a po fuel production facilities, conversion or entity engaged in the development, demonstration, or application of low-emission aviation technologies; or (G) nonprofit entities or nonprofit consortia with experience in sustainable aviation fuel, low-emission technology, or other clean transportation research program ~~f~~ feedstock to fuel, transportation and distribution of fuel, and fuel combustion in an aircraft engine, as well as from induced land-use change values.

~~(25) LOW-EMISSION AVIATION TECHNOLOGIES.— The term "low-emission aviation technologies" means technologies,~~ produced in the United States, that significantly—

(A) improve aircraft fuel efficiency;

(B) increase utilization of sustainable aviation fuels; or

(C) reduce greenhouse gas emissions produced during operation of civil aircraft.

~~(36) SECRETARY.— The term "Secretary" means the Secretary of Transportation.~~

~~(Z) SUSTAINABLE AVIATION FUEL.— The term "sustainable aviation fuel" means liquid fuel, produced in the United States, that—~~

~~(A) consists of synthesized hydrocarbons;~~

~~(B) meets the requirements of—~~

~~(i) ASTM International Standard D7566; or~~

~~(ii) the co-processing provisions of ASTM International Standard D1655, Annex A1 (or such successor standard);~~

~~(C) is derived from biomass (in a similar manner as such term is defined in section 45K(c)(3) of the Internal Revenue Code of 1986), waste streams, renewable energy sources, or gaseous carbon oxides;~~

~~(D) is not derived from palm fatty acid distillates; and~~

~~(E) achieves at least a 50 percent lifecycle greenhouse gas emissions reduction in comparison with petroleum-based jet fuel, as determined by a test that shows—~~

~~(i) the fuel production pathway achieves at least a 50 percent reduction of the aggregate attributional core lifecycle ~~greenhouse gas~~ emissions and the induced land use change values under ~~the~~ lifecycle methodology for sustainable aviation fuels similar to that adopted by the International Civil Aviation Organization for the ~~Carbon Offsetting and Reduction Scheme for International Aviation~~ with the agreement of the United States; or~~

~~(ii) the fuel production pathway achieves at least a 50 percent reduction of the aggregate attributional core lifecycle greenhouse gas emissions values and the induced land-use change values under another methodology that the Secretary, ~~in consultation with the Administrator of the Environmental Protection Agency~~, determines is—~~

~~(I) reflective of the latest scientific understanding of lifecycle greenhouse gas emissions; and~~

~~(II) as stringent as the requirement under clause (i). ~~(i) Time limit for adoption of new sustainable aviation fuel emissions reduction test.— For purposes of clause (ii) of subsection (h)(3)(E), the Secretary, in consultation with the Administrator of the Environmental Protection Agency, shall, not later than 2 years after the date of the enactment of this section, adopt at least 1 methodology for testing lifecycle greenhouse gas emissions that meets the requirements of such clause.~~~~

~~[NOTE-- DELETED /tXI/s110012: Sec. 110012: Implementation of the carbon offsetting and reduction scheme for international aviation]~~

~~Sec. 110012. Assistance to update and enforce hazard resistant codes and standards~~

(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, ~~\$291,0145,500,000~~, to remain available until expended, to the Administrator of the Federal Emergency Management Agency ~~to carry out activities described in section 203(i) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5133(i)); notwithstanding section 203(f)(2) of such Act (42 U.S.C. 5133(f)(2)), including for the Building Resilient Infrastructure and Communities Program for activities and grants that provide technical assistance and capacity building, for which the Federal cost share shall be 100 percent, to State, local, Indian Tribal, or territorial governments for establishing, implementing, and carrying out enforcement activities of the latest published editions of relevant performance-based and consensus-based codes, specifications, and standards, including amendments made by State, local, Indian Tribal, or territorial governments during the adoption process, that incorporate—~~

(1) the latest hazard-resistant designs; and

(2) the latest requirements for the maintenance and inspection of existing buildings to address hazard risk.

(b) ~~Cost share.—~~ The Federal share of the assistance provided in this section shall be 400 percent. (c) ~~Administration.—~~ In addition to amounts made available for administrative expenses under section 205(d)(2) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5135(d)(2)) ADMINISTRATION.— In addition to amounts otherwise available, there is appropriated for fiscal year 2022, out of any money in the Treasury not otherwise available, ~~\$9,04,500,000~~ to the Administrator of the Federal Emergency Management Agency, to remain available until expended, for administration of ve expenses of carrying out this section.

Sec. 11004809. Economic Development Administration

(a) ~~ECONOMIC DEVELOPMENT ASSISTANCE FOR REGIONAL ECONOMIC GROWTH CLUSTERS.—~~ In addition to amounts otherwise available, there is appropriated for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, ~~\$4,003,360,000,000~~, to remain available until September 30, 2027~~31~~, to the Secretary of Commerce (referred to in this section as the "Secretary") for grants under section 209 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3149) to develop regional economic growth clusters, including grants for technical assistance, planning, and predevelopment activities, subject to the condition that sections 204 and 301 of such Act (42 U.S.C. 3144 and 3161) shall not apply to grants made with amounts made available under this subsection.

(b) ~~Economic adjustment assistance for persistently distressed communities.—~~ RECOMPETE GRANTS FOR PERSISTENTLY DISTRESSED COMMUNITIES.—

(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, ~~\$1,0200,000,000~~, to remain available until September 30, 2027~~31~~, to the Secretary of Commerce for economic adjustment assistance as authorized by section

209 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3149), of which— (1) \$500,000,000 shall be to provide assistance to energy and industrial transition communities, including coal, oil and gas, and nuclear transition communities; and (2) \$50,000,000 shall be to provide grants for project predevelopment and capacity building to provide grants to eligible recipients (as defined in section 3 of such Act) to alleviate economic distress and support long-term comprehensive economic development and job creation in persistently distressed local labor markets and local communities, except that sections 204 and 301 of such Act (42 U.S.C. 3144 and 3161) shall be inapplicable to such grants.

(2) RECOMPETE PLAN.— As a condition of receipt of a grant described under paragraph (1), an eligible recipient shall submit a comprehensive 10-year economic development plan for approval by the Secretary that includes—

(A) proposed programs and activities to be carried out with a grant awarded under this subsection to address the economic challenges of the local labor market or local community in a manner that promotes long-term, sustained economic growth, quality job creation, and local prime-age employment growth;

(B) projected costs, annual expenditures, and a proposed grant disbursement schedule; and

(C) other local economic information and periodic benchmarking criteria as the Secretary determines appropriate.

(3) MAXIMUM AWARD AMOUNT.— In determining the maximum amount of a grant that may be awarded under paragraph (1) for the purposes of implementing and carrying out the programs and activities, including activities relating to identified in an approved recompete plan described in paragraph (2), the Secretary shall use the product obtained by multiplying—

(A) the difference in the writing of grant applications (consistent with section 213 of such Act (42 U.S.C. 3153)) and stipends to local community organizations for planning prime-age employment rate between the United States and the local labor market or local community;

(B) the prime-age population of the local labor market or local community; and

(C) either—

(i) \$70,585 for local labor markets with a prime-age employment rate not less than 2.5 percent below the United States; or

(ii) \$53,600 for local communities with a prime-age employment rate not less than 5 percent below the United States.

(4) DEFINITIONS.— In this subsection:

(A) LOCAL LABOR MARKET.— The term "local labor market" means any of the following participation, community outreach and engagement activities, as that contains 1 or more recipient(s) eligible under paragraph (1);

(i) A metropolitan statistical area or micropolitan statistical area, excluding any area described in clause (iii).

(ii) A commuting zone, excluding any areas described in clauses (i) and (iii).

(iii) Tribal land subject to the jurisdictions that— of an Indian Tribe.

(A) sections 204 and 301 of such Act (42 U.S.C. 3144 and 3164) shall not apply to grants made with amounts made available under this paragraph; and LOCAL COMMUNITY.— The term "local community" means the area served by a unit of general local government that is located within, but does not cover the entire area of, a local labor market that does not meet the criteria described in paragraph (3)(C)(i).

(B) not less ECONOMIC ADJUSTMENT ASSISTANCE FOR ENERGY AND INDUSTRIAL TRANSITION COMMUNITIES.— In addition to amounts other than 50 percent of the amounts made available under this paragraph shall be for activities that are carried out in underserved communities. (c) Grants for public works and economic development otherwise available, there is appropriated for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, \$240,000,000, to remain available until September 30, 2027, to the Secretary of Commerce for economic adjustment assistance as authorized by section 209 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3149) to provide assistance, including grants for technical assistance, planning, and predevelopment activities, to energy and industrial transition communities, including oil, gas, coal, nuclear, and biomass transition communities, and manufacturing transition communities.

(d) ECONOMIC ADJUSTMENT ASSISTANCE FOR TECHNICAL ASSISTANCE, PROJECT PREDEVELOPMENT, AND CAPACITY BUILDING.— In addition to amounts otherwise available, there is appropriated for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, \$50240,000,000, to remain available until September 30, 2027, to the Secretary of Commerce for economic adjustment assistance as authorized by section 209 of the Public Works projects as authorized by and Economic Development Act of 1965 (42 U.S.C. 3149) to provide grants for technical assistance, project predevelopment, and capacity building activities, including activities relating to the writing of grant applications (consistent with section 2013 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3144). (d) Administration.— Not more 53)) and stipends to local community organizations for planning participation, community outreach and engagement activities, subject to the conditions that—

(1) sections 204 and 301 of such Act shall not apply to grants made with amounts made available under this subsection; and

(2) not less than 350 percent of the amounts made available under this subsection shall be used for activities that are carried out in underserved communities.

(e) ADMINISTRATION.— In addition to amounts otherwise available, there is appropriated for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, \$210,000,000, to remain available until September 30, 2031, for the administrative expenses of carrying out this section.

[NOTE-- DELETED /tXI/s110019: ~~Sec. 110019. Recompete Pilot Program~~]

[NOTE-- MOVED /tXI/s110020 to /tXI/s110010]

Sec. 1100210. Assistance for Federal buildings

In addition to amounts otherwise available, there is appropriated for fiscal year 2022, out of any funds ~~money~~ in the Treasury not otherwise appropriated, \$4,050,000,000, to remain available until September 30, 2031, to be deposited in the Federal Buildings Fund established under section 592 of title 40, United States Code, for measures necessary to convert facilities of the Administrator of General Services to high-performance green buildings (as defined in section 401 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17061)).

[NOTE-- DELETED /tXI/s110021: ~~Sec. 110021. Technology innovation and climate resilience in maritime sector~~]

[NOTE-- MOVED /tXI/s110022 to /tXI/s110011]

[NOTE-- MOVED /tXI/s110023 to /tXI/s110012]

Sec. 11002211. Climate resilient Coast Guard infrastructure

In addition to amounts otherwise available, there is appropriated to the Coast Guard for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, \$4,0050,000,000, to remain available until September 30, 2031, ~~to the account under the heading "Coast Guard Procurement, Construction, and Improvements",~~ for the acquisition, design, and construction of new, or replacement of existing, climate resilient facilities, including personnel readiness facilities such as family support services facilities, that are threatened by or have been impacted by climate change, as authorized under sections 504(e) and 1101(b)(1) of title 14, United States Code. ~~The Coast Guard shall return to the Treasury any funds appropriated under this section that have not been expended by September 30, 2031.~~

Sec. 1100123. Great Lakes icebreaker acquisition

(a) IN GENERAL.— In addition to amounts otherwise available, there is appropriated to the Coast Guard for fiscal year 2022, out of funds ~~any money~~ in the Treasury not otherwise appropriated, \$350,000,000, to remain available until September 30, 2031, ~~to the Coast Guard,~~ for acquisition, design, and construction of a Great Lakes heavy icebreaker, as authorized under section 8107 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283). ~~The Coast Guard shall return to the Treasury any funds appropriated under this section that have not been expended by September 30, 2031.~~

(b) LIMITATION.— The funds made available under this section are subject to the condition that the Coast Guard shall not—

(1) enter into an agreement involving funds made available under subsection (a) if such agreement—

(A) is for a term extending beyond September 30, 2031; or

(B) involves any payment that could be made or funds disbursed using amounts made available under subsection (a) after September 30, 2031; or

(2) use any other funds available to the Coast Guard to satisfy obligations initially made under subsection (a).

[NOTE-- DELETED /tXI/s110024: ~~Sec. 110024. Polar security cutters and climate science~~]

[NOTE-- DELETED /tXI/s110025: ~~Sec. 110025. Small shipyard grants~~]

[NOTE-- DELETED /tXI/s110026: ~~Sec. 110026. Port infrastructure and supply chain resilience~~]

[NOTE-- DELETED /tXI/s110027: ~~Sec. 110027. Grants for rural, small, Tribal, and economically disadvantaged municipality technical assistance and circuit rider programs and workforce development~~]

[NOTE-- MOVED /tXI/s110028 to /tXI/s110014]

[NOTE-- MOVED /tXI/s110029 to /tXI/s110015]

[NOTE-- MOVED /tXI/s110030 to /tXI/s110016]

Sec. 110013. Port infrastructure and supply chain resilience

(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, \$600,000,000, to remain available until September 30, 2026, to the Maritime Administration for the purposes of making grants for projects to support supply chain resilience, reduction in port congestion, and the development of offshore wind through the program under section 50302(c) of title 46, United States Code.

(b) LIMITATIONS.— The funds made available under this section are subject to the condition that the Secretary of Transportation shall not—

(1) enter into an agreement involving funds made available under subsection (a) if such agreement—

(A) is for a term extending beyond September 30, 2031; or

(B) involves any payment that could be made or funds disbursed using amounts made available under subsection (a) after September 30, 2031; or

(2) use any other funds available to the Secretary to satisfy obligations initially made under subsection (a).

(l)

Sec. 11002814. Alternative water source project grants

(a) APPROPRIATION.— In addition to amounts otherwise available, there is appropriated to the Environmental Protection Agency for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, \$125,000,000, to remain available until expended, for carrying out section 220 of the Federal Water Pollution Control Act (33 U.S.C. 1300), in accordance with subsection (b), which funds may be used to make grants under such section on the condition that—

(1) a project carried out using such funds shall, to the maximum extent practicable, maximize the avoidance, minimization, or mitigation of climate change impacts on, and of, any constructed part of the project (including through the implementation of technologies to recover and reuse energy produced in the treatment of wastewater); and

(2) all of the iron and steel used in the project are produced in the United States in accordance with section 608 of such Act (33 U.S.C. 1388).

(b) LIMITATIONS.— For purposes of subsection (a)—

(1) the limitation in section 220(d)(1) of the Federal Water Pollution Control Act (as in effect on September 1, 2021), as it applies to the receipt of planning or design funds, shall not apply with respect to eligibility for a grant under this section; and

(2) the requirements of sections 220(d)(2) and (e) of such Act (as in effect on September 1, 2021) shall not apply to the making of a grant under this section.

(c) ADMINISTRATIVE COSTS.— Of the amounts made available under subsection (a), the Administrator of the Environmental Protection Agency shall reserve 4 percent for the administrative costs of carrying out this section.

Sec. 11002915. Sewer overflow and stormwater reuse municipal grants

(a) GENERAL ASSISTANCE.— In addition to amounts otherwise available, there is appropriated to the Environmental Protection Agency for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, ~~\$4,050,000,000~~, to remain available until expended, for carrying out section 221 of the Federal Water Pollution Control Act (33 U.S.C. 1301), which funds may be used to make grants under such section on the condition that any activity carried out using such funds shall, to the maximum extent practicable, maximize the avoidance, minimization, or mitigation of climate change impacts on, and of, any constructed part of the activity (including through the implementation of technologies to recover and reuse energy produced in the treatment of wastewater).

(b) FINANCIALLY DISTRESSED COMMUNITIES.—

(1) APPROPRIATION.— In addition to amounts otherwise available, there is appropriated to the Environmental Protection Agency for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, ~~\$1,00350,000,000~~, to remain available until expended, for carrying out section 221 of the Federal Water Pollution Control Act (33 U.S.C. 1301), which funds may be used to make grants under such section to a financially distressed⁽⁴⁾ community (as defined in such section), including rural financially distressed communities or an Indian tribe or other entity described in

section 518(c)(3) of such Act, on the condition that any activity carried out using such funds shall, to the maximum extent practicable, maximize the avoidance, minimization, or mitigation of climate change impacts on, and of, any constructed part of the activity (including through the implementation of technologies to recover and reuse energy produced in the treatment of wastewater).

(2) LIMITATION.— In carrying out paragraph (1), the Administrator of the Environmental Protection Agency may not require a financially distressed community, Indian tribe, or entity receiving a grant pursuant to this subsection to provide, as a condition of eligibility to receive such grant, a share of the cost of the activity for which the grant was made.

(c) ADMINISTRATIVE COSTS.— Of the amounts made available under each of subsections (a) and (b), the Administrator of the Environmental Protection Agency shall reserve 4 percent for the administrative costs of carrying out this section.

Sec. 11003~~9~~16. Individual household decentralized wastewater treatment system grants

(a) APPROPRIATION.— In addition to amounts otherwise available, there is appropriated to the Environmental Protection Agency for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, ~~\$450,000,000~~, to remain available until expended, ~~to make grants, in accordance with subsection (b),—~~

(1) \$75,000,000 to make grants to States, municipalities, and nonprofit entities under the Federal Water Pollution Control Act for the construction, repair, or replacement of individual household decentralized wastewater treatment systems of eligible individuals (as such term is defined in section 603(j) of the Federal Water Pollution Control Act (33 U.S.C. 1383(j))); and

~~(b2) Priority.— In carrying out subsection (a), the Administrator of the Environmental Protection Agency shall prioritize the issuance of grants to assist eligible individuals (as such term is defined in section 603(j) of the Federal Water Pollution Control Act (33 U.S.C. 1383(j)) residing in households that are not connected to a system or technology designed to treat domestic sewage, including eligible individuals using household cesspools.~~ \$75,000,000 to make grants to States, municipalities, and nonprofit entities under such Act for the construction, repair, or replacement of individual household decentralized wastewater treatment systems of eligible individuals (as so defined) residing in households that are not connected to a system or technology designed to treat domestic sewage, including eligible individuals using household cesspools.

(b) ADMINISTRATIVE COSTS.— Of the amounts made available under subsection (a), the Administrator of the Environmental Protection Agency shall reserve 7 percent for the administrative costs of carrying out this section.

(l)

[NOTE-- DELETED /tXI/s110031: ~~Sec. 110031. Tribal clean water grants~~]

[NOTE-- DELETED /tXI/s110032: ~~Sec. 110032. Wastewater infrastructure assistance to colonias~~]

[NOTE-- DELETED /tXI/s110033: ~~Sec. 110033. Clean water needs survey~~]

[NOTE-- DELETED /tXI/s110034: ~~Sec. 110034. Prohibition on use of funds~~]

[NOTE-- DELETED /tXI/s110035: ~~Sec. 110035. Policy of the United States on child labor~~]

Sec. 110017. Disaster relief

The Administrator of the Federal Emergency Management Agency may provide financial assistance through September 30, 2026, pursuant to section 203(h), 404(a), and 406(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5133(h); 42 U.S.C. 5170c(a); 42 U.S.C. 5172(b)) for—

- (1) costs associated with low-carbon materials; and
- (2) incentives that encourage low-carbon and net-zero energy projects, which may include an increase in the Federal cost share.

Sec. 110018. Environmental review implementation funds

(a) IN GENERAL.—

Chapter 1 of title 23, United States Code, is further amended by adding at the end the following:

"§ 179. Environmental review implementation funds

"(a) ESTABLISHMENT.— In addition to amounts otherwise available, for fiscal year 2022, there is appropriated to the Administrator, out of any money in the Treasury not otherwise appropriated, \$50,000,000, to remain available until September 30, 2026, for the purpose of facilitating the development and review of documents for the environmental review process for proposed projects, including through—

"(1) the provision of guidance, technical assistance, templates, training, or tools to facilitate an efficient and effective environmental review process for surface transportation projects, including any administrative expenses of the Federal Highway Administration to conduct such activities; and

"(2) providing funds made available under this subsection to eligible entities—

"(A) to build capacity of such eligible entities and facilitate the environmental review process for proposed projects, including—

"(i) defining the scope or study areas;

"(ii) identifying impacts, mitigation measures, and reasonable alternatives;

"(iii) preparing planning and environmental studies and other documents prior to and during the environmental review process, for potential use in the environmental review process in accordance with applicable statutes and regulations;

"(iv) conducting public engagement activities; and

"(v) carrying out other activities, including permitting activities, as the Administrator determines to be appropriate, to support the timely completion of an environmental review process required for a proposed project; and

"(B) for administrative expenses of the eligible entity to conduct any of the activities described in subparagraph (A).

"(b) COST SHARE.—

"(1) IN GENERAL.— The Federal share of the cost of an activity carried out under this section by an eligible entity shall be not more than 80 percent.

"(2) SOURCE OF FUNDS.— The non-Federal share of the cost of an activity carried out under this section by an eligible entity may be satisfied using funds made available to the eligible entity under any other Federal, State, or local grant program, including funds made available to the eligible entity under this section or title 49.

"(c) DEFINITIONS.— In this section:

"(1) ADMINISTRATOR.— The term 'Administrator' means the Administrator of the Federal Highway Administration.

