

Calendar No. 135

117TH CONGRESS
1ST SESSION

S. 2789

Making continuing appropriations for the fiscal year ending September 30, 2022, and for providing emergency assistance, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 21, 2021

Mr. SHELBY (for himself and Mr. McCONNELL) introduced the following bill;
which was read the first time

SEPTEMBER 22, 2021

Read the second time and placed on the calendar

A BILL

Making continuing appropriations for the fiscal year ending September 30, 2022, and for providing emergency assistance, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Extending Government
5 Funding and Delivering Emergency Assistance Act”.

6 **SEC. 2. TABLE OF CONTENTS.**

Sec. 1. Short Title

Sec. 2. Table of Contents.

Sec. 3. References.

DIVISION A—CONTINUING APPROPRIATIONS ACT, 2022

DIVISION B—DISASTER RELIEF SUPPLEMENTAL
APPROPRIATIONS ACT, 2022

DIVISION C—AFGHANISTAN SUPPLEMENTAL APPROPRIATIONS
ACT, 2022

DIVISION D—OTHER MATTERS

Title I—Extensions, Technical Corrections, and Other Matters

Title II—Budgetary Effects

1 **SEC. 3. REFERENCES.**

2 Except as expressly provided otherwise, any reference
3 to “this Act” contained in any division of this Act shall
4 be treated as referring only to the provisions of that divi-
5 sion.

1 **DIVISION A—CONTINUING**
2 **APPROPRIATIONS ACT, 2022**

3 The following sums are hereby appropriated, out of
4 any money in the Treasury not otherwise appropriated,
5 and out of applicable corporate or other revenues, receipts,
6 and funds, for the several departments, agencies, corpora-
7 tions, and other organizational units of Government for
8 fiscal year 2022, and for other purposes, namely:

9 SEC. 101. Such amounts as may be necessary, at a
10 rate for operations as provided in the applicable appro-
11 priations Acts for fiscal year 2021 and under the authority
12 and conditions provided in such Acts, for continuing
13 projects or activities (including the costs of direct loans
14 and loan guarantees) that are not otherwise specifically
15 provided for in this Act, that were conducted in fiscal year
16 2021, and for which appropriations, funds, or other au-
17 thority were made available in the following appropriations
18 Acts:

19 (1) The Agriculture, Rural Development, Food
20 and Drug Administration, and Related Agencies Ap-
21 propriations Act, 2021 (division A of Public Law
22 116–260), except section 799D, and including title
23 IV of division O of Public Law 116–260.

24 (2) The Commerce, Justice, Science, and Re-
25 lated Agencies Appropriations Act, 2021 (division B

1 of Public Law 116–260), except the proviso in sec-
2 tion 541 and sections 542 and 543.

3 (3) The Department of Defense Appropriations
4 Act, 2021 (division C of Public Law 116–260).

5 (4) The Energy and Water Development and
6 Related Agencies Appropriations Act, 2021 (division
7 D of Public Law 116–260), except the last proviso
8 under the heading “Department of Energy—Energy
9 Programs—Science”, the last two provisos under the
10 heading “Department of Energy—Energy Pro-
11 grams—Title 17 Innovative Technology Loan Guar-
12 antee Program”, and the two provisos under the
13 heading “Department of Energy—Energy Pro-
14 grams—Advanced Technology Vehicles Manufac-
15 turing Loan Program”.

16 (5) The Financial Services and General Govern-
17 ment Appropriations Act, 2021 (division E of Public
18 Law 116–260), except the matter under the heading
19 “Presidential Transition Administrative Support” in
20 title II, the matter under the heading “General
21 Services Administration—Expenses, Presidential
22 Transition” in title V, the proviso and the amount
23 specified in such proviso under the heading “District
24 of Columbia—Federal Funds—Federal Payment for

1 Emergency Planning and Security Costs in the Dis-
2 trict of Columbia” in title IV, and title IX.

3 (6) The Department of Homeland Security Ap-
4 propriations Act, 2021 (division F of Public Law
5 116–260), except section 538, and including sections
6 101 through 103 and section 105 of title I of divi-
7 sion O of Public Law 116–260.

8 (7) The Department of the Interior, Environ-
9 ment, and Related Agencies Appropriations Act,
10 2021 (division G of Public Law 116–260).

11 (8) The Departments of Labor, Health and
12 Human Services, and Education, and Related Agen-
13 cies Appropriations Act, 2021 (division H of Public
14 Law 116–260), except sections 118 and 533.

15 (9) The Legislative Branch Appropriations Act,
16 2021 (division I of Public Law 116–260), except
17 sections 211 and 213, and including section 7 of
18 Public Law 116–260.

19 (10) The Military Construction, Veterans Af-
20 fairs, and Related Agencies Appropriations Act,
21 2021 (division J of Public Law 116–260), except
22 sections 514, 515, and 517.

23 (11) The Department of State, Foreign Oper-
24 ations, and Related Programs Appropriations Act,
25 2021 (division K of Public Law 116–260), except

1 title IX other than sections 9001 and 9002 and the
2 matter preceding the first proviso and the first pro-
3 viso under the heading “Consular and Border Secu-
4 rity Programs”.

5 (12) The Transportation, Housing and Urban
6 Development, and Related Agencies Appropriations
7 Act, 2021 (division L of Public Law 116–260), ex-
8 cept sections 420 and 421.

9 SEC. 102. (a) No appropriation or funds made avail-
10 able or authority granted pursuant to section 101 for the
11 Department of Defense shall be used for:

12 (1) the new production of items not funded for
13 production in fiscal year 2021 or prior years;

14 (2) the increase in production rates above those
15 sustained with fiscal year 2021 funds; or

16 (3) The initiation, resumption, or continuation
17 of any project, activity, operation, or organization
18 (defined as any project, subproject, activity, budget
19 activity, program element, and subprogram within a
20 program element, and for any investment items de-
21 fined as a P–1 line item in a budget activity within
22 an appropriation account and an R–1 line item that
23 includes a program element and subprogram element
24 within an appropriation account) for which appro-

1 appropriations, funds, or other authority were not avail-
2 able during fiscal year 2021.

3 (b) No appropriation or funds made available or au-
4 thority granted pursuant to section 101 for the Depart-
5 ment of Defense shall be used to initiate multi-year pro-
6 curements utilizing advance procurement funding for eco-
7 nomic order quantity procurement unless specifically ap-
8 propriated later.

9 SEC. 103. Appropriations made by section 101 shall
10 be available to the extent and in the manner that would
11 be provided by the pertinent appropriations Act.

12 SEC. 104. Except as otherwise provided in section
13 102, no appropriation or funds made available or author-
14 ity granted pursuant to section 101 shall be used to ini-
15 tiate or resume any project or activity for which appro-
16 priations, funds, or other authority were not available dur-
17 ing fiscal year 2021.

18 SEC. 105. Appropriations made and authority grant-
19 ed pursuant to this Act shall cover all obligations or ex-
20 penditures incurred for any project or activity during the
21 period for which funds or authority for such project or
22 activity are available under this Act.

23 SEC. 106. Unless otherwise provided for in this Act
24 or in the applicable appropriations Act for fiscal year
25 2022, appropriations and funds made available and au-

1 thority granted pursuant to this Act shall be available
2 until whichever of the following first occurs:

3 (1) The enactment into law of an appropriation
4 for any project or activity provided for in this Act.

5 (2) The enactment into law of the applicable
6 appropriations Act for fiscal year 2022 without any
7 provision for such project or activity.

8 (3) December 3, 2021.

9 SEC. 107. Expenditures made pursuant to this Act
10 shall be charged to the applicable appropriation, fund, or
11 authorization whenever a bill in which such applicable ap-
12 propriation, fund, or authorization is contained is enacted
13 into law.

14 SEC. 108. Appropriations made and funds made
15 available by or authority granted pursuant to this Act may
16 be used without regard to the time limitations for submis-
17 sion and approval of apportionments set forth in section
18 1513 of title 31, United States Code, but nothing in this
19 Act may be construed to waive any other provision of law
20 governing the apportionment of funds.

21 SEC. 109. Notwithstanding any other provision of
22 this Act, except section 106, for those programs that
23 would otherwise have high initial rates of operation or
24 complete distribution of appropriations at the beginning
25 of fiscal year 2022 because of distributions of funding to

1 States, foreign countries, grantees, or others, such high
2 initial rates of operation or complete distribution shall not
3 be made, and no grants shall be awarded for such pro-
4 grams funded by this Act that would impinge on final
5 funding prerogatives.

6 SEC. 110. This Act shall be implemented so that only
7 the most limited funding action of that permitted in the
8 Act shall be taken in order to provide for continuation of
9 projects and activities.

10 SEC. 111. (a) For entitlements and other mandatory
11 payments whose budget authority was provided in appro-
12 priations Acts for fiscal year 2021, and for activities under
13 the Food and Nutrition Act of 2008, activities shall be
14 continued at the rate to maintain program levels under
15 current law, under the authority and conditions provided
16 in the applicable appropriations Act for fiscal year 2021,
17 to be continued through the date specified in section
18 106(3).

19 (b) Notwithstanding section 106, obligations for man-
20 datory payments due on or about the first day of any
21 month that begins after October 2021 but not later than
22 30 days after the date specified in section 106(3) may con-
23 tinue to be made, and funds shall be available for such
24 payments.

1 SEC. 112. Amounts made available under section 101
2 for civilian personnel compensation and benefits in each
3 department and agency may be apportioned up to the rate
4 for operations necessary to avoid furloughs within such de-
5 partment or agency, consistent with the applicable appro-
6 priations Act for fiscal year 2021, except that such author-
7 ity provided under this section shall not be used until after
8 the department or agency has taken all necessary actions
9 to reduce or defer non-personnel-related administrative ex-
10 penses.

11 SEC. 113. Funds appropriated by this Act may be
12 obligated and expended notwithstanding section 10 of
13 Public Law 91–672 (22 U.S.C. 2412), section 15 of the
14 State Department Basic Authorities Act of 1956 (22
15 U.S.C. 2680), section 313 of the Foreign Relations Au-
16 thorization Act, Fiscal Years 1994 and 1995 (22 U.S.C.
17 6212), and section 504(a)(1) of the National Security Act
18 of 1947 (50 U.S.C. 3094(a)(1)).

19 SEC. 114. (a) Each amount incorporated by reference
20 in this Act that was previously designated by the Congress
21 as an emergency requirement pursuant to section
22 251(b)(2)(A) of the Balanced Budget and Emergency
23 Deficit Control Act of 1985 or as being for disaster relief
24 pursuant to section 251(b)(2)(D) of such Act is des-
25 ignated by the Congress as an emergency requirement

1 pursuant to section 4001 of S. Con. Res. 14 (117th Con-
2 gress), the concurrent resolution on the budget for fiscal
3 year 2022, or as being for disaster relief pursuant to sec-
4 tions 4004(b)(6) and 4005(f) of such concurrent resolu-
5 tion, respectively.

6 (b) All references to sections 251(b)(2)(B),
7 251(b)(2)(B)(ii)(III), 251(b)(2)(C), 251(b)(2)(C)(ii),
8 251(b)(2)(E)(ii), 251(b)(2)(E)(i)(II), 251(b)(2)(F), and
9 251(b)(2)(F)(ii)(I) of the Balanced Budget and Emer-
10 gency Deficit Control Act of 1985 (2 U.S.C. 901(b)) shall
11 be treated for each amount incorporated by reference in
12 this Act in the Senate as references to sections
13 4004(b)(1), 4004(b)(1)(B)(i), 4004(b)(3), 4004(b)(3)(B),
14 4004(b)(4), 4004(b)(4)(B), 4004(b)(5), 4004(b)(5)(B),
15 respectively, of S. Con. Res. 14 (117th Congress), the con-
16 current resolution on the budget for fiscal year 2022, and
17 in the House of Representatives as references to sections
18 4005(a), 4005(a)(2)(A), 4005(c), 4005(c)(2), 4005(d),
19 4005(d)(2), 4005(e), 4005(e)(2)(A), respectively, of such
20 concurrent resolution.

21 (c) This section shall become effective immediately
22 upon enactment of this Act, and shall remain in effect
23 through the date in section 106(3).

1 SEC. 115. (a) Rescissions or cancellations of discre-
2 tionary budget authority that continue pursuant to section
3 101 in Treasury Appropriations Fund Symbols (TAFS)—

4 (1) to which other appropriations are not pro-
5 vided by this Act, but for which there is a current
6 applicable TAFS that does receive an appropriation
7 in this Act; or

8 (2) which are no-year TAFS and receive other
9 appropriations in this Act,

10 may be continued instead by reducing the rate for oper-
11 ations otherwise provided by section 101 for such current
12 applicable TAFS, as long as doing so does not impinge
13 on the final funding prerogatives of the Congress.

14 (b) Rescissions or cancellations described in sub-
15 section (a) shall continue in an amount equal to the lesser
16 of—

17 (1) the amount specified for rescission or can-
18 cellation in the applicable appropriations Act ref-
19 erenced in section 101 of this Act; or

20 (2) the amount of balances available, as of Oc-
21 tober 1, 2021, from the funds specified for rescission
22 or cancellation in the applicable appropriations Act
23 referenced in section 101 of this Act.

24 (c) No later than November 22, 2021, the Director
25 of the Office of Management and Budget shall provide to

1 the Committees on Appropriations of the House of Rep-
2 resentatives and the Senate a comprehensive list of the
3 rescissions or cancellations that will continue pursuant to
4 section 101: *Provided*, That the information in such com-
5 prehensive list shall be periodically updated to reflect any
6 subsequent changes in the amount of balances available,
7 as of October 1, 2021, from the funds specified for rescis-
8 sion or cancellation in the applicable appropriations Act
9 referenced in section 101, and such updates shall be trans-
10 mitted to the Committees on Appropriations of the House
11 of Representatives and the Senate upon request.

