# <sup>118TH CONGRESS</sup> H.R. 10445

Making further continuing appropriations for the fiscal year ending September 30, 2025, and for other purposes.

### IN THE HOUSE OF REPRESENTATIVES

#### DECEMBER 17, 2024

Mr. COLE (for himself and Mr. EDWARDS) introduced the following bill; which was referred to the Committee on Appropriations, and in addition to the Committees on the Budget, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

# A BILL

Making further continuing appropriations for the fiscal year ending September 30, 2025, 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 "Further Continuing
- 5 Appropriations and Disaster Relief Supplemental Appro-

6 priations Act, 2025".

### 7 SEC. 2. TABLE OF CONTENTS.

8 The table of contents of this Act is as follows:

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#### 1 SEC. 3. REFERENCES.

- 2 Except as expressly provided otherwise, any reference
- 3 to "this Act" contained in any division of this Act shall

be treated as referring only to the provisions of that divi sion.

# 3 DIVISION A—FURTHER CONTINUING 4 APPROPRIATIONS ACT, 2025

5 SEC. 101. The Continuing Appropriations Act, 2025
6 (division A of Public Law 118–83) is amended—

7 (1) in section 101(9), by striking ", and includ8 ing section 7 in the matter preceding division A of
9 Public Law 118-47";

10 (2) by striking the date specified in section
11 106(3) and inserting "March 14, 2025";

12 (3) in section 126 to read as follows:

13 "SEC. 126. Notwithstanding section 101, amounts are provided for 'District of Columbia—Federal Payment 14 15 for Emergency Planning and Security Costs in the District of Columbia' at a rate for operations of \$90,000,000, 16 17 of which not less than \$50,000,000 shall be for costs associated with the Presidential Inauguration to be held in 18 January 2025: Provided, That such amounts may be ap-19 20 portioned up to the rate for operations necessary to main-21 tain emergency planning and security activities."; and

(4) by adding after section 152 the followingnew sections:

24 "SEC. 153. Amounts made available by section 101
25 for 'Department of Commerce—National Oceanic and At-

mospheric Administration—Procurement, Acquisition and
 Construction' may be apportioned up to the rate for oper ations necessary to maintain the acquisition schedule for
 Geostationary Earth Orbit in an amount not to exceed
 \$625,000,000.

6 "SEC. 154. Amounts made available by section 101 7 for 'Department of Justice—Justice Operations, Manage-8 ment and Accountability—Justice Information Sharing 9 Technology' may be apportioned up to the rate for oper-10 ations necessary to carry out proactive vulnerability detec-11 tion and penetration testing activities.

12 "SEC. 155. In addition to amounts otherwise pro-13 vided by section 101, there is appropriated to the Department of Justice for 'Federal Bureau of Investigation-14 15 Salaries and Expenses', \$16,668,000, for an additional amount for fiscal year 2025, to remain available until Sep-16 17 tember 30, 2026, to conduct risk reduction and modification of National Security Systems: *Provided*, That such 18 amount is designated by the Congress as being for an 19 20 section emergency requirement pursuant to 21 251(b)(2)(A)(i) of the Balanced Budget and Emergency 22 Deficit Control Act of 1985.

23 "SEC. 156. (a) Amounts made available by section
24 101 to the Department of Defense for 'Procurement—
25 Shipbuilding and Conversion, Navy', may be apportioned

up to the rate for operations necessary for 'Columbia Class
 Submarine (AP)' in an amount not to exceed
 \$5,996,130,000.

4 "(b) Amounts made available by section 101 to the
5 Department of Defense for 'Procurement—Shipbuilding
6 and Conversion, Navy' may be apportioned up to the rate
7 for operations necessary for 'Columbia Class Submarine'
8 in an amount not to exceed \$2,922,300,000.

9 "SEC. 157. (a) In addition to amounts otherwise pro-10 vided by section 101, there is appropriated to the Department of Defense for 'Procurement-Shipbuilding and 11 12 Conversion, Navy', \$5,691,000,000, for an additional 13 amount for fiscal year 2025, to remain available until September 30, 2029, for the Virginia Class Submarine pro-14 15 gram and for workforce wage and non-executive salary improvements for other nuclear-powered vessel programs: 16 17 *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to sec-18 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-19 gency Deficit Control Act of 1985. 20

"(b) Amounts appropriated by subsection (a) may be
used to incrementally fund contract obligations for the improvement of workforce wages and non-executive level salaries on new or existing contracts pertaining to the Vir-

ginia Class Submarine program or to other nuclear-pow ered vessel programs.

3 "SEC. 158. In addition to amounts otherwise pro-4 vided by section 101, there is appropriated to the Depart-5 ment of Defense for 'Operation and Maintenance—Defense-Wide', \$913,440,000, for an additional amount for 6 7 fiscal year 2025, to remain available until September 30, 8 2026, to conduct risk reduction and modification of Na-9 tional Security Systems: *Provided*, That the amount pro-10 vided by this section may be transferred to accounts under the headings 'Operation and Maintenance', 'Procurement', 11 12 and 'Research, Development, Test and Evaluation': Pro-13 *vided further*, That funds transferred pursuant to the preceding proviso shall be merged with and available for the 14 15 same purpose and for the same time period as the appropriations to which the funds are transferred: Provided fur-16 17 ther, That any transfer authority provided herein is in addition to any other transfer authority provided by law: 18 *Provided further*, That such amount is designated by the 19 20 Congress as being for an emergency requirement pursuant 21 to section 251(b)(2)(A)(i) of the Balanced Budget and 22 Emergency Deficit Control Act of 1985.

23 "SEC. 159. (a) Amounts made available by section
24 101 for 'Department of Energy—Atomic Energy Defense
25 Activities—Environmental and Other Defense Activities—

Other Defense Activities' may be apportioned up to the
 rate for operations necessary to sustain specialized secu rity activities.

4 "(b) The Director of the Office of Management and
5 Budget and the Secretary of Energy shall notify the Com6 mittees on Appropriations of the House of Representatives
7 and the Senate not later than 3 days after each use of
8 the authority provided in subsection (a).

9 "SEC. 160. In addition to amounts otherwise pro-10 vided by section 101, there is appropriated to the Department of Energy for 'Atomic Energy Defense Activities— 11 Environmental and Other Defense Activities—Other De-12 13 fense Activities', \$1,750,000, for an additional amount for fiscal year 2025, to remain available until September 30, 14 15 2026, to conduct risk reduction and modification of National Security Systems: *Provided*, That such amount is 16 designated by the Congress as being for an emergency re-17 18 quirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985. 19 20 "SEC. 161. During the period covered by this Act, 21 section 10609(a) of the Northwestern New Mexico Rural 22 Water Projects Act (subtitle B of title X of Public Law 23 111-11) shall be applied by substituting '1,640,000,000' for '\$870,000,000' and '2025' for '2024'. 24

1 "SEC. 162. In addition to amounts otherwise pro-2 vided by section 101, there is appropriated to the Depart-3 ment of the Treasury for 'Departmental Offices—Office 4 of Terrorism and Financial Intelligence—Salaries and Ex-5 penses', \$908,000, for an additional amount for fiscal year 6 2025, to remain available until September 30, 2026, to 7 conduct risk reduction and modification of National Secu-8 rity Systems: *Provided*, That such amount is designated 9 by the Congress as being for an emergency requirement 10 pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985. 11

"SEC. 163. Section 302 of title III of Public Law
108-494 shall be applied by substituting the date specified
in section 106(3) of this Act for 'December 31, 2024' each
place it appears.

"SEC. 164. (a) Notwithstanding section 101, section
747 of title VII of division B of Public Law 118–47 shall
be applied through the date specified in section 106(3) of
this Act by—

20 "(1) substituting '2024' for '2023' each place it
21 appears;

22 "(2) substituting '2025' for '2024' each place it
23 appears;

24 "(3) substituting '2026' for '2025'; and

"(4) substituting 'section 747 of division B of
 Public Law 118–47, as in effect on September 30,
 2024' for 'section 747 of division E of Public Law
 117–328' each place it appears.

5 "(b) Subsection (a) shall not take effect until the first
6 day of the first applicable pay period beginning on or after
7 January 1, 2025.

8 "SEC. 165. Amounts made available by section 101 9 for 'Department of Education—Student Aid Administra-10 tion' may be apportioned up to the rate for operations nec-11 essary to ensure the continuation of student loan servicing 12 activities and student aid application and eligibility deter-13 mination processes.

"SEC. 166. During the period covered by this Act, 14 15 section 123 of division A of Public Law 118–42 and the provisions carrying the same restriction in prior Acts mak-16 ing appropriations to the Department of Defense for mili-17 tary construction shall not apply to unobligated balances 18 from prior year appropriations made available under the 19 heading 'Department of Defense—Military Construction, 20 21 Army' and such balances may be obligated for an access 22 road project at Arlington National Cemetery.

23 "SEC. 167. (a) Notwithstanding section 101, the sec-24 ond proviso under the heading 'Department of Veterans

Affairs—Veterans Health Administration—Medical Serv ices' shall not apply during the period covered by this Act.
 "(b) Notwithstanding section 101, the second proviso
 under the heading 'Department of Veterans Affairs—Vet erans Health Administration—Medical Community Care'
 shall not apply during the period covered by this Act.

7 "(c) Notwithstanding section 101, the second proviso
8 under the heading 'Department of Veterans Affairs—Vet9 erans Health Administration—Medical Support and Com10 pliance' shall not apply during the period covered by this
11 Act.

"SEC. 168. Notwithstanding section 101, the fifth
and sixth provisos under the heading 'Millennium Challenge Corporation' in division F of Public Law 118–47
shall be applied by substituting 'December 31, 2025' for
'December 31, 2024' each place it appears.

17 "SEC. 169. Amounts made available by section 101 for 'Department of Transportation—Federal Aviation Ad-18 ministration—Operations' may be apportioned up to the 19 20 rate for operations necessary to fund mandatory pay in-21 creases and other inflationary adjustments, to maintain 22 and improve air traffic services, to hire and train air traf-23 fic controllers, and to continue aviation safety oversight, 24 while avoiding service reductions.".

This division may be cited as the "Further Con-1 2 tinuing Appropriations Act, 2025". DIVISION B-DISASTER RELIEF 3 SUPPLEMENTAL APPROPRIA-4 **TIONS ACT, 2025** 5 The following sums are appropriated, out of any 6 7 money in the Treasury not otherwise appropriated, for the 8 fiscal year ending September 30, 2025, and for other pur-9 poses, namely: 10 TITLE I 11 DEPARTMENT OF AGRICULTURE 12 AGRICULTURAL PROGRAMS PROCESSING, RESEARCH, AND MARKETING 13 14 OFFICE OF THE SECRETARY 15 For an additional amount for "Office of the Secretary", \$30,780,000,000, to remain available until ex-16 pended, for necessary expenses related to losses of rev-17 18 enue, quality or production of crops (including milk, on-19 farm stored commodities, crops prevented from planting, 20 and harvested adulterated wine grapes), trees, bushes, and 21 vines, as a consequence of droughts, wildfires, hurricanes, floods, derechos, excessive heat, tornadoes, winter storms, 22 23 freeze, including a polar vortex, smoke exposure, and ex-24 cessive moisture occurring in calendar years 2023 and 2024 under such terms and conditions as determined by 25

the Secretary of Agriculture (referred to in this title as 1 2 "Secretary"): *Provided*, That of the amounts provided in 3 this paragraph under this heading in this Act, the Sec-4 retary shall use up to \$2,000,000,000 to provide assist-5 ance to producers of livestock, as determined by the Secretary, for losses incurred during calendar years 2023 and 6 7 2024 due to drought, wildfires, or floods: *Provided further*, 8 That the Secretary may provide assistance for such losses 9 in the form of block grants to eligible States and terri-10 tories and such assistance may include compensation to producers, as determined by the Secretary, for timber (in-11 12 cluding payments to non-Federal forest landowners), cit-13 rus, pecan, and poultry (including infrastructure) losses, and for agricultural producers who have suffered losses 14 15 due to the failure of Mexico to deliver water to the United States in accordance with the 1944 Water Treaty: Pro-16 17 *vided further*, That of the amounts provided under this heading in this Act, the Secretary shall offer individualized 18 19 technical assistance to interested non-insured producers to 20 help them apply for assistance made available under this 21 heading: *Provided further*, That of the amounts made 22 available under this paragraph under this heading in this 23 Act, the Secretary may use up to \$30,000,000, for reim-24 bursement for administrative and operating expenses 25 available for crop insurance contracts for 2022 and 2023