"(2) ELIGIBLE ENTITY.— The term 'eligible entity' means—

"(A) a State;

"(B) a unit of local government;

"(C) a political subdivision of a State;

"(D) a territory of the United States;

"(E) an entity described in section 207(m)(1)(E);

"(F) a recipient of funds under section 203; or

"(G) a metropolitan planning organization (as defined in section 134(b)).

"(3) ENVIRONMENTAL REVIEW PROCESS.— The term 'environmental review process' has the meaning given the term in section 139.

"(4) PROPOSED PROJECT.— The term 'proposed project' means a surface transportation project for which an environmental review process is required."

(b) CLERICAL AMENDMENT.—

The analysis for chapter 1 of title 23, United States Code, is further amended by adding at the end the following:

"179. Environmental review implementation funds."⁽¹⁾

Sec. 110005. Territorial highway program funding (a) In general**19. Low-carbon transportation materials grants**

(a) IN GENERAL.—

Chapter 1 of title 23, United States Code, is further amended by adding at the end the following:

"§ 180. Low-carbon transportation materials grants

"(a) FEDERAL HIGHWAY ADMINISTRATION APPROPRIATION.— In addition to amounts otherwise made available, there is appropriated for fiscal year 2022, out of any funds ~~money~~ in the Treasury not otherwise appropriated, \$~~32900~~0,000,000, to remain available until September 30, 2026, to the Administrator of the Federal Highway Administration for the purposes described under section 165(e) of title 23, United States Code. **(b) Administration of funds.—** The Administrator of the Federal Highway Administration shall administer amounts made available under ~~substo~~ reimburse eligible recipients for the incremental costs of using low-embodied carbon construction materials and products in projects and for the administrative costs of carrying out this section.

"(b) REIMBURSEMENT OF INCREMENTAL COSTS; INCENTIVES.—

"(1) REIMBURSEMENT OF INCREMENTAL COSTS.—

"(A) IN GENERAL.— The Administrator shall, subject to the availability of funds, reimburse eligible recipients that use low-embodied carbon construction materials and products on a project funded under this title.

"(B) AMOUNT.— The amount of reimbursement under subparagraph (A) shall be the incrementally higher cost of using such materials relative to the cost of using traditional materials, as determined by the eligible recipient and verified by the Administrator.

"(2) INCENTIVE.— If a reimbursement is provided under paragraph (1), the total Federal share payable for the project for which the reimbursement is provided shall be up to 100 percent.

"(3) LIMITATIONS.—

"(A) IN GENERAL.— The Administrator shall only provide a reimbursement under paragraph (1) for a project on a—

"(i) Federal-aid highway;

"(ii) tribal transportation facility;

"(iii) Federal lands transportation facility; or

"(iv) Federal lands access transportation facility.

"(B) OTHER RESTRICTIONS.— Amounts made available under this section shall not be subject to any restriction or limitation on the total amount of funds available for implementation or execution (a) as if allocated of programs authorized for Federal-aid highways.

"(C) SINGLE OCCUPANT PASSENGER VEHICLES.— Funds made available under this section 165(e) of title 23, United States Code. (e) Limitation.— Funds made

~~available under this section shall not be subject to any restriction or limitation on the total amount of funds available for implementation or ex~~shall not be used for projects that result in additional through travel lanes for single occupant passenger vehicles.

"(4) MATERIALS IDENTIFICATION.— The Administrator shall review the low-embodied carbon construction materials and products identified by the Administrator of the Environmental Protection Agency and shall identify low-embodied carbon construction materials and products—

"(A) appropriate for use in projects eligible under this title; and

"(B) eligible for reimbursement under this section.

"(c) DEFINITIONS.— In this section:

"(1) ADMINISTRATOR.— The term 'Administrator' means the Administrator of the Federal Highway Administration.

"(2) ELIGIBLE RECIPIENT.— The term 'eligible recipient' means—

"(A) a State;

"(B) a unit of local government;

"(C) a political subdivision of a State;

"(D) a territory of the United States;

"(E) an entity described in section 207(m)(1));

"(F) a recipient of funds under section 203; or

"(G) a special purpose district or public authority with a transportation function.

"(3) EMBODIED CARBON.— The term 'embodied carbon' means the quantity of greenhouse gas emissions associated with all relevant stages of production of a material or product, measured in kilograms of carbon dioxide-equivalent per unit of such material or product.

"(4) LOW-EMBODIED CARBON CONSTRUCTION MATERIALS AND PRODUCTS.— The term 'low-embodied carbon construction materials and products' means materials and products identified by the Administrator of the Environmental Protection Agency as having substantially lower levels of embodied carbon compared to estimated industry averages of similar products or materials."

(b) CLERICAL AMENDMENT.—

The analysis for chapter 1 of title 23, United States Code, is further amended by adding at the end the following:

"180. Low-carbon transportation materials grants."

(l)

Title XII—Committee on Veterans Affairs

[NOTE-- MOVED /tXII/s12001 to /tXII/s120001]

[NOTE-- MOVED /tXII/s12002 to /tXII/s120002]

[NOTE-- MOVED /tXII/s12003 to /tXII/s120003]

[NOTE-- MOVED /tXII/s12004 to /tXII/s120004]

[NOTE-- MOVED /tXII/s12005 to /tXII/s120005]

[NOTE-- MOVED /tXII/s12006 to /tXII/s120006]

Sec. 120001. Department of Veterans Affairs infrastructure improvements

In addition to amounts otherwise available, there is appropriated for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, ~~\$15,200,2417,000~~0,000, to remain available until September 30, 2031, for facilities under the jurisdiction of, or for the use of, the Department of Veterans Affairs to carry out sections 2400, 2403, 2404, 2406, 2407, 2412, 8101, 8102 (except for section 8102(d)), 8103 (except for super construction projects as defined in section 8103(e)(3)), 8104 through 8110, 8122, and 8161 through 8169 of title 38, United States Code, taking into consideration the integration of climate resiliency into infrastructure as well as the needs of underserved areas and underserved veteran populations.

Sec. 120002. Modifications to enhanced-use lease authority of department of veterans affairs

(a) MODIFICATIONS TO AUTHORITY.—

Paragraph (2) of section 8162(a) of title 38, United States Code, is amended to read as follows:

"(2)

"(A) The Secretary may enter into an enhanced-use lease on or after the date of the enactment of this paragraph only if the Secretary determines—

"(i) that the lease will not be inconsistent with, and will not adversely affect—

"(I) the mission of the Department; or

"(II) the operation of facilities, programs, and services of the Department in the local area; and

"(ii) that—

"(I) the lease will enhance the use of the leased property by directly or indirectly benefitting veterans; or

"(II) the leased ⁽¹⁾ property will provide supportive housing.

"(B) The Secretary shall give priority to enhanced-use leases that, on the leased property—

"(i) provide supportive housing for veterans;

"(ii) provide direct services or benefits targeted to veterans; or

"(iii) provide services or benefits that indirectly support veterans."

(b) APPROPRIATION.— In addition to amounts otherwise available, there is appropriated for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, \$455,000,000 for the Department of Veterans Affairs, to remain available until expended, to enter into enhanced-use leases pursuant to section 8162 of title 38, United States Code, as amended by this section.

(c) MODIFICATION OF SUNSET.— Section 8169 of such title is amended by striking "December 31, 2023" and inserting "September 30, 2026".

Sec. 120003. Major medical facility leases of the Department of Veterans Affairs

(a) AUTHORITY TO ENTER INTO MAJOR MEDICAL FACILITY LEASES.— Paragraph (2) of subsection (a) of section 8104 of title 38, United States Code, is amended—

(1) by striking "No funds" and inserting "(A) No funds";

(2) by striking "or any major medical facility lease";

(3) by striking "or lease"; and

(4) by adding at the end the following new subparagraph:

"(B) Funds may be appropriated for a fiscal year, and the Secretary may obligate and expend funds, including for advance planning and design, for any major medical facility lease."

(b) MODIFICATION OF DEFINITION OF MAJOR MEDICAL FACILITY LEASE.— Subparagraph (B) of paragraph (3) of such subsection is amended to read as follows:

"(B) The term 'major medical facility lease'—

"(i) means a lease for space for use as a new medical facility approved through the General Services Administration under section 3307(a)(2) of title 40 at an average annual rent equal to or greater than the dollar threshold described in such section, which shall be subject to annual adjustment in accordance with section 3307(h) of such title; and

"(ii) does not include a lease for space for use as a shared Federal medical facility for which the Department's estimated share of the lease costs does not exceed such dollar threshold."

(c) INTERIM LEASING ACTIONS.— Such section is further amended by adding at the end the following new subsection:

"(i) (1) The Secretary may carry out interim leasing actions ~~as the Secretary considers necessary~~ for major medical facility leases (as defined in subsection (a)(3)

(B)).

"(2) In this subsection, the term 'interim leasing actions' has the meaning given that term by the Administrator of the General Services Administration."

(d) APPLICABILITY.— The amendments made by this section shall apply with respect to a ~~lease~~ major medical facility lease of the Department of Veterans Affairs that has not been specifically authorized by law on or before the date of the enactment of this Act and is included as part of the annual budget submission of the ~~President~~ Department of Veterans Affairs for fiscal year 2022, 2023, or 2024.

(e) PURCHASE OPTIONS.— The Secretary of Veterans Affairs may obligate and expend funds to exercise a purchase option included in any major medical facility lease described in subsection (d).

(f) APPROPRIATION.— In addition to amounts otherwise available, there is appropriated for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, \$1,805,000,000, to remain available until expended, for major medical facility leases pursuant to subchapter I of chapter 81 of title 38, United States Code, as amended by this section, as requested in the annual budget submission of the ~~President~~ Department of Veterans Affairs for fiscal year 2022, 2023, or 2024.

(g) TERMINATION AND RESTORATION.—

(1) IN GENERAL.— Effective upon the date of execution of the final lease award for leases described in subsection (d), subsections (a) through (e) of this section and the amendments made by those subsections are repealed and any provision of law amended by those subsections is restored as if those subsections had not been enacted into law.

(2) NOTIFICATION.— The Secretary of Veterans Affairs shall submit to Congress and the Law Revision Counsel of the House of Representatives written notification of the date specified in paragraph (1) not later than 30 days before such date.

Sec. 12004. Increase in number of health professions residency positions at Department of Veterans Affairs medical facilities

(a) INCREASE.— In carrying out section 7302(a)(1) of title 38, United States Code, during the seven-year period beginning on the day that is one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall increase the number of health professions residency positions at medical facilities of the Department of Veterans Affairs by not more than ~~7~~500 positions (which shall be allocated among occupations included in the most current determination published in the Federal Register pursuant to section 7412(a) of such title, or allocated pursuant to a prioritization by the Secretary of occupations in primary care, mental health care, and any other health professions occupation the Secretary determines appropriate) through the establishment of such new positions at—

(1) medical facilities where ⁽⁴⁾the Secretary established such positions pursuant to section 301(b)(2) of the Veterans Access, Choice, and Accountability Act of 2014

(Public Law 113–146; 38 U.S.C. 7302 note); or

(2) any medical facility—

(A) the director of which expresses an interest in establishing or expanding a health professions residency program at the medical facility; or

(B) that is located in a community that has a high concentration of veterans or is experiencing a shortage of health care professionals.

(b) APPROPRIATIONS.— In addition to amounts otherwise available, there is appropriated to the Department of Veterans Affairs for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, ~~\$375~~268,000,000, to remain available until September 30, 2029, for the purpose of carrying out this section.

Sec. 120005. Veteran records scanning

In addition to amounts otherwise available, there is appropriated to the Veterans Benefits Administration for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, \$450,000,000, to remain available until September 30, 2023, for costs of record scanning and claims processing, to carry out sections 7701 and 7703 of title 38, United States Code.

Sec. 120006. Funding for Department Of Veterans Affairs Office of Inspector General

In addition to amounts otherwise available, there is appropriated to the Office of Inspector General of the Department of Veterans Affairs for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, \$45,000,000, to remain available until September 30, 2031, for audits, investigations, and other oversight of projects and activities carried out with funds made available to the Department of Veterans Affairs.

Title XIII—Committee on Ways and Means

Subtitle A—

Part 1—Provisions Relating to Pathways to Health Careers

Part 2—Provisions Relating to Elder Justice

Part 3—Skilled Nursing Facilities

~~Sec. 134101. Pathways to Health Careers Act (a) Transition funding.— There is appropriated, out of any funds⁽¹⁾ in the Treasury not otherwise appropriated, \$15,000,000 to the Secretary of Health and Human Services to provide technical~~

~~assistance and cover administrative costs associated with implementing section 2071 of the Social Security Act (as added by subsection (b)). (b) Career pathways through health profession opportunity grants.—~~

Effective October 1, 2021, title XX of the Social Security Act (42 U.S.C. 1397-1397n-13) is amended by adding at the end the following:

"Subtitle D— Career pathways through health profession opportunity grants

"Sec. 2071. Career pathways through health profession opportunity grants

"(a) APPLICATION REQUIREMENTS.— An eligible entity desiring a grant under this section for a project shall submit to the Secretary an application for the grant, that includes the following:

"(1) A description of how the applicant will use a career pathways approach to train eligible individuals for health professions that ~~pay well or~~ will put eligible individuals on a career path to an occupation that pays well, under the project.

"(2) A description of the adult basic education and literacy activities, work readiness activities, training activities, and case management and career coaching services that the applicant will use to assist eligible individuals to gain work experience, connection to employers, and job placement, and a description of the plan for recruiting, hiring, and training staff to provide the case management, mentoring, and career coaching services, under the project directly or through local governmental, apprenticeship, educational, or charitable institutions.

~~"(3) In the case of an application for a grant under this section for a demonstration project described in subsection (c)(2)(B)(i)(I) — "(A) a demonstration that the State in which the demonstration project is to be conducted has in effect policies or laws that permit certain allied health and behavioral health care credentials to be awarded to people with certain arrest or conviction records (which policies or laws shall include appeals processes, waivers, certificates, and other opportunities to demonstrate rehabilitation to obtain credentials, licensure, and approval to work in the proposed health careers), and a plan described in the application that will use a career pathway to assist participants with such a record in acquiring credentials, licensing, and employment in the specified careers; "(B) a discussion of how the project or future strategic hiring decisions will demonstrate the experience and expertise of the project in working with job seekers who have arrest or conviction records or employers with experience working with people with arrest or conviction records; "(C) an identification of promising innovations or best practices that can be used to provide the training; "(D) a proof of concept or demonstration that the applicant has done sufficient research on workforce shortage or in-demand jobs for which people with certain types of arrest or conviction records can be hired; "(E) a plan for recruiting students who are ~~at~~ ^(f) ~~high-risk~~ individuals into the project; and "(F) a plan for providing post-employment support and ongoing training as part of a career pathway under the project. "(4) In the~~

~~case of an application for a grant under this section for a demonstration project described in subsection (c)(2)(B)(i)(II)—~~ "(A) a description of the partnerships, strategic staff hiring decisions, tailored program activities, or other programmatic elements of the project, such as training plans for doulas and other community health workers and training plans for midwives and other allied health professions, that are designed to support a career pathway in pregnancy, birth, or post-partum services; and "(B) a demonstration that the State in which the demonstration project is to be conducted recognizes doulas or midwives, as the case may be."~~(5)~~ A demonstration that the applicant has experience working with low-income populations, or a description of the plan of the applicant to work with a partner organization that has the experience.

~~"(64)~~ A plan for providing post-employment support and ongoing training as part of a career pathway under the project.

~~"(75)~~ A description of the support services that the applicant will provide under the project, including a plan for how child care and transportation support services will be guaranteed and, if the applicant will provide a cash stipend or wage supplement, how the stipend or supplement would be calculated and distributed.

~~"(86)~~ A certification by the applicant that the project development included—

~~"(A) consultation or commitment to consult with a local workforce development board established under section 107 of the Workforce Innovation and Opportunity Act;~~

~~"(B) consideration of registered apprenticeship and pre-apprenticeship models registered under the Act of August 16, 1937 (also known as the 'National Apprenticeship Act');~~

~~"(C) consideration of career pathway programs in the State in which the project is to be conducted; and~~

~~"(D) a review of the State plan under section 102 or 103 of the Workforce Innovation and Opportunity Act.~~

~~"(97)~~ A description of the availability and relevance of recent labor market information and other pertinent evidence of in-demand jobs or worker shortages.

~~"(408)~~ A certification that the applicant will directly provide or contract for the training services described in the application.

~~"(449)~~ A commitment by the applicant that, if the grant is made to the applicant, the applicant will—

~~"(A) during the planning period for the project, provide the Secretary with any information needed by the Secretary to establish adequate data reporting and administrative structure for the project;~~

~~"(B) hire a person to direct the project not later than the end of the planning period applicable to the project;~~

~~"(C) accept all technical assistance offered by the Secretary with respect to the grant;~~

"(D) participate in peer technical assistance conferences as are regularly scheduled by the Secretary; and

"(E) provide all data required by the Secretary under subsection (g).

"(b) ~~Preferences in considering~~ ADDITIONAL APPLICATIONS ELEMENT.— In considering applications for a grant under this section, the Secretary shall ~~give preference to~~ require qualified applicants to have at least 1 of the following application elements—

"(1) applications submitted by applicants to whom a grant was made under this section or any predecessor to this section;

"(2) applications submitted by applicants who have business and community partners in each of the following categories:

"(A) State and local government agencies and social service providers, including a State or local entity that administers a State program funded under part A of this title;

"(B) institutions of higher education, apprenticeship programs, and local workforce development boards ~~established under section 107 of the Workforce Innovation and Opportunity Act~~; and

"(C) health care employers, health care industry or sector partnerships, labor unions, and labor-management partnerships;

"(3) applications that include opportunities for mentoring or peer support, and make career coaching available, as part of the case management plan;

"(4) applications which describe a project that will serve a rural area in which—

"(A) the community in which the individuals to be enrolled in the project reside is located;

"(B) the project will be conducted; or

"(C) an employer partnership that has committed to hiring individuals who successfully complete all activities under the project is located;

"(5) applications that include a commitment to providing project participants with a cash stipend or wage supplement; and

"(6) applications which have an emergency cash fund to assist project participants financially in emergency situations.

"(c) GRANTS.—

"(1) COMPETITIVE GRANTS.—

"(A) GRANT AUTHORITY.—

"(i) IN GENERAL.— The Secretary ~~may~~ shall make a grant in accordance with this paragraph to an eligible entity whose application for the grant is approved by the Secretary, to conduct a project designed to train low-income individuals for allied health professions, health information technology, physicians assistants, nursing assistants, registered nurse, advanced practice nurse, and other professions considered part of a health care career pathway model.

"(ii) GUARANTEE OF GRANTEEES IN EACH STATE AND THE DISTRICT OF COLUMBIA.— For each grant cycle, the Secretary shall award a grant under this paragraph to at least 2 eligible entities in each State that is not a territory, to the extent there are a sufficient number of applications *that have a high likelihood of success and that are* submitted by the entities that meet the requirements applicable with respect to such a grant. If, for a grant cycle, there are fewer than 2 such eligible entities in a State, the Secretary shall include that information in the report required by subsection (g)(2) that covers the fiscal year. "(B) Guarantee of grants for indian populations.— From the amount *have submitted applications with a high likelihood of success, the Secretary shall identify qualified eligible applicants located elsewhere, that* reserved under subsection (i)(2)(B) for each fiscal year, the Secretary shall award a grant under this paragraph to at least 10 eligible entities that are an Indian tribe, a tribal organization *otherwise approved but un-funded, and issue a Substitution of Grant and tailored technical assistance. In the preceding sentence, the term 'issue a Substitution of Grant' means, in a case in which an approved grantee does not complete its full project period,* or a tribal college or university, to the extent there are a sufficient number of applications submitted by the entities that meet the requirements applicable with respect to such a grant *which there are fewer than 2 qualified grantees per State with a high likelihood of success, substitute an applicant located in another State that was approved but un-funded during the competition for the award for the award recipient.*

"(G) GUARANTEE OF GRANTEEES IN THE TERRITORIES.— FROM THE AMOUNT RESERVED UNDER SUBSECTION (i)(2)(G) FOR EACH FISCAL YEAR, *TS FOR INDIAN POPULATIONS.—* The Secretary shall award a grant under this paragraph to at least ~~2~~10 eligible entities that are located in a territory *an Indian tribe, a tribal organization, or a tribal college or university,* to the extent there are a sufficient number of applications submitted by the entities that meet the requirements applicable with respect to such a grant.