12 SEC. 116. Amounts made available by section 101 for
13 “Farm Service Agency—Agricultural Credit Insurance
14 Fund Program Account” may be apportioned up to the
15 rate for operations necessary to accommodate approved
16 applications for direct and guaranteed farm ownership
17 loans, as authorized by 7 U.S.C. 1922 et seq.

18 SEC. 117. Notwithstanding section 101, amounts are
19 available to the Department of Agriculture for “Rural
20 Business—Cooperative Service—Rural Microentrepreneur
21 Assistance Program” for gross obligations for the prin-
22 cipal amount of direct loans as authorized by section 379E
23 of the Consolidated Farm and Rural Development Act (7
24 U.S.C. 2008s) not to exceed \$25,000,000.

1 SEC. 118. (a) In carrying out the Special Supple-
2 mental Nutrition Program for Women, Infants, and Chil-
3 dren for the first quarter of fiscal year 2022, the Secretary
4 of Agriculture shall increase the amount of a cash-value
5 voucher to an amount recommended by the National Acad-
6 emies of Science, Engineering and Medicine and adjusted
7 for inflation for women and children participants.

8 (b) Amounts made available by section 101 to the De-
9 partment of Agriculture for “Domestic Food Programs-
10 Food and Nutrition Service-Special Supplemental Nutri-
11 tion Program for Women, Infants, and Children (WIC)”
12 shall be apportioned at the rate for operations necessary
13 to accommodate the increase described in subsection (a).

14 SEC. 119. Notwithstanding sections 102 and 104, in
15 addition to amounts otherwise provided by section 101,
16 amounts are provided to the Department of Defense for
17 “Procurement—Other Procurement, Air Force” at a rate
18 for operations of \$885,000,000, for the procurement of
19 equipment for the Strategic Microelectronic Supply pro-
20 gram, and such amounts may be apportioned up to the
21 rate for operations necessary to carry out such procure-
22 ments.

23 SEC. 120. Amounts made available by section 101 to
24 the Department of Defense for “Procurement—Procure-
25 ment, Defense-Wide” may be apportioned up to the rate

1 for operations necessary for the procurement of Military
2 Global Positioning System User Equipment Increment 1
3 Application Specific Integrated Circuits.

4 SEC. 121. Notwithstanding sections 102 and 104,
5 amounts made available by section 101 to the Department
6 of Defense for “Research, Development, Test and Evalua-
7 tion—Research, Development, Test and Evaluation, Air
8 Force” may be apportioned up to the rate of operations
9 necessary for the acquisition of real property by the
10 United States Government.

11 SEC. 122. During the period covered by this Act, the
12 limitation at section 2208(l)(3) of title 10, United States
13 Code, shall not apply with respect to advance billing for
14 orders for relief efforts related to the COVID–19 pan-
15 demic.

16 SEC. 123. (a) Funding provided in prior Acts making
17 appropriations for energy and water development and re-
18 lated agencies for fiscal years 2019, 2020, and 2021 under
19 the heading “Department of the Interior—Bureau of Rec-
20 lamation—Water and Related Resources” for carrying out
21 section 4007 of Public Law 114–322 shall be made avail-
22 able, in accordance with that section and as recommended
23 by the Secretary in a letter dated July 23, 2021, for the
24 construction, pre-construction, or study of the North-of-
25 the-Delta Off Stream Storage (Sites Reservoir Project),

1 the Los Vaqueros Reservoir Phase 2 Expansion Project,
2 the B.F. Sisk Dam Raise and Reservoir Expansion
3 Project, and the Del Puerto Canyon Reservoir.

4 (b) Funding provided in the Energy and Water De-
5 velopment and Related Agencies Appropriations Act, 2021
6 under the heading “Department of the Interior—Bureau
7 of Reclamation—Water and Related Resources” for car-
8 rying out section 4009(a) of Public Law 114–322 shall
9 be made available, in accordance with that section and as
10 recommended by the Secretary in a letter dated July 23,
11 2021, for the North Pleasant Valley Desalter Facility, the
12 Mission Basin Groundwater Purification Facility Well Ex-
13 pansion and Brine Minimization Project, the Los Robles
14 Desalter Project, and the Regional Brackish Water Rec-
15 lamation Program.

16 (c) Funding provided in the Energy and Water Devel-
17 opment and Related Agencies Appropriations Act, 2021
18 under the heading “Department of the Interior—Bureau
19 of Reclamation—Water and Related Resources” for car-
20 rying out section 4009(c) of Public Law 114–322 shall
21 be made available, in accordance with that section and as
22 recommended by the Secretary in a letter dated July 23,
23 2021, for the El Paso Aquifer Storage and Recovery
24 Using Reclaimed Water Project, the Pure Water Soquel:
25 Groundwater Replenishment and Seawater Intrusion Pre-

1 vention Project, the North San Diego Water Reuse Coali-
2 tion Project, the Pure Water Oceanside Project, the City
3 of Santa Fe Reuse Pipeline Project, the Replenish Big
4 Bear Project, the Central Coast Blue: Recycled Water
5 Project, the Harvest Water Program, the East County Ad-
6 vanced Water Purification Program: Phase Two, the Ven-
7 tura Water Pure Program, and the San Juan Watershed
8 Project.

9 SEC. 124. (a) During the period covered by this Act,
10 title I of Public Law 108–361 (the Calfed Bay-Delta Au-
11 thorization Act) (118 Stat. 1681), as amended by section
12 4007(k) of Public Law 114–322, shall be applied by sub-
13 stituting “2022” for “2021” each place it appears.

14 (b) During the period covered by this Act, section
15 9106(g)(2) of Public Law 111–11 (Omnibus Public Land
16 Management Act of 2009) shall be applied by substituting
17 “2022” for “2021”.

18 (c) During the period covered by this Act, section
19 104(c) of the Reclamation States Emergency Drought Re-
20 lief Act of 1991 (43 U.S.C. 2214(c)) shall be applied by
21 substituting “2022” for “2021”.

22 (d) During the period covered by this Act, section 301
23 of the Reclamation States Emergency Drought Relief Act
24 of 1991 (43 U.S.C. 2241) shall be applied by substituting
25 “2022” for “2021”.

1 SEC. 125. (a) Notwithstanding section 101, section
2 506 of division D of Public Law 116–260 shall be applied
3 by substituting “\$841,000,000” for “\$291,000,000”.

4 (b) Amounts provided by this Act for “Department
5 of Energy—Energy Programs—Uranium Enrichment De-
6 contamination and Decommissioning Fund” may be ap-
7 portioned up to the rate for operations necessary to avoid
8 disruption of continuing projects or activities funded in
9 this appropriation.

10 (c) The Secretary of Energy shall notify the Commit-
11 tees on Appropriations of the House of Representatives
12 and the Senate not later than 3 days after each use of
13 the authority provided in subsection (b).

14 SEC. 126. Notwithstanding section 101, amounts are
15 provided for “Executive Office of the President and Funds
16 Appropriated to the President—The White House—Sala-
17 ries and Expenses” at a rate for operations of
18 \$60,000,000.

19 SEC. 127. Notwithstanding section 101, amounts are
20 provided for “General Services Administration—Allow-
21 ances and Office Staff for Former Presidents” at a rate
22 for operations of \$5,000,000.

23 SEC. 128. Amounts made available by section 101 for
24 “Small Business Administration—Business Loans Pro-
25 gram Account” may be apportioned up to the rate for op-

1 erations necessary to accommodate increased demand for
2 commitments for general business loans authorized under
3 paragraphs (1) through (35) of section 7(a) of the Small
4 Business Act (15 U.S.C. 636(a)), for guarantees of trust
5 certificates authorized by section 5(g) of the Small Busi-
6 ness Act (15 U.S.C. 634(g)), for commitments to guar-
7 antee loans under section 503 of the Small Business In-
8 vestment Act of 1958 (15 U.S.C. 697), and for commit-
9 ments to guarantee loans for debentures under section
10 303(b) of the Small Business Investment Act of 1958 (15
11 U.S.C. 683(b)).

12 SEC. 129. Notwithstanding section 101, amounts are
13 provided for “District of Columbia—Federal Funds—
14 Federal Payment to the Court Services and Offender Su-
15 pervision Agency for the District of Columbia” at a rate
16 for operations of \$249,754,000: *Provided*, That the second
17 proviso under such heading in title IV of division E of
18 Public Law 116–260 shall be applied by substituting
19 “\$70,574,000” for “\$66,743,000”.

20 SEC. 130. Notwithstanding any other provision of
21 this Act, except section 106, the District of Columbia may
22 expend local funds made available under the heading “Dis-
23 trict of Columbia—District of Columbia Funds” for such
24 programs and activities under the District of Columbia
25 Appropriations Act, 2021 (title IV of division E of Public

1 Law 116–260) at the rate set forth in the Fiscal Year
2 2022 Local Budget Act of 2021 (D.C. Act 24–173), as
3 modified as of the date of enactment of this Act.

4 SEC. 131. Section 330(e)(3) of title 11, United States
5 Code, is amended by striking “in that fiscal year” at the
6 end of the paragraph.

7 SEC. 132. In addition to amounts otherwise provided
8 by section 101, an amount is provided to the Department
9 of Homeland Security for “U.S. Citizenship and Immigra-
10 tion Services—Operations and Support” for application
11 processing, the reduction of backlogs within asylum, field,
12 and service center offices, and support of the refugee pro-
13 gram at a rate for operations of \$250,000,000: *Provided*,
14 That such amounts shall be in addition to any other funds
15 made available for such purposes, and shall not be con-
16 strued to require any reduction of any fee described in
17 section 286(m) of the Immigration and Nationality Act
18 (8 U.S.C. 1356(m)): *Provided further*, That prior to the
19 obligation of such resources, U.S. Citizenship and Immi-
20 gration Services shall provide to the Committees on Ap-
21 propriations of the Senate and the House of Representa-
22 tives an expenditure plan that identifies backlog reduction
23 metrics and quarterly reports on the execution of such
24 plan.

1 SEC. 133. Amounts made available by section 101 to
2 the Department of Homeland Security under the heading
3 “Federal Emergency Management Agency—Disaster Re-
4 lief Fund” may be apportioned up to the rate for oper-
5 ations necessary to carry out response and recovery activi-
6 ties under the Robert T. Stafford Disaster Relief and
7 Emergency Assistance Act (42 U.S.C. 5121 et seq.).

8 SEC. 134. (a) Sections 1309(a) and 1319 of the Na-
9 tional Flood Insurance Act of 1968 (42 U.S.C. 4016(a)
10 and 4026) shall be applied by substituting the date speci-
11 fied in section 106(3) of this Act for “September 30,
12 2021”.

13 (b) If this Act is enacted after September 30, 2021,
14 this section shall be applied as if it were in effect on Sep-
15 tember 30, 2021.

16 SEC. 135. Amounts made available by section 101 for
17 “Department of the Interior—National Park Service—
18 National Recreation and Preservation” for heritage part-
19 nership programs may be used to provide financial assist-
20 ance to any national heritage area, national heritage cor-
21 ridor, cultural heritage corridor, national heritage partner-
22 ship, national heritage route, national heritage canalway,
23 and battlefields national historic district established as of
24 September 1, 2021, notwithstanding any statutory sunset
25 provision terminating the Secretary’s authority to provide

1 assistance to any such area and notwithstanding any limi-
2 tation on amounts authorized to be appropriated with re-
3 spect to any such area: *Provided*, That the Commission
4 sunset provision in section 804(j) of division B of H.R.
5 5666 (Appendix D), as amended, as enacted into law by
6 section 1(a)(4) of Public Law 106– 554, shall be applied
7 by substituting the date specified in section 106(3) of this
8 Act for “September 30, 2021”: *Provided further*, That the
9 authority in section 295D of Public Law 109–338, as
10 amended, shall continue in effect through the date speci-
11 fied in section 106(3) of this Act.

12 SEC. 136. Notwithstanding subsection (c)(2)(B) of
13 section 200303 of title 54, United States Codes, during
14 the period covered by this Act amounts made available
15 from the Land and Water Conservation Fund for fiscal
16 year 2022 pursuant to subsection (a) of such section of
17 such title shall be allocated by the Secretary of the Interior
18 or the Secretary of Agriculture, as appropriate, only for
19 the following agencies and accounts, for the purposes spec-
20 ified, and in the amounts specified multiplied by the per-
21 centage of fiscal year 2022 covered by this Act:

22 (1) “Department of the Interior—Bureau of
23 Land Management—Land Acquisition”, \$7,500,000,
24 for Acquisition Management;

1 (2) “Department of the Interior—United States
2 Fish and Wildlife Service—Land Acquisition”,
3 \$17,000,000, for Land Acquisition Management;

4 (3) “Department of the Interior—National
5 Park Service—Land Acquisition and State Assist-
6 ance”, \$14,500,000, for Acquisition Management;

7 (4) “Department of the Interior—Office of the
8 Secretary—Departmental Operations”, \$19,000,000,
9 for Management Services, Appraisal and Valuation
10 Service Offices-Federal Lands;

11 (5) “Department of Agriculture—Forest Serv-
12 ice—State and Private Forestry”, \$6,400,000, for
13 Administrative Funds; and

14 (6) “Department of Agriculture—Forest Serv-
15 ice—Land Acquisition”, \$12,000,000, for Acquisi-
16 tion Management.

17 SEC. 137. (a) In addition to amounts provided by sec-
18 tion 101, amounts are provided for “Department of
19 Health and Human Services—Indian Health Service—In-
20 dian Health Services” at a rate for operations of
21 \$22,080,000, for an additional amount for costs of staff-
22 ing and operating facilities that were opened, renovated,
23 or expanded in fiscal years 2021 and 2022, and such
24 amounts may be apportioned up to the rate for operations
25 necessary to staff and operate such facilities.