1 reinsurance years in a manner consistent with Section 771 2 of the Consolidated Appropriations Act, 2023 (Public Law 3 117–328): *Provided further*, That of the amounts made 4 available under this paragraph under this heading in this 5 Act, and without regard to 44 U.S.C. 3501 et. seq., the 6 Secretary shall use \$3,000,000 to carry out regular testing 7 for the purposes of verifying and validating the method-8 ology and protocols of the inspection of molasses at any 9 United States ports of entry, including whether the molas-10 ses meets each statutory requirement without the use of 11 additives or blending, relevant definitional explanatory 12 notes, and each property typical of molasses in the United 13 States as directed in Senate Report 118–193: Provided further, That at the election of a processor eligible for a 14 15 loan under section 156 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272) or 16 17 a cooperative processor of dairy, the Secretary shall make payments for losses in 2023 and 2024 to such processors 18 19 (to be paid to producers, as determined by such proc-20 essors) in lieu of payments to producers and under the 21 same terms and conditions as payments made to proc-22 essors pursuant to title I of the Additional Supplemental 23 Appropriations for Disaster Relief Act, 2019 (Public Law 24 116–20) under the heading "Department of Agriculture— 25 Agricultural Programs—Processing, Research and Mar-

keting—Office of the Secretary", as last amended by sec-1 2 tion 791(c) of title VII of division B of the Further Con-3 solidated Appropriations Act, 2020 (Public Law 116–94): 4 Provided further, That notwithstanding section 5 760.1503(j) of title 7, Code of Federal Regulations, in the event that a processor described in the preceding proviso 6 7 does not elect to receive payments under such clause, the 8 Secretary shall make direct payments to producers under 9 this heading in this Act: *Provided further*, That the total 10 amount of payments received under this paragraph under this heading in this Act for producers who did not obtain 11 12 a policy or plan of insurance for an insurable commodity 13 for the applicable crop year under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) for the crop incurring 14 15 the losses or did not file the required paperwork and pay the service fee by the applicable State filing deadline for 16 17 a noninsurable commodity for the applicable crop year under Noninsured Crop Disaster Assistance Program for 18 the crop incurring the losses shall not exceed 70 percent 19 20 of the loss as determined by the Secretary, except the Sec-21 retary shall provide payments not to exceed 90 percent 22 of the producer's revenue losses as determined by the Sec-23 retary if the Secretary determines a de minimis amount 24 of a producer's revenue loss is attributable to crops for 25 which the producer did not insure or obtain Noninsured

Crop Disaster Assistance Program coverage: Provided fur-1 2 ther, That the amount provided in this paragraph under 3 this heading in this Act shall be subject to the terms and 4 conditions set forth in the first, second, sixth, seventh, 5 eighth, ninth, tenth, and 12th provisos under this heading in title I of the Disaster Relief Supplemental Appropria-6 7 tions Act, 2022 (division B of Public Law 117–43), except 8 that such ninth proviso under such heading shall be applied by substituting "2023 and 2024" for "2020 and 9 10 2021" and the Secretary shall apply a separate payment limit for economic assistance payments: Provided further, 11 12 That not later than 120 days after the enactment of this 13 Act, and for each fiscal quarter thereafter until the amounts provided under this heading in this Act are ex-14 15 pended, the Secretary shall report to the Committees on Appropriations of the House of Representatives and the 16 17 Senate on the implementation of any programs provided 18 for under this heading in this Act specifying the type, 19 amount, and method of such assistance by State and territory: *Provided further*, That of the amounts provided in 20 21 this paragraph, \$10,000,000,000 shall be made available 22 for the Secretary to make economic assistance available 23 pursuant to section 2102 of this title in this Act: *Provided further*, That such amount is designated by the Congress 24 25 as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emer gency Deficit Control Act of 1985.

3 For an additional amount for "Office of the Sec-4 retary", \$220,000,000, to remain available until expended, 5 for the Secretary to provide assistance in the form of block grants to eligible States to provide compensation to pro-6 7 ducers for necessary expenses related to crop, timber, and 8 livestock losses, including on-farm infrastructure, as a 9 consequence of any weather event in 2023 or 2024 that 10 a State, in its sole discretion, determines warrants such relief: *Provided*, That eligible States are those States with 11 12 a net farm income for 2023 of less than \$250,000,000, 13 as recorded in the data in the Economic Research Service publication "Farm Income and Wealth Statistics" as of 14 15 December 3, 2024, and fewer than eight thousand farms and an average farm size of fewer than one thousand acres 16 17 per farm, as recorded in the National Agricultural Statistics Service publication "Farms and Land in Farms 2023 18 19 Summary (February, 2024)": Provided further, That the 20 Secretary shall work with eligible States on any necessary 21 terms and conditions of the block grants, fully taking in 22 account the needs of each State: Provided further, That 23 any such terms and conditions may not impose additional 24 costs on producers: *Provided further*, That such amount 25 is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the
 Balanced Budget and Emergency Deficit Control Act of
 1985.

Office of Inspector General

5 For an additional amount for "Office of Inspector 6 General", \$7,500,000, to remain available until expended, 7 for audits, investigations, and other oversight of projects 8 and activities carried out with funds made available to the 9 Department of Agriculture in this Act: *Provided*, That 10 such amount is designated by the Congress as being for 11 requirement an emergency pursuant to section 12 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985. 13

### 14 AGRICULTURAL RESEARCH SERVICE

15

4

### BUILDINGS AND FACILITIES

For an additional amount for "Buildings and Facilities", \$42,500,000, to remain available until expended: *Provided*, That such amount is designated by the Congress
as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

1	FARM PRODUCTION AND CONSERVATION
2	PROGRAMS
3	FARM SERVICE AGENCY
4	EMERGENCY FOREST RESTORATION PROGRAM
5	For an additional amount for "Emergency Forest
6	Restoration Program", \$356,535,000, to remain available
7	until expended: Provided, That such amount is designated
8	by the Congress as being for an emergency requirement
9	pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-
10	et and Emergency Deficit Control Act of 1985.
11	EMERGENCY CONSERVATION PROGRAM
12	For an additional amount for "Emergency Conserva-
13	tion Program", \$828,000,000, to remain available until
14	expended: <i>Provided</i> , That such amount is designated by
15	the Congress as being for an emergency requirement pur-
16	suant to section $251(b)(2)(A)(i)$ of the Balanced Budget
17	and Emergency Deficit Control Act of 1985.
18	NATURAL RESOURCES CONSERVATION SERVICE
19	EMERGENCY WATERSHED PROTECTION PROGRAM
20	For an additional amount for "Emergency Watershed
21	Protection Program" for necessary expenses for the Emer-
22	gency Watershed Protection Program, \$920,000,000, to
23	remain available until expended: Provided, That such
24	amount is designated by the Congress as being for an
25	emergency requirement pursuant to section

251(b)(2)(A)(i) of the Balanced Budget and Emergency
 Deficit Control Act of 1985.

### 3 RURAL DEVELOPMENT PROGRAMS

### 4 RURAL DEVELOPMENT DISASTER ASSISTANCE FUND

5 For an additional amount for the "Rural Development Disaster Assistance Fund" as authorized under sec-6 7 tion 6945 of title 7, United States Code, as amended by 8 this Act, \$362,500,000, to remain available until ex-9 pended: *Provided*, That section 6945(b) of title 7, United 10 States Code, shall apply to amounts provided under this heading in this Act: *Provided further*, That amounts pro-11 12 vided under this heading in this Act may not be trans-13 ferred pursuant to section 2257 of title 7, United States Code: *Provided further*, That such amount is designated 14 15 by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-16 et and Emergency Deficit Control Act of 1985. 17

- 18 DOMESTIC FOOD PROGRAMS
- 19 FOOD AND NUTRITION SERVICE
- 20 COMMODITY ASSISTANCE PROGRAM

For an additional amount for "Commodity Assistance Program" for the emergency food assistance program as authorized by section 27(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2036(a)) and section 204(a)(1) of the Emergency Food Assistance Act of 1983 (7 U.S.C.

1	7508(a)(1)), \$25,000,000, to remain available until Sep-
2	tember 30, 2026: <i>Provided</i> , That such funds shall be for
3	infrastructure needs related to the consequences of a
4	major disaster declaration pursuant to the Robert T. Staf-
5	ford Disaster Relief and Emergency Assistance Act (42
6	U.S.C. 5121 et seq.) in calendar years 2023 and 2024:
7	Provided further, That such amount is designated by the
8	Congress as being for an emergency requirement pursuant
9	to section 251(b)(2)(A)(i) of the Balanced Budget and
10	Emergency Deficit Control Act of 1985.
11	GENERAL PROVISIONS—THIS TITLE
12	SEC. 2101. Section 10101 of the Disaster Relief and
13	Recovery Supplemental Appropriations Act, 2008 (division
14	B of Public Law 110–329; 7 U.S.C. 6945) is amended—
15	(1) in subsection (b)—
16	(A) in the first sentence—
17	(i) by striking "for authorized activi-
18	ties" and inserting ", in the form of loans,
19	grants, loan guarantees, or cooperative
20	agreements, for any authorized activity";
21	(ii) by striking "or" between "Presi-
22	dent" and "the Secretary of Agriculture"
23	and inserting a comma; and

1	(iii) by inserting after "the Secretary
2	of Agriculture" the following: ", or the
3	Governor of a State or Territory";
4	(B) in the second sentence, inserting after
5	"to carry out the activity", the following: ", but
6	shall not be limited to the original form of as-
7	sistance, if any"; and
8	(C) by inserting after the first sentence, as
9	so amended, the following: "The cost of such
10	direct and guaranteed loans, including the cost
11	of modifying loans, shall be as defined in sec-
12	tion 502 of the Congressional Budget Act of
13	1974."; and
14	(2) in subsection (c), to read as follows—
15	"(c) WAIVER OF ACTIVITY OR PROJECT LIMITA-
16	TIONS.—For any activity or project for which amounts in
17	the Rural Development Disaster Assistance Fund will be
18	obligated under subsection (b)—
19	"(1) the Secretary of Agriculture may waive
20	any limits on population, income, age, and duplica-
21	tion with respect to replacement of damaged or de-
22	stroyed utilities, or cost-sharing otherwise applicable,
23	except that, if the amounts proposed to be obligated
24	in connection with the disaster would exceed the
25	amount specified in subsection (h), the notification

1	required by that subsection shall include information
2	and justification with regard to any waivers to be
3	granted under this subsection;
4	"(2) the Secretary of Agriculture may use alter-
5	native sources of income data provided by local, re-
6	gional, State, or Federal government sources to de-
7	termine program eligibility; and
8	"(3) with respect to grants authorized by $7$
9	U.S.C. 1926(a)(19), the Secretary of Agriculture
10	shall not require the applicant to demonstrate that
11	it is unable to finance the proposed project from its
12	own resources, or through commercial credit at rea-
13	sonable rates and terms, or other funding sources
14	without grant assistance.".
15	(3) Amounts provided by this section are des-
16	ignated by the Congress as being for an emergency
17	requirement pursuant to section $251(b)(2)(A)(i)$ of
18	the Balanced Budget and Emergency Deficit Control
19	Act of 1985.
20	SEC. 2102. (a)(1) With respect to the 2024 crop year,
21	if the Secretary determines that the expected gross return
22	per acre for an eligible commodity determined under para-
23	graph (2) is less than the expected cost of production per
24	acre for that eligible commodity determined under para-
25	graph (3), the Secretary shall, not later than 90 days after

1	the date of enactment of this Act, make a 1-time economic
2	assistance payment to each producer of that eligible com-
3	modity during that crop year.
4	(2) The expected gross return per acre for an
5	eligible commodity referred to in paragraph (1) shall
6	be equal to—
7	(A) in the case of wheat, corn, grain sor-
8	ghum, barley, oats, cotton, rice, and soybeans,
9	the product obtained by multiplying—
10	(i) the projected average farm price
11	for the applicable eligible commodity for
12	the 2024–2025 marketing year contained
13	in the most recent World Agricultural Sup-
14	ply and Demand Estimates published be-
15	fore the date of enactment of this Act by
16	the World Agricultural Outlook Board; and
17	(ii) the national average harvested
18	yield per acre for the applicable eligible
19	commodity for the most recent 10 crop
20	years, as determined by the Secretary; and
21	(B) in the case of each eligible commodity
22	not specified in subparagraph (A), a com-
23	parable estimate of gross returns, as deter-
24	mined by the Secretary.

(3) The expected cost of production per acre for
 an eligible commodity referred to in paragraph (1)
 shall be equal to—

4 (A) in the case of wheat, corn, grain sor-5 ghum, barley, oats, cotton, rice, and soybeans, 6 the total costs listed for the 2024 crop year 7 with respect to the applicable eligible com-8 modity contained in the most recent data prod-9 uct entitled "national average cost-of-production forecasts for major U.S. field crops" pub-10 11 lished by the Economic Research Service; and

(B) in the case of each eligible commodity
not specified in subparagraph (A), a comparable total estimated cost-of-production, as
determined by the Secretary.