"(2) Grants for demonstration projects.— "(A) Grant authority.— The Secretary shall make a grant in accordance with this subsection to an eligible entity whose application for the grant is approved by the Secretary, to conduct a demonstration project that meets the requirements of subparagraph (B). "(B) Requirements.— The requirements of this subparagraph are the following: "(i) Type of project.— The demonstration project shall be of 1 of the following types: "(I) Individuals with arrest or conviction records demonstration.— The demonstration project shall be of a type designed to provide education and training for eligible individuals with arrest or conviction records to enter and follow a career pathway in the health professions through occupations that pay well and are expected to experience a labor shortage or be in high demand. "(II) Pregnancy and childbirth career pathway demonstration.— The demonstration project shall be of a type designed to provide education and training for eligible

~~individuals to enter and follow a career pathway in the field of pregnancy, childbirth, post-partum, or childbirth and post-partum, in a State that recognizes doulas or midwives and that provides payment for services provided by doulas or midwives, as the case may be, under private or public health insurance plans. "(ii) Duration.— The demonstration project shall be conducted for not less than 5 years. "(C) Minimum allocation of funds for each type of demonstration project.— "(i) Individuals with arrest or conviction records demonstrations.— Not less than \$6,375,000 of the amounts made available for grants under this paragraph shall be used to make grants for demonstration projects of the type described in subparagraph (B)(i)(I). "(ii) Pregnancy and childbirth career pathway demonstrations.— Not less than \$6,375,000 of the amounts made available for grants under this paragraph shall be used to make grants for demonstration projects of the type described in subparagraph (B)(i)(II)C) GUARANTEE OF GRANTEES IN THE TERRITORIES.— The Secretary shall award a grant under this paragraph to at least 2 eligible entities that are located in a territory, to the extent there are a sufficient number of applications submitted by the entities that meet the requirements applicable with respect to such a grant.~~

"(3) GRANT CYCLE.— The grant cycle under this section shall be not less than 5 years, with a planning period of not more than the first 12 months of the grant cycle. During the planning period, the amount of the grant shall be in such lesser amount as the Secretary determines appropriate.

"(d) USE OF GRANT.—

"(1) IN GENERAL.— An entity to which a grant is made under this section shall use the grant in accordance with the approved application for the grant.

"(2) SUPPORT TO BE PROVIDED.—

"(A) REQUIRED SUPPORT.— A project for which a grant is made under this section shall include the following:

"(i) An assessment for adult basic skill competency, and provision of adult basic skills education if necessary for lower-skilled eligible individuals to enroll in the project and go on to enter and complete post-secondary training, through means including the following:

"(I) Establishing a network of partners that offer pre-training activities for project participants who need to improve basic academic skills or English language proficiency before entering a health occupational training career pathway program.

"(II) Offering resources to enable project participants to continue advancing adult basic skill proficiency while enrolled in a career pathway program.

"(III) Embedding adult basic skill maintenance as part of ongoing post-graduation career coaching and mentoring.

"(ii) A guarantee that child care is an available and affordable support service for project participants through means such as the following:

"(I) Referral to, and assistance with, enrollment in a subsidized child care program.

"(II) Direct payment to a child care provider if a slot in a subsidized child care program is not available or reasonably accessible.

"(III) Payment of co-payments or associated fees for child care.

"(iii) Case management plans that include career coaching (with the option to offer appropriate peer support and mentoring opportunities to help develop soft skills and social capital), which may be offered on an ongoing basis before, during, and after initial training as part of a career pathway model.

"(iv) A plan to provide project participants with transportation through means such as the following:

"(I) Referral to, and assistance with enrollment in, a subsidized transportation program.

"(II) If a subsidized transportation program is not reasonably available, direct payments to subsidize transportation costs.

For purposes of this clause, the term 'transportation' includes public transit, or gasoline for a personal vehicle if public transit is not reasonably accessible or available. ~~"(v) In the case of a demonstration project of the type described in subsection (c)(2)(B)(i)(I), access to legal assistance for project participants for the purpose of addressing arrest or conviction records and associated workforce barriers.~~

"(B) ALLOWED SUPPORT.— The goods and services provided under a project for which a grant is made under this section may include the following:

"(i) A cash stipend.

"(ii) A reserve fund for financial assistance to project participants in emergency situations.

"(iii) Tuition, certification exam fees, and training materials such as books, software, uniforms, shoes, ~~and connection to the internet~~, hair nets, and personal protective equipment.

"(iv) In-kind resource donations such as interview clothing and conference attendance fees.

"(v) Assistance with accessing and completing high school equivalency or adult basic education courses as necessary to achieve success in the project and make progress toward career goals.

"(vi) Assistance with programs and activities, including legal assistance, deemed necessary to address arrest or conviction records as an employment barrier.

"(vii) Other support, ^(v) services as deemed necessary for family well-being, success in the project, and progress toward career goals.

"(3) TRAINING.— The number of hours of training provided to an eligible individual under a project for which a grant is made under this section, for a recognized postsecondary credential (including an industry-recognized credential, and a certificate awarded by a local workforce development board ~~established under section 407 of the Workforce Innovation and Opportunity Act~~), which is awarded in recognition of attainment of measurable technical or occupational skills necessary to gain employment or advance within an occupation, shall be—

"(A) not less than the number of hours of training required for certification in that level of skill by the State in which the project is conducted; or

"(B) if there is no such requirement, such number of hours of training as the Secretary finds is necessary to achieve that skill level.

"(4) INCLUSION OF TANF RECIPIENTS.— In the case of a project for which a grant is made under this section that is conducted in a State that has a program funded under part A of title IV, at least 10 percent of the eligible individuals to whom support is provided under the project shall meet the income eligibility requirements under that State program, without regard to whether the individuals receive benefits or services directly under that State program.

"(5) INCOME LIMITATION.— An entity to which a grant is made under this section shall not use the grant to provide support to a person who is not an eligible individual.

"(6) PROHIBITION.— An entity to which a grant is made under this section shall not use the grant for purposes of entertainment, except that case management and career coaching services may include celebrations of specific career-based milestones such as completing a semester, graduation, or job placement.

"(e) TECHNICAL ASSISTANCE.—

"(1) IN GENERAL.— The Secretary shall provide technical assistance—

"(A) to assist eligible entities in applying for grants under this section;

"(B) that is tailored to meet the needs of grantees at each stage of the administration of projects for which grants are made under this section;

"(C) that is tailored to meet the specific needs of Indian tribes, tribal organizations, and tribal colleges and universities;

"(D) that is tailored to meet the specific needs of the territories;

"(E) that is tailored to meet the specific needs of applicants, eligible entities, and grantees, in carrying out ~~demonstration projects for which a grant is made under this section~~ dedicated career pathway projects pursuant to subsections (h) and (i); and

"(F) to facilitate the exchange of information among eligible entities regarding best practices and promising practices used in the projects.

"(2) CONTINUATION OF PEER TECHNICAL ASSISTANCE CONFERENCES.— The Secretary shall continue to hold ⁽¹⁾ peer technical assistance conferences for entities to which a grant is made under this section or was made under the immediate

predecessor of this section. The preceding sentence shall not be interpreted to require any such conference to be held in person.

~~"(f) EVALUATION OF DEMONSTRATION PROJECT~~DICATED CAREER PATHWAYS.—

~~"(1) IN GENERAL.—~~ The Secretary shall, by grant, contract, or interagency agreement, conduct rigorous and well-designed evaluations of the demonstration projects for which a grant is made under this section. ~~"(2) Requirement applicable to individuals with arrest or conviction records demonstration~~dedicated career pathway projects carried out pursuant to subsections (h) and (i).

~~"(2) REQUIREMENT APPLICABLE TO SECOND CHANCE CAREER PATHWAY.~~— In the case of a project of the type described in subsection ~~(e)(2)(B)(i)(H)~~, the evaluation shall include identification of successful activities for creating opportunities for developing and sustaining, particularly with respect to low-income individuals with arrest or conviction records, a health professions workforce that has accessible entry points, that meets high standards for education, training, certification, and professional development, and that provides increased wages and affordable benefits, including health care coverage, that are responsive to the needs of the workforce.

~~"(3) REQUIREMENT APPLICABLE TO PREGNANCY AND CHILDBIRTH~~MATERNAL MORTALITY CAREER PATHWAY DEMONSTRATION.— In the case of a project of the type described in subsection ~~(e)(2)(B)(i)(H)~~, the evaluation shall include identification of successful activities for creating opportunities for developing and sustaining, particularly with respect to low-income individuals and other entry-level workers, a career pathway that has accessible entry points, that meets high standards for education, training, certification, and professional development, and that provides increased wages and affordable benefits, including health care coverage, that are responsive to the needs of the birth, pregnancy, and post-partum workforce.

~~"(4g) RULE OF INTERPRETATION.— EVALUATIONS CONDUCTED PURSUANT TO THIS SUBSECTION MAY INCLUDE A RANDOMIZED CONTROLLED TRIAL, BUT THIS SUBSECTION SHALL NOT BE INTERPRETED TO REQUIRE AN EVALUATION TO INCLUDE SUCH A TRIAL."~~~~(G) REPORTS.~~

~~"(1) TO THE SECRETARY.— AN ELIGIBLE ENTITY AWARDED A GRANT TO CONDUCT A PROJECT UNDER THIS SECTION SHALL SUBMIT INTERIM REPORTS TO THE SECRETARY ON THE ACTIVITIES CARRIED OUT UNDER THE PROJECT, AND, ON THE CONCLUSION OF THE PROJECT, A FINAL REPORT ON THE ACTIVITIES. EACH SUCH REPORT SHALL INCLUDE DATA ON PARTICIPANT OUTCOMES RELATED TO EARNINGS, EMPLOYMENT IN~~REPORTS.— As a condition of funding, an eligible entity awarded a grant to conduct a project under this section shall submit interim reports to the Secretary on the activities carried out under the project, and, on the conclusion of the project, a final report on the activities.

~~"(h) MATERNAL MORTALITY CAREER PATHWAY.—~~

~~"(1) GRANT AUTHORITY.— The Secretary shall award grants in accordance with this subsection to eligible entities to conduct career pathway projects for the purpose of providing education for professions such as doulas, lactation consultants, childbirth educators, infant massage therapists, newborn care specialists, midwives, and other community health worker professions, graduation rate, graduation timeliness, for~~

individuals to enter and follow a dedicated career pathway in the field of pregnancy, childbirth, or post-partum services in a State that recognizes doulas or midwives as health care ~~credential attainment, participant demographics, and other data specified by the Secretary~~ providers and that provides payment for services provided by doulas or midwives, as the case may be, under the State plan approved under title XIX.

"(2) DURATION.— A grant awarded under this subsection shall have the same grant cycle as is provided in subsection (c)(2), and as a condition of funding the grantee shall comply with all data reporting requirements associated with the grant cycle.

~~"(2) To the APPLICATIONS.— DURING EACH CONGRESS, THE SECRETARY SHALL SUBMIT TO THE COMMITTEE ON WAYS AND MEANS OF THE HOUSE OF REPRESENTATIVES AND THE COMMITTEE ON FINANCE OF THE SENATE A REPORT— REQUIREMENTS.— An entity seeking a grant under this subsection for a project shall submit to the Secretary an application for the grant, that includes the following:~~

"(A) A description of the partnerships, strategic staff hiring decisions, tailored program activities, or other programmatic elements of the project that are designed to support a strong career pathway in pregnancy, birth, or post-partum services.

~~"(A) on the demographics of the participants in the projects for which a grant is made under this section; A demonstration that the State in which the project is to be conducted recognizes and permits doulas and midwives to practice in the State.~~

~~"(B) on the rate of which project participants completed all activities under the projects; A demonstration that the applicant has experience working with low-income populations, or a description of the plan of the applicant to work with a partner that has the experience.~~

~~"(C) on the employment credentials acquired by project participants; "(D) on the employment of project participants; SUPPORT TO BE PROVIDED.— The recipient of a grant under this subsection for a project shall provide required supportive services described in subsection (d)(2)(A) to project participants who need the services, and may expend the funding on eligible supportive services described in subsection (d)(2)(B).~~

"(i) SECOND CHANCE CAREER PATHWAY.—

"(1) GRANT AUTHORITY.— The Secretary shall award grants on completion of activities under the projects, and the earnings of project participants at entry into employment; accordance with this subsection to eligible entities to conduct career pathway projects for the purpose of providing education and training for eligible individuals with arrest or conviction records to enter and follow a career pathway in the health professions through occupations that are expected to experience a labor shortage or be in high demand.

~~"(2) on best practices and promising practices used in the projects; "(F) on the nature of any technical assistance provided to grantees under this section; "(G) on;~~

with respect to the period since the period covered in the most recent prior report submitted under this paragraph— "(i) the number of applications submitted under this section, with a separate statement of the number of applications referred to in subsection (b)(5); "(ii) the number of applications that were approved, with a separate statement of the number of such applications referred to in subsection (b)(5); and "(iii) a description of how grants were made in any case described in the last sentence of subsection (c)(1)(A)(ii); and "(H) that includes an assessment of the effectiveness of the projects with respect to addressing health professions workforce shortages or in-demand jobs. "(h) Definitions.— In this section: "(1) Allied health profession.— The term 'allied health profession' has the meaning given in section 799B(5) of the Public Health Service Act. "(2) Career pathway.— The term 'career pathway' has the meaning given that term in section 3(7) of the Workforce Innovation and Opportunity Act. "(3) Doula.— The term 'doula' means an individual who— "(A) is certified by an organization that has been established for not less than 5 years and that requires the completion of continuing education to maintain the certification, to provide non-medical advice, information, emotional support, and physical comfort to an individual during the individual's pregnancy, childbirth, and post-partum period; and "(B) maintains the certification by completing the required continuing education. "(4) Eligible entity.— The term 'eligible entity' means any of the following entities that demonstrates in an application submitted under this section that the entity has the capacity to fully develop and administer the project described in the application: "(A) A local workforce development board established under section 107 of the Workforce Innovation and Opportunity Act. "(B) A State or territory, a political subdivision of a State or territory, or an agency of a State, territory, or such a political subdivision, including a State or local entity that administers a State program funded under part A of this title. "(C) An Indian tribe, a tribal organization, or a tribal college or university. "(D) An institution of higher education (as defined in the Higher Education Act of 1965). "(E) A hospital (as defined in section 1861(e)). "(F) A high-quality skilled nursing facility. "(G) A Federally qualified health center (as defined in section 1861(aa)(4)). "(H) A nonprofit organization described in section 501(c)(3) of the Internal Revenue Code of 1986, a labor organization, or an entity with shared labor-management oversight, that has a demonstrated history of providing health profession training to eligible individuals. "(I) In the case of a demonstration project of the type provided for in subsection (c)(2)(B)(i) (II) of this section, an entity recognized by a State, Indian tribe, or tribal organization as qualified to train doulas or midwives, if midwives or doulas, as the case may be, are permitted to practice in the State involved. "(J) An opioid treatment program (as defined in section 1861(jjj)(2)), and other high-quality comprehensive addiction care providers. "(5) Eligible individual.— The term 'eligible individual' means an individual whose family income does not exceed 200 percent of the Federal poverty level. "(6) Federal poverty level.— The term 'Federal poverty level' means the poverty line (as defined in section 673(2) of the Omnibus Budget Reconciliation Act of 1981, including any revision required by such section applicable to a family of the size involved). "(7) Indian tribe; tribal organization.— The terms 'Indian tribe' and 'tribal organization' have the meaning given the terms in section 4 of the Indian Self-Determination and

Education Assistance Act (25 U.S.C. 450b). "(8) Institution of higher education.—The term 'institution of higher education' has the meaning given the term in section 101 or 102(a)(1)(B) of the Higher Education Act of 1965. "(9) Territory.—The term 'territory' means the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, the Northern Mariana Islands, and American Samoa. "(10) Tribal college or university.—The term 'tribal college or university' has the meaning given the term in section 316(b) of the Higher Education Act of 1965. "(i) Funding.—"(1) In general.—Out of any funds in the Treasury of the United States not otherwise appropriated, there are appropriated to the Secretary to carry out this section \$425,000,000 for each of fiscal years 2022 through 2026. "(2) Allocation of funds.—Of the amount appropriated for a fiscal year under paragraph (1) of this subsection—"(A) \$318,750,000 shall be available for grants under subsection (c)(1)(A); "(B) \$17,000,000 shall be reserved for grants under subsection (c)(1)(B); "(C) \$21,250,000 shall be reserved for grants under subsection (c)(1)(C); "(D) \$25,500,000 shall be available for demonstration project grants under subsection (c)(2); "(E) \$25,500,000, plus all amounts referred to in subparagraphs (A) through (D) of this paragraph that remain unused after all grant awards are made for the fiscal year, shall be available for the provision of technical assistance and associated staffing; and "(F) \$17,000,000 shall be available for studying the effects of the demonstration and non-demonstration projects for which a grant is made under this section, and for associated staffing, for the purpose of supporting the rigorous evaluation of the demonstration projects, and supporting the continued study of the short-, medium-, and long-term effects of all such projects, including the effectiveness of new or added elements of the non-demonstration projects. DURATION.—A grant awarded under this subsection shall have the same grant cycle as is provided in subsection (c) (2), and as a condition of funding the grantee shall comply with all data reporting requirements associated with the grant cycle.

"(3) APPLICATION REQUIREMENTS.—An entity seeking a grant under this subsection for a project shall submit to the Secretary an application for the grant, that includes the following:

"(A) A demonstration that the State in which the project is to be conducted has in effect policies or laws that permit certain allied health and behavioral health care credentials to be awarded to people with certain arrest or conviction records (which policies or laws shall include appeals processes and other opportunities to demonstrate rehabilitation to obtain licensure and approval to work in the proposed health careers), and a plan described in the application which will use a legally permitted career pathway to train people with such a record to be trained and employed in such a career.

"(B) A discussion of how the project or future strategic hiring decisions will demonstrate the experience and expertise of the project in working with job seekers who have arrest or conviction records or employers with experience working with people with arrest or conviction records.

"(C) A demonstration ⁽¹⁾ that the applicant has experience working with low-income populations, or a description of the plan of the applicant to work with a

partner that has the experience.

"(D) An identification of promising innovations or best practices that can be used to provide the training.

"(E) A proof of concept or demonstration that the applicant has done sufficient research on workforce shortage or in-demand jobs for which people with certain types of criminal records can be hired.

"(F) A plan for recruiting students who are eligible individuals into the project.

"(G) A plan for providing post-employment support and ongoing training as part of a career pathway under the project.

"(4) SUPPORT TO BE PROVIDED.—

"(A) REQUIRED SUPPORT.— A recipient of a grant under this subsection for a project shall provide—

"(i) access to legal assistance for project participants for the purpose of addressing arrest or conviction records and associated workforce barriers;

"(ii) assistance with programs and activities deemed necessary to address arrest or conviction records as an employment barrier;

"(iii) required supportive services described in subsection (d)(2)(A) to participants who need the services, and may expend funds on eligible supportive services described in subsection (d)(2)(B).

"(j) DEFINITIONS.— In this section:

"(1) ALLIED HEALTH PROFESSION.— The term 'allied health profession' has the meaning given in section 799B(5) of the Public Health Service Act.

"(2) CAREER PATHWAY.— The term 'career pathway' has the meaning given that term in section 3(7) of the Workforce Innovation and Opportunity Act.

"(3) DOULA.— The term 'doula' means an individual who—

"(A) is certified by an organization that has been established for not less than 5 years and that requires the completion of continuing education to maintain the certification, to provide non-medical advice, information, emotional support, and physical comfort to an individual during the individual's pregnancy, childbirth, and post-partum period; and

"(B) maintains the certification by completing the required continuing education.

"(4) ELIGIBLE ENTITY.— The term 'eligible entity' means any of the following entities that demonstrates in an application submitted under this section that the entity has the capacity to fully develop and administer the project described in the application:

"(A) A local workforce development board established under section 107 of the Workforce Innovation and Opportunity Act.

"(B) A State or territory⁽¹⁾ a political subdivision of a State or territory, or an agency of a State, territory, or such a political subdivision, including a State or

local entity that administers a State program funded under part A of this title.

“(C) An Indian tribe, a tribal organization, or a tribal college or university.

“(D) An institution of higher education (as defined in the Higher Education Act of 1965).

“(E) A hospital (as defined in section 1861(e)).

“(F) A high-quality skilled nursing facility.

“(G) A Federally qualified health center (as defined in section 1861(aa)(4)).

“(H) A nonprofit organization described in section 501(c)(3) of the Internal Revenue Code of 1986, a labor organization, or an entity with shared labor-management oversight, that has a demonstrated history of providing health profession training to eligible individuals.

“(I) In the case of a project of the type provided for in subsection (h) of this section, an entity recognized by a State, Indian tribe, or tribal organization as qualified to train doulas or midwives, if midwives or doulas, as the case may be, are permitted to practice in the State involved.

“(J) An opioid treatment program (as defined in section 1861(jjj)(2)), and other high quality comprehensive addiction care providers.

“(5) ELIGIBLE INDIVIDUAL.— The term ‘eligible individual’ means an individual whose family income does not exceed 200 percent of the Federal poverty level.

“(6) FEDERAL POVERTY LEVEL.— The term ‘Federal poverty level’ means the poverty line (as defined in section 673(2) of the Omnibus Budget Reconciliation Act of 1981, including any revision required by such section applicable to a family of the size involved).

“(7) INDIAN TRIBE; TRIBAL ORGANIZATION.— The terms ‘Indian tribe’ and ‘tribal organization’ have the meaning given the terms in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

“(8) INSTITUTION OF HIGHER EDUCATION.— The term ‘institution of higher education’ has the meaning given the term in section 101 or 102(a)(1)(B) of the Higher Education Act of 1965.