1 (b) In addition to amounts provided by section 101,
2 amounts are provided for “Department of Health and
3 Human Services—Indian Health Service—Indian Health
4 Facilities” at a rate for operations of \$2,261,000, for an
5 additional amount for costs of staffing and operating fa-
6 cilities that were opened, renovated, or expanded in fiscal
7 years 2021 and 2022, and such amounts may be appor-
8 tioned up to the rate for operations necessary to staff and
9 operate such facilities.

10 SEC. 138. In addition to amounts otherwise provided
11 by section 101, for “Department of Health and Human
12 Services—Centers for Disease Control and Prevention—
13 Environmental Health”, there is appropriated \$1,500,000,
14 for an additional amount for fiscal year 2022, to remain
15 available until September 30, 2022, for the Vessel Sanita-
16 tion Program.

17 SEC. 139. (a) Funds made available in Public Law
18 114–113 to the accounts of the National Institutes of
19 Health that were available for obligation through fiscal
20 year 2016 and were obligated for multi-year research
21 grants shall be available through fiscal year 2022 for the
22 liquidation of valid obligations incurred in fiscal year 2016
23 if the Director of the National Institutes of Health deter-
24 mines the project suffered an interruption of activities at-
25 tributable to COVID–19.

1 (b)(1) Subject to paragraph (2), this section shall be-
2 come effective immediately upon enactment of this Act.

3 (2) If this Act is enacted after September 30,
4 2021, this section shall be applied as if it were in
5 effect on September 30, 2021.

6 SEC. 140. In addition to amounts provided by section
7 101, amounts are provided for “Department of Health
8 and Human Services—Substance Abuse and Mental
9 Health Services Administration—Mental Health” at a
10 rate for operations of \$77,621,000 for an additional
11 amount for carrying out section 520E–3 of the Public
12 Health Service Act (42 U.S.C. 290bb–36c), and such
13 amounts may be apportioned up to the rate for operations
14 necessary to operate and maintain the National Suicide
15 Prevention Lifeline program.

16 SEC. 141. In addition to amounts otherwise provided
17 by this Act, for “Department of Health and Human Serv-
18 ices—Administration for Children and Families—Refugee
19 and Entrant Assistance”, there is appropriated
20 \$2,500,000,000, for an additional amount for fiscal year
21 2022, to remain available until September 30, 2024, to
22 carry out section 462 of the Homeland Security Act of
23 2002 and section 235 of the William Wilberforce Traf-
24 ficking Victims Protection Reauthorization Act of 2008:
25 *Provided*, That not later than November 1, 2021, the Sec-

1 retary of Health and Human Services shall submit to the
2 Committees on Appropriations of the House of Represent-
3 atives and the Senate a report detailing steps taken and
4 planned to be taken by the Department to phase out the
5 use of emergency intake sites and a detailed plan for end-
6 ing the use of emergency intake sites, including a timeline
7 of major milestones and projections for delivered online
8 bed capacity by facility type: *Provided further*, That such
9 report shall include an aligned spend plan for estimated
10 fiscal year 2022 obligations by major category: *Provided*
11 *further*, That the Secretary shall submit monthly reports
12 during fiscal year 2022 to the Committees on Appropria-
13 tions on all obligations and expenditures incurred by the
14 Department for carrying out such sections 462 and 235:
15 *Provided further*, That such amount is designated by the
16 Congress as being for an emergency requirement pursuant
17 to section 4001(a)(1) and section 4001(b) of S. Con. Res.
18 14 (117th Congress), the concurrent resolution on the
19 budget for fiscal year 2022.

20 SEC. 142. Amounts made available by section 101 for
21 “Department of Health and Human Services—Adminis-
22 tration for Children and Families—Refugee and Entrant
23 Assistance” may be apportioned up to the rate for oper-
24 ations necessary to carry out section 462 of the Homeland
25 Security Act of 2002 and section 235 of the William Wil-

1 berforce Trafficking Victims Protection Reauthorization
2 Act of 2008, and up to the rate for operations necessary
3 for activities authorized by section 414 of the Immigration
4 and Nationality Act and section 501 of the Refugee Edu-
5 cation Assistance Act of 1980.

6 SEC. 143. Not later than 90 days after the date of
7 enactment of this Act, and every 90 days thereafter
8 through fiscal year 2022, the Secretary of Health and
9 Human Services shall provide a report to the Committees
10 on Appropriations of the House of Representatives and the
11 Senate on (1) the total number of children that the Office
12 of Refugee Resettlement has released to sponsors living
13 in the United States, disaggregated by State, and (2) the
14 number of children that the Office of Refugee Resettle-
15 ment has released to sponsors living in the United States
16 for whom the Office of Refugee Resettlement has success-
17 fully conducted safety and welfare checks, and provided
18 post-release services as appropriate, for the most recent
19 quarter such data are available.

20 SEC. 144. Not later than 10 days after the date of
21 enactment of this Act, the Secretary of Health and
22 Human Services shall provide a report to the Committees
23 on Appropriations of the House of Representatives and the
24 Senate, and disclose on a publicly available website, on all
25 transfers made for carrying out section 462 of the Home-

1 land Security Act of 2002 or section 235 of the William
2 Wilberforce Trafficking Victims Protection Reauthoriza-
3 tion Act of 2008 during fiscal year 2021. This report shall
4 include: (1) a list of the source of funds transferred by
5 public law;(2) the program, project, or activity funds were
6 transferred from and the corresponding amount that was
7 transferred;(3) date of transfer;(4) the number of children
8 referred to the Office of Refugee Resettlement (ORR) by
9 month for fiscal year 2021; and(5) the age distribution
10 of the children referred to ORR by month for fiscal year
11 2021: *Provided*, That the report shall be updated every
12 30 days throughout fiscal year 2022.

13 SEC. 145. During the period covered by this Act, for
14 services furnished under the Community Services Block
15 Grant Act (“CSBG Act”) with funds made available by
16 this Act, by the Consolidated Appropriations Act, 2021
17 (Public Law 116–260), or by the Coronavirus Aid, Relief,
18 and Economic Security Act (Public Law 116–136), States
19 may apply the last sentence of section 673(2) of the CSBG
20 Act by substituting “200 percent” for “125 percent”.

21 SEC. 146. For purposes of annual leave accumulated
22 in fiscal year 2021, the authority provided in section 2106
23 of division C of Public Law 116–159 shall apply to such
24 leave by substituting “2021” for “2020” in subsections
25 (a) and (d).

1 SEC. 147. Activities authorized by part A of title IV
2 (other than under section 403(c) or 418) and section
3 1108(b) of the Social Security Act shall continue through
4 the date specified in section 106(3), in the manner author-
5 ized for fiscal year 2021, and out of any money in the
6 Treasury of the United States not otherwise appropriated,
7 there are hereby appropriated such sums as may be nec-
8 essary for such purpose.

9 SEC. 148. Section 114(f) of the Higher Education
10 Act of 1965 (20 U.S.C. 1011c(f)) shall be applied by sub-
11 stituting the date specified in section 106(3) of this Act
12 for “September 30, 2021”.

13 SEC. 149. Section 458(a)(4) of the Higher Education
14 Act of 1965 (20 U.S.C. 1087h(a)(4)) shall be applied
15 through the date specified in section 106(3) of this Act
16 by substituting “2022” for “2021”.

17 SEC. 150. Notwithstanding section 101, section 116
18 of division J of Public Law 116–260 shall be applied dur-
19 ing the period covered by this Act by substituting “fifth
20 fiscal year” for “fourth fiscal year”.

21 SEC. 151. During the period covered by this Act, the
22 Secretary of Veterans Affairs may transfer up to
23 \$193,500,000 of the unobligated balances from amounts
24 made available for fiscal year 2021 under the heading
25 “Veterans Health Administration—Medical Services” in

1 title II of division F of the Further Consolidated Appro-
2 priations Act, 2020 (Public Law 116–94), or in section
3 8002 of title VIII of the American Rescue Plan Act of
4 2021 (Public Law 117–2) to the following accounts of the
5 Department in the amounts specified:

6 (1) “Veterans Benefits Administration—Gen-
7 eral Operating Expenses, Veterans Benefits Admin-
8 istration”, up to \$178,000,000;

9 (2) “Departmental Administration—Board of
10 Veterans Appeals”, up to \$5,800,000; and

11 (3) “Departmental Administration—Informa-
12 tion Technology Systems”, up to \$9,700,000:

13 *Provided*, That the transferred amounts shall be used, in
14 addition to any other amounts available for such purposes,
15 for personnel costs and other expenses to implement the
16 interim final rule entitled “Presumptive Service Con-
17 nection for Respiratory Conditions Due to Exposure to Par-
18 ticulate Matter”, published on August 5, 2021 (86 FR
19 42724), and any revisions to such rule.

20 SEC. 152. Amounts made available by section 101 to
21 United States Government-funded entities for “Related
22 Agency—United States Agency for Global Media—Inter-
23 national Broadcasting Operations”, “Related Programs—
24 The Asia Foundation”, “Related Programs—United
25 States Institute of Peace”, and “Related Programs—Na-

1 tional Endowment for Democracy” may be apportioned up
2 to the rate for operations necessary to support the evacu-
3 ation of Afghan journalists and other Afghan employees
4 of such entities, following consultation with the Commit-
5 tees on Appropriations.

6 SEC. 153. Section 21009 of the Coronavirus Aid, Re-
7 lief, and Economic Security Act (Public Law 116–136)
8 shall continue in effect through the date specified in sec-
9 tion 106(3) of this Act.

10 SEC. 154. Amounts made available by section 101 to
11 the United States International Development Finance
12 Corporation for “Corporate Capital Account” and paid to
13 the “Program Account” shall be available for the costs
14 of modifying loans and loan guarantees transferred to the
15 Corporation pursuant to section 1463 of the BUILD Act
16 of 2018 (division F of Public Law 115–254): *Provided,*
17 That such costs shall be as defined in section 502 of the
18 Congressional Budget Act of 1974.

19 SEC. 155. Section 1334 of the Foreign Affairs Re-
20 form and Restructuring Act of 1998 (22 U.S.C. 6553)
21 shall be applied by substituting the date specified in sec-
22 tion 106(3) of this Act for “October 1, 2021”.

23 SEC. 156. Notwithstanding section 101, amounts are
24 provided for “Department of Transportation—Office of
25 the Secretary—Payments to Air Carriers” at a rate for

1 operations of \$247,700,000, and such amounts may be ap-
2 portioned up to the rate for operations necessary to main-
3 tain Essential Air Service program operations.

4 SEC. 157. Amounts made available by section 101 to
5 the Department of Housing and Urban Development in
6 the third paragraph under the heading “Public and Indian
7 Housing—Native American Programs” may be appor-
8 tioned up to the rate for operations necessary to accommo-
9 date demand for guaranteed notes and other obligations
10 as authorized by title VI of the Native American Housing
11 Assistance and Self-Determination Act of 1996.

12 SEC. 158. In addition to amounts otherwise provided
13 by section 101, for “Procurement—Procurement, De-
14 fense-Wide”, there is appropriated \$1,000,000,000, for an
15 additional amount for fiscal year 2022, to remain available
16 until September 30, 2024, which shall be for the Secretary
17 of Defense to provide to the Government of Israel for the
18 procurement of the Iron Dome defense system to counter
19 short-range rocket threats: *Provided*, That such funds
20 shall be provided to address emergent requirements in
21 support of Operation Guardian of the Walls: *Provided fur-*
22 *ther*, That such funds shall be transferred pursuant to an
23 exchange of letters and are in addition to funds provided
24 pursuant to the U.S.-Israel Iron Dome Procurement
25 Agreement, as amended: *Provided further*, That nothing

1 in the preceding provisos shall be construed to apply to
2 amounts made available in prior appropriations Acts for
3 the procurement of the Iron Dome defense system: *Pro-*
4 *vided further*, That such amount is designated by the Con-
5 gress as being for an emergency requirement pursuant to
6 section 4001(a)(1) and section 4001(b) of S. Con. Res.
7 14 (117th Congress), the concurrent resolution on the
8 budget for fiscal year 2022.