16 (4)(A) The amount of an economic assistance
17 payment to a producer for an eligible commodity
18 under paragraph (1) shall be equal to 26 percent of
19 the product obtained by multiplying—

20 (i) the economic loss for that eligible
21 commodity determined under subpara22 graph (B); and

23 (ii) the eligible acres of that eligible
24 commodity on the farm determined under
25 subparagraph (C).

1	(B) For purposes of subparagraph (A)(i),
2	the economic loss for an eligible commodity
3	shall be equal to the difference between—
4	(i) the expected cost of production per
5	acre for that eligible commodity, as deter-
6	mined under paragraph (3); and
7	(ii) the expected gross return per acre
8	for that eligible commodity, as determined
9	under paragraph (2).
10	(C) For purposes of subparagraph (A)(ii),
11	the eligible acres of an eligible commodity on a
12	farm shall be equal to the sum obtained by add-
13	ing—
14	(i) the acreage planted on the farm to
15	that eligible commodity for harvest, graz-
16	ing, haying, silage, or other similar pur-
17	poses for the 2024 crop year; and
18	(ii) an amount equal to 50 percent of
19	the acreage on the farm that was pre-
20	vented from being planted during the 2024
21	crop year to that eligible commodity be-
22	cause of drought, flood, or other natural
23	disaster, or other condition beyond the con-
24	trol of the producers on the farm, as deter-

1 (D) For purposes of subparagraph (C)(i), 2 the Secretary shall consider acreage planted to include any land devoted to planted acres for 3 4 accepted skip-row planting patterns, as deter-5 mined by the Secretary. 6 (E) If the Secretary determines there is in-7 sufficient data to determine the comparable es-8 timate of gross returns with respect to an eligi-9 ble commodity under paragraph (2)(B) or a 10 comparable total estimated cost-of-production 11 with respect to an eligible commodity under 12 paragraph (3)(B), the Secretary shall use data 13 related to a similarly situated commodity for 14 purposes of determining the payment amount 15 under this paragraph. 16 (5) In no case shall the amount of an economic 17 assistance payment to a producer for an eligible 18 commodity under paragraph (1) be equal to less

20 (A) 8 percent of the reference price for the
21 eligible commodity described in section
22 1111(19) of the Agricultural Act of 2014 (7
23 U.S.C. 9011(19));

than the product obtained by multiplying—

19

1	(B) the national average payment yield for
2	the eligible commodity described in section
3	1111(15) of that Act (7 U.S.C. 9011(15)); and
4	(C) the number of eligible acres for the eli-
5	gible commodity described in paragraph (4)(C).
6	(b)(1) Except as provided in paragraph $(2)$ , sections
7	1001, 1001A, 1001B, and 1001C of the Food Security
8	Act of 1985 (7 U.S.C. 1308, 1308–1, 1308–2, 1308–3)
9	shall apply with respect to assistance provided under this
10	section.
11	(2) The total amount of payments received, di-
12	rectly or indirectly, by a person or legal entity (ex-
13	cept a joint venture or general partnership) under
14	this section may not exceed—
15	(A) $$125,000$ , if less than 75 percent of
16	the average gross income of the person or legal
17	entity for the 2020, 2021, and 2022 tax years
18	is derived from farming, ranching, or
19	silviculture activities; and
20	(B) $$250,000$ , if not less than 75 percent
21	of the average gross income of the person or
22	legal entity for the 2020, 2021, and 2022 tax
23	years is derived from farming, ranching, or
24	silviculture activities.

1	(3) The payment limitations under paragraph
2	(2) shall be separate from annual payment limita-
3	tions under any other program.
4	(c) In this section:
5	(1) The terms "extra-long staple cotton" and
6	"producer" have the meanings given those terms in
7	section $1111$ of the Agricultural Act of $2014$ (7
8	U.S.C. 9011).
9	(2) The term "cotton" means extra-long staple
10	cotton and upland cotton.
11	(3)(A) The term "eligible commodity" means a
12	loan commodity (as defined in section 1201(a) of the
13	Agricultural Act of 2014 (7 U.S.C. 9031(a)).
14	(B) The term "eligible commodity" does
15	not include graded wool, nongraded wool, mo-
16	hair, or honey.
17	(4) The terms "legal entity" and "person" have
18	the meanings given those terms in section 1001(a)
19	of the Food Security Act of 1985 (7 U.S.C.
20	1308(a)).
21	(5) The term "rice" means long grain rice and
22	medium grain rice.
23	(6) The term "Secretary" means the Secretary
24	of Agriculture.

1 (d) Amounts provided by this section are designated 2 by the Congress as being for an emergency requirement 3 pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-4 et and Emergency Deficit Control Act of 1985. 5 TITLE II 6 DEPARTMENT OF COMMERCE 7 ECONOMIC DEVELOPMENT ADMINISTRATION 8 ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS 9 (INCLUDING TRANSFERS OF FUNDS) 10 For an additional amount for "Economic Development Assistance Programs", \$1,510,000,000, to remain 11 12 available until expended, pursuant to sections 209 and 703 13 of the Public Works and Economic Development Act (42) 14 U.S.C. 3149 and 3233), for economic adjustment assistance related to flood mitigation, disaster relief, long-term recovery, and restoration of infrastructure in areas that

15 16 17 received a major disaster designation as a result of hurri-18 canes, wildfires, severe storms and flooding, tornadoes, 19 and other natural disasters occurring in calendar years 20 2023 and 2024 under the Robert T. Stafford Disaster Re-21 lief and Emergency Assistance Act (42 U.S.C. 5121 et 22 seq.): *Provided*, That within the amount appropriated 23 under this heading in this Act, up to 3 percent of funds 24 may be transferred to "Salaries and Expenses" for admin-25 istration and oversight activities: *Provided further*, That

within the amount appropriated under this heading in this 1 2 Act, \$10,000,000 shall be transferred to the Delta Re-3 gional Authority (7 U.S.C. 2009aa et seq.): Provided fur-4 ther, That the Delta Regional Authority shall notify the 5 Committees on Appropriations of the House of Representatives and the Senate 15 days prior to the obligation of 6 7 the amounts made available under the preceding proviso: 8 *Provided further*, That the Secretary of Commerce is au-9 thorized to appoint and fix the compensation of such tem-10 porary personnel as may be necessary to implement the requirements under this heading in this Act, without re-11 12 gard to the provisions of title 5, United States Code, gov-13 erning appointments in the competitive service: *Provided* further, That within the amount appropriated under this 14 15 heading in this Act, \$7,000,000 shall be transferred to 16 "Departmental Management—Office of Inspector Gen-17 eral" for carrying out investigations and audits related to 18 the funding provided under this heading in this Act: Pro-19 *vided further*, That such amount is designated by the Con-20 gress as being for an emergency requirement pursuant to 21 section 251(b)(2)(A)(i) of the Balanced Budget and 22 Emergency Deficit Control Act of 1985.

	10
1	NATIONAL OCEANIC AND ATMOSPHERIC
2	Administration
3	OPERATIONS, RESEARCH, AND FACILITIES
4	For an additional amount for "Operations, Research,
5	and Facilities" for necessary expenses related to the con-
6	sequences of hurricanes, typhoons, flooding, wildfires, and
7	other disasters in calendar years 2023 and 2024,
8	\$244,000,000, to remain available until September 30,
9	2026, as follows:
10	(1) \$144,000,000 for repair and replacement of
11	observing assets, real property, and equipment; for
12	marine debris assessment and removal; and for map-
13	ping, charting, and geodesy services; and
14	(2) \$100,000,000 for necessary expenses re-
15	lated to the consequences of tornadoes, hurricanes,
16	typhoons, flooding, and wildfires in calendar year
17	2024;
18	Provided, That the National Oceanic and Atmospheric Ad-
19	ministration shall submit a spending plan to the Commit-
20	tees on Appropriations of the House of Representatives
21	and the Senate not later than 45 days after the date of
22	enactment of this Act: Provided further, That such amount
23	is designated by the Congress as being for an emergency
24	requirement pursuant to section 251(b)(2)(A)(i) of the

Balanced Budget and Emergency Deficit Control Act of
 1985.

**3** PROCUREMENT, ACQUISITION AND CONSTRUCTION

For an additional amount for "Procurement, Acquisition and Construction" for necessary expenses related to
the consequences of hurricanes, typhoons, wildfires, volcanoes, and other disasters in calendar years 2022, 2023
and 2024, \$499,000,000, to remain available until expended, as follows:

(1) \$100,000,000 for repair and replacement of
observing assets, real property, and equipment; and
(2) \$399,000,000 for the acquisition of hurricane hunter aircraft and related expenses as authorized under section 11708 of division K of Public
Law 117-263:

*Provided*, That the National Oceanic and Atmospheric Ad-16 ministration shall submit a spending plan to the Commit-17 18 tees on Appropriations of the House of Representatives 19 and the Senate not later than 45 days after the date of 20 enactment of this Act: Provided further, That such amount 21 is designated by the Congress as being for an emergency 22 requirement pursuant to section 251(b)(2)(A)(i) of the 23 Balanced Budget and Emergency Deficit Control Act of 1985. 24

1

### FISHERIES DISASTER ASSISTANCE

2 For an additional amount for "Fisheries Disaster Assistance" for necessary expenses associated with fishery 3 4 resource disaster relief authorized by law, as 5 \$300,000,000, to remain available until expended: Provided, That notwithstanding section 312(a)(3)(A) of the 6 7 Magnuson-Stevens Fishery Conservation and Manage-8 ment Act (18 U.S.C. 1861a(a)(3)(A)), any request for a 9 fishery resource disaster determination in Tribal salmon 10 and urchin fisheries received by the Secretary prior to September 30, 2025, may be evaluated by the Secretary: 11 12 *Provided further*, That a portion of the amounts provided 13 under this heading in this Act shall be used to provide additional assistance up to the historical percentage for 14 15 positively determined disasters announced in calendar year 2024 that were partially funded: *Provided further*, That 16 such amount is designated by the Congress as being for 17 18 requirement an emergency pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency 19 Deficit Control Act of 1985. 20

DEPARTMENT OF JUSTICE
United States Marshals Service
SALARIES AND EXPENSES

For an additional amount for "Salaries and Expenses", \$12,000,000, to remain available until September 30, 2027, for necessary expenses related to the protection
 of the residences of the Supreme Court Justices: *Provided*,
 That such amount is designated by the Congress as being
 for an emergency requirement pursuant to section
 251(b)(2)(A)(i) of the Balanced Budget and Emergency
 Deficit Control Act of 1985.

7 FEDERAL PRISON SYSTEM8 BUILDINGS AND FACILITIES

9 For an additional amount for "Buildings and Facili-10 ties", \$64,795,500, to remain available until expended, for 11 necessary expenses related to the consequences of major 12 disasters: *Provided*, That such amount is designated by 13 the Congress as being for an emergency requirement pur-14 suant to section 251(b)(2)(A)(i) of the Balanced Budget 15 and Emergency Deficit Control Act of 1985.

16 SCIENCE 17 NATIONAL AERONAUTICS AND SPACE ADMINISTRATION 18 CONSTRUCTION AND ENVIRONMENTAL COMPLIANCE AND 19 RESTORATION 20 (INCLUDING TRANSFER OF FUNDS) 21 For an additional amount for "Construction and En-22 vironmental Compliance and Restoration" for repair and 23 replacement of National Aeronautics and Space Adminis-24 tration facilities damaged by hurricanes, tropical storms, 25 typhoons, and tornadoes in calendar years 2023 and 2024,

1 \$740,200,000, to remain available until expended: Pro-2 vided, That up to 20 percent of such amount may be transferred to "Space Operations" for necessary expenses 3 4 related to communications facilities and equipment, re-5 quired remediation, and alternative operations caused by 6 Typhoon Mawar: *Provided further*, That except as pro-7 vided in the preceding proviso, the amounts appropriated 8 under this heading in this Act shall not be available for 9 transfer under any transfer authority provided for the Na-10 tional Aeronautics and Space Administration in an appropriation Act for fiscal year 2025: Provided further, That 11 12 the National Aeronautics and Space Administration shall 13 submit a spending plan to the Committees on Appropriations of the House of Representatives and the Senate not 14 15 later than 45 days after the date of enactment of this Act: *Provided further*, That such amount is designated by the 16 17 Congress as being for an emergency requirement pursuant 18 to section 251(b)(2)(A)(i) of the Balanced Budget and 19 Emergency Deficit Control Act of 1985. 20 TITLE III

21DEPARTMENT OF DEFENSE22OPERATION AND MAINTENANCE23OPERATION AND MAINTENANCE, ARMY

For an additional amount for "Operation and Maintenance, Army", \$451,894,000, to remain available until September 30, 2025, for necessary expenses related to the
 consequences of severe storms, straight-line winds, torna does, microbursts, and hurricanes in calendar years 2023
 and 2024: *Provided*, That such amount is designated by
 the Congress as being for an emergency requirement pur suant to section 251(b)(2)(A)(i) of the Balanced Budget
 and Emergency Deficit Control Act of 1985.