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

“(10) TRIBAL COLLEGE OR UNIVERSITY.— The term ‘tribal college or university’ has the meaning given the term in section 316(b) of the Higher Education Act of 1965.

“(k) FUNDING.— In addition to amounts otherwise available, there is appropriated to the Secretary—

“(1) \$318,750,000 for grants under subsection (c)(1)(A) for each of fiscal years 2022 through 2026;

“(2) \$17,000,000 for grant(s) under subsection (c)(1)(B) for each of fiscal years 2022 through 2026;

"(3) \$21,250,000 for grants under subsection (c)(1)(C) for each of fiscal years 2022 through 2026;

"(4) \$25,500,000 for projects conducted under subsections (h) and (i) for each of fiscal years 2023 through 2026;

"(5) \$25,500,000, plus all amounts referred to in paragraphs (1) through (4) of this subsection that remain unused after all grant awards are made for the fiscal year, for each of fiscal years 2022 through 2026, for the provision of technical assistance and administration; and

"(6) \$17,000,000 for each of fiscal years 2022 through 2026 for studying the effects of the projects for which a grant is made under this section, and for administration, for the purpose of supporting the rigorous evaluation of the projects, and supporting the continued study of the short-, medium-, and long-term effects of all such projects, including the effectiveness of new or added elements of the projects."

Sec. 134201. Reauthorization of funding for programs to prevent and investigate elder abuse, neglect, and exploitation

(a) LONG-TERM CARE STAFF TRAINING GRANTS.—

Section 2041 of the Social Security Act (42 U.S.C. 1397m) is amended to read as follows:

"Sec. 2041. Nursing home worker training grants

"(a) APPROPRIATION.— Out of any funds in the Treasury not otherwise appropriated, in addition to amounts otherwise available, there is appropriated to the Secretary for each of fiscal years 2022~~3~~ through 2025~~6~~—

"(1) \$392,000,000 for grants under subsection (b)(1); and

"(2) \$8,000,000 for grants under subsection (b)(2).

"(b) GRANTS.—

"(1) STATE ENTITLEMENT.—

"(A) IN GENERAL.— Each State shall be entitled to receive from the Secretary for each fiscal year specified in subsection (a) a grant in an amount equal to the amount allotted to the State under subparagraph (B) of this paragraph.

"(B) STATE ALLOTMENTS.— The amount allotted to a State under this subparagraph for a fiscal year shall be—

"(i) the amount made available by subsection (a) for the fiscal year that is not required to be reserved by subsection (a); multiplied by

"(ii)

"(I) the number of State residents who have attained 65 years of age or are individuals with a disability, as determined by the Secretary using the most recent version of the American Community Survey published by the Bureau of the Census or a successor data set; divided by

"(II) the total number of such residents of all States.

"(2) GRANTS TO INDIAN TRIBES AND TRIBAL ORGANIZATIONS.—

"(A) IN GENERAL.— The Secretary, in consultation with the Indian tribes and tribal organizations, shall make grants in accordance with this section to Indian tribes and tribal organizations who operate at least 1 eligible setting.

"(B) GRANT FORMULA.— The Secretary, in consultation with the Indian tribes and tribal organizations, shall devise a formula for distributing among Indian tribes and tribal organizations the amount required to be reserved by subsection (a) for each fiscal year.

"(3) SUB-GRANTS.— A State, Indian tribe, or tribal organization to which an amount is paid under this paragraph may use the amount to make sub-grants to local organizations, including community organizations, local non-profits, elder rights and justice groups, and workforce development boards for any purpose described in paragraph (1) or (2) of subsection (c).

"(c) USE OF FUNDS.—

"(1) REQUIRED USES.— A State to which an amount is paid under subsection (b) shall use the amount to—

"(A) provide wage subsidies to eligible individuals;

"(B) provide student loan repayment or tuition assistance to eligible individuals for a degree or certification in a field relevant to their position referred to in subsection (f)(1)(A);

"(C) guarantee affordable and accessible child care for eligible individuals, including help with referrals, co-pays, or other direct assistance; and

"(D) provide assistance where necessary with obtaining appropriate transportation, including public transportation if available, or gas money or transit vouchers for ride share, taxis, and similar types of transportation if public transportation is unavailable or impractical based on work hours or location.

"(2) AUTHORIZED USES.— A State to which an amount is paid under subsection (b) may use the amount to—

"(A) establish a reserve fund for financial assistance to eligible individuals in emergency situations;

"(B) provide in-kind resource donations, such as interview clothing and conference attendance fees;

"(C) provide assistance with programs and activities, including legal assistance, deemed necessary to address arrest or conviction records that are an employment barrier;

"(D) support employers operating an eligible setting in the State in providing employees with not less than 2 weeks of paid leave per year; or

"(E) provide other support services the Secretary deems necessary to allow for successful recruitment and retention of workers.

"(3) PROVISION OF FUNDS ONLY FOR THE BENEFIT OF ELIGIBLE INDIVIDUALS IN ELIGIBLE SETTINGS.— A State to which an amount is paid under subsection (b) may provide the amount to only an eligible individual or a partner organization serving an eligible individual.

"(4) NONSUPPLANTATION.— A State to which an amount is paid under subsection (b) shall not use the amount to supplant the expenditure of any State funds for recruiting or retaining employees in an eligible setting.

"(d) ADMINISTRATION.— A State to which a grant is made under subsection (b) shall reserve not more than 10 percent of the grant to—

"(1) administer subgrants in accordance with this section;

"(2) provide technical assistance and support for applying for and accessing such a subgrant opportunity;

"(3) publicize the availability of the subgrants;

"(4) carry out activities to increase the supply of eligible individuals; and

"(5) provide technical assistance to help subgrantees find and train individuals to provide the services for which they are contracted.

"(e) DEFINITIONS.— In this section:

"(1) ELIGIBLE INDIVIDUAL.— The term 'eligible individual' means an individual who

—
 "(A)

"(i) is a qualified home health aide, as defined in section 484.80(a) of title 42, Code of Federal Regulations;

"(ii) is a nurse aide approved by the State as meeting the requirements of sections 483.150 through 483.154 of such title, and is listed in good standing on the State nurse aide registry;

"(iii) is a personal care aide approved by the State, and furnishes personal care services, as defined in section 440.167 of such title;

"(iv) is a qualified hospice aide, as defined in section 418.76 of such title;

or
 "(v) is a licensed practical nurse or a licensed or certified social worker;

or
 "(vi) is receiving training to be certified or licensed as such an aide, nurse, or social worker; and

"(B) provides (or, in the case of a trainee, intends to provide) services as such an aide, nurse, or social worker in an eligible setting.

"(2) ELIGIBLE SETTING.— The term 'eligible setting' means—

"(A) a skilled nursing facility, as defined in section 1819;

"(B) a nursing facility, as defined in section 1919;

"(C) a home health agency, as defined in section 1891;

"(D) a facility provider approved to deliver home or community-based services authorized under State options described in subsection (c) or (i) of section 1915 or, as relevant, demonstration projects authorized under section 1115;

"(E) a hospice, as defined in section 1814; or

"(F) a tribal assisted living facility.

"(3) TRIBAL ORGANIZATION.— The term 'tribal organization' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act."

(b) ADULT PROTECTIVE SERVICES FUNCTIONS AND GRANT PROGRAMS.—

(1) DIRECT FUNDING; STATE ENTITLEMENT.— Section 2042 of the Social Security Act (42 U.S.C. 1397m–1) is amended—

(A) in subsection (a)—

(i) in paragraph (1)(A)—

(I) by striking "offices" and inserting "programs"; and

(II) by inserting "and adults who are under a disability (as defined in section 216(i)(1))" before the semicolon; and

(ii) by striking paragraph (2) and inserting the following:

"(2) APPROPRIATION.— Out of any money in the Treasury not otherwise appropriated, *in addition to amounts otherwise available*, there are appropriated to the Secretary \$8,000,000 for each of fiscal years 2023 through 2025 to carry out this subsection.";

(B) in subsection (b)—

(i) in paragraph (2)—

(I) in subparagraph (A), by striking "the availability of appropriations and"; and

(II) in subparagraph (B)—

(aa) in the heading for clause (i), by inserting "and the district of columbia" after "States"; and

(bb) in clause (ii), by inserting "or the District of Columbia" after "States"; and

(ii) by striking paragraph (5) and inserting the following:

"(5) APPROPRIATION.— Out of any money in the Treasury not otherwise appropriated, *in addition to amounts otherwise available*, there are appropriated to the Secretary for each of fiscal years 2023 through 2025—

"(A) \$392,000,000 for grants to States under this subsection; and

"(B) \$8,000,000 for grants to Indian tribes and tribal organizations under this subsection."; and

(C) in subsection (c), by striking paragraph (6) and inserting the following:

"(6) APPROPRIATION.— Out of any money in the Treasury not otherwise appropriated, in addition to amounts otherwise available, there are appropriated to the Secretary \$75,000,000 for each of fiscal years 2023 through 2025 to carry out this subsection."

(2) STATE ENTITLEMENT; GRANTS TO INDIAN TRIBES AND TRIBAL ORGANIZATIONS.— Section 2042 of such Act (42 U.S.C. 1397m–1) is amended—

(A) in subsection (a)(1)(A), by striking "State and local" and inserting "State, local, and tribal";

(B) in subsection (b)(1), by striking "the Secretary shall annually award grants to States in the amounts calculated under paragraph (2)" and inserting "each State shall be entitled to annually receive from the Secretary in the amounts calculated under paragraph (2), and the Secretary may annually award to each Indian tribe and tribal organization in accordance with paragraph (3), grants";

(C) in subsection (b)(2)—

(i) in the paragraph heading, by inserting "for a State" after "payment";

(ii) in subparagraph (A), by striking "to carry out" and inserting "for grants to States under"; and

(iii) in subparagraph (B)(i), by striking "such year" and inserting "for grants to States under this subsection for the fiscal year"; and

(D) in subsection (b), by redesignating paragraphs (3) through (5) as paragraphs (4) through (6), respectively, and inserting after paragraph (2) the following:

"(3) AMOUNT OF PAYMENT TO INDIAN TRIBE OR TRIBAL ORGANIZATION.—

The Secretary, in consultation with Indian tribes and tribal organizations, shall determine the amount of any grant to be made to each Indian tribe and tribal organization under this subsection. Paragraphs (4) and (5) shall apply to grantees under this paragraph in the same manner in which the paragraphs apply to States."

(E) in subsection (c)—

(i) in paragraph (1), by striking "to States" and inserting "to States, Indian tribes, and tribal organizations";

(ii) in paragraph (2)—

(I) in the matter preceding subparagraph (A), by inserting "and Indian tribes and tribal organizations" after "government"; and

(II) in subparagraph (D), by inserting "or Indian tribe or tribal organization, as the case may be" after "government";

(iii) in paragraph (4), by inserting "or Indian tribe or tribal organization" after "a State" the 1st place it appears; and

(iv) in paragraph (5)—

(I) by inserting "or Indian tribe or tribal organization" after "Each State"; and

(II) by inserting "or Indian tribe or tribal organization, as the case may be" after "the State"; and

(F) by adding at the end the following:

"(d) DEFINITIONS OF INDIAN TRIBE AND TRIBAL ORGANIZATION.— In this section, the terms 'Indian tribe' and 'tribal organization' have the meanings given the terms in section 419."

(3) CONFORMING AMENDMENT.— Section 2011(2) of such Act (42 U.S.C. 1397j(2)) is amended by striking "such services provided to adults as the Secretary may specify" and inserting "services provided by an entity authorized by or under State law address neglect, abuse, and exploitation of older adults and people with disabilities".

(c) LONG-TERM CARE OMBUDSMAN PROGRAM GRANTS AND TRAINING.— Section 2043 of the Social Security Act (42 U.S.C. 1397m–2) is amended—

(1) in subsection (a), by striking paragraph (2) and inserting the following:

"(2) APPROPRIATION.— Out of any money in the Treasury not otherwise appropriated, in addition to amounts otherwise available, there are appropriated to the Secretary to carry out this subsection—

"(A) \$22,500,000 for fiscal year 2023; and

"(B) \$30,000,000 for each of fiscal years 2024 and 2025."; and

(2) in subsection (b), by striking paragraph (2) and inserting the following:

"(2) APPROPRIATION.— Out of any money in the Treasury not otherwise appropriated, in addition to amounts otherwise available, there are appropriated to the Secretary \$30,000,000 for each of fiscal years 2023 through 2025 to carry out this subsection."

(d) INCENTIVES FOR DEVELOPING AND SUSTAINING STRUCTURAL COMPETENCY IN PROVIDING HEALTH AND HUMAN SERVICES.—

Part II of subtitle B of title XX of the Social Security Act (42 U.S.C. 1397m-1397m-5) is amended by adding at the end the following:

"Sec. 2047. Incentives for developing and sustaining structural competency in providing health and human services

"(a) GRANTS TO STATES TO SUPPORT LINKAGES TO LEGAL SERVICES AND MEDICAL LEGAL PARTNERSHIPS.—

"(1) APPROPRIATION.— Out of any money in the Treasury not otherwise appropriated, in addition to amounts otherwise available, there are appropriated to the Secretary \$500,000,000 for fiscal year 2022~~3~~, to remain available for the purposes of this subsection through fiscal year 2028.

"(2) GRANTS.— Within 2 years after the date of the enactment of this section, the Secretary shall establish and administer a program of grants to States to support the adoption of evidence-based approaches to establishing or improving and maintaining

real-time linkages between health and social services and supports for vulnerable elders or in conjunction with authorized representatives of vulnerable elders, including through the following:

"(A) **MEDICAL-LEGAL PARTNERSHIPS.**— The establishment and support of medical-legal partnerships, the incorporation of the partnerships in the elder justice framework and health and human services safety net, and the implementation and operation of such a partnership by an eligible grantee—

"(i) at the option of a State, in conjunction with an area agency on aging;

"(ii) in a solo provider practice in a health professional shortage area (as defined in section 332(a) of the Public Health Service Act), a medically underserved community (as defined in section 399V of such Act), or a rural area (as defined in section 330J of such Act);

"(iii) in a minority-serving institution of higher learning with health, law, and social services professional programs;

"(iv) in a federally qualified health center, as described in section 330 of the Public Health Service Act, or look-alike, as described in section 1905(l)(2)(B) of this Act; or

"(v) in certain hospitals that are critical access hospitals, Medicare-dependent hospitals, sole community hospitals, rural emergency hospitals, or that serve a high proportion of Medicare or Medicaid patients.

"(B) **LEGAL HOTLINES DEVELOPMENT OR EXPANSION.**— The provision of incentives to develop, enhance, and integrate platforms, such as legal assistance hotlines, that help to facilitate the identification of older adults who could benefit from linkages to available legal services such as those described in subparagraph (A).

"(3) **STATE REPORTS.**— Each State to which a grant is made under this subsection shall submit to the Secretary biannual reports on the activities carried out by the State pursuant to this subsection, which shall include assessments of the effectiveness of the activities with respect to—

"(A) the number of unique individuals identified through the mechanism outlined in paragraph (2)(B) who are referred to services described in paragraph (2)(A), and the average time period associated with resolving issues;

"(B) the success rate for referrals to community-based resources; and

"(C) other factors determined relevant by the Secretary.

"(4) **EVALUATION.**— The Secretary shall, by grant, contract, or interagency agreement, evaluate the activities conducted pursuant to this subsection, which shall include a comparison among the States.

"(5) **SUPPLEMENT NOT SUPPLANT.**— Support provided to area agencies on aging, State units on aging, eligible entities, or other community-based organizations pursuant to this subsection shall be used to supplement and not supplant any other

Federal, State, or local funds expended to provide the same or comparable services described in this subsection.

"(b) GRANTS AND TRAINING TO SUPPORT AREA AGENCIES ON AGING OR OTHER COMMUNITY-BASED ORGANIZATIONS TO ADDRESS SOCIAL ISOLATION AMONG VULNERABLE OLDER ADULTS AND PEOPLE WITH DISABILITIES.—

"(1) APPROPRIATION.— Out of any money in the Treasury not otherwise appropriated, *in addition to amounts otherwise available*, there are appropriated to the Secretary \$250,000,000 *for fiscal year 2023*, to remain available for the purposes of this subsection through fiscal year 2028.

"(2) GRANTS.— The Secretary shall make grants to eligible area agencies on aging or other community-based organizations for the purpose of—

"(A) conducting outreach to individuals at risk for, or already experiencing, social isolation or loneliness, through established screening tools or other methods identified by the Secretary;

"(B) developing community-based interventions for the purposes of mitigating loneliness or social isolation (including evidence-based programs, as defined by the Secretary, developed with multi-stakeholder input for the purposes of promoting social connection, mitigating social isolation or loneliness, or preventing social isolation or loneliness) among at-risk individuals;

"(C) connecting at-risk individuals with community social and clinical supports; and

"(D) evaluating the effect of programs developed and implemented under subparagraphs (B) and (C).

"(3) TRAINING.— The Secretary shall establish programs to provide and improve training for area agencies on aging or community-based organizations with respect to addressing and preventing social isolation and loneliness among older adults and people with disabilities.

"(4) EVALUATION.— Not later than 3 years after the date of the enactment of this section and at least once after fiscal year 2025, the Secretary shall submit to the Congress a written report which assesses the extent to which the programs established under this subsection address social isolation and loneliness among older adults and people with disabilities.

"(5) COORDINATION.— The Secretary shall coordinate with resource centers, grant programs, or other funding mechanisms established under section 411(a)(18) of the Older Americans Act (42 U.S.C. 3032(a)(18)), section 417(a)(1) of such Act (42 U.S.C. 3032F(a)(1)), or other programs as determined by the Secretary.

"(c) DEFINITIONS.— In this section:

"(1) AREA AGENCY ON AGING.— The term 'area agency on aging' means an area agency on aging designated under section 305 of the Older Americans Act of 1965.

"(2) SOCIAL ISOLATION.— ~~The~~ term 'social isolation' means objectively being alone, or having few relationships or infrequent social contact.

"(3) LONELINESS.— The term 'loneliness' means subjectively feeling alone, or the discrepancy between one's desired level of social connection and one's actual level of social connection.

"(4) SOCIAL CONNECTION.— The term 'social connection' means the variety of ways one can connect to others socially, through physical, behavioral, social-cognitive, and emotional channels.

"(5) COMMUNITY-BASED ORGANIZATION.— The term 'community-based organization' includes, except as otherwise provided by the Secretary, a nonprofit community-based organization, a consortium of nonprofit community-based organizations, a national nonprofit organization acting as an intermediary for a community-based organization, or a community-based organization that has a fiscal sponsor that allows the organization to function as an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of such Code."

(e) TECHNICAL AMENDMENT.— Section 2011(12)(A) of the Social Security Act (42 U.S.C. 1397j(12)(A)) is amended by striking "450b" and inserting "5304".

Sec. 134202. Appropriation for assessments

Out of any money in the Treasury not otherwise appropriated, in addition to amounts otherwise available, there are appropriated to the Secretary of Health and Human Services \$5,000,000 for each of fiscal years 2022~~3~~ through 2025~~6~~ to prepare and submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate, not later than 3 years after the date of enactment of this Act, and at least once after fiscal year 2025, reports on the programs, coordinating bodies, registries, and activities established or authorized under subtitle B of title XX of the Social Security Act (~~42 U.S.C. 1397i et seq.~~) or section 6703(b) of the Patient Protection and Affordable Care Act (42 U.S.C. 1395i-3a), which shall assess the extent to which such programs, coordinating bodies, registries, and activities have improved access to, and the quality of, resources available to aging Americans and their caregivers to ultimately prevent, detect, and treat abuse, neglect, and exploitation, and shall include, as appropriate, recommendations to Congress on funding levels and policy changes to help these programs, coordinating bodies, registries, and activities better prevent, detect, and treat abuse, neglect, and exploitation of aging Americans.

Sec. 134301. Funding to improve the accuracy and reliability of certain skilled nursing facility data

Section 1888 of the Social Security Act (42 U.S.C. 1395yy) is amended—

(1) in subsection (h)(12)—

(A) in subparagraph (A), by striking "and the data submitted under subsection (e)(6) a process to validate such measures and data" and inserting ", the data submitted under subsection (e)(6), and, during the period beginning with fiscal

year 2024 and ending with fiscal year 2031, the resident assessment data described in section 1819(b)(3) and the direct care staffing information described in section 1128l(g) a process to validate such measures, data, and information"; and

(B) in subparagraph (B)—

(i) by striking "Funding.—For purposes" and inserting Funding.—

"(i) FISCAL YEARS 2023 THROUGH 2025.— For purposes"; and

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

"(ii) FISCAL YEARS 2026 THROUGH 2031.— There is appropriated to the Secretary, out of any monies in the Treasury not otherwise appropriated, \$50,000,000 for the period of fiscal years 2026 through 2031 for purposes of carrying out this paragraph."; and

(2) in subsection (e)(6)(A)—

(A) in the header, by striking "for failure to report"; and

(B) in clause (i)—

(i) by striking "For fiscal years" and inserting the following: "(I) Failure to report.— For fiscal years beginning with fiscal year 2018, in the case of a skilled nursing facility that does not submit" and inserting the following:

"(I) FAILURE TO REPORT.— For fiscal years beginning with fiscal year 2018, in the case of a skilled nursing facility that does not submit quality measure data specified by the Secretary and"; and

(ii) by adding at the end the following new subclause:

"(II) REPORTING OF INACCURATE INFORMATION.— For fiscal years during the period beginning with fiscal year 2025~~6~~ and ending with fiscal year 2031, in the case of a skilled nursing facility that submits data under this paragraph, measures under subsection (h), resident assessment data described in section 1819(b)(3), or direct care staffing information described in section 1128l(g) with respect to such fiscal year that is inaccurate (as determined by the Secretary through the validation process described in section 1888(h)(12) or otherwise), after determining the percentage described in paragraph (5)(B)(i), and after application of clauses (ii) and (iii) of paragraph (5)(B) and of subclause (I) of this clause (if applicable), the Secretary shall reduce such percentage for payment rates during such fiscal year by 2 percentage points."