9 This division may be cited as the “Continuing Appro-
10 priations Act, 2022”.

1 **DIVISION B—DISASTER RELIEF SUPPLE-**
2 **MENTAL APPROPRIATIONS ACT, 2022**

3 The following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated, for the
5 fiscal year ending September 30, 2022, and for other pur-
6 poses, namely:

7 TITLE I

8 DEPARTMENT OF AGRICULTURE

9 AGRICULTURAL PROGRAMS

10 PROCESSING, RESEARCH AND MARKETING

11 OFFICE OF THE SECRETARY

12 For an additional amount for the “Office of the Sec-
13 retary”, \$10,000,000,000, which shall remain available
14 until December 31, 2023, for necessary expenses related
15 to losses of crops (including milk, on-farm stored commod-
16 ities, crops prevented from planting in 2020 and 2021,
17 and harvested adulterated wine grapes), trees, bushes, and
18 vines, as a consequence of droughts, wildfires, hurricanes,
19 floods, derechos, excessive heat, winter storms, freeze, in-
20 cluding a polar vortex, smoke exposure, quality losses of
21 crops, and excessive moisture occurring in calendar years
22 2020 and 2021 under such terms and conditions as deter-
23 mined by the Secretary: *Provided*, That, with respect to
24 smoke tainted wine grapes, the loss (including a quality
25 loss) of such crop during the coverage period due to wild-

1 fire, as determined by the Secretary, is considered a quali-
2 fied loss: *Provided further*, That losses due to drought
3 shall only be eligible under this heading in this Act if any
4 area within the county in which the loss occurs was rated
5 by the U.S. Drought Monitor as having a D2 (Severe
6 Drought) for eight consecutive weeks or a D3 (Extreme
7 Drought) or higher level of drought intensity during the
8 applicable calendar years: *Provided further*, That of the
9 amounts provided under this heading in this Act, the Sec-
10 retary shall use \$750,000,000 to provide assistance to pro-
11 ducers of livestock, as determined by the Secretary of Ag-
12 riculture, for losses incurred during calendar year 2021
13 due to drought or wildfires: *Provided further*, That at the
14 election of a processor eligible for a loan under section
15 156 of the Federal Agriculture Improvement and Reform
16 Act of 1996 (7 U.S.C. 7272) or a cooperative processor
17 of dairy, the Secretary shall make payments for losses in
18 2021 to such processors (to be paid to producer members,
19 as determined by such processors) in lieu of payments to
20 producers and under the same terms and conditions as
21 payments made to processors pursuant to title I of the
22 Additional Supplemental Appropriations for Disaster Re-
23 lief Act, 2019 (Public Law 116–20) under the heading
24 “Department of Agriculture—Agricultural Programs—
25 Processing, Research and Marketing—Office of the Sec-

1 retary”, as last amended by section 791(c) of title VII of
2 division B of the Further Consolidated Appropriations
3 Act, 2020 (Public Law 116–94): *Provided further*, That
4 notwithstanding section 760.1503(j) of title 7 of the Code
5 of Federal Regulations, in the event that a processor de-
6 scribed in the preceding proviso does not elect to receive
7 payments under such clause, the Secretary shall make di-
8 rect payments to producers under this heading in this Act:
9 *Provided further*, That of the amounts provided under this
10 heading in this Act, not more than one percent of the
11 funds provided herein may be used for administrative
12 costs, including for streamlining the application process
13 and easing the burden on county office employees, to carry
14 out the matter under this heading in this Act: *Provided*
15 *further*, That, except as otherwise provided under this
16 heading in this Act, the Secretary shall impose payment
17 limitations consistent with section 760.1507 of title 7,
18 Code of Federal Regulations (as in effect on the date of
19 enactment of this Act): *Provided further*, That, in the case
20 of specialty crops or high value crops, as determined by
21 the Secretary, the Secretary shall impose payment limita-
22 tions consistent with section 760.1507(a)(2) of title 7,
23 Code of Federal Regulations (as in effect on January 1,
24 2019): *Provided further*, That, with respect to the payment
25 limitations described under this heading in this Act, the

1 Secretary shall apply separate payment limits for each of
2 2020 and 2021: *Provided further*, That the total amount
3 of payments received under this heading in this Act and
4 applicable policies of crop insurance under the Federal
5 Crop Insurance Act (7 U.S.C. 1501 et seq.) or the Non-
6 insured Crop Disaster Assistance Program (NAP) under
7 section 196 of the Federal Agriculture Improvement and
8 Reform Act of 1996 (7 U.S.C. 7333) (minus any pre-
9 miums or fees paid for such coverages) shall not exceed
10 90 percent of the loss as determined by the Secretary: *Pro-*
11 *vided further*, That the total amount of payments received
12 under this heading in this Act for producers who did not
13 obtain a policy or plan of insurance for an insurable com-
14 modity for the applicable crop year under the Federal
15 Crop Insurance Act (7 U.S.C. 1501 et seq.) for the crop
16 incurring the losses or did not file the required paperwork
17 and pay the service fee by the applicable State filing dead-
18 line for a noninsurable commodity for the applicable crop
19 year under NAP for the crop incurring the losses shall
20 not exceed 70 percent of the loss as determined by the
21 Secretary: *Provided further*, That producers receiving pay-
22 ments under this heading in this Act, as determined by
23 the Secretary, shall be required to purchase crop insurance
24 where crop insurance is available for the next two available
25 crop years and producers receiving payments under this

1 heading in this Act shall be required to purchase coverage
 2 under NAP where crop insurance is not available in the
 3 next two available crop years, as determined by the Sec-
 4 retary: *Provided further*, That not later than 120 days
 5 after the end of fiscal year 2021, the Secretary shall sub-
 6 mit a report to the Congress specifying the type, amount,
 7 and method of such assistance by state and territory.

8 FARM PRODUCTION AND CONSERVATION
 9 PROGRAMS

10 NATURAL RESOURCES CONSERVATION SERVICE
 11 WATERSHED AND FLOOD PREVENTION OPERATIONS

12 For an additional amount for “Watershed and Flood
 13 Prevention Operations” for necessary expenses for the
 14 Emergency Watershed Protection Program,
 15 \$275,000,000, to remain available until expended, which
 16 shall be in addition to amounts otherwise available for
 17 such purposes.

18 TITLE II

19 DEPARTMENT OF COMMERCE

20 NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY
 21 SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

22 For an additional amount for “Scientific and Tech-
 23 nical Research and Services” for necessary expenses to
 24 carry out investigations of building failures pursuant to
 25 the National Construction Safety Team Act of 2002 (15

1 U.S.C. 7301), \$22,000,000, to remain available until Sep-
2 tember 30, 2023.

3 NATIONAL OCEANIC AND ATMOSPHERIC
4 ADMINISTRATION
5 OPERATIONS, RESEARCH, AND FACILITIES

6 For an additional amount for “Operations, Research,
7 and Facilities” for necessary expenses related to the con-
8 sequences of hurricanes and of wildfires in calendar years
9 2020 and 2021, \$92,834,000, to remain available until
10 September 30, 2023, as follows:

11 (1) \$4,709,000 for repair and replacement of
12 observing assets, real property, and equipment;

13 (2) \$3,425,000 for marine debris assessment
14 and removal;

15 (3) \$4,700,000 for mapping, charting, and ge-
16 odesy services;

17 (4) \$35,000,000 to improve: (A) hurricane in-
18 tensity and track forecasting, including through de-
19 ployment of unmanned ocean observing platforms
20 and enhanced data assimilation; and(B) precipita-
21 tion and flood prediction, forecasting, and mitigation
22 capabilities;

23 (5) \$20,000,000 to improve wildfire research,
24 prediction, detection, forecasting, monitoring, data

1 management, and communication and engagement;
2 and

3 (6) \$25,000,000 for Title IX Fund grants as
4 authorized under section 906(c) of division O of
5 Public Law 114–113:

6 *Provided*, That the National Oceanic and Atmospheric Ad-
7 ministration shall submit a spending plan to the Commit-
8 tees on Appropriations of the House of Representatives
9 and the Senate within 45 days after the date of enactment
10 of this Act.

11 PROCUREMENT, ACQUISITION AND CONSTRUCTION

12 For an additional amount for “Procurement, Acquisi-
13 tion and Construction” for necessary expenses related to
14 the consequences of hurricanes and of wildfires in calendar
15 years 2020 and 2021, \$52,205,000, to remain available
16 until September 30, 2024, as follows:

17 (1) \$2,205,000 for repair and replacement of
18 observing assets, real property, and equipment; and

19 (2) \$50,000,000 for improvements to oper-
20 ational and research weather and climate supercom-
21 puting and dissemination infrastructure, observing
22 assets, and satellites, along with associated ground
23 systems, used for hurricane intensity and track pre-
24 diction; precipitation and flood prediction, fore-

1 casting, and mitigation; and wildfire research, pre-
 2 diction, detection, forecasting, and monitoring:

3 *Provided*, That the National Oceanic and Atmospheric Ad-
 4 ministration shall submit a spending plan to the Commit-
 5 tees on Appropriations of the House of Representatives
 6 and the Senate within 45 days after the date of enactment
 7 of this Act.

8 FISHERIES DISASTER ASSISTANCE

9 For an additional amount for “Fisheries Disaster As-
 10 sistance” for necessary expenses associated with the miti-
 11 gation of fishery disasters, \$200,000,000, to remain avail-
 12 able until expended: *Provided*, That such funds shall be
 13 used for mitigating the effects of commercial fishery fail-
 14 ures and fishery resource disasters declared by the Sec-
 15 retary of Commerce, including those declared by the Sec-
 16 retary to be a direct result of hurricanes in calendar years
 17 2020 and 2021.

18 SCIENCE

19 NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

20 CONSTRUCTION AND ENVIRONMENTAL COMPLIANCE AND

21 RESTORATION

22 (INCLUDING TRANSFER OF FUNDS)

23 For an additional amount for “Construction and En-
 24 vironmental Compliance and Restoration” for repair at
 25 National Aeronautics and Space Administration facilities

1 damaged by Hurricanes Zeta and Ida, \$321,400,000, to
2 remain available until expended: *Provided*, That up to 15
3 percent of such amount may be transferred to “Explo-
4 ration” for necessary expenses related to flight hardware,
5 tooling, production and schedule delays caused by Hurri-
6 cane Ida: *Provided further*, That except as provided in the
7 preceding proviso, the amounts appropriated under this
8 heading in this Act shall not be available for transfer
9 under any transfer authority provided for the National
10 Aeronautics and Space Administration in an appropriation
11 Act for fiscal year 2022.

12 NATIONAL SCIENCE FOUNDATION

13 MAJOR RESEARCH EQUIPMENT AND FACILITIES

14 CONSTRUCTION

15 For an additional amount for “Major Research
16 Equipment and Facilities Construction” for necessary ex-
17 penses related to the National Science Foundation Re-
18 gional Class Research Vessel construction impacted by
19 Hurricane Ida, \$25,000,000, to remain available until ex-
20 pended.

21 RELATED AGENCIES

22 LEGAL SERVICES CORPORATION

23 PAYMENT TO THE LEGAL SERVICES CORPORATION

24 For an additional amount for “Payment to the Legal
25 Services Corporation” to carry out the purposes of the

1 Legal Services Corporation Act by providing for necessary
2 expenses related to the consequences of hurricanes,
3 wildfires, other extreme weather, and earthquakes that oc-
4 curred during calendar years 2020 and 2021,
5 \$40,000,000, to remain available until September 30,
6 2022: *Provided*, That none of the funds appropriated in
7 this Act to the Legal Services Corporation shall be ex-
8 pended for any purpose prohibited or limited by, or con-
9 trary to any of the provisions of, sections 501, 502, 503,
10 504, 505, and 506 of Public Law 105–119, and all funds
11 appropriated in this Act to the Legal Services Corporation
12 shall be subject to the same terms and conditions set forth
13 in such sections, except that all references in sections 502
14 and 503 to 1997 and 1998 shall be deemed to refer in-
15 stead to 2021 and 2022, respectively, and except that sec-
16 tions 501 and 503 of Public Law 104–134 (referenced by
17 Public Law 105–119) shall not apply to the amount made
18 available under this heading: *Provided further*, That, for
19 the purposes of this Act, the Legal Services Corporation
20 shall be considered an agency of the United States.

1 TITLE III
2 DEPARTMENT OF DEFENSE
3 DEPARTMENT OF DEFENSE—MILITARY
4 OPERATION AND MAINTENANCE
5 OPERATION AND MAINTENANCE, NAVY

6 For an additional amount for “Operation and Main-
7 tenance, Navy”, \$565,000,000, to remain available until
8 September 30, 2022, for necessary expenses related to the
9 consequences of severe storms, straight-line winds, flood-
10 ing, tornadoes, earthquakes, wildfires, and hurricanes oc-
11 ccurring in calendar years 2020 and 2021.

12 OPERATION AND MAINTENANCE, AIR FORCE

13 For an additional amount for “Operation and Main-
14 tenance, Air Force”, \$330,000,000, to remain available
15 until September 30, 2022, for necessary expenses related
16 to the consequences of Winter Storm Uri occurring in cal-
17 endar year 2021.

18 GENERAL PROVISION—THIS TITLE

19 SEC. 1301. Notwithstanding any other provision of
20 law, funds provided by this title shall only be for the pur-
21 poses specified, and shall not be subject to any transfer
22 authority provided by law.

1 TITLE IV
2 CORPS OF ENGINEERS—CIVIL
3 DEPARTMENT OF THE ARMY
4 INVESTIGATIONS

5 For an additional amount for “Investigations” for
6 necessary expenses related to the completion, or initiation
7 and completion, of flood and storm damage reduction, in-
8 cluding shore protection, studies that are currently au-
9 thorized or that are authorized after the date of enactment
10 of this Act, to reduce risk from future floods and hurri-
11 canes, at full Federal expense, \$100,000,000, to remain
12 available until expended: *Provided*, That funds made avail-
13 able under this heading in this Act shall be for high-pri-
14 ority studies of projects in States with a major disaster
15 declared due to Hurricane Ida pursuant to the Robert T.
16 Stafford Disaster Relief and Emergency Assistance Act
17 (42 U.S.C. 5121 et seq.) in fiscal year 2021: *Provided fur-*
18 *ther*, That the Assistant Secretary of the Army for Civil
19 Works shall provide a monthly report directly to the Com-
20 mittees on Appropriations of the House of Representatives
21 and the Senate detailing the allocation and obligation of
22 these funds, including new studies selected to be initiated
23 using funds provided under this heading in this Act, begin-
24 ning not later than 60 days after the date of enactment
25 of this Act.