### 8 OPERATION AND MAINTENANCE, NAVY

9 For an additional amount for "Operation and Main-10 tenance, Navy", \$1,454,153,000, to remain available until September 30, 2025, for necessary expenses related to the 11 12 consequences of Hurricanes Ian, Nicole, Idalia, Helene, 13 and Milton, Typhoon Mawar, and severe storms in calendar vear 2023: Provided, That such amount is des-14 15 ignated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Bal-16 17 anced Budget and Emergency Deficit Control Act of 1985.

18 Operation and Maintenance, Marine Corps

For an additional amount for "Operation and Maintenance, Marine Corps", \$8,900,000, to remain available until September 30, 2025, for necessary expenses related to the consequences of Hurricanes Helene and Milton: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emer gency Deficit Control Act of 1985.

3 Operation and Maintenance, Air Force

4 For an additional amount for "Operation and Main-5 tenance, Air Force", \$912,778,000, to remain available until September 30, 2025, for necessary expenses related 6 7 to the consequences of Hurricanes Helene and Milton and 8 Typhoon Mawar: *Provided*, That such amount is des-9 ignated by the Congress as being for an emergency re-10 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-11 anced Budget and Emergency Deficit Control Act of 1985.

12 OPERATION AND MAINTENANCE, SPACE FORCE

13 For an additional amount for "Operation and Maintenance, Space Force", \$90,230,000, to remain available 14 15 until September 30, 2025, for necessary expenses related to the consequences of Hurricanes Helene and Milton and 16 17 Typhoon Mawar: *Provided*, That such amount is designated by the Congress as being for an emergency re-18 19 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-20 anced Budget and Emergency Deficit Control Act of 1985.

21 Operation and Maintenance, Defense-Wide

For an additional amount for "Operation and Maintenance, Defense-Wide", \$1,208,000, to remain available until September 30, 2025, for necessary expenses related to the consequences of Hurricanes Helene and Milton: Provided, That such amount is designated by the Congress
 as being for an emergency requirement pursuant to sec tion 251(b)(2)(A)(i) of the Balanced Budget and Emer gency Deficit Control Act of 1985.

5 Operation and Maintenance, Army Reserve

6 For an additional amount for "Operation and Main-7 tenance, Army Reserve", \$19,594,000, to remain available 8 until September 30, 2025, for necessary expenses related 9 to the consequences of Hurricanes Helene and Milton and 10 microbursts in calendar year 2024: *Provided*, That such amount is designated by the Congress as being for an 11 emergency 12 requirement pursuant to section 13 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985. 14

15 Operation and Maintenance, Air Force Reserve

16 For an additional amount for "Operation and Maintenance, Air Force Reserve", \$1,319,000, to remain avail-17 able until September 30, 2025, for necessary expenses re-18 lated to the consequences of Hurricanes Helene and Mil-19 ton and Typhoon Mawar: *Provided*, That such amount is 20 21 designated by the Congress as being for an emergency re-22 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-23 anced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, ARMY NATIONAL

2

1

### Guard

3 For an additional amount for "Operation and Main-4 tenance, Army National Guard", \$26,065,000, to remain 5 available until September 30, 2025, for necessary expenses related to the consequences of Hurricanes Helene and Mil-6 7 ton, Typhoon Mawar, and severe storms in calendar years 8 2023 and 2024: *Provided*, That such amount is designated 9 by the Congress as being for an emergency requirement 10 pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985. 11

12 OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

13 For an additional amount for "Operation and Maintenance, Air National Guard", \$2,209,000, to remain 14 15 available until September 30, 2025, for necessary expenses related to the consequences of Hurricane Helene and Ty-16 17 phoon Mawar: *Provided*, That such amount is designated by the Congress as being for an emergency requirement 18 pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-19 20 et and Emergency Deficit Control Act of 1985.

21 PROCUREMENT

### PROCUREMENT OF AMMUNITION, ARMY

For an additional amount for "Procurement of Ammunition, Army", \$125,100,000, to remain available until
September 30, 2027, for necessary expenses related to the

22

consequences of Hurricane Helene: *Provided*, That such
 amount is designated by the Congress as being for an
 emergency requirement pursuant to section
 251(b)(2)(A)(i) of the Balanced Budget and Emergency
 Deficit Control Act of 1985.

6 OTHER PROCUREMENT, AIR FORCE

7 For an additional amount for "Other Procurement, 8 Air Force", \$129,722,000, to remain available until Sep-9 tember 30, 2027, for necessary expenses related to the 10 consequences of Typhoon Mawar: *Provided*, That such amount is designated by the Congress as being for an 11 12 pursuant emergency requirement to section 13 251(b)(2)(A)(i) of the Balanced Budget and Emergency 14 Deficit Control Act of 1985.

### 15 PROCUREMENT, SPACE FORCE

For an additional amount for "Procurement, Space 16 Force", \$37,994,000, to remain available until September 17 18 30, 2027, for necessary expenses related to the con-19 sequences of Typhoon Mawar: *Provided*, That such 20 amount is designated by the Congress as being for an 21 requirement section emergency pursuant to 22 251(b)(2)(A)(i) of the Balanced Budget and Emergency 23 Deficit Control Act of 1985.

# RESEARCH, DEVELOPMENT, TEST AND EVALUATION

3 Research, Development, Test and Evaluation,

4

ARMY

5 For an additional amount for "Research, Development, Test and Evaluation, Army", \$41,400,000, to re-6 7 main available until September 30, 2026, for necessary ex-8 penses related to the consequences of severe storms and 9 wave overwash: *Provided*, That such amount is designated 10 by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-11 et and Emergency Deficit Control Act of 1985. 12

13 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
14 AIR FORCE

15 For an additional amount for "Research, Development, Test and Evaluation, Air Force", \$69,278,000, to 16 17 remain available until September 30, 2026, for necessary 18 expenses related to the consequences of Typhoon Mawar: 19 *Provided*, That such amount is designated by the Congress 20 as being for an emergency requirement pursuant to sec-21 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-22 gency Deficit Control Act of 1985.

## OTHER DEPARTMENT OF DEFENSE PROGRAMS DEFENSE HEALTH PROGRAM

3 For an additional amount for "Defense Health Pro-4 gram", \$17,362,000, to remain available until September 5 30, 2025, for necessary expenses related to the consequences of Hurricanes Helene and Milton: Provided, 6 7 That such amount is designated by the Congress as being 8 for an emergency requirement pursuant to section 9 251(b)(2)(A)(i) of the Balanced Budget and Emergency 10 Deficit Control Act of 1985.

11	TITLE IV
12	CORPS OF ENGINEERS—CIVIL
13	DEPARTMENT OF THE ARMY
14	Corps of Engineers—Civil

INVESTIGATIONS

16 For an additional amount for "Investigations", 17 \$20,000,000, to remain available until expended, for nec-18 essary expenses related to the completion, or initiation and 19 completion, of flood and storm damage reduction, includ-20 ing shore protection, studies that are currently authorized, 21 to reduce risks from future floods and hurricanes, at full 22 Federal expense: *Provided*, That amounts made available 23 under this heading in this Act shall be for high-priority 24 studies of projects in States and insular areas with a 25 major disaster, including for glacial lake outbursts, in cal-

15

endar year 2022, 2023, or 2024: Provided further, That 1 2 not later than 60 days after the date of enactment of this 3 Act and not less than three business days prior to public 4 release, the Chief of Engineers shall submit directly to the 5 Committees on Appropriations of the House of Representatives and the Senate a detailed work plan for the funds 6 7 provided under this heading in this Act, including a list 8 of study locations, new studies selected to be initiated, the 9 total cost for each study selected for funding, the remain-10 ing cost for each ongoing study selected for funding, and a schedule by fiscal year of the proposed use of such funds: 11 Provided further, That the Secretary of the Army shall not 12 13 deviate from the work plan, once the plan has been submitted to such Committees: *Provided further*, That funds 14 15 included in a submitted work plan shall be deemed allocated to specific projects and subject to the reprogram-16 17 ming requirements specified in section 101(6) of the Energy and Water Development and Related Agencies Ap-18 propriations Act, 2024: Provided further, That beginning 19 not later than 60 days after the date of enactment of this 20 21 Act and until all amounts provided under this heading in 22 this Act have been expended, the Assistant Secretary of 23 the Army for Civil Works shall provide a quarterly report 24directly to such Committees detailing the allocation, obli-25 gation, and expenditure of the funds provided under this heading in this Act: *Provided further*, That such amount
 is designated by the Congress as being for an emergency
 requirement pursuant to section 251(b)(2)(A)(i) of the
 Balanced Budget and Emergency Deficit Control Act of
 1985.

6

### CONSTRUCTION

7 For additional amount for "Construction", an 8 \$700,000,000, to remain available until expended, for nec-9 essary expenses to address emergency situations at Corps 10 of Engineers projects, construct Corps of Engineers projects, and rehabilitate and repair damages caused by 11 natural disasters to Corps of Engineers projects: *Provided*, 12 13 That of the amount provided under this heading in this Act, \$100,000,000 shall be used for continuing authorities 14 15 projects to reduce the risk of flooding and storm damage, notwithstanding project number or program cost limita-16 tions: *Provided further*, That of the amount provided 17 under this heading in this Act, \$300,000,000 shall be to 18 complete, or initiate and complete, without regard to new 19 start or new investment decision considerations, a useful 20 21 increment of work for water-related environmental infra-22 structure assistance in States and insular areas that were 23 impacted by disasters occurring in or prior to calendar 24 year 2024: *Provided further*, That of the amount provided 25 under this heading in this Act, \$300,000,000 shall be for

projects that have previously received funds under this 1 heading in chapter 4 of title X of the Disaster Relief Ap-2 3 propriations Act, 2013 (division A of Public Law 113–2), 4 title IV of division B of the Bipartisan Budget Act of 2018 5 (Public Law 115–123), or title IV of the Disaster Relief Supplemental Appropriations Act, 2022 (division B of 6 7 Public Law 117–43), and for which non-Federal interests 8 have entered into binding agreements with the Secretary 9 as of the date of enactment of this Act: Provided further, 10 That each project receiving funds pursuant to the preceding proviso shall be subject to the terms and conditions 11 12 of such chapter 4 of title X of the Disaster Relief Appro-13 priations Act, 2013 (division A of Public Law 113–2), title IV of division B of the Bipartisan Budget Act of 2018 14 15 (Public Law 115–123), or title IV of the Disaster Relief Supplemental Appropriations Act, 2022 (division B of 16 Public Law 117–43), and as specifically modified by sec-17 tion 111 of the Energy and Water Development and Re-18 19 lated Agencies Appropriations Act, 2024 (division D of 20Public Law 118–42), as applicable: *Provided further*, That 21 of the amount provided under this heading in this Act, 22 such sums as are necessary to cover the Federal share of 23 eligible construction costs for coastal harbors and channels, and for inland harbors eligible to be derived from 24 25 the Harbor Maintenance Trust Fund under section 101

or section 104 of the Water Resources and Development 1 2 Act of 2020 shall be derived from the general fund of the 3 Treasury: *Provided further*, That for projects receiving 4 funding under this heading in this Act, the limitation con-5 cerning total project costs in section 902 of the Water Re-6 sources Development Act of 1986 (Public Law 99–662) 7 shall not apply to funds provided under this heading in 8 this Act: *Provided further*, That for any projects using 9 funding provided under this heading in this Act, the non-10 Federal cash contribution for projects shall be financed in accordance with the provisions of section 103(k) of Pub-11 lic Law 99–662 over a period of 30 years from the date 12 13 of completion of the project, separable element, or useful increment: *Provided further*, That any projects initiated 14 15 using funds provided under this heading in this Act shall be initiated only after non-Federal interests have entered 16 17 into binding agreements with the Secretary requiring, where applicable, the non-Federal interests to pay 100 18 percent of the operation, maintenance, repair, replace-19 20 ment, and rehabilitation costs of the project and to hold 21 and save the United States free from damages due to the 22 construction or operation and maintenance of the project, 23 except for damages due to the fault or negligence of the 24 United States or its contractors: *Provided further*, That 25 not later than 60 days after the date of enactment of this

Act and not less than three business days prior to public 1 2 release, the Chief of Engineers shall submit directly to the 3 Committees on Appropriations of the House of Represent-4 atives and the Senate a detailed work plan for the funds 5 provided under this heading in this Act, including a list 6 of project locations, the total cost for all projects, and a 7 schedule by fiscal year of proposed use of such funds: Pro-8 vided further, That the Secretary shall not deviate from 9 the work plan, once the plan has been submitted to such 10 Committees: *Provided further*, That funds included in a submitted work plan shall be deemed allocated to specific 11 12 projects and subject to the reprogramming requirements 13 specified in section 101(7) of the Energy and Water De-14 velopment and Related Agencies Appropriations Act, 15 2024: Provided further, That beginning not later than 60 days after the date of enactment of this Act and until all 16 17 amounts provided under this heading in this Act have been 18 expended, the Assistant Secretary of the Army for Civil 19 Works shall provide a quarterly report directly to such 20 Committees detailing the allocation, obligation, and ex-21 penditure of the funds provided under this heading in this 22 Act: *Provided further*, That such amount is designated by 23 the Congress as being for an emergency requirement pur-24 suant to section 251(b)(2)(A)(i) of the Balanced Budget 25 and Emergency Deficit Control Act of 1985.