Sec. 134302. Ensuring accurate information on cost reports

Section 1888(f) of the Social Security Act (42 U.S.C. 1395yy(f)) is amended by adding at the end the following new paragraph:⁽¹⁾

"(5) AUDIT OF COST REPORTS.— There is appropriated to the Secretary, out of any monies in the Treasury not otherwise appropriated, \$250,000,000 for fiscal year 2023 to remain available until expended, for purposes of conducting an annual audit (beginning with 2022~~3~~ and ending with 2031) of cost reports submitted under this title for a representative sample of skilled nursing facilities."

Sec. 134303. Survey improvements

Section 1819 of the Social Security Act (42 U.S.C. 1395i–3) is amended by adding at the end the following new subsection:

"(I) SURVEY IMPROVEMENTS.—

"(1) IN GENERAL.— There is appropriated to the Secretary, out of any monies in the Treasury not otherwise appropriated, \$325,000,000, for the period of fiscal years 2022~~3~~ through 2031, for purposes of—

"(A) conducting reviews and identifying plans under paragraph (2); and

"(B) providing training, tools, technical assistance, and financial support in accordance with paragraph (3).

"(2) REVIEW.— The Secretary shall conduct reviews, during the period specified in paragraph (1), of (and, as appropriate, identify plans to improve) the following:

"(A) The extent to which surveys conducted under subsection (g) and the enforcement process under subsection (h) result in increased compliance with requirements under this section and subpart B of part 483 of title 42, Code of Federal Regulations, with respect to skilled nursing facilities (in this subsection referred to as 'facilities').

"(B) The timeliness and thoroughness of State agency verification of deficiency corrections at facilities.

"(C) The accuracy of the identification and appropriateness of the scoping~~g~~ and ~~substantiation of cited~~severity of deficiencies cited at facilities.

"(D) The accuracy of the identification and appropriateness of the scoping and severity of life safety, infection control, and emergency preparedness deficiencies cited at facilities.

"(E) The timeliness of State agency investigations of—

"(i) complaints at facilities;

"(ii) facility-reported incidents at facilities; and

"(iii) reported allegations of abuse, neglect, and exploitation at facilities.

"(F) The consistency of facility reporting of substantiated complaints to law enforcement.

"(G) The ability of the State agency to sufficiently hire, train, and retain individuals who conduct surveys⁽¹⁾.

"(H) Any other area related to surveys of facilities, or the individuals conducting such surveys, determined appropriate by the Secretary.

"(3) SUPPORT.— Based on the review under paragraph (2), the Secretary shall, during the period specified in paragraph (1), provide training, tools, technical assistance, and financial support to State *and Federal* agencies that perform surveys of facilities for the purpose of improving the surveys conducted under subsection (g) and the enforcement process under subsection (h) with respect to the areas reviewed under paragraph (2). "

Sec. 134304. Nurse staffing requirements

Section 1819(d) of the Social Security Act (42 U.S.C. 1395i-3(d)) is amended—

(1) in paragraph (4)(A), by inserting "and any regulations promulgated under paragraph (5)(C)" after "section 1124"; and

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

"(5) NURSE STAFFING REQUIREMENTS.—

"(A) FUNDING.— There is appropriated to the Secretary, out of any monies in the Treasury not otherwise appropriated, \$50,000,000 for the period of fiscal years 2022~~3~~ through 2031 for purposes of carrying out this paragraph.

"(B) STUDY.— Not later than 3 years after the date of the enactment of this paragraph, and not less frequently than once every 5 years thereafter, the Secretary shall, out of funds appropriated under subparagraph (A), conduct a study and submit to Congress a report on the appropriateness of establishing minimum staff to resident ratios for nursing staff for skilled nursing facilities. Each such report shall include—

"(i) with respect to the first such report, recommendations regarding appropriate minimum ratios of registered nurses (and, if practicable, licensed practical nurses (or licensed vocational nurses) and certified nursing assistants) to residents at such skilled nursing facilities; and

"(ii) with respect to each subsequent such report, recommendations regarding appropriate minimum ratios of registered nurses, licensed practical nurses (or licensed vocational nurses), and certified nursing assistants to residents at such skilled nursing facilities:

"(C) PROMULGATION OF REGULATIONS.—

"(i) IN GENERAL.— Not later than ~~21~~ years after the Secretary first submits a report under subparagraph (B), the Secretary shall, out of funds appropriated under subparagraph (A)—

"(I) specify through regulations, consistent with such report, appropriate ~~minimum~~ ratios (if any) of registered nurses (and, if practicable, licensed practical nurses (or licensed vocational nurses)

and certified nursing assistants) to residents at skilled nursing facilities; and

"(II) except as provided in clause (ii), require such skilled nursing facilities to comply with such ratios.

"(ii) EXCEPTION.—

"(I) IN GENERAL.— In addition to the authority to waive the application of clause (i)(II) under section 1135, the Secretary may waive the application of such clause with respect to a skilled nursing facility if the Secretary finds that—

"(aa) the facility is located in a rural area and the supply of skilled nursing facility services in such area is not sufficient to meet the needs of individuals residing therein;

"(bb) the Secretary provides notice of the waiver to the State long-term care ombudsman (established under section 307(a)(12) of the Older Americans Act of 1965) and the protection and advocacy system in the State for the mentally ill; and

"(cc) the facility that is granted such a waiver notifies residents of the facility (or, where appropriate, the guardians or legal representatives of such residents) and members of their immediate families of the waiver.

"(II) RENEWAL.— Any waiver in effect under this clause shall be subject to annual renewal.

"(iii) UPDATE.— Not later than ~~21~~ years after the submission of each subsequent report under subparagraph (B), the Secretary shall, out of funds appropriated under subparagraph (A) and consistent with such report, update the regulations described in clause (i)(I) to reflect appropriate minimum ratios (if any) of registered nurses, licensed practical nurses (or licensed vocational nurses), and certified nursing assistants to residents at skilled nursing facilities. "

[NOTE-- DELETED /tXIII/stE/p4/s134401: ~~Sec. 134401. Providing coverage for dental and oral health care under the Medicare program]~~

[NOTE-- DELETED /tXIII/stE/p4/s134402: ~~Sec. 134402. Providing coverage for hearing care under the Medicare program]~~

[NOTE-- DELETED /tXIII/stE/p4/s134403: ~~Sec. 134403. Providing coverage for vision care under the Medicare program]~~

[NOTE-- DELETED /tXIII/stF: ~~Subtitle F—Infrastructure financing and community development~~] (I)

[NOTE-- MOVED /tXIII/stF/s135001 to /tXIII/stB/s135001]

[NOTE-- MOVED /tXIII/stF/p1/spA/s135101 to /tXIII/stD/p1/s136104]

Subtitle B—Infrastructure Financing and Community Development

[NOTE-- MOVED /tXIII/stF/p4/s135403 to /tXIII/stD/p3/s136306]

Sec. 135001. Amendment of 1986 Code

Except as otherwise expressly provided, whenever in this subtitle an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

[NOTE-- DELETED /tXIII/stF/p5/spA/s135501: ~~Sec. 135501. Increases in State allocations~~]

[NOTE-- DELETED /tXIII/stF/p5/spA/s135502: ~~Sec. 135502. Tax-exempt bond financing requirement~~]

[NOTE-- DELETED /tXIII/stF/p5/spA/s135503: ~~Sec. 135503. Buildings designated to serve extremely low-income households~~]

[NOTE-- DELETED /tXIII/stF/p5/spA/s135504: ~~Sec. 135504. Inclusion of rural areas as difficult development areas~~]

[NOTE-- DELETED /tXIII/stF/p5/spA/s135505: ~~Sec. 135505. Repeal of qualified contract option~~]

[NOTE-- DELETED /tXIII/stF/p5/spA/s135506: ~~Sec. 135506. Modification and clarification of rights relating to building purchase~~]

[NOTE-- DELETED /tXIII/stF/p5/spA/s135507: ~~Sec. 135507. Increase in credit for bond-financed projects designated by housing credit agency~~]

[NOTE-- MOVED /tXIII/stF/p5/spB/s135511 to /tXIII/stB/s135002]

~~Sec. 135511. Neighborhood homes credit (a) In general.— Subpart D of part IV of subchapter A of chapter 1 is amended by inserting after section 42 the following new section: "Sec. 42A. Neighborhood homes credit "(a) Allowance of credit.— For purposes of section 38, the neighborhood homes credit determined under this section for the taxable year is, with respect to each qualified residence sold by the taxpayer during such taxable year in an affordable sale, the lesser of — "(1) the excess (if any) of — "(A) the reasonable development costs paid or incurred by the taxpayer with respect to such qualified residence, over "(B) the sale price of such~~

~~qualified residence (reduced by any reasonable expenses paid or incurred by the taxpayer in connection with such sale), or "(2) 35 percent of the lesser of—"(A) the eligible development costs paid or incurred by the taxpayer with respect to such qualified residence, or "(B) 80 percent of the national median sale price for new homes (as determined pursuant to the most recent census data available as of the date on which the neighborhood homes credit agency makes an allocation for the qualified project). "(b) Development costs.— For purposes of this section—"(1) Reasonable development costs.— "(A) In general.— The term 'reasonable development costs' means amounts paid or incurred for the acquisition of buildings and land, construction, substantial rehabilitation, demolition of structures, or environmental remediation, to the extent that the neighborhood homes credit agency determines that such amounts meet the standards specified pursuant to subsection (f)(1)(C) (as of the date on which construction or substantial rehabilitation is substantially complete, as determined by such agency) and are necessary to ensure the financial feasibility of such qualified residence. "(B) Considerations in making determination.— In making the determination under subparagraph (A), the neighborhood homes credit agency shall consider—"(i) the sources and uses of funds and the total financing, "(ii) any proceeds or receipts generated or expected to be generated by reason of tax benefits, and "(iii) the reasonableness of the developmental costs and fees. "(2) Eligible development costs.— The term 'eligible development costs' means the amount which would be reasonable development costs if the amounts taken into account as paid or incurred for the acquisition of buildings and land did not exceed 75 percent of such costs determined without regard to any amount paid or incurred for the acquisition of buildings and land. "(3) Substantial rehabilitation.— The term 'substantial rehabilitation' means amounts paid or incurred for rehabilitation of a qualified residence if such amounts exceed the greater of— "(A) \$20,000, or "(B) 20 percent of the amounts paid or incurred by the taxpayer for the acquisition of buildings and land with respect to such qualified residence. "(4) Construction and rehabilitation only after allocation taken into account.— "(A) In general.— The terms 'reasonable development costs' and 'eligible development costs' shall not include any amount paid or incurred before the date on which an allocation is made to the taxpayer under subsection (e) with respect to the qualified project of which the qualified residence is part unless such amount is paid or incurred for the acquisition of buildings or land. "(B) Land and building acquisition costs.— Amounts paid or incurred for the acquisition of buildings or land shall be included under paragraph (A) only if paid or incurred not more than 3 years before the date on which the allocation referred to in subparagraph (A) is made. If the taxpayer acquired any building or land from an entity (or any related party to such entity) that holds an ownership interest in the taxpayer, then such entity must also have acquired such property within such 3-year period, and the acquisition cost included under subparagraph (A) with respect to the taxpayer shall not exceed the amount such entity paid or incurred to acquire such property. "(c) Qualified residence.— For purposes of this section— "(1) In general.— The term 'qualified residence' means a~~

residence that—"(A) is real property affixed on a permanent foundation, "(B) is—
 "(i) a house which is comprised of 4 or fewer residential units, "(ii) a condominium
 unit, or "(iii) a house or an apartment owned by a cooperative housing corporation
 (as defined in section 216(b)), "(C) is part of a qualified project with respect to the
 neighborhood homes credit agency has made an allocation under subsection (e);
 and "(D) is located in a qualified census tract (determined as of the date of such
 allocation). "(2) Qualified census tract.—"(A) In general.—The term 'qualified
 census tract' means a census tract—"(i) which—"(I) has a median family income
 which does not exceed 80 percent of the median family income for the applicable
 area, "(II) has a poverty rate that is not less than 130 percent of the poverty rate of
 the applicable area, and "(III) has a median value for owner-occupied homes that
 does not exceed the median value for owner-occupied homes in the applicable area;
 "(ii) which—"(I) is located in a city which has a population of not less than 50,000
 and such city has a poverty rate that is not less than 150 percent of the poverty rate
 of the applicable area, "(II) has a median family income which does not exceed the
 median family income for the applicable area, and "(III) has a median value for
 owner-occupied homes that does not exceed 80 percent of the median value for
 owner-occupied homes in the applicable area, "(iii) which—"(I) is located in a
 nonmetropolitan county, "(II) has a median family income which does not exceed the
 median family income for the applicable area, and "(III) has been designated by a
 neighborhood homes credit agency under this clause, or "(iv) which is not otherwise
 a qualified census tract and is located in a disaster area (as defined in section
 7508A(d)(3)), but only with respect to credits allocated in any period during which
 the President of the United States has determined that such area warrants individual
 or individual and public assistance by the Federal Government under the Robert T.
 Stafford Disaster Relief and Emergency Assistance Act. "(B) Applicable area.—The
 term 'applicable area' means—"(i) in the case of a metropolitan census tract, the
 metropolitan area in which such census tract is located, and "(ii) in the case of a
 census tract other than a census tract described in clause (i), the State. "(d)
 Affordable sale.—For purposes of this section—"(1) In general.—The term
 'affordable sale' means a sale to a qualified homeowner of a qualified residence that
 the neighborhood homes credit agency certifies as meeting the standards
 promulgated under subsection (f)(1)(D) for a price that does not exceed—"(A) in the
 case of any qualified residence not described in subparagraph (B), (C), or (D), the
 amount equal to the product of 4 multiplied by the median family income for the
 applicable area (as determined pursuant to the most recent census data available as
 of the date of the contract for such sale), "(B) in the case of a house comprised of 2
 residential units, 125 percent of the amount described in subparagraph (A), "(C) in
 the case of a house comprised of 3 residential units, 150 percent of the amount
 described in subparagraph (A), or "(D) in the case of a house comprised of 4
 residential units, 175 percent of the amount described in subparagraph (A). "(2)
 Qualified homeowner.—The term 'qualified homeowner' means, with respect to a
 qualified residence, an individual—"(A) who owns and uses such qualified
 residence as the principal residence of such individual, and "(B) whose family

income (determined as of the date that a binding contract for the affordable sale of such residence is entered into) is 140 percent or less of the median family income for the applicable area in which the qualified residence is located. "(e) Credit ceiling and allocations.— "(1) Credit limited based on allocations to qualified projects.— "(A) In general.— The credit allowed under subsection (a) to any taxpayer for any taxable year with respect to one or more qualified residences which are part of the same qualified project shall not exceed the excess (if any) of— "(i) the amount allocated by the neighborhood homes credit agency under this paragraph to such taxpayer with respect to such qualified project, over "(ii) the aggregate amount of credit allowed under subsection (a) to such taxpayer with respect to qualified residences which are a part of such qualified project for all prior taxable years. "(B) Deadline for completion.— No credit shall be allowed under subsection (a) with respect to any qualified residence unless the affordable sale of such residence is during the 5-year period beginning on the date of the allocation to the qualified project of which such residence is a part (or, in the case of a qualified residence to which subsection (i) applies, the rehabilitation of such residence is completed during such 5-year period). "(2) Limitations on allocations to qualified projects.— "(A) Allocations limited by State neighborhood homes credit ceiling.— The aggregate amount allocated to taxpayers with respect to qualified projects by the neighborhood homes credit agency of any State for any calendar year shall not exceed the State neighborhood homes credit amount of such State for such calendar year. "(B) Set-aside for certain projects involving qualified nonprofit organizations.— Rules similar to the rules of section 42(h)(5) shall apply for purposes of this section. "(3) Determination of State neighborhood homes credit ceiling.— "(A) In general.— The State neighborhood homes credit amount for a State for a calendar year is an amount equal to the sum of— "(i) the greater of— "(I) the product of \$6, multiplied by the State population (determined in accordance with section 146(j)), or "(II) \$8,000,000, and "(ii) any amount previously allocated to any taxpayer with respect to any qualified project by the neighborhood homes credit agency of such State which can no longer be allocated to any qualified residence because the 5-year period described in paragraph (1)(B) expires during calendar year. "(B) 3-year carryforward of unused limitation.— The State neighborhood homes credit amount for a State for a calendar year shall be increased by the excess (if any) of the State neighborhood homes credit amount for such State for the preceding calendar year over the aggregate amount allocated by the neighborhood homes credit agency of such State during such preceding calendar year. Any amount carried forward under the preceding sentence shall not be carried past the third calendar year after the calendar year in which such credit amount originally arose, determined on a first-in, first-out basis. "(f) Responsibilities of neighborhood homes credit agencies.— "(1) In general.— Notwithstanding subsection (e), the State neighborhood homes credit dollar amount shall be zero for a calendar year unless the neighborhood homes credit agency of the State— "(A) allocates such amount pursuant to a qualified allocation plan of the neighborhood homes credit agency; "(B) allocates not more than 20 percent of amounts allocated in the previous year (or

for allocations made in 2022, not more than 20 percent of the neighborhood homes credit ceiling for such year) to projects with respect to qualified residences which—

~~"(i) are located in census tracts described in subsection (c)(2)(A)(iii), (c)(2)(A)(iv), (i) (5), or "(ii) are not located in a qualified census tract but meet the requirements of (i) (8), "(C) promulgates standards with respect to reasonable qualified development costs and fees, "(D) promulgates standards with respect to construction quality, "(E) in the case of any neighborhood homes credit agency which makes an allocation to a qualified project which includes any qualified residence to which subsection (i) applies, promulgates standards with respect to protecting the owners of such residences, including the capacity of such owners to pay rehabilitation costs not covered by the credit provided by this section and providing for the disclosure to such owners of their rights and responsibilities with respect to the rehabilitation of such residences, and "(F) submits to the Secretary (at such time and in such manner as the Secretary may prescribe) an annual report specifying— "(i) the amount of the neighborhood homes credits allocated to each qualified project for the previous year, "(ii) with respect to each qualified residence completed in the preceding calendar year— "(I) the census tract in which such qualified residence is located, "(II) with respect to the qualified project that includes such qualified residence, the year in which such project received an allocation under this section, "(III) whether such qualified residence was new, substantially rehabilitated and sold to a qualified homeowner, or substantially rehabilitated pursuant to subsection (i), "(IV) the eligible development costs of such qualified residence, "(V) the amount of the neighborhood homes credit with respect to such qualified residence, "(VI) the sales price of such qualified residence, if applicable, and "(VII) the family income of the qualified homeowner (expressed as a percentage of the applicable area median family income for the location of the qualified residence), and "(iii) such other information as the Secretary may require. "(2) Qualified allocation plan.— For purposes of this subsection, the term 'qualified allocation plan' means any plan which— "(A) sets forth the selection criteria to be used to prioritize qualified projects for allocations of State neighborhood homes credit dollar amounts, including— "(i) the need for new or substantially rehabilitated owner-occupied homes in the area addressed by the project, "(ii) the expected contribution of the project to neighborhood stability and revitalization, including the impact on neighborhood residents, "(iii) the capability and prior performance of the project sponsor, and "(iv) the likelihood the project will result in long-term homeownership; "(B) has been made available for public comment, and "(C) provides a procedure that the neighborhood homes credit agency (or any agent or contractor of such agency) shall follow for purposes of— "(i) identifying noncompliance with any provisions of this section, and "(ii) notifying the Internal Revenue Service of any such noncompliance of which the agency becomes aware. "(g) Repayment.— "(1) In general.— "(A) Sold during 5-year period.— If a qualified residence is sold during the 5-year period beginning immediately after the affordable sale of such qualified residence referred to in subsection (a), the seller (with respect to the sale during such 5-year period) shall transfer an amount equal to the repayment amount to the~~

~~relevant neighborhood homes credit agency. "(B) Use of repayments.—A neighborhood homes credit agency shall use any amount received pursuant to subparagraph (A) only for purposes of qualified projects. "(2) Repayment amount.—For purposes of paragraph (1)(A), the repayment amount is an amount equal to 50 percent of the gain from the sale to which the repayment relates, reduced by 20 percent for each year of the 5-year period referred to in paragraph (1)(A) which ends before the date of such sale. "(3) Lien for repayment amount.—A neighborhood homes credit agency receiving an allocation under this section shall place a lien on each qualified residence that is built or rehabilitated as part of a qualified project for an amount such agency deems necessary to ensure potential repayment pursuant to paragraph (1)(A). "(4) Denial of deductions if converted to rental housing.—If, during the 5-year period described in paragraph (1), an individual who owns a qualified residence fails to use such qualified residence as such individual's principal residence for any period of time, no deduction shall be allowed for expenses paid or incurred by such individual with respect to renting, during such period of time, such qualified residence. "(5) Waiver.—The neighborhood homes credit agency may waive the repayment required under paragraph (1)(A) in the case of homeowner experiencing a hardship. "(h) Other definitions and special rules.—For purposes of this section—~~

~~"(1) Neighborhood homes credit agency.—The term 'neighborhood homes credit agency' means the agency designated by the governor of a State as the neighborhood homes credit agency of the State. "(2) Qualified project.—The term 'qualified project' means a project that a neighborhood homes credit agency certifies will build or substantially rehabilitate one or more qualified residences. "(3) Determinations of family income.—Rules similar to the rules of section 143(f)(2) shall apply for purposes of this section. "(4) Possessions treated as states.—The term 'State' includes the District of Columbia and the possessions of the United States. "(5) Special rules related to condominiums and cooperative housing corporations.—~~

~~"(A) Determination of development costs.—In the case of a qualified residence described in clause (ii) or (iii) of subsection (c)(1)(A), the reasonable development costs and eligible development costs of such qualified residence shall be an amount equal to such costs, respectively, of the entire condominium or cooperative housing property in which such qualified residence is located, multiplied by a fraction—~~

~~"(i) the numerator of which is the total floor space of such qualified residence, and~~

~~"(ii) the denominator of which is the total floor space of all residences within such property. "(B) Tenant-stockholders of cooperative housing corporations treated as owners.—In the case of a cooperative housing corporation (as such term is defined in section 216(b)), a tenant-stockholder shall be treated as owning the house or apartment which such person is entitled to occupy. "(6) Related party sales not treated as affordable sales.—~~

~~"(A) In general.—A sale between related persons shall not be treated as an affordable sale. "(B) Related persons.—For purposes of this paragraph, a person (in this subparagraph referred to as the 'related person') is related to any person if the related person bears a relationship to such person specified in section 267(b) or 707(b)(1), or the related person and such person are engaged in trades or~~

businesses under common control (within the meaning of subsections (a) and (b) of section 52). For purposes of the preceding sentence, in applying section 267(b) or 707(b)(1), '10 percent' shall be substituted for '50 percent'.