CONSTRUCTION

1
2 For an additional amount for “Construction” for nec-
3 essary expenses, \$3,000,000,000, to remain available until
4 expended, to construct flood and storm damage reduction,
5 including shore protection, projects that are currently au-
6 thorized or that are authorized after the date of enactment
7 of this Act, and flood and storm damage reduction, includ-
8 ing shore protection, projects that have signed Chief’s Re-
9 ports as of the date of enactment of this Act or that are
10 studied using funds provided under the heading “Inves-
11 tigation” if the Secretary determines such projects to be
12 technically feasible, economically justified, and environ-
13 mentally acceptable: *Provided*, That of such amount,
14 \$1,500,000,000 shall be available for such projects in
15 States with a major disaster declared due to Hurricane
16 Ida pursuant to the Robert T. Stafford Disaster Relief
17 and Emergency Assistance Act (42 U.S.C. 5121 et seq.)
18 in fiscal year 2021: *Provided further*, That the provisions
19 of section 902 of the Water Resources Development Act
20 of 1986 shall not apply to the construction of projects,
21 including initial construction or periodic nourishment,
22 completed using funding under this heading in this Act:
23 *Provided further*, That the completion of ongoing construc-
24 tion projects receiving funding provided under this head-
25 ing in this Act shall be at full Federal expense with respect

1 to such funds: *Provided further*, That for any projects
2 using funding provided under this heading in this Act, the
3 non-Federal cash contribution for projects other than on-
4 going construction projects shall be financed in accordance
5 with the provisions of section 103(k) of Public Law 99-
6 662 over a period of 30 years from the date of completion
7 of the project or separable element: *Provided further*, That
8 up to \$65,000,000 of the amounts made available under
9 this heading in this Act shall be used for continuing au-
10 thorities projects to reduce the risk of flooding and storm
11 damage: *Provided further*, That any projects using funding
12 appropriated under this heading in this Act shall be initi-
13 ated only after non-Federal interests have entered into
14 binding agreements with the Secretary requiring, where
15 applicable, the non-Federal interests to pay 100 percent
16 of the operation, maintenance, repair, replacement, and
17 rehabilitation costs of the project and to hold and save
18 the United States free from damages due to the construc-
19 tion or operation and maintenance of the project, except
20 for damages due to the fault or negligence of the United
21 States or its contractors: *Provided further*, That of the
22 amounts made available under this heading in this Act,
23 such sums as are necessary to cover the Federal share of
24 construction costs for facilities under the Dredged Mate-
25 rial Disposal Facilities Program shall be derived from the

1 general fund of the Treasury: *Provided further*, That the
2 Assistant Secretary of the Army for Civil Works shall pro-
3 vide a monthly report directly to the Committees on Ap-
4 propriations of the House of Representatives and the Sen-
5 ate detailing the allocation and obligation of these funds,
6 beginning not later than 60 days after the date of enact-
7 ment of this Act.

8 MISSISSIPPI RIVER AND TRIBUTARIES

9 For an additional amount for “Mississippi River and
10 Tributaries” for necessary expenses to address emergency
11 situations at Corps of Engineers projects, and to con-
12 struct, and rehabilitate and repair damages to Corps of
13 Engineers projects, caused by natural disasters,
14 \$868,000,000, to remain available until expended: *Pro-*
15 *vided*, That of the amounts made available under this
16 heading in this Act, such sums as are necessary to cover
17 the Federal share of eligible operation and maintenance
18 costs for coastal harbors and channels, and for inland har-
19 bors shall be derived from the general fund of the Treas-
20 ury: *Provided further*, That of the amounts made available
21 under this heading in this Act, \$500,000,000 shall be
22 available to construct flood and storm damage reduction
23 projects that are currently authorized or that are author-
24 ized after the date of enactment of this Act in States with
25 a major disaster declared due to Hurricane Ida pursuant

1 to the Robert T. Stafford Disaster Relief and Emergency
2 Assistance Act (42 U.S.C. 5121 et seq.) in fiscal year
3 2021: *Provided further*, That the provisions of section 902
4 of the Water Resources Development Act of 1986 shall
5 not apply to the construction of projects, including initial
6 construction or periodic nourishment, completed using
7 funding under this heading in this Act: *Provided further*,
8 That to the extent that ongoing construction projects are
9 constructed using funding provided under this heading in
10 this Act, such construction shall be at full Federal ex-
11 pense: *Provided further*, That for any projects using fund-
12 ing provided under this heading in this Act, the non-Fed-
13 eral cash contribution for projects other than ongoing con-
14 struction projects shall be financed in accordance with the
15 provisions of section 103(k) of Public Law 99–662 over
16 a period of 30 years from the date of completion of the
17 project or separable element: *Provided further*, That any
18 projects using funding appropriated under this heading in
19 this Act shall be initiated only after non-Federal interests
20 have entered into binding agreements with the Secretary
21 requiring, where applicable, the non-Federal interests to
22 pay 100 percent of the operation, maintenance, repair, re-
23 placement, and rehabilitation costs of the project and to
24 hold and save the United States free from damages due
25 to the construction or operation and maintenance of the

1 project, except for damages due to the fault or negligence
2 of the United States or its contractors: *Provided further*,
3 That the Assistant Secretary of the Army for Civil Works
4 shall provide a monthly report directly to the Committees
5 on Appropriations of the House of Representatives and the
6 Senate detailing the allocation and obligation of these
7 funds, beginning not later than 60 days after the date of
8 enactment of this Act.

9 OPERATION AND MAINTENANCE

10 For an additional amount for “Operation and Main-
11 tenance” for necessary expenses to dredge Federal naviga-
12 tion projects in response to, and repair damages to Corps
13 of Engineers Federal projects caused by, natural disasters,
14 \$887,000,000, to remain available until expended, of
15 which such sums as are necessary to cover the Federal
16 share of eligible operation and maintenance costs for
17 coastal harbors and channels, and for inland harbors shall
18 be derived from the general fund of the Treasury: *Pro-*
19 *vided*, That the Assistant Secretary of the Army for Civil
20 Works shall provide a monthly report directly to the Com-
21 mittees on Appropriations of the House of Representatives
22 and the Senate detailing the allocation and obligation of
23 these funds, beginning not later than 60 days after the
24 date of enactment of this Act.

1 FLOOD CONTROL AND COASTAL EMERGENCIES

2 For an additional amount for “Flood Control and
3 Coastal Emergencies”, as authorized by section 5 of the
4 Act of August 18, 1941 (33 U.S.C. 701n), for necessary
5 expenses to prepare for flood, hurricane and other natural
6 disasters and support emergency operations, repairs, and
7 other activities in response to such disasters, as authorized
8 by law, \$826,000,000, to remain available until expended:
9 *Provided*, That funding utilized for authorized shore pro-
10 tection projects shall restore such projects to the full
11 project profile at full Federal expense: *Provided further*,
12 That the Assistant Secretary of the Army for Civil Works
13 shall provide a monthly report directly to the Committees
14 on Appropriations of the House of Representatives and the
15 Senate detailing the allocation and obligation of these
16 funds, beginning not later than 60 days after the date of
17 enactment of this Act.

18 EXPENSES

19 For an additional amount for “Expenses” for nec-
20 essary expenses to administer and oversee the obligation
21 and expenditure of amounts provided in this Act for the
22 Corps of Engineers, \$30,000,000, to remain available
23 until expended: *Provided*, That the Assistant Secretary of
24 the Army for Civil Works shall provide a monthly report
25 directly to the Committees on Appropriations of the House

1 of Representatives and the Senate detailing the allocation
2 and obligation of these funds, beginning not later than 60
3 days after the date of enactment of this Act.

4 DEPARTMENT OF THE INTERIOR

5 CENTRAL UTAH PROJECT

6 CENTRAL UTAH PROJECT COMPLETION ACCOUNT

7 For an additional amount for “Central Utah Project
8 Completion Account”, \$10,000,000 to be deposited into
9 the Utah Reclamation Mitigation and Conservation Ac-
10 count for use by the Utah Reclamation Mitigation and
11 Conservation Commission, to remain available until ex-
12 pended, for expenses necessary in carrying out fire remedi-
13 ation activities for wildfires.

14 BUREAU OF RECLAMATION

15 WATER AND RELATED RESOURCES

16 For an additional amount for “Water and Related
17 Resources”, \$210,000,000, to remain available until ex-
18 pended: *Provided*, That of such amount, \$200,000,000
19 shall be available for activities to address drought, as de-
20 termined by the Secretary of the Interior: *Provided fur-*
21 *ther*, That of the amount made available under this head-
22 ing in this Act, \$10,000,000 shall be for fire remediation
23 and suppression emergency assistance related to wildfires:
24 *Provided further*, That the Commissioner shall provide a
25 monthly report directly to the Committees on Appropria-

1 tions of the House of Representatives and the Senate de-
 2 tailing the allocation and obligation of these funds, begin-
 3 ning not later than 60 days after the date of enactment
 4 of this Act.

5 DEPARTMENT OF ENERGY

6 ENERGY PROGRAMS

7 STRATEGIC PETROLEUM RESERVE

8 For an additional amount for “Strategic Petroleum
 9 Reserve”, \$43,300,000, to remain available until ex-
 10 pended, for necessary expenses related to damages caused
 11 by natural disasters.

12 TITLE V

13 INDEPENDENT AGENCIES

14 SMALL BUSINESS ADMINISTRATION

15 DISASTER LOANS PROGRAM ACCOUNT

16 (INCLUDING TRANSFER OF FUNDS)

17 For an additional amount for “Disaster Loans Pro-
 18 gram Account” for the cost of direct loans authorized by
 19 section 7(b) of the Small Business Act, \$1,189,100,000,
 20 to remain available until expended: *Provided*, That up to
 21 \$620,000,000 may be transferred to and merged with
 22 “Salaries and Expenses” for administrative expenses to
 23 carry out the disaster loan program authorized by section
 24 7(b) of the Small Business Act.

1 TITLE VI
2 DEPARTMENT OF HOMELAND SECURITY
3 PROTECTION, PREPAREDNESS, RESPONSE, AND
4 RECOVERY
5 FEDERAL EMERGENCY MANAGEMENT AGENCY
6 FEDERAL ASSISTANCE

7 For an additional amount for “Federal Assistance”,
8 \$50,000,000, to remain available until September 30,
9 2022, for emergency management performance grants
10 under the National Flood Insurance Act of 1968 (42
11 U.S.C. 4001 et seq.), the Robert T. Stafford Disaster Re-
12 lief and Emergency Assistance Act (42 U.S.C. 5121), the
13 Earthquake Hazards Reduction Act of 1977 (42 U.S.C.
14 7701), section 762 of title 6, United States Code, and Re-
15 organization Plan No. 3 of 1978 (5 U.S.C. App.).

16 GENERAL PROVISION—THIS TITLE

17 SEC. 1601. (a) Repayments of the remaining bal-
18 ances of all loans, as of September 30, 2021, by the Fed-
19 eral Emergency Management Agency under section 417
20 of the Robert T. Stafford Disaster Relief and Emergency
21 Assistance Act (42 U.S.C. 5184) are hereby cancelled.

22 (b) Of the unobligated balances available to the De-
23 partment of Homeland Security for “Federal Emergency
24 Management Agency—Disaster Relief Fund”, such sums
25 as are necessary may be transferred to the Disaster As-

1 sistance Direct Loan Program Account for carrying out
2 subsection (a).

3 (c) Each amount repurposed or transferred by this
4 section that was previously designated by the Congress as
5 an emergency requirement or as being for disaster relief
6 pursuant to the Balanced Budget and Emergency Deficit
7 Control Act of 1985 or a concurrent resolution on the
8 budget is designated by the Congress as an emergency re-
9 quirement pursuant to section 4001(a)(1) and section
10 4001(b), or as being for disaster relief pursuant to section
11 4004(b)(6) and section 4005(f), respectively, of S. Con.
12 Res. 14 (117th Congress), the concurrent resolution on
13 the budget for fiscal year 2022.

14 TITLE VII

15 DEPARTMENT OF THE INTERIOR

16 BUREAU OF LAND MANAGEMENT

17 MANAGEMENT OF LANDS AND RESOURCES

18 For an additional amount for “Management of Lands
19 and Resources”, \$1,192,000, to remain available until ex-
20 pended, for necessary expenses related to the consequences
21 of calendar year 2019, 2020, and 2021 wildfires, hurri-
22 canes and other natural disasters.

1 UNITED STATES FISH AND WILDLIFE SERVICE
2 CONSTRUCTION

3 For an additional amount for “Construction”,
4 \$58,227,000, to remain available until expended, for nec-
5 essary expenses related to the consequences of calendar
6 year 2019, 2020, and 2021 wildfires, hurricanes and other
7 natural disasters.

8 NATIONAL PARK SERVICE
9 CONSTRUCTION

10 For an additional amount for “Construction”,
11 \$229,472,000, to remain available until expended, for nec-
12 essary expenses related to the consequences of calendar
13 year 2019, 2020, and 2021 wildfires, hurricanes and other
14 natural disasters.

15 UNITED STATES GEOLOGICAL SURVEY
16 SURVEYS, INVESTIGATIONS, AND RESEARCH

17 For an additional amount for “Surveys, Investiga-
18 tions, and Research”, \$26,284,000, to remain available
19 until expended, for necessary expenses related to the con-
20 sequences of calendar year 2019, 2020, and 2021
21 wildfires, hurricanes and other natural disasters.

1 BUREAU OF SAFETY AND ENVIRONMENTAL
2 ENFORCEMENT
3 OFFSHORE SAFETY AND ENVIRONMENTAL ENFORCEMENT
4 For an additional amount for “Offshore Safety and
5 Environmental Enforcement”, \$223,000, to remain avail-
6 able until expended, for necessary expenses related to the
7 consequences of calendar year 2019, 2020 and 2021
8 wildfires, hurricanes and natural disasters.

9 BUREAU OF INDIAN AFFAIRS
10 CONSTRUCTION
11 For an additional amount for “Construction”,
12 \$452,000, to remain available until expended, for nec-
13 essary expenses related to the consequences of calendar
14 year 2019, 2020, and 2021 wildfires, hurricanes and other
15 natural disasters.

16 DEPARTMENT-WIDE PROGRAMS
17 WILDLAND FIRE MANAGEMENT
18 (INCLUDING TRANSFER OF FUNDS)
19 For an additional amount for “Wildland Fire Man-
20 agement”, \$100,000,000, to remain available until ex-
21 pended, for necessary expenses related to wildfires: *Pro-*
22 *vided*, That of the amounts provided under this heading
23 in this Act, \$55,000,000 shall be for hazardous fuels man-
24 agement activities: *Provided further*, That of the amounts

1 provided under this heading in this Act, \$45,000,000,
2 shall be for burned area recovery.

3 RELATED AGENCIES

4 DEPARTMENT OF AGRICULTURE

5 FOREST SERVICE

6 FOREST SERVICE OPERATIONS

7 For an additional amount for “Forest Service Oper-
8 ations”, \$105,000,000, to remain available until expended,
9 for necessary expenses related to the consequences of cal-
10 endar year 2019, 2020, and 2021 wildfires, hurricanes
11 and other natural disasters.