1

### MISSISSIPPI RIVER AND TRIBUTARIES

2 For an additional amount for "Mississippi River and 3 Tributaries", \$50,000,000, to remain available until ex-4 pended, for necessary expenses to address emergency situ-5 ations at Corps of Engineers projects, and to construct, and rehabilitate and repair damages to Corps of Engineers 6 7 projects, caused by natural disasters: *Provided*, That be-8 ginning not later than 60 days after the date of enactment 9 of this Act and until all amounts provided under this head-10 ing in this Act have been expended, the Assistant Secretary of the Army for Civil Works shall provide a quar-11 terly report directly to the Committees on Appropriations 12 13 of the House of Representatives and the Senate detailing the allocation, obligation, and expenditure of the funds 14 15 provided under this heading in this Act: *Provided further*, That such amount is designated by the Congress as being 16 17 for an emergency requirement pursuant to section 18 251(b)(2)(A)(i) of the Balanced Budget and Emergency 19 Deficit Control Act of 1985.

### 20 FLOOD CONTROL AND COASTAL EMERGENCIES

For an additional amount for "Flood Control and Coastal Emergencies", as authorized by section 5 of the Act of August 18, 1941 (33 U.S.C. 701n), \$745,000,000, to remain available until expended, for necessary expenses to prepare for flood, hurricane, and other natural disasters

1 and support emergency operations, repairs, and other ac-2 tivities in response to such disasters, as authorized by law: 3 *Provided*, That funding provided under this heading in 4 this Act utilized to repair authorized shore protection 5 projects shall restore such projects to their full project profile at full Federal expense: *Provided further*, That be-6 7 ginning not later than 60 days after the date of enactment 8 of this Act and until all amounts provided under this head-9 ing in this Act have been expended, the Chief of Engineers 10 shall provide a quarterly report directly to the Committees on Appropriations of the House of Representatives and the 11 12 Senate detailing the allocation, obligation, and expenditure 13 of the funds provided under this heading in this Act: Pro-14 *vided further*. That such amount is designated by the Con-15 gress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and 16 17 Emergency Deficit Control Act of 1985.

### 18 DEPARTMENT OF THE INTERIOR

- 19 BUREAU OF RECLAMATION
- 20 WATER AND RELATED RESOURCES

For an additional amount for "Water and Related Resources", \$74,464,000, to remain available until expended, of which \$27,930,000 shall be for necessary expenses related to the consequences of natural disasters that occurring in or prior to calendar year 2024: *Provided*,

That \$46,534,000 shall be available for deposit into the 1 2 Aging Infrastructure Account established by section 9603(d)(1) of the Omnibus Public Land Management Act 3 4 of 2009 (43 U.S.C. 510b(d)(1)), and shall be made avail-5 able for reserved or transferred works that have suffered 6 a critical failure, in accordance with section 40901(2)(A)7 of division D of Public Law 117-58: Provided further, That such amount is designated by the Congress as being 8 9 for an emergency requirement pursuant to section 10 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985. 11

12	DEPARTMENT OF ENERGY
13	ENERGY PROGRAMS
14	Strategic Petroleum Reserve
15	For an additional amount for "Strategic Petroleum
16	Reserve", \$60,000,000, to remain available until ex-
17	pended, for necessary expenses related to damages caused
18	by natural disasters: <i>Provided</i> , That such amount is des-

19 ignated by the Congress as being for an emergency re-20 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-

21 anced Budget and Emergency Deficit Control Act of 1985.

1	ATOMIC ENERGY DEFENSE ACTIVITIES
2	NATIONAL NUCLEAR SECURITY
3	ADMINISTRATION
4	WEAPONS ACTIVITIES
5	For an additional amount for "Weapons Activities",
6	\$1,884,000, to remain available until expended, for nec-
7	essary expenses related to damages caused by Hurricanes
8	Helene and Milton: Provided, That such amount is des-
9	ignated by the Congress as being for an emergency re-
10	quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
11	anced Budget and Emergency Deficit Control Act of 1985.
12	ENVIRONMENTAL AND OTHER DEFENSE
13	ACTIVITIES
14	Defense Environmental Cleanup
15	For an additional amount for "Defense Environ-
16	mental Cleanup", \$2,415,000, to remain available until
17	expended, for necessary expenses related to damages
18	caused by Hurricanes Helene and Milton: Provided, That
19	such amount is designated by the Congress as being for
20	an emergency requirement pursuant to section
21	251(b)(2)(A)(i) of the Balanced Budget and Emergency
22	Deficit Control Act of 1985.

	64
1	TITLE V
2	THE JUDICIARY
3	Supreme Court of the United States
4	SALARIES AND EXPENSES
5	For an additional amount for "Salaries and Ex-
6	penses", \$13,597,000, to remain available until expended,
7	for protection of the residences of the Supreme Court Jus-
8	tices: <i>Provided</i> , That such amount is designated by the
9	Congress as being for an emergency requirement pursuant
10	to section $251(b)(2)(A)(i)$ of the Balanced Budget and
11	Emergency Deficit Control Act of 1985.
12	INDEPENDENT AGENCIES
13	Small Business Administration
14	DISASTER LOANS PROGRAM ACCOUNT
15	(INCLUDING TRANSFER OF FUNDS)
16	For an additional amount for "Disaster Loans Pro-
17	gram Account" for the cost of direct loans authorized by
18	section 7(b) of the Small Business Act, \$2,249,000,000,
19	to remain available until expended, of which \$50,000,000
20	shall be transferred to "Small Business Administration—
21	Office of Inspector General" for audits and reviews of dis-
22	aster loans and the disaster loans programs, and of which
23	\$613,000,000 may be transferred to "Small Business Ad-
24	ministration—Salaries and Expenses" for administrative
25	expenses to carry out the disaster loan program authorized

by section 7(b) of the Small Business Act: *Provided*, That
 such amount is designated by the Congress as being for
 an emergency requirement pursuant to section
 251(b)(2)(A)(i) of the Balanced Budget and Emergency
 Deficit Control Act of 1985.

6	TITLE VI
7	DEPARTMENT OF HOMELAND SECURITY
8	SECURITY, ENFORCEMENT, AND
9	INVESTIGATIONS
10	Coast Guard

11 OPERATIONS AND SUPPORT

12 For an additional amount for "Operations and Sup-13 port", \$102,500,000, to remain available until September 30, 2027, for necessary expenses related to the con-14 15 sequences of the Francis Scott Key Bridge collapse and other disasters, including for minor repairs, maintenance, 16 17 and environmental remediation costs: Provided, That the 18 Commandant of the Coast Guard shall provide to the 19 Committees on Appropriations of the House of Representatives and the Senate an expenditure plan and quarterly 20 21 updates for the expenditure of such funds: Provided fur-22 ther, That such amount is designated by the Congress as 23 being for an emergency requirement pursuant to section 24 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985. 25

1	PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS
2	For an additional amount for "Procurement, Con-
3	struction, and Improvements", \$210,200,000, to remain
4	available until September 30, 2029, for necessary expenses
5	related to the consequences of disasters: <i>Provided</i> , That
6	the Commandant of the Coast Guard shall provide to the
7	Committees on Appropriations of the House of Represent-
8	atives and the Senate an expenditure plan and quarterly
9	updates for the expenditure of such funds: Provided fur-
10	ther, That such amount is designated by the Congress as
11	being for an emergency requirement pursuant to section
12	251(b)(2)(A)(i) of the Balanced Budget and Emergency
13	Deficit Control Act of 1985.
14	PROTECTION, PREPAREDNESS, RESPONSE, AND
15	RECOVERY
16	Federal Emergency Management Agency
17	DISASTER RELIEF FUND
18	(INCLUDING TRANSFER OF FUNDS)
19	For an additional amount for "Disaster Relief
20	Fund", \$29,000,000,000, to remain available until ex-
21	pended, of which $$28,000,000,000$ shall be for major dis-
22	asters declared pursuant to the Robert T. Stafford Dis-
23	aster Relief and Emergency Assistance Act (42 U.S.C.
24	5121 et seq.): Provided, That \$4,000,000 shall be trans-

1	Support" for audits and investigations funded under
2	"Federal Emergency Management Agency—Disaster Re-
3	lief Fund": Provided further, That such amount is des-
4	ignated by the Congress as being for an emergency re-
5	quirement pursuant to section $251(b)(2)(A)(i)$ of the Bal-
6	anced Budget and Emergency Deficit Control Act of 1985.
7	HERMIT'S PEAK/CALF CANYON FIRE ASSISTANCE
8	ACCOUNT
9	(INCLUDING TRANSFER OF FUNDS)
10	For an additional amount for "Hermit's Peak/Calf
11	Canyon Fire Assistance Account", \$1,500,000,000, to re-
12	main available until expended: <i>Provided</i> , That \$1,000,000
13	shall be transferred to "Office of Inspector General—Op-
14	erations and Support" for oversight of activities author-
15	ized by the Hermit's Peak/Calf Canyon Fire Assistance
16	Act: Provided further, That the amounts provided under
17	this heading in this Act shall be subject to the reporting
18	requirement in the third proviso of section 136 of the Con-
19	tinuing Appropriations Act, 2023 (division A of Public
20	Law 117–180): Provided further, That amounts provided
21	under this heading in this Act shall be subject to the same
22	authorities and conditions as if such amounts were pro-
23	vided by title III of the Department of Homeland Security
24	Appropriations Act, 2024 (division C of Public Law 118–
25	47): Provided further, That such amount is designated by

the Congress as being for an emergency requirement pur-1 2 suant to section 251(b)(2)(A)(i) of the Balanced Budget 3 and Emergency Deficit Control Act of 1985. 4 RESEARCH, DEVELOPMENT, TRAINING, AND 5 SERVICES 6 FEDERAL LAW ENFORCEMENT TRAINING CENTERS 7 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS 8 For an additional amount for "Procurement, Con-9 struction, and Improvements", \$14,020,000, to remain 10 available until September 30, 2029, for necessary expenses relating to the consequences of disasters: *Provided*, That 11 such amount is designated by the Congress as being for 12 13 requirement an emergency pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency 14 15 Deficit Control Act of 1985. 16 TITLE VII 17 DEPARTMENT OF THE INTERIOR 18 BUREAU OF LAND MANAGEMENT 19 MANAGEMENT OF LANDS AND RESOURCES 20 For an additional amount for "Management of Lands 21 and Resources", \$58,115,000, to remain available until 22 expended, for necessary expenses related to the con-23 sequences of natural disasters occurring in and prior to 24 calendar year 2024: Provided, That such amount is des-

25 ignated by the Congress as being for an emergency re-

quirement pursuant to section 251(b)(2)(A)(i) of the Bal anced Budget and Emergency Deficit Control Act of 1985.
 UNITED STATES FISH AND WILDLIFE SERVICE
 CONSTRUCTION

5 additional amount for "Construction", For an \$500,000,000, to remain available until expended, for nec-6 7 essary expenses related to the consequences of natural disasters occurring in and prior to calendar year 2024: Pro-8 9 *vided*, That such amount is designated by the Congress 10 as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emer-11 gency Deficit Control Act of 1985. 12

- 13 NATIONAL PARK SERVICE
- 14 HISTORIC PRESERVATION FUND

15 For an additional amount for "Historic Preservation Fund", \$50,000,000, to remain available until expended, 16 17 for necessary expenses related to the consequences of natural disasters occurring in and prior to calendar year 18 19 2024, including costs to States, Tribes, and territories 20necessary to complete compliance activities required by 21 section 306108 of title 54, United States Code, and costs 22 needed to administer the program: *Provided*, That funds 23 appropriated under this heading in this Act shall be used 24 for historic and cultural resource preservation work that 25 meets the Secretary of the Interior's Standards and