(7) Inflation adjustment.—“(A) In general.—In the case of a calendar year after 2022, the dollar amounts in subsections (b)(3)(A), (e)(3)(A)(i)(I), (e)(3)(A)(i)(II), and (i)(2)(C) shall each be increased by an amount equal to—“(i) such dollar amount, multiplied by “(ii) the cost-of-living adjustment determined under section 1(f)(3) for such calendar year by substituting 'calendar year 2024' for 'calendar year 2016' in subparagraph (A)(ii) thereof.”(B) Rounding.—“(i) In the case of the dollar amounts in subsection (b)(3)(A) and (i)(2)(C), any increase under paragraph (1) which is not a multiple of \$1,000 shall be rounded to the nearest multiple of \$1,000. “(ii) In the case of the dollar amount in subsection (e)(3)(A)(i)(I), any increase under paragraph (1) which is not a multiple of \$0.01 shall be rounded to the nearest multiple of \$0.01. “(iii) In the case of the dollar amount in subsection (e)(3)(A)(i)(II), any increase under paragraph (1) which is not a multiple of \$100,000 shall be rounded to the nearest multiple of \$100,000.”

(8) Report.—“(A) In general.—The Secretary shall annually issue a report, to be made available to the public, which contains the information submitted pursuant to subsection (f)(1)(F). “(B) De-identification.—The Secretary shall ensure that any information made public pursuant to paragraph (1) excludes any information that would allow for the identification of qualified homeowners.”

(9) List of qualified census tracts.—The Secretary of Housing and Urban Development shall, for each year, make publicly available a list of qualified census tracts under—“(A) on a combined basis, clauses (i) and (ii) of subsection (c)(2)(A), “(B) clause (iii) of such subsection, and “(C) subsection (i)(5)(A). “(i) Application of credit with respect to owner-occupied rehabilitations.—“(1) In general.—In the case of a qualified rehabilitation by the taxpayer of any qualified residence which is owned (as of the date that the written binding contract referred to in paragraph (3) is entered into) by a specified homeowner, the rules of paragraphs (2) through (7) shall apply. “(2) Alternative credit determination.—In the case of any qualified residence described in paragraph (1), the neighborhood homes credit determined under subsection (a) with respect to such residence shall (in lieu of any credit otherwise determined under subsection (a) with respect to such residence) be allowed in the taxable year during which the qualified rehabilitation is completed (as determined by the neighborhood homes credit agency) and shall be equal to the least of—“(A) the excess (if any) of—“(i) the amounts paid or incurred by the taxpayer for the qualified rehabilitation of the qualified residence to the extent that such amounts are certified by the neighborhood homes credit agency (at the time of the completion of such rehabilitation) as meeting the standards specified pursuant to subsection (f)(1)(C), over “(ii) any amounts paid to such taxpayer for such rehabilitation, “(B) 50 percent of the amounts described in subparagraph (A)(i), or “(C) \$50,000. “(3) Qualified rehabilitation.—“(A) In general.—For purposes of this subsection, the term 'qualified rehabilitation' means a rehabilitation or reconstruction performed pursuant to a written binding contract between the taxpayer and the qualified homeowner if the amount paid or incurred by the taxpayer in the performance of

~~such rehabilitation or reconstruction exceeds the dollar amount in effect under subsection (b)(3)(A). "(B) Application of limitation to expenses paid or incurred after allocation.— A rule similar to the rule of section (b)(4) shall apply for purposes of this subsection. "(4) Specified homeowner.— For purposes of this subsection, the term 'qualified homeowner' means, with respect to a qualified residence, an individual— "(A) who owns and uses such qualified residence as the principal residence of such individual as of the date that the written binding contract referred to in paragraph (3) is entered into, and "(B) whose family income (determined as of such date) does not exceed the median family income for the applicable area (with respect to the census tract in which the qualified residence is located). "(5) Additional census tracts in which owner-occupied residences may be located.— In the case of any qualified residence described in paragraph (1), the term 'qualified census tract' includes any census tract which— "(A) meets the requirements of subsection (c)(2)(A)(i) without regard to subclause (III) thereof, and "(B) is designated by the neighborhood homes credit agency for purposes of this paragraph. "(6) Modification of repayment requirement.— In the case of any qualified residence described in paragraph (1), subsection (g) shall be applied by beginning the 5-year period otherwise described therein on the date on which the qualified owner acquired the residence. "(7) Related parties.— Paragraph (1) shall not apply if the taxpayer is the owner of the qualified residence described in paragraph (1) or is related (within the meaning of subsection (h)(6)(B)) to such owner. "(8) Pyrrhotite remediation.— The requirement of subsection (c)(1)(G) shall not apply to a qualified rehabilitation under this subsection of a qualified residence that is documented by an engineer's report and core testing to have a foundation that is adversely impacted by pyrrhotite or other iron sulfide minerals. "(j) Regulations.— The Secretary shall prescribe such regulations as may be necessary or appropriate to carry out the purposes of this section, including regulations that prevent avoidance of the rules, and abuse of the purposes, of this section." (b) Credit allowed as part of general business credit.— Section 38(b), as amended by the preceding provisions of this Act, is amended by striking "plus" at the end of paragraph (34), by striking the period at the end of paragraph (35) and inserting ", plus", and by adding at the end the following new paragraph: "(36) the neighborhood homes credit determined under section 42A(a)". (c) Credit allowed against alternative minimum tax.— Section 38(c)(4)(B), as amended by the preceding provisions of this Act, is amended by redesignating clauses (iv) through (xiii) as clauses (v) through (xiv), respectively, and by inserting after clause (iii) the following new clause: "(iv) the credit determined under section 42A,". (d) Conforming amendments.— (1) Subsections (j)(3)(G), (i)(6)(B)(i), and (k)(1) of section 469 are each amended by inserting "or 42A" after "section 42". (2) The table of sections for subpart D of part IV of subchapter A of chapter 1 is amended by inserting after the item relating to section 42 the following new item: "Sec. 42A. Neighborhood homes credit." (e) Effective date.— The amendments made by this section shall apply to taxable years beginning after December 31, 2021. 002. Possessions Economic Activity Credit~~

~~(a) IN GENERAL.—~~

Subpart D of part IV of subchapter A of chapter 1, as amended by the preceding provisions of this Act, is amended by adding at the end the following new section:

"Sec. 45V. Possessions Economic Activity Credit

"(a) ALLOWANCE OF CREDIT.— For purposes of section 38, in the case of a qualified domestic corporation the possessions economic activity credit determined under this section for a taxable year is an amount equal to 20 percent of the sum of the qualified possession wages and allocable employee fringe benefit expenses paid or incurred by the taxpayer for the taxable year.

"(b) QUALIFIED DOMESTIC CORPORATION; QUALIFIED CORPORATION.— For purposes of this section—

"(1) IN GENERAL.— The term 'qualified domestic corporation' means any domestic corporation which is—

"(A) a qualified corporation, or

"(B) a United States shareholder of a foreign corporation which—

"(i) is a qualified corporation, and

"(ii) is wholly owned by the United States shareholder together with any corporations which are members of the same affiliated group (within the meaning of section 1504(a)) as such United States shareholder.

"(2) QUALIFIED CORPORATION.— The term 'qualified corporation' means any corporation if such corporation meets the following requirements:

"(A) SOURCE QUALIFICATION.— 80 percent or more of the gross income of the corporation for the 3-year period immediately preceding the close of the taxable year (or for such part of such period immediately preceding the close of such taxable year as may be applicable) was derived from sources within a possession of the United States (determined without regard to section 904(f)).

"(B) TRADE OR BUSINESS QUALIFICATION.— 75 percent or more of the gross income of the corporation for such period or such part thereof was derived from the active conduct of a trade or business within a possession of the United States.

"(3) SPECIAL RULE FOR SEPARATE AND CLEARLY IDENTIFIED UNITS OF FOREIGN CORPORATIONS.—

"(A) IN GENERAL.— In the case of a United States shareholder of a foreign corporation which—

"(i) is not a qualified corporation but with respect to which the ownership requirements of paragraph (1)(B)(ii) are met, and

"(ii) has an eligible foreign business unit which, if such unit were a corporation, would be a qualified corporation with respect to which such ownership requirements would be met,

then, for purposes of this section, the United States shareholder may elect to treat such unit as (4) separate foreign corporation which meets the

requirements of paragraph (1)(B) and with respect to which such shareholder is a United States shareholder.

"(B) ELIGIBLE FOREIGN BUSINESS UNIT.— For purposes of this paragraph, the term 'eligible foreign business unit' means a separate and clearly identified foreign unit of a trade or business, including a partnership or an entity treated as disregarded as a separate entity from its owner (under section 7701 or other provision under this title), which maintains separate books and records.

"(C) SPECIAL ELECTION FOR AFFILIATED GROUPS.— In the case of an affiliated group described in paragraph (1)(B)(ii), the election under subparagraph (A) with respect to any eligible foreign business unit shall be made by the common parent of such group and shall apply uniformly to all members of such group which are United States shareholders with respect to the foreign corporation which has such unit.

"(c) QUALIFIED POSSESSION WAGES.— For purposes of this section—

"(1) IN GENERAL.— The term 'qualified possession wages' means wages paid or incurred by the qualified corporation during the taxable year in connection with the active conduct of a trade or business within a possession of the United States to any employee for services performed in such possession, but only if such services are performed while the principal place of employment of such employee is within such possession.

"(2) LIMITATION ON AMOUNT OF WAGES TAKEN INTO ACCOUNT.—

"(A) IN GENERAL.— The amount of wages which may be taken into account under paragraph (1) with respect to any employee for any taxable year shall not exceed \$50,000.

"(B) TREATMENT OF PART-TIME EMPLOYEES, ETC.— If—

"(i) any employee is not employed by the qualified corporation on a substantially full-time basis at all times during the taxable year, or

"(ii) the principal place of employment of any employee with the qualified corporation is not within a possession at all times during the taxable year, the limitation applicable under paragraph (1) with respect to such employee shall be the appropriate portion (as determined by the Secretary) of the limitation which would otherwise be in effect under paragraph (1).

"(C) WAGES.—

"(i) IN GENERAL.— Except as provided in clause (ii), the term 'wages' has the meaning given to such term by subsection (b) of section 3306 (determined without regard to any dollar limitation contained in such section). For purposes of the preceding sentence, such subsection (b) shall be applied as if the term 'United States' included all possessions of the United States.

"(ii) SPECIAL RULE FOR AGRICULTURAL LABOR AND RAILWAY LABOR.— In any case to which subparagraph (A) or (B) of paragraph (1) of section 51(h),

applies, the term 'wages' has the meaning given to such term by section 51(h)(2).

“(3) ALLOCABLE EMPLOYEE FRINGE BENEFIT EXPENSES.—

“(A) IN GENERAL.— The allocable employee fringe benefit expenses of any qualified corporation for any taxable year is an amount which bears the same ratio to the amount determined under subparagraph (B) for such taxable year as

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“(i) the aggregate amount of the qualified corporation’s qualified possession wages for such taxable year, bears to

“(ii) the aggregate amount of the wages paid or incurred by such qualified corporation during such taxable year.

In no event shall the amount determined under the preceding sentence exceed 15 percent of the amount referred to in clause (i).

“(B) EXPENSES TAKEN INTO ACCOUNT.— For purposes of subparagraph (A), the amount determined under this subparagraph for any taxable year is the aggregate amount allowable (or, in the case of a foreign corporation, which would be allowable if such foreign corporation were a domestic corporation) as a deduction under this chapter to the qualified corporation for such taxable year with respect to—

“(i) employer contributions under a stock bonus, pension, profit-sharing, or annuity plan,

“(ii) employer-provided coverage under any accident or health plan for employees, and

“(iii) the cost of life or disability insurance provided to employees.

Any amount treated as wages under paragraph (2)(C) shall not be taken into account under this subparagraph.

“(d) SPECIAL RULE FOR QUALIFIED SMALL DOMESTIC CORPORATION.— For purposes of this section—

“(1) INCREASED CREDIT PERCENTAGE.— In the case of a qualified small domestic corporation, subsection (a) shall be applied by substituting '50 percent' for '20 percent'.

“(2) QUALIFIED SMALL DOMESTIC CORPORATION.—

“(A) IN GENERAL.— The term 'qualified small domestic corporation' means a qualified domestic corporation that meets the requirements of subparagraphs (B) and (C).

“(B) FULL-TIME EMPLOYMENT.— A qualified domestic corporation meets the requirements of this subparagraph if the qualified corporation which is the qualified domestic corporation under subsection (b)(1)(A) or the foreign corporation under subsection (b)(1)(B)(i)—

“(i) has at least 5 full-time employees in a possession of the United States for each year in the 3-year period immediately preceding the close of

the taxable year (or for such part of such period immediately preceding the close of such taxable year as may be applicable), and

"(ii) has not more than a total of 30 full-time employees for each year in such 3-year period.

"(C) GROSS RECEIPTS.— A qualified domestic corporation meets the requirements of this subparagraph if the annual gross receipts of the qualified domestic corporation (and all persons related thereto) for each year in such 3-year period is not more than \$50,000,000.

"(3) RELATED PERSONS.— In determining whether the limitations under subparagraphs (B)(ii) and (C) of paragraph (2) are met, all persons who are treated as a single employer for purposes of subsection (a) or (b) of section 52 shall be taken into account.

"(4) AMOUNT OF WAGES TAKEN INTO ACCOUNT.— Subsection (c)(2)(A) shall be applied by substituting '\$142,800' for '\$50,000'.

"(e) POSSESSION OF THE UNITED STATES.—

"(1) IN GENERAL.— The term 'possession of the United States' means American Samoa, the Commonwealth of the Northern Mariana Islands, the Commonwealth of Puerto Rico, Guam, and the Virgin Islands.

"(2) MIRROR CODE POSSESSIONS.— In the case of any possession of the United States with a mirror code tax system (as defined in section 24(k)), this section shall not be treated as part of the income tax laws of the United States for purposes of determining the income tax law of such possession unless such possession elects to have this section be so treated.

"(f) SEPARATE APPLICATION TO EACH POSSESSION.— For purposes of determining the amount of the credit allowed under this section, this section shall be applied separately with respect to each possession of the United States.

"(g) TERMINATION.— No credit shall be allowed under this section for any taxable year beginning after December 31, 2031."

(b) CREDIT MADE PART OF GENERAL BUSINESS CREDIT.—

Subsection (b) of section 38, as amended by the preceding provisions of this Act, is amended by striking "plus" at the end of paragraph (34), by striking the period at the end of paragraph (35) and inserting ", plus", and by adding at the end the following new paragraph:

"(36) the possessions economic activity credit determined under section 45V."

(c) CLERICAL AMENDMENT.—

The table of sections for subpart B of part IV of subchapter A of chapter 1 is amended by adding at the end the following:

"Sec. 45V. Possessions Economic Activity Credit."

(1)

(d) EFFECTIVE DATE.— The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act, and in the case of a qualified

corporation that is a foreign corporation, to taxable years beginning after the date of enactment and to taxable years of United States shareholders in which or with which such taxable years of foreign corporations end.

[NOTE-- DELETED /tXIII/stF/p6/s135601: ~~Sec. 135601. Treatment of Indian Tribes as States with respect to bond issuance~~]

[NOTE-- DELETED /tXIII/stF/p6/s135602: ~~Sec. 135602. New markets tax credit for Tribal Statistical Areas~~]

[NOTE-- DELETED /tXIII/stF/p6/s135603: ~~Sec. 135603. Inclusion of Indian areas as difficult development areas for purposes of certain buildings~~]

[NOTE-- MOVED /tXIII/stF/p7/s135701 to /tXIII/stF/p5/s137501]

Sec. 135003. Tax treatment of assistance to certain farm loan borrowers

(a) IN GENERAL.— For purposes of the Internal Revenue Code of 1986, in the case of any payment described in section 1005(b) of the American Rescue Plan Act of 2021 (as amended by this Act)—

(1) such payment shall not be included in the gross income of the person on whose behalf, or to whom, such payment is made.,

(2) no deduction shall be denied, no tax attribute shall be reduced, and no basis increase shall be denied, by reason of the exclusion from gross income provided by paragraph (1), and

(3) in the case of a partnership or S corporation on whose behalf, or to whom, such a payment is made—

(A) any amount excluded from income by reason of paragraph (1) shall be treated as tax exempt income for purposes of sections 705 and 1366 of such Code, and

(B) except as provided by the Secretary of the Treasury (or the Secretary's delegate), any increase in the adjusted basis of a partner's interest in a partnership under section 705 of such Code with respect to any amount described in subparagraph (A) shall equal the partner's distributive share of deductions resulting from interest that is part of such payment and the partner's share, as determined under section 752 of such Code, of principal that is part of such payment.

(b) AUTHORITY TO WAIVE CERTAIN INFORMATION REPORTING REQUIREMENTS.— The Secretary of the Treasury (or the Secretary's delegate) may provide an exception from any requirement to file an information return otherwise required by chapter 61 of the Internal Revenue Code of 1986 with respect to any amount excluded from gross income by reason of subsection (a). (l)

Subtitle C—Affordable Health Care Coverage

[NOTE-- DELETED /tXIII/stH/p5/s137504: ~~Sec. 137504. Temporary expansion of health insurance premium tax credits for certain low-income populations]~~

[NOTE-- MOVED /tXIII/stH/p5/s137505 to /tXIII/stC/s30601]

[NOTE-- MOVED /tXIII/stH/p5/s137506 to /tXIII/stC/s30602]

Sec. ~~437505~~30601. 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 20245, 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 with a household income ~~of less than~~that does not exceed 138 percent of the poverty line for a family of the size involved for any month occurring during ~~the period beginning on January 1, 2022, and ending on December 31, 2022,~~ such individual shall, for such month and for ~~each succeeding~~2022, such individual shall, for each month during ~~such period~~2022, be treated as having 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 20245, 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 20245, 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)"; and

(D) by adding at the end ~~(d)~~ 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 applies shall reduce cost-sharing under the plan with respect to months occurring during plan years 2023, ~~2024~~, and 2024~~5~~ 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 2024~~5~~.

"(ii) APPROPRIATION.— ~~In addition to amounts otherwise available,~~ there are appropriated, out of any monies~~ey~~ in the Treasury not otherwise appropriated, such sums as may be necessary to the Secretary for ~~purposes of~~ making payments under clause (i).

"(C) SPECIFIED ENROLLEE DEFINED.— For purposes of this section, the term 'specified enrollee' means, with respect to a month occurring during a plan year, an eligible insured with a household income ~~of less than~~ that does not exceed 138 percent of the poverty line for a family of the size involved during such month. Such insured shall be deemed to be a specified enrollee for each ~~succeeding~~ month in such plan year."