12 FOREST AND RANGELAND RESEARCH

13 For an additional amount for “Forest and Rangeland
14 Research”, \$25,000,000, to remain available until ex-
15 pended, for necessary expenses related to the consequences
16 of calendar year 2019, 2020, and 2021 wildfires, hurri-
17 canes and other natural disasters for the forest inventory
18 and analysis program.

19 STATE AND PRIVATE FORESTRY

20 For an additional amount for “State and Private
21 Forestry”, \$50,000,000, to remain available until ex-
22 pended, for necessary expenses related to the consequences
23 of calendar year 2019, 2020, and 2021 wildfires, hurri-
24 canes and other natural disasters.

1 NATIONAL FOREST SYSTEM

2 For an additional amount for “National Forest Sys-
3 tem”, \$710,000,000, to remain available until expended:
4 *Provided*, That of the amounts provided under this head-
5 ing in this Act, \$535,000,000 shall be for necessary ex-
6 penses related to the consequences of calendar year 2019,
7 2020, and 2021 wildfires, hurricanes and other natural
8 disasters, including no less than \$175,000,000 for high
9 priority post-wildfire restoration for watershed protection,
10 critical habitat, and burned area recovery: *Provided fur-*
11 *ther*, That of the amounts provided under this heading in
12 this Act, \$175,000,000 shall be for hazardous fuels miti-
13 gation.

14 CAPITAL IMPROVEMENT AND MAINTENANCE

15 For an additional amount for “Capital Improvement
16 and Maintenance”, \$470,000,000, to remain available
17 until expended, for necessary expenses related to the con-
18 sequences of calendar year 2019, 2020, and 2021
19 wildfires, hurricanes and other natural disasters.

20 GENERAL PROVISION—THIS TITLE

21 SEC. 1701. (a)(1) If services performed by the des-
22 ignated employees under paragraph (2) of this subsection
23 at the Department of the Interior or the Department of
24 Agriculture during 2021 are determined by the Secretary
25 of the Interior or the Secretary of Agriculture, as applica-

1 ble, to be primarily related to emergency wildland fire sup-
2 pression activities, any premium pay for such services
3 shall be disregarded in calculating the aggregate of such
4 employee's basic pay and premium pay for purposes of a
5 limitation under section 5547(a) of title 5, United States
6 Code, or under any other provision of law, whether such
7 employee's pay is paid on a biweekly or calendar year
8 basis. Any services during 2021 that generate payments
9 payable in 2022 shall be disregarded in applying this sub-
10 section.

11 (2) The premium pay waiver under paragraph (1) of
12 this subsection shall apply to individuals serving as
13 wildland firefighters and as fire management response of-
14 ficials, including regional fire directors, deputy regional
15 fire directors, agency officials who directly oversee fire op-
16 erations, and fire management officers, and individuals
17 serving on incident management teams (IMTs), at the Na-
18 tional Interagency Fire Center (NIFC), at Geographic
19 Area Coordinating Centers (GACCs), and at Operations
20 centers.

21 (3) The Departments of the Interior and Agriculture
22 shall provide a report to Congress detailing the number
23 of positions, including by occupation, grade, and the ag-
24 gregate pay by type of pay for each individual who receives
25 pay authorized under subsection (a)(1).

1 (b) Any overtime pay for services described in sub-
2 section (a) that is payable under an authority outside of
3 title 5, United States Code, shall be disregarded in calcu-
4 lating any annual limit on the amount of overtime pay
5 payable in 2021.

6 (c) Any pay that is disregarded under either sub-
7 section (a) or (b) shall be disregarded in calculating such
8 employee's aggregate pay for purposes of applying the lim-
9 itation in section 5307 of title 5, United States Code, dur-
10 ing 2021.

11 (d)(1) Pay that is disregarded under subsection (a)
12 or (b) shall not cause the aggregate of the employee's basic
13 pay and premium pay for the applicable calendar year to
14 exceed the rate of basic pay payable for a position at level
15 II of the Executive Schedule under section 5313 of title
16 5, United States Code, as in effect at the end of such cal-
17 endar year.

18 (2) For purposes of applying this subsection to an
19 employee who would otherwise be subject to the premium
20 pay limits established under section 5547 of title 5, United
21 States Code, "premium pay" means the premium pay paid
22 under the provisions of law cited in section 5547(a).

23 (3) For purposes of applying this subsection to an
24 employee under a premium pay limit established under an
25 authority other than section 5547 of title 5, United States

1 Code, the agency responsible for administering such limit
2 shall determine what payments are considered premium
3 pay.

4 (4) For the purpose of applying this subsection,
5 “basic pay” includes any applicable locality-based com-
6 parability payment under section 5304 of title 5, United
7 States Code, any applicable special rate supplement under
8 section 5305 of such title, or any equivalent payment
9 under a similar provision of law.

10 (e) This section shall take effect as if enacted on Jan-
11 uary 1, 2021.

12 (f) If application of this section results in the pay-
13 ment of additional premium pay to a covered employee of
14 a type that is normally creditable as basic pay for retire-
15 ment or any other purpose, that additional pay shall not—

16 (1) be considered to be basic pay of the covered
17 employee for any purpose; or

18 (2) be used in computing a lump-sum payment
19 to the covered employee for accumulated and ac-
20 crued annual leave under section 5551 or section
21 5552 of title 5, United States Code, or other similar
22 provision of law.

23 (g) Not later than 45 days after the date of enact-
24 ment of this Act, the Secretary of the Interior and Sec-
25 retary of Agriculture shall jointly provide to the Commit-

1 tees on Appropriations of the House of Representatives
 2 and the Senate, the Senate Committee on Agriculture Nu-
 3 trition and Forestry, the House of Representatives Com-
 4 mittee on Agriculture, the Senate Committee on Energy
 5 and Natural Resources, the House of Representatives
 6 Committee on Natural Resources, Senate Committee on
 7 Homeland Security and Governmental Affairs, and the
 8 House of Representatives Committee on Oversight and
 9 Reform, a framework to modernize the wildland fire-
 10 fighting workforce beginning in fiscal year 2022.

11 TITLE VIII

12 DEPARTMENT OF TRANSPORTATION

13 FEDERAL AVIATION ADMINISTRATION

14 FACILITIES AND EQUIPMENT

15 For an additional amount for “Facilities and Equip-
 16 ment”, \$100,000,000, to remain available until September
 17 30, 2024, for necessary expenses related to the con-
 18 sequences of Hurricane Ida.

19 FEDERAL HIGHWAY ADMINISTRATION

20 EMERGENCY RELIEF PROGRAM

21 For an additional amount for the “Emergency Relief
 22 Program” as authorized under section 125 of title 23,
 23 United States Code, \$2,600,000,000, to remain available
 24 until expended.

1 DEPARTMENT OF HOUSING AND URBAN
2 DEVELOPMENT
3 COMMUNITY PLANNING AND DEVELOPMENT
4 COMMUNITY DEVELOPMENT FUND
5 (INCLUDING TRANSFERS OF FUNDS)

6 For an additional amount for “Community Develop-
7 ment Fund”, \$5,000,000,000, to remain available until
8 expended, for necessary expenses for activities authorized
9 under title I of the Housing and Community Development
10 Act of 1974 (42 U.S.C. 5301 et seq.) related to disaster
11 relief, long-term recovery, restoration of infrastructure
12 and housing, economic revitalization, and mitigation, in
13 the most impacted and distressed areas resulting from a
14 major disaster that occurred in 2020 or 2021 pursuant
15 to the Robert T. Stafford Disaster Relief and Emergency
16 Assistance Act (42 U.S.C. 5121 et seq.): *Provided*, That
17 amounts made available under this heading in this Act
18 shall be awarded directly to the State, unit of general local
19 government, or Indian tribe (as such term is defined in
20 section 102 of the Housing and Community Development
21 Act of 1974 (42 U.S.C. 5302)) at the discretion of the
22 Secretary: *Provided further*, That the Secretary shall allo-
23 cate, using the best available data, an amount equal to
24 the total estimate for unmet needs for qualifying disasters
25 under this heading in this Act: *Provided further*, That any

1 final allocation for the total estimate for unmet need made
2 available under the preceding proviso shall include an ad-
3 ditional amount of 15 percent of such estimate for addi-
4 tional mitigation: *Provided further*, That of the amounts
5 made available under this heading in this Act, no less than
6 \$1,610,000,000 shall be allocated for major declared dis-
7 asters that occurred in 2020 within 30 days of the date
8 of enactment of this Act: *Provided further*, That the Sec-
9 retary shall not prohibit the use of amounts made avail-
10 able under this heading in this Act for non-Federal share
11 as authorized by section 105(a)(9) of the Housing and
12 Community Development Act of 1974 (42 U.S.C.
13 5305(a)(9)): *Provided further*, That of the amounts made
14 available under this heading in this Act, grantees may es-
15 tablish grant programs to assist small businesses for work-
16 ing capital purposes to aid in recovery: *Provided further*,
17 That as a condition of drawing funds for any activity other
18 than general administration, the Secretary shall certify in
19 advance that such grantee has in place proficient financial
20 controls and procurement processes and has established
21 adequate procedures to prevent any duplication of benefits
22 as defined by section 312 of the Robert T. Stafford Dis-
23 aster Relief and Emergency Assistance Act (42 U.S.C.
24 5155), to ensure timely expenditure of funds, to maintain
25 comprehensive websites regarding all disaster recovery ac-

1 tivities assisted with amounts made available under this
2 heading in this Act, and to detect and prevent waste,
3 fraud, and abuse of funds: *Provided further*, That with re-
4 spect to any such duplication of benefits, the Secretary
5 shall act in accordance with section 1210 of Public Law
6 115–254 (132 Stat. 3442) and section 312 of the Robert
7 T. Stafford Disaster Relief and Emergency Assistance Act
8 (42 U.S.C. 5155): *Provided further*, That the Secretary
9 shall require grantees to maintain on a public website in-
10 formation containing common reporting criteria estab-
11 lished by the Department that permits individuals and en-
12 tities awaiting assistance and the general public to see how
13 all grant funds are used, including copies of all relevant
14 procurement documents, including grantee administrative
15 contracts and details of ongoing procurement processes,
16 as determined by the Secretary: *Provided further*, That
17 prior to the obligation of funds a grantee shall submit a
18 plan to the Secretary for approval detailing the proposed
19 use of all funds, including criteria for eligibility and how
20 the use of these funds will address long-term recovery and
21 restoration of infrastructure and housing, economic revi-
22 talization, and mitigation in the most impacted and dis-
23 tressed areas: *Provided further*, That such funds may not
24 be used for activities reimbursable by, or for which funds
25 are made available by, the Federal Emergency Manage-

1 ment Agency or the Army Corps of Engineers: *Provided*
2 *further*, That funds allocated under this heading in this
3 Act shall not be considered relevant to the non-disaster
4 formula allocations made pursuant to section 106 of the
5 Housing and Community Development Act of 1974 (42
6 U.S.C. 5306): *Provided further*, That a State, unit of gen-
7 eral local government, or Indian tribe may use up to 5
8 percent of its allocation for administrative costs related
9 to a major disaster under this heading in this Act and
10 for the same purposes in prior and future Acts and such
11 amounts shall be available for any eligible administrative
12 costs without regard to a particular disaster: *Provided fur-*
13 *ther*, That in administering the amounts made available
14 under this heading in this Act, the Secretary of Housing
15 and Urban Development may waive, or specify alternative
16 requirements for, any provision of any statute or regula-
17 tion that the Secretary administers in connection with the
18 obligation by the Secretary or the use by the recipient of
19 these funds (except for requirements related to fair hous-
20 ing, nondiscrimination, labor standards, and the environ-
21 ment), if the Secretary finds that good cause exists for
22 the waiver or alternative requirement and such waiver or
23 alternative requirement would not be inconsistent with the
24 overall purpose of title I of the Housing and Community
25 Development Act of 1974: *Provided further*, That, notwith-

1 standing the preceding proviso, recipients of funds pro-
2 vided under this heading in this Act that use such funds
3 to supplement Federal assistance provided under section
4 402, 403, 404, 406, 407, 408(c)(4), or 502 of the Robert
5 T. Stafford Disaster Relief and Emergency Assistance Act
6 (42 U.S.C. 5121 et seq.) may adopt, without review or
7 public comment, any environmental review, approval, or
8 permit performed by a Federal agency, and such adoption
9 shall satisfy the responsibilities of the recipient with re-
10 spect to such environmental review, approval or permit:
11 *Provided further*, That, notwithstanding section 104(g)(2)
12 of the Housing and Community Development Act of 1974
13 (42 U.S.C. 5304(g)(2)), the Secretary or a State may,
14 upon receipt of a request for release of funds and certifi-
15 cation, immediately approve the release of funds for an
16 activity or project assisted under this heading in this Act
17 if the recipient has adopted an environmental review, ap-
18 proval or permit under the preceding proviso or the activ-
19 ity or project is categorically excluded from review under
20 the National Environmental Policy Act of 1969 (42 U.S.C.
21 4321 et seq.): *Provided further*, That the Secretary shall
22 publish via notice in the Federal Register or on the website
23 of the Department any waiver, or alternative requirement,
24 to any statute or regulation that the Secretary administers
25 pursuant to title I of the Housing and Community Devel-

1 opment Act of 1974 no later than 5 days before the effec-
2 tive date of such waiver or alternative requirement: *Pro-*
3 *vided further*, That the Secretary is authorized to approve
4 the use of amounts made available under this heading in
5 this Act or a prior or future Act for activities authorized
6 under title I of the Housing and Community Development
7 Act of 1974 (42 U.S.C. 5301 et seq.) related to unmet
8 recovery needs in the most impacted and distressed areas
9 resulting from a major disaster in this Act or in a prior
10 or future Act to be used interchangeably and without limi-
11 tation for the same activities in the most impacted and
12 distressed areas resulting from other major disasters as-
13 sisted under this Act or a prior or future Act when such
14 areas overlap and when the use of the funds will address
15 unmet recovery needs of both disasters: *Provided further*,
16 That, until the Secretary publishes a Federal Register No-
17 tice establishing the requirements for the previous proviso,
18 grantees that received grants under the same heading for
19 2017, 2018 or 2019 disasters may submit for approval
20 revised plans for the use of funds related to those major
21 disasters to expand the eligible beneficiaries of existing
22 programs contained in such previously approved plans to
23 include those impacted by disasters in 2020 or 2021: *Pro-*
24 *vided further*, That of the amounts made available under
25 this heading in this Act, up to \$7,000,000 shall be made

1 available for capacity building and technical assistance, in-
2 cluding assistance on contracting and procurement, to
3 support States, units of general local government, or In-
4 dian tribes, and subrecipients that receive allocations for
5 disaster recovery pursuant to the authority under this
6 heading in this Act and allocations for disaster recovery
7 in any prior or future Acts: *Provided further*, That of the
8 amounts made available under this heading in this Act,
9 up to \$5,500,000 shall be transferred to “Department of
10 Housing and Urban Development—Program Office Sala-
11 ries and Expenses—Community Planning and Develop-
12 ment” for necessary costs, including information tech-
13 nology costs, of administering and overseeing the obliga-
14 tion and expenditure of amounts made available under the
15 heading “Community Development Fund” in this Act or
16 any prior or future Act that makes amounts available for
17 purposes related to major disasters under such heading.