Guidelines as published in the Federal Register (Vol. 48, 1 2 No. 190, September 29, 1983), to include Reconstruction 3 of National Register listed or eligible sites: Provided fur-4 ther, That grants using funds appropriated under this 5 heading in this Act shall only be available for areas that have received a major disaster declaration pursuant to the 6 7 Robert T. Stafford Disaster Relief and Emergency Assist-8 ance Act (42 U.S.C. 5121 et seq.): Provided further, That 9 such grants shall not be subject to a non-Federal matching 10 requirement: *Provided further*, That such amount is designated by the Congress as being for an emergency re-11 12 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-13 anced Budget and Emergency Deficit Control Act of 1985. 14 CONSTRUCTION

15 For additional amount for "Construction", an \$2,262,871,000, to remain available until expended, for 16 17 necessary expenses related to the consequences of disasters, including hurricanes, tropical storms, tornadoes, and 18 other severe storms, wildfire, fire, and flooding occurring 19 20 in and prior to calendar year 2024: *Provided*, That such 21 amount is designated by the Congress as being for an 22 requirement section emergency pursuant to 23 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985. 24

	11
1	UNITED STATES GEOLOGICAL SURVEY
2	SURVEYS, INVESTIGATIONS, AND RESEARCH
3	For an additional amount for "Surveys, Investiga-
4	tions, and Research", \$2,743,000, to remain available
5	until expended, for necessary expenses related to the con-
6	sequences of natural disasters occurring in and prior to
7	calendar year 2024: Provided, That such amount is des-
8	ignated by the Congress as being for an emergency re-
9	quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
10	anced Budget and Emergency Deficit Control Act of 1985.
11	Indian Affairs
12	BUREAU OF INDIAN AFFAIRS
13	OPERATION OF INDIAN PROGRAMS
14	For an additional amount for "Operation of Indian
15	Programs", \$17,765,000, to remain available until ex-
16	pended, for necessary expenses related to the consequences
17	of natural disasters occurring in and prior to calendar
18	year 2024: Provided, That such amount is designated by
19	the Congress as being for an emergency requirement pur-
20	suant to section 251(b)(2)(A)(i) of the Balanced Budget
21	and Emergency Deficit Control Act of 1985.
22	BUREAU OF INDIAN EDUCATION
23	EDUCATION CONSTRUCTION
24	For an additional amount for "Education Construc-
25	tion", \$153,000,000, to remain available until expended,

for necessary expenses related to the consequences of nat ural disasters occurring in and prior to calendar year
 2024: *Provided*, That such amount is designated by the
 Congress as being for an emergency requirement pursuant
 to section 251(b)(2)(A)(i) of the Balanced Budget and
 Emergency Deficit Control Act of 1985.

7 OFFICE OF INSPECTOR GENERAL
8 SALARIES AND EXPENSES

9 For an additional amount for "Salaries and Ex-10 penses", \$8,000,000, to remain available until expended, for oversight of the Department of the Interior activities 11 funded by this Act: *Provided*, That such amount is des-12 13 ignated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Bal-14 15 anced Budget and Emergency Deficit Control Act of 1985. 16 ENVIRONMENTAL PROTECTION AGENCY

17 LEAKING UNDERGROUND STORAGE TANK TRUST FUND

### Program

19 For an additional amount for "Leaking Underground 20 Storage Tank Trust Fund Program", \$17,000,000, to re-21 main available until expended, for necessary expenses re-22 lated to the consequences of Hurricanes Helene and 23 Hilary: *Provided*, That such amount is designated by the 24 Congress as being for an emergency requirement pursuant

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to section 251(b)(2)(A)(i) of the Balanced Budget and
 Emergency Deficit Control Act of 1985.

3 STATE AND TRIBAL ASSISTANCE GRANTS

4 For an additional amount for "State and Tribal As-5 sistance Grants", \$3,000,000,000 to remain available until expended, of which \$1,230,000,000 shall be for cap-6 7 italization grants for the Clean Water State Revolving 8 Funds under title VI of the Federal Water Pollution Con-9 trol Act, and of which \$1,770,000,000 shall be for capital-10 ization grants under section 1452 of the Safe Drinking Water Act: *Provided*, That notwithstanding section 604(a) 11 of the Federal Water Pollution Control Act and section 12 13 1452(a)(1)(D) of the Safe Drinking Water Act, funds appropriated under this paragraph in this Act shall be pro-14 15 vided to States or territories in EPA Regions 3, 4, and 9 in amounts determined by the Administrator of the En-16 17 vironmental Protection Agency for wastewater treatment works and drinking water facilities impacted by Hurri-18 canes Helene and Milton and Hawaii wildfires: Provided 19 20 *further*, That notwithstanding the requirements of section 21 603(i) of the Federal Water Pollution Control Act and sec-22 tion 1452(d) of the Safe Drinking Water Act, for the 23 funds appropriated under this paragraph in this Act, each 24 State shall use not less than 30 percent of the amount 25 of its capitalization grants to provide additional subsidiza-

tion to eligible recipients in the form of forgiveness of prin-1 2 cipal, negative interest loans or grants, or any combination 3 of these: *Provided further*, That the funds appropriated 4 under this paragraph in this Act shall be used for eligible 5 projects whose purpose is to reduce flood or fire damage risk and vulnerability or to enhance resiliency to rapid hy-6 7 drologic change or natural disaster at treatment works, 8 as defined by section 212 of the Federal Water Pollution 9 Control Act, or any eligible facilities under section 1452 10 of the Safe Drinking Water Act, and for other eligible tasks at such treatment works or facilities necessary to 11 further such purposes: *Provided further*, That the funds 12 13 provided under this paragraph in this Act shall not be subject to the matching or cost share requirements of section 14 15 1452(e) of the Safe Drinking Water Act: Provided further, That funds provided under this paragraph in this Act shall 16 17 not be subject to the matching or cost share requirements of sections 602(b)(2), 602(b)(3), or 202 of the Federal 18 Water Pollution Control Act: *Provided further*, That the 19 Administrator of the Environmental Protection Agency 20 21 may retain up to \$5,000,000 of the funds appropriated 22 under this paragraph in this Act for management and 23 oversight: Provided further, That such amount is des-24 ignated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Bal anced Budget and Emergency Deficit Control Act of 1985.

3 For an additional amount for "State and Tribal As-4 sistance Grants", \$85,000,000, to remain available until 5 expended, for capitalization grants for the Clean Water 6 State Revolving Funds under title VI of the Federal Water 7 Pollution Control Act: *Provided*, That notwithstanding 8 section 604(a) of the Federal Water Pollution Control Act, 9 funds appropriated under this paragraph in this Act shall 10 be provided to States or territories in EPA Regions 3 and 4 impacted by Hurricanes Helene and Milton in amounts 11 12 determined by the Administrator of the Environmental 13 Protection Agency to improve the resilience of decentral-14 ized wastewater treatment systems to flooding, to assess 15 the potential to connect homes served by decentralized wastewater treatment systems to centralized wastewater 16 17 systems, and to fund such connections: *Provided further*, 18 That notwithstanding the requirements of section 603(i)19 of the Federal Water Pollution Control Act, for the funds 20appropriated under this paragraph in this Act, each State 21 shall use 100 percent of the amount of its capitalization 22 grants to provide additional subsidization to eligible recipi-23 ents in the form of forgiveness of principal, grants, nega-24 tive interest loans, other loan forgiveness, and through 25 buying, refinancing, or restructuring debt or any combina-

tion thereof: *Provided further*, That funds appropriated 1 2 under this paragraph in this Act shall not be subject to 3 the matching or cost share requirements of sections 4 602(b)(2), 602(b)(3), or 202 of the Federal Water Pollu-5 tion Control Act: *Provided further*, That the Administrator of the Environmental Protection Agency may retain up to 6 7 \$3,000,000 of the funds appropriated under this para-8 graph in this Act for management and oversight: *Provided* 9 *further*, That such amount is designated by the Congress 10 as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emer-11 gency Deficit Control Act of 1985. 12

13 For an additional amount for "State and Tribal Assistance Grants", \$60,000,000, to remain available until 14 15 expended, for necessary expenses to address water emergencies under section 1442(b) of the Safe Drinking Water 16 17 Act (42 U.S.C. 300j-1(b)) or section 504(a) of the Fed-18 eral Water Pollution Control Act (33 U.S.C. 1364) in 19 States or territories in EPA Regions 3 and 4 impacted 20 by Hurricanes Helene and Milton: *Provided*, That notwith-21 standing section 1442(b) of the Safe Drinking Water Act, 22 funds appropriated under this paragraph in this Act may 23 be used to provide technical assistance and grants regard-24 less of whether the emergency situation presents a sub-25 stantial danger to public health: *Provided further*, That

notwithstanding section 1442(b) of the Safe Drinking 1 Water Act, funds appropriated under this paragraph in 2 3 this Act may be used to provide grants regardless of 4 whether such grants will be used to support actions that 5 would not otherwise be taken without emergency assist-6 ance: *Provided further*, That funds appropriated under 7 this paragraph in this Act may be used to provide tech-8 nical assistance and grants under section 1442(b) of the 9 Safe Drinking Water Act to any appropriate recipient, as 10 determined by the Administrator of the Environmental Protection Agency, to assist in responding to and alle-11 12 viating an emergency situation affecting a privately owned 13 water system: *Provided further*, That funds appropriated under this paragraph in this Act may be used to take ac-14 15 tions authorized under section 504(a) of the Federal Water Pollution Control Act that the Administrator of the 16 17 Environmental Protection Agency deems necessary to pro-18 tect the health or welfare of persons affected by a water 19 emergency, including other necessary actions and for pro-20 viding technical assistance and grants to address such 21 water emergency: *Provided further*, That the Adminis-22 trator of the Environmental Protection Agency may retain 23 up to \$1,000,000 of the funds appropriated under this 24 paragraph in this Act for management and oversight: Pro-25 *vided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to
 section 251(b)(2)(A)(i) of the Balanced Budget and
 Emergency Deficit Control Act of 1985.

4 For an additional amount for "State and Tribal As-5 sistance Grants", \$10,000,000, to remain available until 6 expended, for grants and other activities authorized by 7 subsections (a) through (c) of section 103 of the Clean 8 Air Act (42 U.S.C. 7403) or section 105 of such Act (429 U.S.C. 7405) for necessary expenses related to the con-10 sequences of Hurricanes Milton and Helene, including repair or replacement of damaged air monitoring equipment: 11 *Provided*, That funds appropriated under this paragraph 12 in this Act may be awarded noncompetitively: *Provided* 13 *further*, That such amount is designated by the Congress 14 15 as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emer-16 17 gency Deficit Control Act of 1985.

18 For an additional amount for "State and Tribal Assistance Grants", \$95,000,000, to remain available until 19 20 expended, for the hazardous waste financial assistance 21 grants program and other solid waste management activi-22 ties for necessary expenses related to the consequences of 23 Hurricanes Helene and Milton: *Provided*, That none of the 24 funds appropriated under this paragraph in this Act shall 25 be subject to section 3011(b) of the Solid Waste Disposal

Act: Provided further, That the Administrator of the Envi-1 2 ronmental Protection Agency may retain up to \$500,000 3 of the funds appropriated under this paragraph in this Act 4 for management and oversight: *Provided further*, That 5 such amount is designated by the Congress as being for 6 an emergency requirement pursuant to section 7 251(b)(2)(A)(i) of the Balanced Budget and Emergency 8 Deficit Control Act of 1985.

## 9 DEPARTMENT OF AGRICULTURE

10

### Forest Service

11 FOREST SERVICE OPERATIONS

12 For an additional amount for "Forest Service Oper-13 ations", \$68,100,000, to remain available until expended, for necessary expenses related to the consequences of cal-14 15 endar year 2022, 2023, and 2024 wildfires, hurricanes, and other natural disasters: *Provided*, That such amount 16 is designated by the Congress as being for an emergency 17 requirement pursuant to section 251(b)(2)(A)(i) of the 18 Balanced Budget and Emergency Deficit Control Act of 19 20 1985.

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#### FOREST AND RANGELAND RESEARCH

For an additional amount for "Forest and Rangeland Research", \$26,000,000, to remain available until expended, for necessary expenses related to the consequences of calendar year 2022, 2023, and 2024 wildfires, hurricanes, and other natural disasters: *Provided*, That such
 amount is designated by the Congress as being for an
 emergency requirement pursuant to section
 251(b)(2)(A)(i) of the Balanced Budget and Emergency
 Deficit Control Act of 1985.