(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"; 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, 2024~~5~~, 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 ~~of less than~~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, ~~for a month during such plan year~~, has a household income ~~of less than~~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 and services described in subsection (a)(4)(C) of section 1905 of the Social Security Act, without any restriction (as described in section 1902(a)(4) of the Social Security Act); and

"(II) services described in subsection (a)(4)(C) of section 1905 of such Act for which Federal payments would have been available under title XIX ⁽⁷⁾ on the choice of a qualified provider from whom such Social Security Act had such services been furnished to an individual so enrolled in such plan may receive such services

~~described in such subsection, and without any imposition of cost sharing, under a State plan (or waiver of such plan) under such title;~~

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 monies ~~in~~ in the Treasury not otherwise appropriated, such sums as may be necessary to the Secretary ~~for purposes of~~ making payments under clause (i).".

(d) EDUCATION AND OUTREACH ACTIVITIES.— —

(1) IN GENERAL.— Section 1321(c) of the Patient Protection and Affordable Care Act (42 U.S.C. 18041(c)) is amended by adding at the end the following new paragraph:

"(3) OUTREACH AND EDUCATIONAL ACTIVITIES.—

"(A) IN GENERAL.— In the case of an Exchange established or operated by the Secretary within a State pursuant to this subsection, the Secretary shall carry out outreach and educational activities for purposes of informing individuals described in section 1902(a)(10)(A)(i)(VIII) of the Social Security Act who reside in States that have not expended 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 informing such individuals of the availability of coverage under such plans and financial assistance for coverage under such plans. Such outreach and educational activities shall be provided in a manner that is culturally and linguistically appropriate to the needs of the populations 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 INSURANCE COVERAGE.— For purposes of subparagraph (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.— ~~There are~~ in addition to amounts otherwise available, there is appropriated, out of any monies ~~in the Treasury not otherwise appropriated, to remain available until expended,~~ \$105,000,000 for fiscal year 2022, and \$30,000,000 for each of fiscal years 2023 and 2024, ~~to carry out this paragraph. Funds appropriated under 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 subparagraph shall remain available until expended for each of fiscal years 2023 through 2025."

(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(c), the Secretary shall obligate \$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 \$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."

(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 amendments made by, this section, section 30602, and section 30603.

Sec. ~~13750630602~~ 130602. Establishing a health insurance affordability fund

(a) IN GENERAL.—

Subtitle D of title I of the Patient Protection and Affordable Care Act is amended by inserting after ~~part 5~~ section 1343 (42 U.S.C. 18064 ~~et seq.~~) the following new part:

"Part 6— Improve Health Insurance Affordability Fund

"Sec. 1351. Establishment of program

There is hereby established the 'Improve Health Insurance Affordability Fund' to be administered by the Secretary of Health and Human Services, acting through the Administrator of the Centers for Medicare & Medicaid Services (in this section referred to as the 'Administrator'), to provide funding, in accordance with this part, to the 50 States and the District of Columbia (each referred 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) ~~5-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 of ~~the subsequent 4-years~~ 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 2023, 2024, AND 20245 FOR CERTAIN STATES.

"(1) IN GENERAL.— For 2023, 2024, and 20245, 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 State for such year.

"(2) SPECIFIED USE.— The ~~(a)~~ amount described in paragraph (3), with respect to a State described in paragraph (5) for 2023, 2024, or 20245, shall be used to carry out the purpose described in section 1352(a)(1) in such State 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 amounts specified in subparagraph (B) of such section for such year) in an amount equal to, subject to paragraph (4), the percentage (specified for such year by the Secretary under such subparagraph) of the amount of such claims.

"(3) AMOUNT DESCRIBED.— The amount described in this paragraph, with respect to 2023, ~~2024~~, or 2024~~5~~, is the amount equal to the total sum of amounts that the Secretary would otherwise estimate under section 1354(b)(2)(A)(i) for such year for each State described in paragraph (5) for such year, as applicable, if each such State were not so described for such year.

"(4) ADJUSTMENT.— For purposes of this subsection, the Secretary may apply a percentage under paragraph (3) with respect to a year that is less than the percentage otherwise specified in section 1354(b)(2)(B) for such year, if the cost of paying the total eligible attachment range claims for States described in paragraph (5) for such year at such percentage otherwise specified would exceed the amount calculated under paragraph (3) for such year.

"(5) STATE DESCRIBED.— A State described in this paragraph, with respect to years 2023, ~~2024~~, and 2024~~5~~, is a State that, as of January 1 of 2022, ~~2023~~, or 2023~~4~~, respectively, was not expending 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.

"Sec. 1354. Allocations

"(a) APPROPRIATION.— ~~For the purpose of providing allocations for States under subsection (b) and payments under section 1353(b)~~In addition to amounts otherwise available, there is appropriated, out of any money in the Treasury not otherwise appropriated, \$10,000,000,000 for 2023 and each subsequent year through 2025 to provide allocations for States under subsection (b) and payments under section 1353(b).

"(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 ~~a subsequent year~~2025, January 1 of the previous year.

"(C) NOTIFICATIONS OF ALLOCATION AMOUNTS.— For 2024 and ~~each subsequent year~~2025, the Secretary shall notify each State of the amount

determined 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 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 ADJUSTMENTS.— Section 1331 of the Patient Protection and Affordable 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 QUALIFIED HEALTH PLAN PREMIUMS.—

"(A) IN GENERAL.—⁽¹⁾ For plan years beginning 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 offered in such State during a year that receives any reinsurance payment from funds made available under part 6 for such year, the adjusted premium amount (as defined in subparagraph (B)) for each such plan and year.

"(B) ADJUSTED PREMIUM AMOUNT DEFINED.— 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 received 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 determination, 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 offered in such State during such year."

(c) IMPLEMENTATION AUTHORITY.— The Secretary of Health and Human Services may implement the provisions of, and the amendments made by, this section by subregulatory guidance or otherwise.

Sec. 30603. 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 FISCAL YEARS 2022 THROUGH 2026

.— In addition to amounts otherwise available, there is appropriated, out of any money in the Treasury not otherwise appropriated, \$15,000,000 for each of fiscal years 2022 through

2026

to carry out this section."

[NOTE-- DELETED /tXIII/stF/p7/s135702: ~~Sec. 135702. Additional new markets tax credit allocations for the territories~~]

[NOTE-- MOVED /tXIII/stG to /tXIII/stD]

Subtitle GD— Green energy

Part 1— Renewable Electricity and Reducing Carbon Emissions

Part 2— Renewable Fuels

Part 3— Green energy and efficiency incentives for individuals

Part 4— Greening the fleet and alternative vehicles

Part 5— Investment in the Green Workforce *and Manufacturing*

Part 6— Environmental Justice

Part 7— Superfund

Part 8— *Incentives for Clean Electricity and Clean Transportation*

Part 9— Appropriations

[NOTE-- DELETED /tXIII/stG/s136001: ~~Sec. 136001. Amendment of 1986 Code~~]

Sec. 1316001. Amendment of 1986 Code

Except as otherwise expressly provided, whenever in this subtitle an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

Sec. 136101. Extension and modification of credit for electricity produced from certain renewable resources

(a) IN GENERAL.— The following provisions of section 45(d) are each amended by striking "January 1, 2022" each place it appears and inserting "January 1, 2034~~27~~":

- (1) Paragraph (2)(A).
- (2) Paragraph (3)(A).
- (3) Paragraph (4)(B).
- (4) Paragraph (6).
- (5) Paragraph (7).
- (6) Paragraph (9).
- (7) Paragraph (11)(B).

(b) BASE CREDIT AMOUNT.— Section 45 is amended by striking "1.5 cents" each place it appears and inserting "0.3 cents".

(c) APPLICATION OF EXTENSION TO SOLAR.— Section 45(d)(4)(A) is amended by striking "is placed in service before January 1, 2006" and inserting "the construction of which begins before January 1, 2034~~27~~".

(e) EXTENSION OF ELECTION TO TREAT QUALIFIED FACILITIES AS ENERGY PROPERTY.— Section 48(a)(5)(C)(ii) is amended by striking "January 1, 2022" and inserting "January 1,

203427".

(d) APPLICATION OF EXTENSION TO WIND FACILITIES.—

(1) IN GENERAL.— Section 45(d)(1) is amended by striking "January 1, 2022" and inserting "January 1, 203427".

(2) APPLICATION OF PHASEOUT PERCENTAGE.—

(A) RENEWABLE ELECTRICITY PRODUCTION CREDIT.— Section 45(b)(5)(D) is amended by inserting "placed in service before January 1, 2022" after "In the case of any facility".

(B) ENERGY CREDIT.— Section 48(a)(5)(E)(iv) is amended by inserting "placed in service before January 1, 2022" after "In the case of any facility".

(3) QUALIFIED OFFSHORE WIND FACILITIES UNDER ENERGY CREDIT.— Section 48(a)(5)(F)(i) is amended by striking "offshore wind facility—" and all that follows and inserting the following: "offshore wind facility, subparagraph (E) shall not apply."—(e) Percentage phaseout of credit.— Section 45(b) is amended by adding at the end the following new paragraph: "(6) Percentage phaseout of credit.— In the case of any facility, the amount of the credit determined under subsection (a) shall be reduced by —"(A) in the case of any facility the construction of which begins after December 31, 2031 and before January 1, 2033, 20 percent, "(B) in the case of any facility the construction of which begins after December 31, 2032 and before January 1, 2034, 40 percent, and "(C) in the case of any facility the construction of which begins after December 31, 2033, 100 percent."

(f) WAGE AND APPRENTICESHIP REQUIREMENTS.—

Section 45(b) is amended by adding at the end the following new paragraphs:

"(7) ~~Base credit amount and~~ INCREASED CREDIT AMOUNT FOR QUALIFIED FACILITIES.—

"(A) IN GENERAL.— In the case of any qualified facility which ~~does not satisfy~~ is the requirements of subparagraph (B), the amount of the credit determined under subsection (a) (determined after the application of paragraphs (1) through (6)) shall be ~~20 percent of such amount~~ equal to such amount multiplied by 5 (determined without regard to this sentence).

"(B) ~~Increased credit for certain facilities meeting project requirements.—~~ "(i) ~~In general.— In the case of any qualified facility which meets the project requirements of this subparagraph, subparagraph (A) shall not apply.~~ "(ii) ~~Project requirements.— A project~~ QUALIFIED FACILITY REQUIREMENTS.— A qualified facility meets the requirements of this subparagraph if it is one of the following:

"(i) ~~A project~~ facility with a maximum net output of less than 1 megawatt.

"(ii) ~~A project which commences construction prior to the date of the enactment of this paragraph~~ facility the construction of which begins prior to the date that is 60 days after the Secretary publishes guidance with respect to the requirements of paragraphs (8) and (9).

"(Hiii) A ~~project~~facility which satisfies the requirements of paragraphs (8) and (9).

"(8) PREVAILING WAGE REQUIREMENTS.—

"(A) IN GENERAL.— The requirements described in this subparagraph with respect to any qualified facility are that the taxpayer shall ensure that any laborers and mechanics employed by contractors and subcontractors in—

"(i) the construction of such facility, and

"(ii) for the period of the taxable year which is within the 10-year period beginning on the date the facility was originally placed in service, the alteration or repair of such facility,

shall be paid wages at rates not less than the prevailing rates for construction, alteration, or repair of a similar character in the locality as most recently determined by the Secretary of Labor, in accordance with subchapter IV of chapter 31 of title 40, United States Code. For purposes of determining an increased credit amount under paragraph (Z)(A) for a taxable year, the requirement under clause (ii) is applied to such taxable year in which the alteration or repair of the qualified facility occurs."

"(B) CORRECTION AND PENALTY RELATED TO FAILURE TO SATISFY WAGE REQUIREMENTS.—

"(i) IN GENERAL.— In the case of any taxpayer which fails to satisfy the requirement under subparagraph (A) with respect to the construction of any qualified facility or with respect to the alteration or repair of a facility in any year during the period described in subparagraph (A)(ii), such taxpayer shall be deemed to have satisfied such requirement under such subparagraph with respect to such facility for any year if, with respect to any laborer or mechanic who was paid wages at a rate below the rate described in such subparagraph for any period during such year, such taxpayer—

"(l) makes payment to such laborer or mechanic in an amount equal to the sum of—

"(aa) an amount equal to the difference between—

"(AA) the amount of wages paid to such laborer or mechanic during such period, and—

"(AAB) the amount of wages required to be paid to such laborer or mechanic pursuant to such subparagraph during such period, plus

"(BBb) interest on the amount determined under item (aa) at the underpayment rate established under section 6621 (determined by substituting '6 percentage points' for '3 percentage points' in subsection (a)(2) of such section), for the period described in such item, and (l)

"(II) makes payment to the Secretary of a penalty in an amount equal to the product of—

"(aa) \$5,000, multiplied by

"(bb) the total number of laborers and mechanics who were paid wages at a rate below the rate described in subparagraph (A) for any period during such year.

"(ii) Penalty assessed as tax.— The penalty ~~DEFICIENCY PROCEDURES NOT TO APPLY.— Subchapter B of chapter 63 (relating to deficiency procedures for income, estate, gift, and certain excise taxes) shall not apply with respect to the assessment or collection of any penalty imposed by this section.~~

"(iii) INTENTIONAL DISREGARD.— If the Secretary determines that any failure described in subclause (i)(II) shall be treated in the same manner as a penalty imposed under subchapter B of chapter 68 is due to intentional disregard of the requirements under subparagraph (A), subclause (I) shall be applied by substituting 'three times the sum' for 'the sum' in item (aa) thereof and subclause (II) shall be applied by substituting '\$10,000' for '5,000' in item (aa) thereof.

"(iv) LIMITATION ON PERIOD FOR PAYMENT.— Pursuant to rules issued by the Secretary which are similar to the rules under chapter 63, in the case of a final determination by the Secretary with respect to any failure by the taxpayer to satisfy the requirement under subparagraph (A), subparagraph (B)(i) shall not apply unless the payments described in subclauses (I) and (II) of such clause are made by the taxpayer on or before the date which is 180 days after the date of such determination.

"(9) APPRENTICESHIP REQUIREMENTS.— The requirements described in this subparagraph with respect to the construction of any qualified facility are as follows:

"(A) LABOR HOURS.—

"(i) PERCENTAGE OF TOTAL LABOR HOURS.— All contractors and subcontractors ~~Taxpayers shall ensure that not less than the applicable percentage of the performance of total labor hours of the~~ construction, alteration, or repair work on any project shall, subject to subparagraph (B), ensure that not less than the applicable percentage of the total labor hours of such work ~~(including such work performed by any contractor or subcontractor) on any qualified facility shall, subject to subparagraph (B),~~ be performed by qualified apprentices.

"(ii) APPLICABLE PERCENTAGE.— For purposes of paragraph ~~clause (4)~~, the applicable percentage shall be—

"(I) in the case of any applicable project qualified facility the construction of which begins before January 1, 2023, 510 percent,

"(II) in the case of any applicable project qualified facility the construction of which begins after December 31, 2022, and before

January 1, 2024, 102.5 percent, and

"(III) in the case of any ~~applicable project~~ qualified facility, the construction of which begins after December 31, 2023, 15 percent.

"(B) APPRENTICE TO JOURNEYWORKER RATIO.— The requirement under subparagraph (A)(i) shall be subject to any applicable requirements for apprentice-to-journeyworker ratios of the Department of Labor or the applicable State apprenticeship agency.

"(C) PARTICIPATION.— Each contractor and subcontractor who employs 4 or more individuals to perform construction, alteration, or repair work on an ~~applicable project~~ qualified facility shall employ 1 or more qualified apprentices to perform such work.

"(D) EXCEPTION.—

"(i) IN GENERAL.— ~~Notwithstanding an~~ A taxpayer shall not be treated as failing to satisfy other ~~provision requirements~~ of this paragraph, ~~this paragraph shall not apply in the case of a taxpayer who—~~ if such taxpayer—

"(I) makes a good faith effort to comply with the requirements of this paragraph, or

"(II) demonstrates a lack of availability of qualified apprentices in the geographic area of the construction, alteration, or repair work, and "subject to clause (iii), in the case of any failure by the taxpayer to satisfy the requirement under subparagraphs (A) and (C) with respect to the construction, alteration, or repair work on any qualified facility to which subclause (I) makes a good faith effort to comply with the requirements of this paragraph, or does not apply, makes payment to the Secretary of a penalty in an amount equal to the product of—

"(aa) \$50, multiplied by

"(bb) the total labor hours for which the requirement described in such subparagraph was not satisfied with respect to the construction, alteration, or repair work on such qualified facility.

"(ii) GOOD FAITH EFFORT.— For purposes of clause (i), a taxpayer shall be deemed to have satisfied the requirements under such paragraph with respect to an ~~applicable project~~ qualified facility if such taxpayer has requested qualified apprentices from a registered apprenticeship program, as defined in section 3131(e)(3)(B), and—

"(I) such request has been denied, provided that such denial is not the result of a refusal by the contractors or subcontractors engaged in the performance of construction, alteration, or repair work on such applicable project qualified facility to comply with the established standards and requirements of such ~~apprenticeship program~~ the registered apprenticeship program, or

"(II) the registered apprenticeship program fails to respond to such request within 5 business days after the date on which such registered apprenticeship program received such request.

"(iii) INTENTIONAL DISREGARD.— If the Secretary determines that any failure described in subclause (i)(II) is due to intentional disregard of the requirements under subparagraphs (A) and (C), subclause (i)(II) shall be applied by substituting '\$500' for '\$50' in item (aa) thereof.

"(E) DEFINITIONS.— For purposes of this paragraph—

"(i) LABOR HOURS.— The term 'labor hours'—

"(I) means the total number of hours devoted to the performance of construction, alteration, or repair work by employees of the taxpayer (including construction, alteration, or repair work by any contractor or subcontractor), and

"(II) excludes any hours worked by—

"(aa) foremen,

"(bb) superintendents,

"(cc) owners, or

"(dd) persons employed in a bona fide executive, administrative, or professional capacity (within the meaning of those terms in part 541 of title 29, Code of Federal Regulations).

"(ii) QUALIFIED APPRENTICE.— The term 'qualified apprentice' means an individual who is an employee of the contractor or subcontractor and who is participating in a registered apprenticeship program, as defined in section 3131(e)(3)(B).

"(10) DOMESTIC CONTENT BONUS CREDIT AMOUNT.—

"(A) IN GENERAL.— In the case of any qualified facility which satisfies the requirement under subparagraph (B), the amount of the credit determined under subsection (a) (determined after the application of paragraphs (1) through (9)) shall be increased by an amount equal to 10 percent of the amount otherwise in effect under such subsection.

"(B) REQUIREMENT.—

"(i) IN GENERAL.— ~~Subject to clause (iii),~~ ⁽¹⁾ ~~the requirement described in this subclause with respect to any qualified facility is that, prior to the ensatisfied eif the taxable year in which such facility is placed in service, the taxpayer shall certify to the Secretary~~ payer certifies to the Secretary (at such time, and in such form and manner, as the Secretary may prescribe) that; any steel, iron, or manufactured product used ~~in the construction of such facility~~ which is part of such facility (upon completion of construction), was produced in the United States.

"(ii) STEEL AND IRON.—

"(I) IN GENERAL.— In the case of steel or iron, clause (i) shall be applied in a manner consistent with section 661.5(b) of title 49, Code of Federal Regulations.

"(II) EXCEPTION.— Subclause (I) shall not apply with respect to any steel or iron which is used as a component or subcomponent of a manufactured product which is not primarily made of steel or iron.

"(iii) MANUFACTURED PRODUCT.— For purposes of clause (i), ~~at~~ the manufactured products which are part of a qualified facility upon completion of construction shall be deemed to have been ~~manufactured~~ produced in the United States if not less than ~~55~~ the adjusted percentage of the total cost of the components of such product is ~~attributable to~~ constituent components across all such manufactured products of such facility are attributable to manufactured products (including components) which are mined, produced, or manufactured in the United States.

"(C) International agreements.— ~~This paragraph shall be applied in a manner which is consistent with the obligations of the United States under international agreement~~ ADJUSTED PERCENTAGE.—

"(i) IN GENERAL.— Subject to subclause (ii), for purposes of subparagraph (B)(iii), the adjusted percentage shall be—

"(I) in the case of a facility the construction of which begins before January 1, 2025, 40 percent,

"(II) in the case of a facility the construction of which begins after December 31, 2024, and before January 1, 2026, 45 percent,

"(III) in the case of a facility the construction of which begins after December 31, 2025, and before January 1, 2027, 50 percent, and

"(IV) in the case of a facility the construction of which begins after December 31, 2026, 55 percent.

"(ii) OFFSHORE WIND FACILITY.— For purposes of subparagraph (B)(iii), in the case of a qualified facility which is an offshore wind facility, the adjusted percentage shall be—

"(I) in the case of a facility the construction of which begins before January 1, 2025, 20 percent,

"(II) in the case of a facility the construction of which begins after December 31, 2024, and before January 1, 2026, 27.5 percent,

"(III) in the case of a facility the construction of which begins after December 31, 2025, and before January 1, 2027, 35 percent,

"(IV) in the case of a facility the construction of which begins after December 31, 2026, and before January 1, 2028, 45 percent, and

"(V) in the case of a facility the construction of which begins after December 31, 2027, 55 percent.