18 TITLE IX

19 GENERAL PROVISIONS—THIS ACT

20 SEC. 1901. Each amount appropriated or made avail-
21 able by this Act is in addition to amounts otherwise appro-
22 priated for the fiscal year involved.

23 SEC. 1902. No part of any appropriation contained
24 in this Act shall remain available for obligation beyond
25 the current fiscal year unless expressly so provided herein.

1 SEC. 1903. Unless otherwise provided for by this Act,
2 the additional amounts appropriated by this Act to appro-
3 priations accounts shall be available under the authorities
4 and conditions applicable to such appropriations accounts
5 for fiscal year 2022.

6 SEC. 1904. Each amount provided by this division is
7 designated by the Congress as being for an emergency re-
8 quirement pursuant to section 4001(a)(1) and section
9 4001(b) of S. Con. Res. 14 (117th Congress), the concur-
10 rent resolution on the budget for fiscal year 2022.

11

12 This division may be cited as the “Disaster Relief
13 Supplemental Appropriations Act, 2022”.

1 **DIVISION C—AFGHANISTAN SUPPLE-**
2 **MENTAL APPROPRIATIONS ACT, 2022**

3 The following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated, for the
5 fiscal year ending September 30, 2022, and for other pur-
6 poses, namely:

7 **TITLE I**

8 **DEPARTMENT OF JUSTICE**

9 **FEDERAL BUREAU OF INVESTIGATION**

10 **SALARIES AND EXPENSES**

11 For an additional amount for “Salaries and Ex-
12 penses”, \$50,000,000, to remain available until September
13 30, 2022, for investigative activities associated with Af-
14 ghan resettlement operations.

15 **TITLE II**

16 **DEPARTMENT OF DEFENSE**

17 **OPERATION AND MAINTENANCE**

18 **OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID**

19 For an additional amount for “Overseas Humani-
20 tarian, Disaster, and Civic Aid”, \$2,200,000,000, to re-
21 main available until September 30, 2023, for support of
22 Operation Allies Welcome by the Department of Defense.

23 **GENERAL PROVISIONS—THIS TITLE**

24 **SEC. 2201.** Not later than 30 days after the date of
25 enactment of this Act, and every 30 days thereafter

1 through fiscal year 2022, the Secretary of Defense shall
2 provide a written report to the congressional defense com-
3 mittees describing the execution of funds provided in this
4 title, including the amounts obligated and expended, in
5 total and since the previous report; the nature of the costs
6 incurred or services provided by such funds; and any reim-
7 bursements or funds transferred by another Federal agen-
8 cy to the Department of Defense which relates to the pur-
9 pose of the funds provided by this title.

10 SEC. 2202. Notwithstanding any other provision of
11 law, funds provided by this title shall only be for the pur-
12 poses specified, and shall not be subject to any transfer
13 authority provided by law.

14 SEC. 2203. The Inspector General of the Department
15 of Defense shall carry out reviews of the activities of the
16 Department of Defense to transport and care for Afghans,
17 including but not limited to, the humane treatment and
18 living conditions of Afghans at any Department of Defense
19 facility; the use of funds by the Department of Defense
20 to support such persons, including the monitoring of po-
21 tential waste, fraud, or abuse of such funds; and any re-
22 lated issues that the Inspector General may direct: *Pro-*
23 *vided*, That the Inspector General shall provide to the con-
24 gressional defense committees periodic updates on such
25 oversight efforts and a written report to such committees

1 not later than 60 days after the date of enactment of this
2 Act.

3 SEC. 2204. Title IX of division C of Public Law 116–
4 260 is amended under the heading “Afghanistan Security
5 Forces Fund” by inserting the following before the penul-
6 timate proviso: “*Provided further*, That the Secretary of
7 Defense may obligate and expend funds made available
8 under this heading for costs associated with the termi-
9 nation of contracts previously funded with amounts pro-
10 vided under this heading in prior Acts, and to pay valid
11 invoices in satisfaction of liabilities under such contracts
12 for which the applicable prior appropriation cannot be
13 identified.”.

14 SEC. 2205. Not later than 90 days after the date of
15 enactment of this Act, the Secretary of Defense, in con-
16 sultation with the Service Secretaries and the Commander
17 of United States Central Command, shall submit to the
18 congressional defense committees a report regarding the
19 disposition of United States property, equipment, and sup-
20 plies, including property, equipment, and supplies pro-
21 vided to the Afghanistan National Security Forces, which
22 were destroyed, taken out of Afghanistan, or remain in
23 Afghanistan in connection with the United States military
24 withdrawal: Provided, That such report shall include infor-

1 mation on the future plans of the Department of Defense
 2 regarding any such items.

3 TITLE III
 4 DEPARTMENT OF HEALTH AND HUMAN
 5 SERVICES
 6 CENTERS FOR DISEASE CONTROL AND PREVENTION
 7 CDC–WIDE ACTIVITIES AND PROGRAM SUPPORT

8 For an additional amount for “CDC–Wide Activities
 9 and Program Support”, \$21,500,000, for support of Oper-
 10 ation Allies Welcome, to remain available until September
 11 30, 2022, for medical support, screening, and other re-
 12 lated public health activities related to Afghan arrivals and
 13 refugees.

14 ADMINISTRATION FOR CHILDREN AND FAMILIES
 15 REFUGEE AND ENTRANT ASSISTANCE

16 For an additional amount for “Refugee and Entrant
 17 Assistance”, \$1,680,000,000, to remain available until
 18 September 30, 2023, for support of Operation Allies Wel-
 19 come for carrying out refugee and entrant assistance ac-
 20 tivities in support of citizens or nationals of Afghanistan
 21 paroled into the United States under section 212(d)(5) of
 22 the Immigration and Nationality Act and citizens or na-
 23 tionals of Afghanistan for whom such refugee and entrant
 24 assistance activities are authorized: *Provided*, That
 25 amounts made available under this heading in this Act

1 may be used for grants or contracts with qualified non-
2 profit organizations to provide culturally and linguistically
3 appropriate services, including wrap-around services dur-
4 ing temporary housing and after resettlement, housing as-
5 sistance, medical assistance, legal assistance, and case
6 management assistance: *Provided further*, That the Direc-
7 tor of the Office of Refugee Resettlement, in carrying out
8 section 412(c)(1)(A) of the Immigration and Nationality
9 Act with amounts made available under this heading in
10 this Act, may allocate such amounts among the States in
11 a manner that accounts for the most current data avail-
12 able.

13 CHILDREN AND FAMILIES SERVICES PROGRAMS

14 For an additional amount for “Children and Families
15 Services Programs”, \$7,773,000, to remain available until
16 September 30, 2022, for support of Operation Allies Wel-
17 come for necessary administrative expenses to carry out
18 refugee and entrant assistance activities in support of citi-
19 zens or nationals of Afghanistan.

20 GENERAL PROVISION—THIS TITLE

21 SEC. 2301. (a) Not later than 45 days after the date
22 of enactment of this Act, the Secretary of Health and
23 Human Services, the Secretary of State, and the Secretary
24 of Homeland Security shall jointly submit a strategy on
25 Afghan evacuee resettlement to the appropriate congress-

1 sional committees and leadership describing agency roles
2 and responsibilities, vetting, immigration status of each
3 Afghan, and anticipated costs associated with imple-
4 menting such strategy.

5 (b) DEFINITION OF AFGHAN EVACUEE.—In this sec-
6 tion, the term “Afghan evacuee” means a person whose
7 evacuation from Afghanistan to the United States, or a
8 location overseas controlled by the United States, was fa-
9 cilitated by the United States as part of Operation Allies
10 Refuge.

11 TITLE IV

12 DEPARTMENT OF STATE

13 ADMINISTRATION OF FOREIGN AFFAIRS

14 EMERGENCIES IN THE DIPLOMATIC AND CONSULAR

15 SERVICE

16 For an additional amount for “Emergencies in the
17 Diplomatic and Consular Service”, \$276,900,000, to re-
18 main available until expended, for support for Operation
19 Allies Welcome and related efforts by the Department of
20 State, including additional relocations of individuals at
21 risk as a result of the situation in Afghanistan and related
22 expenses, and to reimburse the account under this heading
23 in prior acts making appropriations for the Department
24 of State, foreign operations, and related programs for obli-
25 gations previously incurred.

1 BILATERAL ECONOMIC ASSISTANCE
2 FUNDS APPROPRIATED TO THE PRESIDENT
3 INTERNATIONAL DISASTER ASSISTANCE

4 For an additional amount for “International Disaster
5 Assistance”, \$400,000,000, to remain available until ex-
6 pended, to address humanitarian needs in Afghanistan
7 and the region impacted by the situation in Afghanistan.

8 DEPARTMENT OF STATE
9 MIGRATION AND REFUGEE ASSISTANCE

10 For an additional amount for “Migration and Ref-
11 ugee Assistance”, \$415,000,000, to remain available until
12 expended, to address humanitarian needs in, and to assist
13 refugees from, Afghanistan.

14 UNITED STATES EMERGENCY REFUGEE AND MIGRATION
15 ASSISTANCE FUND

16 For an additional amount for “United States Emer-
17 gency Refugee and Migration Assistance Fund”,
18 \$1,076,100,000, to remain available until expended, not-
19 withstanding section 2(c)(2) of the Migration and Refugee
20 Assistance Act of 1962 (22 U.S.C. 2601(c)(2)), of which
21 \$976,100,000 is for support for Operation Allies Welcome
22 and related efforts by the Department of State, including
23 additional relocations of individuals at risk as a result of
24 the situation in Afghanistan and related expenses, and

1 \$100,000,000 is to respond to other unexpected and ur-
2 gent humanitarian emergencies.

3 GENERAL PROVISIONS—THIS TITLE

4 SEC. 2401. During fiscal years 2022 and 2023, not-
5 withstanding any applicable restrictions on the ability of
6 the Department of State and the United States Agency
7 for International Development to enter into personal serv-
8 ices contracts, including section 704 of the Financial Serv-
9 ices and General Government Appropriations Act, 2021
10 (division E of Public Law 116–260) as continued by sec-
11 tion 101 of division A of this Act (and any successor provi-
12 sion in a subsequently enacted appropriations Act), the
13 authorities of section 2(c) of the State Department Basic
14 Authorities Act of 1956 (22 U.S.C. 2669(c)), section
15 636(a)(3) of the Foreign Assistance Act of 1961 (22
16 U.S.C. 2396(a)(3)), and section 5(a)(6) of the Migration
17 and Refugee Assistance Act of 1962 (22 U.S.C.
18 2605(a)(6)) may be exercised, without regard to the geo-
19 graphic limitations referenced therein, particularly to
20 enter into, extend, and maintain contracts with individuals
21 who have served as locally employed staff of the United
22 States mission in Afghanistan.

23 SEC. 2402. The Secretary of State, in consultation
24 with the Administrator of the United States Agency for
25 International Development, shall submit to the Commit-

1 tees on Appropriations, not later than 45 days after the
2 date of enactment of this Act, a report on the proposed
3 uses of funds appropriated by this title under the headings
4 “Emergencies in the Diplomatic and Consular Service”
5 and “United States Emergency Refugee and Migration
6 Assistance Fund”, by program, project, and activity, for
7 which the obligation of funds is anticipated: *Provided*,
8 That such report shall be updated (including any changes
9 in proposed uses from the initial plan) and submitted to
10 the Committees on Appropriations every 45 days until
11 September 30, 2023.

12 SEC. 2403. Not later than 45 days after the date of
13 enactment of this Act, the Secretary of State, in consulta-
14 tion with the Secretary of Homeland Security and the
15 heads of other relevant Federal agencies, shall submit to
16 the Committees on Appropriations a report on the status
17 of the Priority 2 (P-2) designation granting United States
18 Refugee Admissions Program (USRAP) access for certain
19 at risk Afghan nationals and their eligible family members
20 that was announced by the Department of State on Au-
21 gust 2, 2021: *Provided*, That such report shall include the
22 approximate number of Afghan nationals and their eligible
23 family members who have been referred to the program,
24 the number of Afghan nationals who have contacted a Re-
25 settlement Support Center to begin processing of their P-

1 2 referral, the estimated time for processing such applica-
2 tions, an assessment of the obstacles facing P-2 eligible
3 individuals seeking to leave Afghanistan, and a plan for
4 augmenting personnel needed for refugee processing or
5 humanitarian parole: *Provided further*, That such report
6 shall be submitted in unclassified form, but may be accom-
7 panied by a classified annex.