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#### STATE, PRIVATE, AND TRIBAL FORESTRY

7 For an additional amount for "State, Private, and 8 Tribal Forestry", \$208,000,000, to remain available until 9 expended, for necessary expenses related to the con-10 sequences of calendar year 2022, 2023, and 2024 wildfires, hurricanes, and other natural disasters: Pro-11 vided, That of the amounts made available under this 12 13 heading in this Act, \$14,000,000 shall be to provide Forest Health Protection assistance to States for an emerging 14 15 eastern spruce budworm outbreak approaching the northeastern U.S. border: *Provided further*, That with respect 16 to the preceding proviso, an award of financial assistance 17 from the Forest Service will not be subject to a non-Fed-18 eral cost-share requirement: Provided further, That such 19 amount is designated by the Congress as being for an 20 21 requirement section emergency pursuant to 22 251(b)(2)(A)(i) of the Balanced Budget and Emergency 23 Deficit Control Act of 1985.

#### 81

#### NATIONAL FOREST SYSTEM

2 For an additional amount for "National Forest Sys-3 tem", \$2,523,000,000, to remain available until expended: 4 *Provided*, That of the amounts made available under this 5 heading in this Act, \$2,448,000,000 shall be for necessary 6 expenses related to the consequences of calendar year 7 2022, 2023, and 2024 wildfires, hurricanes, and other 8 natural disasters: Provided further, That of the amounts 9 made available under this heading in this Act. 10 \$75,000,000 shall be for the construction or maintenance of shaded fuel breaks in the Pacific Regions: Provided fur-11 12 *ther*, That such amount is designated by the Congress as 13 being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency 14 15 Deficit Control Act of 1985.

#### 16

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#### CAPITAL IMPROVEMENT AND MAINTENANCE

17 For an additional amount for "Capital Improvement and Maintenance", \$3,525,000,000, to remain available 18 19 until expended, for necessary expenses related to the con-20 sequences of calendar year 2022, 2023, and 2024 21 wildfires, hurricanes, and other natural disasters: Pro-22 *vided*, That such amount is designated by the Congress 23 as being for an emergency requirement pursuant to sec-24 tion 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985. 25

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#### GENERAL PROVISIONS—THIS TITLE

2 SEC. 2701. Notwithstanding section 3304 of title 5, 3 United States Code, and without regard to the provisions 4 of sections 3309 through 3318 of such title 5, the Sec-5 retary of the Interior and the Secretary of Agriculture, 6 acting through the Chief of the Forest Service, may re-7 cruit and directly appoint highly qualified individuals into 8 the competitive service to address critical hiring needs for 9 the planning and execution of the projects and activities 10 funded in this title: *Provided*, That such authority shall not apply to positions in the Excepted Service or the Sen-11 12 ior Executive Service: *Provided further*, That any action 13 authorized herein shall be consistent with the merit principles of section 2301 of such title 5, and the Department 14 15 of the Interior and the Department of Agriculture shall comply with the public notice requirements of section 3327 16 of such title 5: Provided further, That the authority under 17 this section shall terminate on September 30, 2029: Pro-18 vided further, That amounts provided by this section are 19 20designated by the Congress as being for an emergency re-21 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-22 anced Budget and Emergency Deficit Control Act of 1985. 23 SEC. 2702. Not later than 45 days after the date of 24 enactment of this Act, the agencies receiving funds appro-

25 priated by this title shall provide a detailed operating plan

of anticipated uses of funds made available in this title 1 by State and Territory, and by program, project, and ac-2 3 tivity, to the Committees on Appropriations of the House 4 of Representatives and the Senate: *Provided*, That no such 5 funds shall be obligated before the operating plans are provided to such Committees: *Provided further*, That such 6 7 plans shall be updated, including obligations and expendi-8 tures to date, and submitted to such Committees on Ap-9 propriations every 60 days until all such funds are ex-10 pended. 11 TITLE VIII 12 DEPARTMENT OF HEALTH AND HUMAN 13 SERVICES 14 Administration for Children and Families 15 PAYMENTS TO STATES FOR THE CHILD CARE AND 16 DEVELOPMENT BLOCK GRANT

17 For an additional amount for "Payments to States 18 for the Child Care and Development Block Grant", \$250,000,000, to remain available through September 30, 19 20 2026, for necessary expenses directly related to the con-21 sequences of major disasters and emergencies declared 22 pursuant to the Robert T. Stafford Disaster Relief and 23 Emergency Assistance Act (42 U.S.C. 5121 et seq.) occur-24 ring in 2023 and 2024 (referred to under this heading in this Act as "covered disaster or emergency"), including 25

activities authorized under section 319(a) of the Public 1 2 Health Service Act: *Provided*, That the Secretary of 3 Health and Human Services shall allocate such funds to 4 States, territories, and Tribes based on assessed need not-5 withstanding sections 658J and 658O of the Child Care and Development Block Grant Act of 1990: Provided fur-6 7 ther, That not to exceed 2 percent of funds appropriated 8 in this paragraph may be reserved, to remain available 9 until expended, for Federal administration costs: *Provided* 10 *further*, That such funds may be used for alteration, renovation, construction, equipment, and other capital im-11 12 provement costs, including for child care facilities without 13 regard to section 658F(b) of such Act, and for other ex-14 penditures related to child care, as necessary to meet the 15 needs of areas affected by a covered disaster or emergency: *Provided further*, That funds made available in this para-16 17 graph may be used without regard to section 658G of such 18 Act and with amounts allocated for such purposes ex-19 cluded from the calculation of percentages under sub-20section 658E(c)(3) of such Act: Provided further, That 21 notwithstanding section 658J(c) of such Act, funds allot-22 ted to a State may be obligated by the State in that fiscal 23 year or the succeeding three fiscal years: *Provided further*, 24That Federal interest provisions will not apply to the ren-25 ovation or construction of privately-owned family child

care homes, and the Secretary of Health and Human 1 2 Services shall develop parameters on the use of funds for 3 family child care homes: *Provided further*, That the Sec-4 retary shall not retain Federal interest after a period of 5 10 years (from the date on which the funds are made available to purchase or improve the property) in any facil-6 7 ity renovated or constructed with funds made available in 8 this paragraph: *Provided further*, That funds made avail-9 able in this paragraph shall not be available for costs that 10 are reimbursed by the Federal Emergency Management 11 Agency, under a contract for insurance, or by self-insur-12 ance: *Provided further*, That funds appropriated in this 13 paragraph may be made available to restore amounts, either directly or through reimbursement, for obligations in-14 15 curred for such purposes, prior to the date of enactment of this Act: Provided further, That such amount is des-16 17 ignated by the Congress as being for an emergency re-18 quirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985. 19 20 For an additional amount for "Payments to States 21 for the Child Care and Development Block Grant", 22 \$250,000,000, to remain available until September 30, 23 2025: Provided, That amounts made available in this paragraph shall be available without regard to require-24 ments in sections 658E(c)(3)(E) or 658G of the Child 25

Care and Development Block Grant Act: Provided further, 1 2 That payments made to States, territories, Indian Tribes, 3 and Tribal organizations from amounts made available in 4 this paragraph shall be obligated in this fiscal year or the 5 succeeding two fiscal years: *Provided further*, That 6 amounts made available in this paragraph shall be used 7 to supplement and not supplant other Federal, State, and 8 local public funds expended to provide child care services 9 for eligible individuals: *Provided further*, That such 10 amount is designated by the Congress as being for an requirement 11 emergency pursuant to section 12 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985. 13

#### 14 GENERAL PROVISION—THIS TITLE

15 SEC. 2801. Not later than 45 days after the date of enactment of this Act, the agencies receiving funds appro-16 17 priated by this title in this Act shall provide a detailed operating plan of anticipated uses of funds made available 18 19 in this title in this Act by State and territory, and by pro-20gram, project, and activity, to the Committees on Appro-21 priations of the House of Representatives and the Senate: 22 *Provided*, That no such funds shall be obligated before the 23 operating plans are provided to such Committees: Pro-24 vided further, That such plans shall be updated, including 25 obligations to date and anticipated use of funds made

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available in this title in this Act, and submitted to such
Committees quarterly until all such funds expire.
TITLE IX
LEGISLATIVE BRANCH
GOVERNMENT ACCOUNTABILITY OFFICE
SALARIES AND EXPENSES
For an additional amount for "Salaries and Ex-
penses", \$10,000,000, to remain available until expended,
for audits and investigations related to Hurricanes Helene
and Milton, and other disasters declared pursuant to the
Robert T. Stafford Disaster Relief and Emergency Assist-
ance Act (42 U.S.C. 5121 et seq.) in calendar years 2023
and 2024: Provided, That such amount is designated by
the Congress as being for an emergency requirement pur-
suant to section 251(b)(2)(A)(i) of the Balanced Budget
and Emergency Deficit Control Act of 1985.
TITLE X
DEPARTMENT OF DEFENSE
MILITARY CONSTRUCTION, NAVY AND MARINE CORPS
For an additional amount for "Military Construction,
Navy and Marine Corps", \$1,127,281,000, to remain
available until September 30, 2029, for necessary expenses
related to the consequences of Typhoon Mawar: Provided,
That not later than 60 days after enactment of this Act,
the Secretary of the Navy, or their designee, shall submit

to the Committees on Appropriations of the House of Rep-1 2 resentatives and the Senate form 1391 for each specific 3 project and an expenditure plan for funds provided under 4 this heading in this Act: *Provided further*, That such funds 5 may be obligated or expended for design and military construction projects not otherwise authorized by law: Pro-6 7 *vided further*, That such amount is designated by the Con-8 gress as being for an emergency requirement pursuant to 9 section 251(b)(2)(A)(i) of the Balanced Budget and 10 Emergency Deficit Control Act of 1985.

11

#### MILITARY CONSTRUCTION, AIR FORCE

12 For an additional amount for "Military Construction, 13 Air Force", \$487,300,000, to remain available until September 30, 2029, for necessary expenses related to the 14 15 consequences of Typhoon Mawar: *Provided*, That not later than 60 days after enactment of this Act, the Secretary 16 17 of the Air Force, or their designee, shall submit to the 18 Committees on Appropriations of the House of Representatives and the Senate form 1391 for each specific project 19 20 and an expenditure plan for funds provided under this 21 heading in this Act: *Provided further*, That such funds 22 may be obligated or expended for design and military con-23 struction projects not otherwise authorized by law: Pro-24 *vided further*, That such amount is designated by the Con-25 gress as being for an emergency requirement pursuant to

section 251(b)(2)(A)(i) of the Balanced Budget and
 Emergency Deficit Control Act of 1985.

3 MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

4 For an additional amount for "Military Construction, Army National Guard", \$21,000,000, to remain available 5 until September 30, 2029, for necessary expenses related 6 7 to the consequences of Typhoon Mawar and severe storms 8 in calendar year 2023: *Provided*, That not later than 60 9 days after enactment of this Act, the Director of the Army 10 National Guard, or their designee, shall submit to the 11 Committees on Appropriations of the House of Represent-12 atives and the Senate form 1391 for each specific project 13 and an expenditure plan for funds provided under this heading in this Act: Provided further, That such funds 14 15 may be obligated or expended for design and military construction projects not otherwise authorized by law: Pro-16 17 *vided further*, That such amount is designated by the Con-18 gress as being for an emergency requirement pursuant to 19 section 251(b)(2)(A)(i) of the Balanced Budget and 20Emergency Deficit Control Act of 1985.

21 FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE

22

#### CORPS

For an additional amount for "Family Housing Construction, Navy and Marine Corps", \$27,399,000, to remain available until September 30, 2029, for necessary ex-

penses related to the consequences of Typhoon Mawar: 1 *Provided*, That not later than 60 days after enactment of 2 3 this Act, the Secretary of the Navy, or their designee, shall 4 submit to the Committees on Appropriations of the House 5 of Representatives and the Senate an expenditure plan for funds provided under this heading in this Act: Provided 6 7 *further*, That such amount is designated by the Congress 8 as being for an emergency requirement pursuant to sec-9 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-10 gency Deficit Control Act of 1985.

11 FAMILY HOUSING OPERATION AND MAINTENANCE,

NAVY AND MARINE CORPS

12

13 For an additional amount for "Family Housing Operation and Maintenance, Navy and Marine Corps", 14 15 \$102,168,000, to remain available until September 30, 2026, for necessary expenses related to the consequences 16 17 of Typhoon Mawar: *Provided*, That not later than 60 days after enactment of this Act, the Secretary of the Navy, 18 19 or their designee, shall submit to the Committees on Appropriations of the House of Representatives and the Sen-20 21 ate an expenditure plan for funds provided under this 22 heading in this Act: Provided further, That such amount 23 is designated by the Congress as being for an emergency 24 requirement pursuant to section 251(b)(2)(A)(i) of the

Balanced Budget and Emergency Deficit Control Act of
 1985.