"(11) PENALTY FOR DIRECT PAYHASEOUT FOR ELECTIVE PAYMENT.—

"(A) IN GENERAL.— In the case of a taxpayer making an election under section 6417 with respect to a credit under this section, the amount of such credit shall be replaced with—

"(i) the value of such credit (determined without regard to this paragraph), multiplied by

"(ii) the applicable percentage.

"(B) 100 PERCENT APPLICABLE PERCENTAGE FOR CERTAIN QUALIFIED FACILITIES.— In the case of any qualified facility—

"(i) which satisfies the requirements under paragraph (10) with respect to the construction of such facility, or

"(ii) with a maximum net output of less than 1 megawatt, the applicable percentage shall be 100 percent.

"(C) PHASED DOMESTIC CONTENT REQUIREMENT.— Subject to subparagraph (D), in the case of any qualified facility which is not described in subparagraph (B), the applicable percentage shall be—

"(i) if construction of such facility began before January 1, 2024, 100 percent,

"(ii) if construction of such facility began in calendar year 2024, 90 percent,

"(iii) if construction of such facility began in calendar year 2025, 85 percent, and

"(iv) if construction of such facility began after December 31, 2025, 0 percent.

"(D) EXCEPTIONS.— ~~In order to facilitate the use of amounts made available in this section, increase the tax incentives for investment in clean energy, and grow the domestic supply chains~~

"(i) IN GENERAL.— For purposes of this paragraph, the Secretary shall provide appropriate exceptions to the domestic content requirements for production requirements under subparagraph (B) for the construction of qualified facilities if either—

"(I) the inclusion of domestic products increases the overall costs of project construction of qualified facilities by more than 25 percent, or

"(II) relevant manufactured domestic products are not produced in the United States in sufficient and reasonably available quantities or of a satisfactory quality.

"(ii) APPLICABLE PERCENTAGE.— In any case in which the Secretary provides an exception pursuant to clause (i), the applicable percentage shall be 100 percent.

"(2) REGULATIONS AND GUIDANCE.— The Secretary shall issue such regulations or other guidance as the Secretary determines necessary or appropriate to carry out

the purposes of this subsection." ~~(g, including regulations or other guidance which provides for requirements for recordkeeping or information reporting for purposes of establishing the requirements of this subsection."~~

(g) CREDIT REDUCED FOR TAX-EXEMPT BONDS.—

Section 45(b)(3) is amended to read as follows:

"(3) CREDIT REDUCED FOR TAX-EXEMPT BONDS.— The amount of the credit determined under subsection (a) with respect to any facility for any taxable year (determined after the application of paragraphs (1) and (2)) shall be reduced by the amount which is the product of the amount so determined for such year and the lesser of 15 percent or a fraction—

"(A) the numerator of which is the sum, for the taxable year and all prior taxable years, of proceeds of an issue of any obligations used to provide financing for the qualified facility the interest on which is exempt from tax under section 103, and

"(B) the denominator of which is the aggregate amount of additions to the capital account for the qualified facility for the taxable year and all prior taxable years.

The amounts under the preceding sentence for any taxable year shall be determined as of the close of the taxable year."

(h) EFFECTIVE DATES.—

(1) The amendments made by subsections (a), (b), (c), (d), (e), and (f) of this section shall apply to facilities placed in service after December 31, 2021.

(2) The amendment made by subsection (g) shall apply to facilities the construction of which begins after December 31, 2021.

Sec. 136102. Extension and modification of energy credit

(a) EXTENSION OF CREDIT.— The following provisions of section 48 are each amended by striking "January 1, 2024" each place it appears and inserting "January 1, 2034~~27~~":

~~(1) Subsection (a)(2)(A)(i)(II).~~

~~(2) Subsection (a)(3)(A)(ii).~~

~~(23) Subsection (a)(3)(A)(vii).~~

~~(34) Subsection (c)(1)(D).~~

~~(45) Subsection (c)(2)(D).~~

~~(56) Subsection (c)(3)(A)(iv).~~

~~(67) Subsection (c)(4)(C).~~

(b) PHASEOUT OF CREDIT.—

Section 48(a) is amended by striking paragraphs (6) and (7) and inserting the following new paragraphs: ^(l)

"(6) PHASEOUT FOR SOLAR CERTAIN ENERGY PROPERTY.—

"(A) IN GENERAL.— Subject to subparagraph (B), in the case of any energy property described in paragraph (3)(A)(i) the construction of which begins before January 1, 2034, the energy percentage determined under paragraph (2) shall be equal to— "(i) in the case of any property the construction of which begins after December 31, 2019, and which is placed in service before January 1, 2022, 26 percent, "(ii) in the case of any property the construction of which begins before January 1, 2032, and which is placed in service after December 31, 2021, 30 percent, "(iii) in the case of any property the construction of which begins after December 31, 2031 and before January 1, 2033, 26 percent, and "(iv) in the case of any property the construction of which begins after December 31, 2032 and before January 1, 2034, 22 percent." (B) Placed in service deadline.— In the case of any energy property described in qualified fuel cell property, qualified small wind property, waste energy recovery property, or energy property described in clause (i) or clause (ii) of paragraph (3)(A)(i) the construction of which begins before January ~~1, 2034~~19, and which is not placed in service before January 1, 2036~~22~~, the energy percentage determined under paragraph (2) shall be equal to 40~~26~~ percent.

~~"(7B) PHASEOUT FOR CERTAIN OTHER ENERGY PROPERTY.— "(A) IN GENERAL.— SUBJECT TO SUBPARAGRAPH (B), PLACED IN SERVICE DEADLINE.—~~ In the case of any qualified fuel cell property, qualified small wind property, waste energy recovery property, or energy property described in paragraph (3)(A)(ii), the energy percentage determined under paragraph (2) shall be equal to— "(i) in the case of any property clause (i) or (ii) of paragraph (3)(A) the construction of which begins after December ~~3~~before January 1, 2019~~27~~, and which is not placed in service before January 1, 2022~~9~~, 26 percent, "(ii) in the case of any property the construction of which begins before January 1, 2032, and which is placed in service after December 31, 2021, 30 percent, "(iii) in the case of any property the construction of which begins after December 31, 2031 and before January 1, 2033, 26 percent, and "(iv) in the case of any property the construction of which begins after December 31, 2032 and before January 1, 2034, 22 percent." (B) ~~Place~~the energy percentage determined under paragraph (2) shall be equal to 0 percent."

~~(c) BASE ENERGY PERCENTAGE AMOUNT.— Section 48(a) is amended—~~

~~(1) in paragraph (2)(A)—~~

~~(A) in clause (i), by striking "30 percent" and in-service deadline.— In the case of any energy property described in subparagraph ing "6 percent", and~~

~~(A) which is not placed in service before January 1, 2036, the energy percentage determined under paragraph (2) shall be equal to 0~~in clause (ii), by striking "10 percent" and inserting "2 percent":— (c) 30 percent credit for solar and geothermal.— (1) Extension for solar.— Section 48(a)(2)(A)(i)(II) is amended by striking "January 1, 2024, and

(2) in paragraph (5)(A)(ii), by striking "30 percent" and inserting "January 1, 2034 6 percent".

~~(2d) Application to geothermal.— (A) In general.— Paragraphs (2)(A)(i)(II), (6)(A), and (6)(B) of section 48(a) are each amended by striking "paragraph (3)(A)(i)" and inserting "clause (i), (iii), or (vii) of paragraph (3)(A)". (B) Conforming amendment.— The heading of section 48(a)(6) is amended by inserting "and geothermal" after "solar energy". (d) 6 PERCENT CREDIT FOR GEOTHERMAL.— Section 48(a)(2)(A)(i)(II) is amended by striking "paragraph (3)(A)(i)" and inserting "clause (i), (iii), or (vii) of paragraph (3)(A)".~~

(e) ENERGY STORAGE TECHNOLOGIES; QUALIFIED BIOGAS PROPERTY; MICROGRID CONTROLLERS; EXTENSION OF WASTE ENERGY RECOVERY PROPERTY.—

(1) IN GENERAL.— Section 48(a)(3)(A) is amended by striking "or" at the end of clause (vii), and by adding at the end the following new clauses:

"(viii) energy storage technology,

"(ix) qualified biogas property, or

"(x) microgrid controllers,".

(2) APPLICATION OF ~~30~~ 6 PERCENT CREDIT.— Section 48(a)(2)(A)(i) is amended by striking "and" at the end of subclauses (IV) and (V) and adding at the end the following new subclauses:

"(VI) energy storage technology,

"(VII) qualified biogas property, and

"(VIII) microgrid controllers, and".

~~(3) Application of phaseout.— Section 48(a)(7) is amended by inserting "energy storage technology, qualified biogas property, microgrid controllers," after "waste energy recovery property". (4) DEFINITIONS.— Section 48(c) is amended by adding at the end the following new paragraphs:~~

~~"(6) ENERGY STORAGE TECHNOLOGY.—~~

~~"(A) IN GENERAL.— The term 'energy storage technology' means equipment property (other than equipment property primarily used in the transportation of goods or individuals and not for the production of electricity) which uses batteries, compressed air, pumped hydropower, hydrogen storage, thermal energy storage, regenerative fuel cells, flywheels, capacitors, superconducting magnets, or other technologies identified by the Secretary, after consultation with the Secretary of Energy, to store receives, stores, and delivers energy for conversion to electricity (or, in the case of hydrogen storage, to, which stores energy), and has a nameplate capacity of not less than 5 kilowatt hours.~~

~~"(B) MODIFICATIONS OF CERTAIN PROPERTY.— In the case of any equipment which either—~~

~~"(i) would be described in subparagraph (A) except that such equipment has a capacity of less than 5 kilowatt hours and is modified such that such equipment (after such modification) has a nameplate capacity of not less than 5 kilowatt hours, or~~

"(ii) is described in subparagraph (A) and which has a capacity of not less than 5 kilowatt hours and is modified such that such equipment (after such modification) has an increased nameplate capacity, such equipment shall be treated as described in subparagraph (A) except that the basis of any property which was part of such equipment before such modification shall not be taken into account for purposes of this section. In the case of any property to which this subparagraph applies, subparagraph (C) shall be applied by substituting 'modification' for 'construction'.

"(C) TERMINATION.— The term 'energy storage technology' shall not include any property the construction of which does not begin before January 1, 2034~~27~~.

"(7) QUALIFIED BIOGAS PROPERTY.—

"(A) IN GENERAL.— The term 'qualified biogas property' means property comprising a system which—

"(i) converts biomass (as defined in section 45K(c)(3), as in effect on the date of enactment of this paragraph) into a gas which—

"(I) consists of not less than 52 percent methane by volume, or

"(II) is concentrated by such system into a gas which consists of not less than 52 percent methane, and

"(ii) captures such gas for sale or productive use, and not for disposal via combustion.

"(B) INCLUSION OF CLEANING AND CONDITIONING PROPERTY.— The term 'qualified biogas property' includes any property which is part of such system which cleans or conditions such gas.

"(C) TERMINATION.— The term 'qualified biogas property' shall not include any property the construction of which does not begin before January 1, 2034~~27~~.

"(8) MICROGRID CONTROLLER.—

"(A) IN GENERAL.— The term 'microgrid controller' means equipment which is—

"(i) part of a qualified microgrid, and

"(ii) designed and used to monitor and control the energy resources and loads on such microgrid ~~to maintain acceptable frequency, voltage, or economic dispatch.~~

"(B) QUALIFIED MICROGRID.— The term 'qualified microgrid' means an electrical system which—

"(i) includes equipment which is capable of generating not less than 4 kilowatts and not greater than 20 megawatts of electricity,

"(ii) is capable of operating—

"(I) in connection with the electrical grid and as a single controllable entity with respect to such grid, and

"(II) independently (and disconnected) from such grid, and

"(iii) is not part of a bulk-power system (as defined in section 215 of the Federal Power Act (16 U.S.C. 24o)).

"(C) TERMINATION.— The term 'microgrid controller' shall not include any property the construction of which does not begin before January 1, 2034~~27~~."

(54) DENIAL OF DOUBLE BENEFIT FOR QUALIFIED BIOGAS PROPERTY.— Section 45(e) is amended by adding at the end the following new paragraph:

"(12) COORDINATION WITH ENERGY CREDIT FOR QUALIFIED BIOGAS PROPERTY.— The term 'qualified facility' shall not include any facility which produces electricity from gas produced by qualified biogas property (as defined in section 48(c)(7)) if a credit is determined under section 48 with respect to such property for the taxable year or any prior taxable year."

(65) EXTENSION OF WASTE ENERGY RECOVERY PROPERTY.— Section 48(c)(5)(D) is amended by striking "January 1, 2024" and inserting "January 1, 2034~~27~~".

(ef) FUEL CELLS USING ELECTROMECHANICAL PROCESSES.—

(1) IN GENERAL.— Section 48(c)(1) is amended—

(A) in subparagraph (A)(i)—

(i) by inserting "or electromechanical" after "electrochemical", and

(ii) by inserting "(1 kilowatts in the case of a fuel cell power plant with a linear generator assembly)" after "0.5 kilowatt", and

(B) in subparagraph (C)—

(i) by inserting ", or linear generator assembly," after "a fuel cell stack assembly", and

(ii) by inserting "or electromechanical" after "electrochemical".

(2) LINEAR GENERATOR ASSEMBLY LIMITATION.— Section 48(c)(1) is amended by redesignating subparagraph (D) as subparagraph (E) and by inserting after subparagraph (C) the following new subparagraph:

"(D) LINEAR GENERATOR ASSEMBLY.— The term 'linear generator assembly' does not include any assembly which contains rotating parts. "

(fg) DYNAMIC GLASS.— Section 48(a)(3)(A)(ii) is amended by inserting ", or electrochromic glass which uses electricity to change its light transmittance properties in order to heat or cool a structure," after "sunlight".

(gh) COORDINATION WITH LOW INCOME HOUSING TAX CREDIT.— Paragraph (3) of section 50(c) of the Internal Revenue Code of 1986 is amended—

(1) by striking "and" at the end of subparagraph (A),

(2) by striking the period at the end of subparagraph (B) and inserting ", and", and

(3) by adding at the end the following new subparagraph:

"(C) paragraph (1) shall not apply for purposes of determining eligible basis under section 42."

~~(h) Wage and apprenticeship requirements.— Section 48(a) is amended by adding at the end the following new paragraphs: (j) INTERCONNECTION PROPERTY.—~~
Section 48(a) is amended by adding at the end the following new paragraph:

"(Z) INTERCONNECTION PROPERTY.—

"(A) IN GENERAL.— For purposes of determining the credit under subsection (a), energy property shall include amounts paid or incurred by the taxpayer for qualified interconnection property in connection with the installation of energy property (described in paragraph (3)(A)) which has a maximum net output of not greater than 5 megawatts, to provide for the transmission or distribution of the electricity produced or stored by such property, and which are properly chargeable to the capital account of the taxpayer.

"(B) QUALIFIED INTERCONNECTION PROPERTY.— The term 'qualified interconnection property' means, with respect to an energy project which is not a microgrid controller, any tangible property—

"(i) which is part of an addition, modification, or upgrade to a transmission or distribution system which is required at or beyond the point at which the energy project interconnects to such transmission or distribution system in order to accommodate such interconnection,

"(ii) either—

"(I) which is constructed, reconstructed, or erected by the taxpayer,
or

"(II) for which the cost with respect to the construction, reconstruction, or erection of such property is paid or incurred by such taxpayer, and

"(iii) the original use of which, pursuant to an interconnection agreement, commences with a utility.

"(C) INTERCONNECTION AGREEMENT.— The term 'interconnection agreement' means an agreement with a utility for the purposes of interconnecting the energy property owned by such taxpayer to the transmission or distribution system of such utility.

"(D) UTILITY.— The term 'utility' means the owner or operator of an electrical transmission or distribution system which is subject to the regulatory authority of a State or political subdivision thereof, any agency or instrumentality of the United States, a public service or public utility commission or other similar body of any State or political subdivision thereof, or the governing or ratemaking body of an electric cooperative.

"(E) Base credit amount and ^(j)SPECIAL RULE FOR INTERCONNECTION PROPERTY.— In the case of expenses paid or incurred for interconnection

property, amounts otherwise chargeable to capital account with respect to such expenses shall be reduced under rules similar to the rules of section 50(c). "

(j) WAGE AND APPRENTICESHIP REQUIREMENTS.—

Section 48(a) is amended by adding at the end the following new paragraphs:

"(8) INCREASED CREDIT AMOUNT FOR ENERGY PROJECTS.—

"(A) IN GENERAL.—

"(i) RULE.— In the case of any energy project which ~~does not satisfy~~ the requirements of subparagraph (B), the amount of the credit determined under this subsection (determined after the application of paragraphs (1) through (7)) shall be ~~20 percent of such amount~~ equal to such amount multiplied by 5 (determined without regard to this sentence).

"(ii) ENERGY PROJECT DEFINED.— For purposes of this subsection the term 'energy project' means a project consisting of multiple energy properties that are part of a single project. The requirements of this paragraph shall be applied to such project.

~~"(B) Increased credit for energy projects meeting project requirements.—~~ "(i) In general.— In the case of any energy project which meets the project requirements of this subparagraph, subparagraph (A) shall not apply. "(ii) PROJECT REQUIREMENTS.— A project meets the requirements of this subparagraph if it is one of the following:

"(i) A project with a maximum net output of less than 1 megawatt of electrical or thermal energy.

"(ii) A project which commences construction prior to the date of the enactment of this paragraph the construction of which begins before the date that is 60 days after the Secretary publishes guidance with respect to the requirements of paragraphs (9) and (10).

"(iii) A project which satisfies the requirements of paragraphs (9) and (10).

"(9) PREVAILING WAGE REQUIREMENTS.—

"(A) IN GENERAL.— The requirements described in this subparagraph with respect to any energy project are that the taxpayer shall ensure that any laborers and mechanics employed by contractors and subcontractors in—

"(i) the construction of such energy project, and

"(ii) for any year during the the five-year period beginning on the date ~~any energy property of such project is originally placed in service, the alteration or repair of such property~~ ject,

shall be paid wages at rates not less than the prevailing rates for construction, alteration, or repair of a similar character in the locality as most recently determined ~~by~~ the Secretary of Labor, in accordance with subchapter IV of chapter 31 of title 40, United States Code.

"(B) CORRECTION AND PENALTY RELATED TO FAILURE TO SATISFY WAGE REQUIREMENTS.— A taxpayer shall not be treated as failing to satisfy the requirements of this paragraph if such taxpayer meets requirement Rules similar to the requirement ules of section 45(b)(8)(B): "(10) Apprenticeship requirements.— The requirements described in this subparagraph with respect to the construction of any applicable facility are as follows: "(A) Labor hours.— "(i) Percentage of total labor hours.— All contractors and subcontractors engaged in the performance of construction, alteration, or repair work on any applicable facility prior to such facility being placed into service shall, subject to subparagraph (B), ensure that not less than the applicable percentage of the total labor hours of such work be performed by qualified apprentices. "(ii) Applicable percentage.— For purposes of paragraph (1), the applicable percentage shall be — "(i) in the case of any applicable project the construction of which begins before January 1, 2023, 5 percent, "(ii) in the case of any applicable project the construction of which begins after December 31, 2022, and before January 1, 2024, 10 percent, and "(iii) in the case of any applicable project the construction of which begins after December 31, 2023, 15 percent. "(B) Apprentice to journeyworker ratio.— The requirement under subparagraph (A)(i) shall be subject to any applicable requirements for apprentice-to-journeyworker ratios of the Department of Labor or the applicable State apprenticeship agency. "(C) Participation.— Each contractor and subcontractor who employs 4 or more individuals to perform construction, alteration, or repair work on an applicable project shall employ 4 or more qualified apprentices to perform such work. "(D) Exception.— "(i) In general.— Notwithstanding any other provision of this paragraph, this paragraph shall not apply in the case of a taxpayer who — "(i) demonstrates a lack of availability of qualified apprentices in the geographic area of the construction, alteration, or repair work, and "(ii) makes a good faith effort to comply with the requirements of this paragraph. "(ii) Good faith effort.— For purposes of clause (i), a taxpayer shall be deemed to have satisfied the requirements under such paragraph with respect to an applicable project if such taxpayer has requested qualified apprentices from a registered apprenticeship program, as defined in section 3131(e)(3)(B), and such request has been denied, provided that such denial is not the result of a refusal by the contractors or subcontractors engaged in the performance of construction, alteration, or repair work on such applicable project to comply with the established standards and requirements of such apprenticeship program. "(E) Definitions.— For purposes of this paragraph — "(i) Labor hours.— The term 'labor hours' has the meaning given such term in section 45(b)(9)(E)(i). "(ii) Qualified apprentice.— The term 'qualified apprentice' has the meaning given such term in section 45(b)(9)(E)(ii). "(11) Domestic content bonus credit amount.— "(A) In general.— In the case of any energy project which satisfies the requirements under subparagraph (B), the energy percentage in subsection (a)(2) shall be increased by the applicable rate in subparagraph (C). "(B) Requirements.— "(i) In general.— The requirement described in this subclause with respect to any energy project is satisfied if the