8 SEC. 2404. None of the funds appropriated in this
9 title and made available for assistance for Afghanistan
10 may be made available for direct assistance to the Taliban.

11 TITLE V

12 GENERAL PROVISIONS—THIS ACT

13 SEC. 2501. In addition to amounts otherwise made
14 available, there is appropriated for “U.S. Citizenship and
15 Immigration Services—Immigration Examination Fee Ac-
16 count”, \$193,000,000, to remain available until expended,
17 for necessary expenses in support of Operation Allies Wel-
18 come, to be deposited and used as provided in section
19 286(n) of the Immigration and Nationality Act (8 U.S.C.
20 1356(n)): *Provided*, That such amounts shall be in addi-
21 tion to any other amounts made available for such pur-
22 poses and shall not be construed to require any reduction
23 of any fee described in section 286(m) of the Immigration
24 and Nationality Act (8 U.S.C. 1356(m)): *Provided further*,
25 That amounts provided in this section shall only be for

1 the purposes specified, and notwithstanding any other pro-
2 vision of law are not available for non-expenditure transfer
3 or reprogramming: *Provided further*, That within 15 days
4 of the date of enactment of this Act, U.S. Citizenship and
5 Immigration Services shall provide to the Committees on
6 Appropriations and the Committees on the Judiciary of
7 the Senate and the House of Representatives an expendi-
8 ture plan for the funds provided under this paragraph,
9 and every 30 days thereafter shall provide updated execu-
10 tion data to such Committees for such funds: *Provided fur-*
11 *ther*, That the reporting requirement in the previous pro-
12 viso shall end on September 30, 2026.

13 SEC. 2502. (a) IN GENERAL.—Notwithstanding any
14 other provision of law, a citizen or national of Afghanistan
15 (or a person with no nationality who last habitually re-
16 sided in Afghanistan) shall be eligible for the benefits de-
17 scribed in subsections (b) and (c) if—

18 (1) such individual completed security and law
19 enforcement background checks to the satisfaction of
20 the Secretary of Homeland Security and was subse-
21 quently—

22 (A) paroled into the United States between
23 July 31, 2021, and September 30, 2022; or

24 (B) paroled into the United States after
25 September 30, 2022, and—

1 (i) is the spouse or child (as such
2 term is defined under section 101(b) of the
3 Immigration and Nationality Act (8 U.S.C.
4 1101(b)) of an individual described in sub-
5 paragraph (A); or

6 (ii) is the parent or legal guardian of
7 an individual described in subparagraph
8 (A) who is determined to be an unaccom-
9 panied child under 6 U.S.C. 279(g)(2);
10 and

11 (2) such individual's parole has not been termi-
12 nated by the Secretary of Homeland Security.

13 (b) BENEFITS.—An individual described in sub-
14 section (a) shall be eligible for—

15 (1) resettlement assistance, entitlement pro-
16 grams, and other benefits available to refugees ad-
17 mitted under section 207 of the Immigration and
18 Nationality Act (8 U.S.C. 1157) until March 31,
19 2023; and

20 (2) services described under section 412(d)(2)
21 of the Immigration and Nationality Act (8 U.S.C.
22 1522(d)(2)), subject to subparagraph (B) of such
23 section, if such individual is an unaccompanied alien
24 child as defined under 6 U.S.C. 279(g)(2).

1 (c) EXPEDITIOUS ADJUDICATION OF ASYLUM APPLI-
2 CATIONS.—With respect to an application for asylum
3 under section 208 of the Immigration and Nationality Act
4 (8 U.S.C. 1158) filed by an individual described in sub-
5 section (a)—

6 (1) the initial interview on the asylum applica-
7 tion shall occur not later than 15 days after the date
8 on which an application is filed; and

9 (2) in the absence of exceptional circumstances,
10 final administrative adjudication of the asylum ap-
11 plication, not including administrative appeal, shall
12 be completed within 150 days after the date an ap-
13 plication is filed.

14 (d) CLARIFICATION.—Notwithstanding any other
15 provision of law, nothing in this Act shall be interpreted
16 to—

17 (1) preclude an individual described in sub-
18 section (a), from applying for or receiving any immi-
19 gration benefits to which such individual is otherwise
20 entitled; or

21 (2) entitle a person described in subsection (a)
22 to adjustment of status to lawful permanent resi-
23 dent; or

1 (3) preclude a person described in subsection
2 (a) from applying for a driver's license or identifica-
3 tion card for which they are eligible under state law.

4 (e) REPORT.—Not later than 120 days after the date
5 of enactment of this Act, and every 3 months thereafter,
6 the Secretary of Homeland Security, in consultation with
7 the Secretary of Defense and the Secretary of State, shall
8 submit a report to Congress detailing the number individ-
9 uals described in subsection (a); the number of individuals
10 receiving benefits in subsection (b), including their eligi-
11 bility for benefits as refugees notwithstanding this Act;
12 and any other information deemed relevant by the Sec-
13 retary.

14 REPORTING REQUIREMENT

15 SEC. 2503.

16 (1) IN GENERAL.—Not later than 60 days after
17 the date of the enactment of this Act, and quarterly
18 thereafter through September 30, 2023, the Sec-
19 retary of Homeland Security, in coordination with
20 the head of any other applicable Federal agency,
21 shall submit to Congress a report that includes the
22 elements described in paragraph (2).

23 (2) ELEMENTS.—The report required by para-
24 graph (1) shall include the following:

25 (A) A summary of the status of Afghan
26 evacuees, including—

1 (i) the number of the Afghan evacuees
2 present in the United States, located at
3 overseas bases of the United States Armed
4 Forces, or located in third countries who
5 are not located at such a base including—

6 (I) the number who are U.S. law-
7 ful permanent residents;

8 (II) the number who are Special
9 Immigrant Visa holders;

10 (III) the number who are Special
11 Immigrant Visa applicants;

12 (IV) the number who are in pos-
13 session of a valid nonimmigrant visa
14 to enter the United States;

15 (V) the number who are employ-
16 ees of a U.S. Government agency;

17 (VI) the number who are employ-
18 ees of a U.S. funded partner organiza-
19 tion, media, or non-profit;

20 (VII) the number of Priority 1
21 refugee referrals;

22 (VIII) the number of Priority 2
23 refugee referrals;

24 (IX) the number who have been
25 relocated from the United States to a

1 third country, and the country to
2 which they were relocated; and

3 (X) the number who do not fall
4 into any of the above categories.

5 (ii) the number of Afghan evacuees at
6 overseas bases or other official staging
7 areas who have been flagged as potential
8 security concerns or risks or included on
9 the United States no-fly list and who were
10 therefore denied clearance to enter the
11 United States;

12 (iii) the number of the Afghan evac-
13 uees who have been paroled into the
14 United States—

15 (I) the number whose parole was
16 terminated; and

17 (II) the number whose parole has
18 been extended; and

19 (B) The number of Afghan evacuees who
20 have been interviewed by U.S. Citizenship and
21 Immigration Services in connection with an ap-
22 plication or petition for immigration benefits,
23 including—

24 (i) the number of such interviews con-
25 ducted since the United States withdrawal;

1 (ii) the rate at which individuals were
2 granted or refused the benefits that formed
3 the basis for such interviews;

4 (iii) the number of individuals who did
5 not appear at a scheduled interview; and

6 (iv) a description of the procedures
7 for screening for and detecting child mar-
8 riage, human trafficking, gender-based vio-
9 lence, and marriages entered into or rela-
10 tionships as fiancée or fiancé claimed for
11 the sole purpose of securing evacuation.

12 (C) For each Federal department and
13 agency involved in Operation Allies Welcome—

14 (i) as of the date of the report, the
15 costs incurred; and

16 (ii) an identification of the source of
17 appropriated or other funds used to fund
18 the effort.

19 (3) DEFINITION OF AFGHAN EVACUEE.—In this
20 section, the term “Afghan evacuee” means a person
21 whose evacuation from Afghanistan to the United
22 States, or a location overseas controlled by the
23 United States, was facilitated by the United States
24 as part of Operation Allies Refuge.

1 SEC. 2504. Each amount appropriated or made avail-
2 able by this Act is in addition to amounts otherwise appro-
3 priated for the fiscal year involved.

4 SEC. 2505. No part of any appropriation contained
5 in this Act shall remain available for obligation beyond
6 the current fiscal year unless expressly so provided herein.

7 SEC. 2506. Unless otherwise provided for by this Act,
8 the additional amounts appropriated by this Act to appro-
9 priations accounts shall be available under the authorities
10 and conditions applicable to such appropriations accounts
11 for fiscal year 2022.

12 SEC. 2507. Each amount provided by this division is
13 designated by the Congress as being for an emergency re-
14 quirement pursuant to section 4001(a)(1) and section
15 4001(b) of S. Con. Res. 14 (117th Congress), the concur-
16 rent resolution on the budget for fiscal year 2022.

17 This division may be cited as the “Afghanistan Sup-
18 plemental Appropriations Act, 2022”.

1 **DIVISION D—OTHER MATTERS**
2 **TITLE I—EXTENSIONS, TECH-**
3 **NICAL CORRECTIONS, AND**
4 **OTHER MATTERS**

5 **SEC. 3101. EXTENSION OF AUTHORITY TO MAKE CERTAIN**
6 **APPOINTMENTS FOR NATIONAL DISASTER**
7 **MEDICAL SYSTEM.**

8 Section 2812(c)(4)(B) of the Public Health Service
9 Act (42 U.S.C. 300hh–11(c)(4)(B)) is amended by strik-
10 ing “September 30, 2021” and inserting “December 3,
11 2021”.

12 **SEC. 3102. EXTENDING CERTAIN WAIVER AUTHORITIES.**

13 (a) NATIONAL SCHOOL LUNCH PROGRAM REQUIRE-
14 MENT WAIVERS ADDRESSING COVID–19.—Section
15 2202(e) of the Families First Coronavirus Response Act
16 (Public Law 116–127; 42 U.S.C. 1760 note) is amended
17 by striking “September 30, 2021” and inserting “June
18 30, 2022: Provided, That such waivers shall only apply
19 to school year 2021–2022”.

20 (b) FUNDING.—There are hereby appropriated, out
21 of any funds in the Treasury not otherwise appropriated,
22 such sums as may be necessary to carry out this section.

1 **SEC. 3103. EXTENSION OF ADDITIONAL SPECIAL ASSESS-**
2 **MENTS.**

3 Section 3014(a) of title 18, United States Code, is
4 amended by striking “September 30, 2021” and inserting
5 “December 31, 2021”.

6 **SEC. 3104. EXTENSION OF TEMPORARY ORDER FOR**
7 **FENTANYL-RELATED SUBSTANCES.**

8 Effective as if included in the enactment of the Tem-
9 porary Reauthorization and Study of the Emergency
10 Scheduling of Fentanyl Analogues Act (Public Law 116–
11 114), section 2 of such Act (as amended by Public Law
12 117–12) is amended by striking “October 22, 2021” and
13 inserting “January 28, 2022”.

14 **SEC. 3105. EXTENDING THE INCREASED FEDERAL MEDICAL**
15 **ASSISTANCE PERCENTAGE FOR TERRI-**
16 **TORIES.**

17 (a) IN GENERAL.—Section 1905(ff) of the Social Se-
18 curity Act (42 U.S.C. 1396d(ff)) is amended—

19 (1) in paragraph (2), by striking “September
20 30, 2021” and inserting “December 3, 2021” ; and

21 (2) in paragraph (3), by striking “September
22 30, 2021” and inserting “December 3, 2021”.

23 (b) GAO REVIEW.—Not later than November 15,
24 2021, the Comptroller General of the United States shall
25 review the determination of the allotment for Puerto Rico
26 for fiscal year 2022 under section 1108(g) of the Social

1 Security Act (42 U.S.C. 1308(g)), and include in the re-
 2 view the legal opinion of the Comptroller General on the
 3 most plausible plain reading of how such fiscal year 2022
 4 allotment level should be calculated.

5 **SEC. 3106. MEDICARE IMPROVEMENT FUND.**

6 Section 1898(b)(1) of the Social Security Act (42
 7 U.S.C. 1395iii(b)(1)) is amended by striking
 8 “\$165,000,000” and inserting “\$69,000,000”.

9 **TITLE II—BUDGETARY EFFECTS**

10 **SEC. 3201. BUDGETARY EFFECTS.**

11 (a) **STATUTORY PAYGO SCORECARDS.**—The budg-
 12 etary effects of this division shall not be entered on either
 13 PAYGO scorecard maintained pursuant to section 4(d) of
 14 the Statutory Pay-As-You-Go Act of 2010.

15 (b) **SENATE PAYGO SCORECARDS.**—The budgetary
 16 effects of this division shall not be entered on any PAYGO
 17 scorecard maintained for purposes of section 4106 of H.
 18 Con. Res. 71 (115th Congress).

19 (c) **CLASSIFICATION OF BUDGETARY EFFECTS.**—
 20 Notwithstanding Rule 3 of the Budget Scorekeeping
 21 Guidelines set forth in the joint explanatory statement of
 22 the committee of conference accompanying Conference Re-
 23 port 105–217 and section 250(c)(8) of the Balanced
 24 Budget and Emergency Deficit Control Act of 1985, the
 25 budgetary effects of this division shall not be estimated—

- 1 (1) for purposes of section 251 of such Act;
- 2 (2) for purposes of an allocation to the Com-
- 3 mittee on Appropriations pursuant to section 302(a)
- 4 of the Congressional Budget Act of 1974; and
- 5 (3) for purposes of paragraph (4)(C) of section
- 6 3 of the Statutory Pay-As-You-Go Act of 2010 as
- 7 being included in an appropriation Act.

Calendar No. 135

117TH CONGRESS
1ST Session
S. 2789

A BILL

Making continuing appropriations for the fiscal year ending September 30, 2022, and for providing emergency assistance, and for other purposes.

SEPTEMBER 22, 2021

Read the second time and placed on the calendar