# 3 DEPARTMENT OF VETERANS AFFAIRS 4 VETERANS HEALTH ADMINISTRATION

#### MEDICAL SERVICES

6 For an additional amount for "Medical Services", 7 \$19,258,000, to remain available until September 30, 8 2027, for necessary expenses related to the consequences 9 of Hurricanes Milton and Helene: Provided, That such 10 amount is designated by the Congress as being for an 11 emergency requirement pursuant to section 12 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985. 13

14 MEDICAL SUPPORT AND COMPLIANCE

15 For an additional amount for "Medical Support and Compliance", \$330,000, to remain available until Sep-16 17 tember 30, 2027, for necessary expenses related to the consequences of Hurricanes Milton and Helene: *Provided*, 18 19 That such amount is designated by the Congress as being 20 for an emergency requirement pursuant to section 21 251(b)(2)(A)(i) of the Balanced Budget and Emergency 22 Deficit Control Act of 1985.

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#### MEDICAL FACILITIES

For an additional amount for "Medical Facilities",
\$41,660,000, to remain available until September 30,

2029, for necessary expenses related to the consequences
 of Hurricanes Milton and Helene and other Federally de clared disasters occurring in 2023 and 2024: *Provided*,
 That such amount is designated by the Congress as being
 for an emergency requirement pursuant to section
 251(b)(2)(A)(i) of the Balanced Budget and Emergency
 Deficit Control Act of 1985.

#### 8 NATIONAL CEMETERY ADMINISTRATION

9 For an additional amount for "National Cemetery 10 Administration" for necessary expenses related to the consequences of Hurricanes Milton and Helene, \$693,000, to 11 remain available until September 30, 2029: Provided, 12 13 That such amount is designated by the Congress as being for an emergency requirement pursuant to section 14 15 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985. 16

17 DEPARTMENTAL ADMINISTRATION

#### 18 CONSTRUCTION, MAJOR PROJECTS

For an additional amount for "Construction, Major
Projects", \$4,000,000, to remain available until September 30, 2029, for necessary expenses related to the
consequences of Hurricanes Milton and Helene: *Provided*,
That such amount is designated by the Congress as being
for an emergency requirement pursuant to section

251(b)(2)(A)(i) of the Balanced Budget and Emergency
 Deficit Control Act of 1985.

- 3 CONSTRUCTION, MINOR PROJECTS 4 For an additional amount for "Construction, Minor 5 Projects", \$2,020,000, to remain available until September 30, 2029, for necessary expenses related to the 6 7 consequences of Hurricanes Milton and Helene: Provided, 8 That such amount is designated by the Congress as being 9 for an emergency requirement pursuant to section 10 251(b)(2)(A)(i) of the Balanced Budget and Emergency 11 Deficit Control Act of 1985. 12 TITLE XI 13 DEPARTMENT OF STATE AND RELATED AGENCY 14 15 DEPARTMENT OF STATE 16 INTERNATIONAL COMMISSIONS 17 INTERNATIONAL BOUNDARY AND WATER COMMISSION, 18 UNITED STATES AND MEXICO 19 CONSTRUCTION 20 additional amount for "Construction", For an 21 \$250,000,000, to remain available until expended: Pro-22 vided, That funds provided under this heading in this Act 23 shall be subject to prior consultation with, and the regular 24 notification procedures of, the Committees on Appropria-
- 25 tions of the House of Representatives and the Senate: Pro-

vided further, That such amount is designated by the Con gress as being for an emergency requirement pursuant to
 section 251(b)(2)(A)(i) of the Balanced Budget and
 Emergency Deficit Control Act of 1985.

# 5 TITLE XII 6 DEPARTMENT OF TRANSPORTATION 7 FEDERAL HIGHWAY ADMINISTRATION 8 EMERGENCY RELIEF PROGRAM

9 For an additional amount for the "Emergency Relief 10 Program" as authorized under section 125 of title 23, United States Code, \$8,086,020,000, to remain available 11 12 until expended: *Provided*, That notwithstanding subsection 13 (e) of section 120 of title 23, United States Code, for any obligations made on or after March 26, 2024, for fiscal 14 15 year 2024, this fiscal year, and hereafter, the Federal share for Emergency Relief funds made available under 16 17 section 125 of such title to respond to damage caused by the cargo ship Dali to the Francis Scott Key Bridge lo-18 19 cated in Baltimore City and Baltimore and Anne Arundel 20 Counties, Maryland, including reconstruction of that 21 bridge and its approaches, shall be 100 percent: *Provided* 22 *further*, That consistent with section 668.105(e) of title 23 23, Code of Federal Regulations (or a successor regula-24 tion), any insurance proceeds, judgments, settlements, 25 penalties, fines, or other compensation for damages, in-

1 cluding interest, from whatever source derived, recovered by a State, a political subdivision of a State, or a toll au-2 3 thority for repair, including reconstruction, of the Francis 4 Scott Key Bridge located in Baltimore City and Baltimore 5 and Anne Arundel Counties, Maryland, in response to, or 6 as a result of, the damage caused by the cargo ship Dali 7 to that bridge and its approaches, shall be used upon re-8 ceipt to reduce liability on the repair, including reconstruc-9 tion, of such bridge and its approaches from the emer-10 gency fund authorized under section 125 of title 23, United States Code: *Provided further*, That any funds re-11 12 covered and used to reduce liability pursuant to the pre-13 ceding proviso shall not exceed the total amount of liability on the repair, including reconstruction, of the Francis 14 15 Scott Key Bridge located in Baltimore City and Baltimore and Anne Arundel Counties, Maryland, and its ap-16 17 proaches, from the emergency fund authorized under sec-18 tion 125 of title 23, United States Code: Provided further, 19 That such amount is designated by the Congress as being 20 for an emergency requirement pursuant to section 21 251(b)(2)(A)(i) of the Balanced Budget and Emergency 22 Deficit Control Act of 1985.

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### COMMUNITY DEVELOPMENT FUND

#### (INCLUDING TRANSFERS OF FUNDS)

6 For an additional amount for "Community Develop-7 ment Fund", \$12,039,000,000, to remain available until 8 expended, for the same purposes and under the same 9 terms and conditions as funds appropriated under such 10 heading in title VIII of the Disaster Relief Supplemental Appropriations Act, 2022 (Public Law 117–43), except 11 12 that such amounts shall be for major disasters that oc-13 curred in 2023 or 2024 and the fourth, tenth, 15th, 16th, 20th, and 21st provisos under such heading in such Act 14 15 shall not apply: *Provided*, That the Secretary of Housing and Urban Development shall allocate all funds provided 16 under this heading in this Act for the total estimate for 17 18 unmet needs including additional mitigation for qualifying disasters and publish such allocations in the Federal Reg-19 ister no later than January 15, 2025: Provided further, 2021 That the amount obligated for each qualifying disaster 22 area shall be no less than the amounts specified in such 23 Federal Register publication, unless such allocation is rejected by the grantee: Provided further, That a grantee 24 25 shall submit a plan to the Secretary for approval detailing

the proposed use of all funds, including criteria for eligi-1 2 bility and how the use of these funds will address long-3 term recovery and restoration of infrastructure and hous-4 ing, economic revitalization, and mitigation in the most 5 impacted and distressed areas: *Provided further*, That unobligated balances remaining as of the date of enactment 6 7 of this Act included under Treasury Appropriation Fund 8 Symbol 86 X 0162 from Public Laws 108–324, 109–148, 9 109-234, 110-252, 110-329, 111-212, 112-55, and 10 113–2 shall also be available for the purposes authorized under this heading in this Act (except that the amount 11 12 for each set-aside provided herein shall not be exceeded), 13 notwithstanding the purposes for which such amounts were appropriated: Provided further, That of the amounts 14 under this 15 made available heading in this Act, \$45,000,000 shall be transferred to "Department of 16 Housing and Urban Development—Management and Ad-17 ministration—Program Offices" for salaries and expenses 18 19 of the Office of Community Planning and Development for 20necessary costs, including information technology costs, of 21 administering and overseeing the obligation and expendi-22 ture of amounts made available for activities authorized 23 under title I of the Housing and Community Development 24 Act of 1974 (42 U.S.C. 5301 et seq.) related to disaster 25 relief, long-term recovery, restoration of infrastructure

and housing, economic revitalization, and mitigation in the 1 2 most impacted and distressed areas resulting from a 3 major disaster in this, prior, or future Acts ("this, prior, 4 or future disaster Acts"): Provided further, That of the 5 amounts made available under this heading in this Act, 6 \$1,850,000 shall be transferred to "Department of Hous-7 ing and Urban Development—Information Technology 8 Fund" for the disaster recovery data portal: *Provided fur-*9 ther, That of the amounts made available under this head-10 ing in this Act, \$7,000,000 shall be transferred to "Department of Housing and Urban Development—Office of 11 12 Inspector General" for necessary costs of overseeing and 13 auditing amounts made available in this, prior, or future disaster Acts: *Provided further*, That of the amounts made 14 15 available under this heading in this Act, \$25,000,000 shall be made available for capacity building and technical as-16 17 sistance, including assistance on contracting and procurement processes, to support recipients of allocations from 18 19 this, prior, or future disaster Acts: *Provided further*, That 20amounts made available under this heading in this Act 21 may be used by a grantee to assist utilities as part of a 22 disaster-related eligible activity under section 105(a) of 23 the Housing and Community Development Act of 1974 24(42 U.S.C. 5305(a)): Provided further, That recipients of 25 funds made available in this, prior, or future disaster Acts

that use such funds to supplement other Federal assist-1 2 ance may adopt, without review or public comment, any 3 environmental review, approval, or permit performed by 4 a Federal agency, and such adoption shall satisfy the re-5 sponsibilities of the recipient with respect to such environ-6 mental review, approval or permit, so long as the actions 7 covered by the existing environmental review, approval, or 8 permit and the actions proposed for these supplemental 9 funds are substantially the same: *Provided further*, That 10 the Secretary or a State may, upon receipt of a request for release of funds and certification, immediately approve 11 12 the release of funds for any activity or project if the recipi-13 ent has adopted an environmental review, approval or permit under the previous proviso or if the activity or project 14 15 is categorically excluded from review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et 16 17 seq.), notwithstanding section 104(g)(2) of the Housing 18 and Community Development Act of 1974 (42 U.S.C. 19 5304(g)(2): Provided further, That such amount and 20amounts repurposed under this heading that were pre-21 viously designated by the Congress as an emergency re-22 quirement pursuant to a concurrent resolution on the 23 budget or the Balanced Budget and Emergency Deficit 24 Control Act of 1985 are designated by the Congress as 25 being for an emergency requirement pursuant to section

251(b)(2)(A)(i) of the Balanced Budget and Emergency
 Deficit Control Act of 1985.

#### TITLE XIII

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#### GENERAL PROVISIONS

5 SEC. 21301. Each amount appropriated or made
6 available by this Act is in addition to amounts otherwise
7 appropriated for the fiscal year involved.

8 SEC. 21302. No part of any appropriation contained 9 in this Act shall remain available for obligation beyond 10 the current fiscal year unless expressly so provided herein.

11 SEC. 21303. Unless otherwise provided for by this 12 Act, the additional amounts appropriated by this Act to 13 appropriations accounts shall be available under the au-14 thorities and conditions applicable to such appropriations 15 accounts for fiscal year 2025.

16 SEC. 21304. Each amount designated in divisions A 17 or B by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced 18 19 Budget and Emergency Deficit Control Act of 1985 shall 20 be available (or repurposed, rescinded, or transferred, if 21 applicable) only if the President subsequently so des-22 ignates all such amounts and transmits such designations 23 to the Congress.

SEC. 21305. Any amount appropriated by divisions
A or B, designated by the Congress as an emergency re-

quirement pursuant to section 251(b)(2)(A)(i) of the Bal anced Budget and Emergency Deficit Control Act of 1985,
 and subsequently so designated by the President, and
 transferred pursuant to transfer authorities provided by
 this division shall retain such designation.

6 SEC. 21306. Budgetary Effects.—

7 (1) STATUTORY PAYGO SCORECARDS.—The
8 budgetary effects of division C and each succeeding
9 division shall not be entered on either PAYGO score10 card maintained pursuant to section 4(d) of the
11 Statutory Pay-As-You-Go Act of 2010.

12 (2) SENATE PAYGO SCORECARDS.—The budg13 etary effects of division C and each succeeding divi14 sion shall not be entered on any PAYGO scorecard
15 maintained for purposes of section 4106 of H. Con.
16 Res. 71 (115th Congress).

17 (3)CLASSIFICATION OF BUDGETARY EF-18 FECTS.—Notwithstanding Rule 3 of the Budget 19 Scorekeeping Guidelines set forth in the joint ex-20 planatory statement of the committee of conference 21 accompanying Conference Report 105–217 and sec-22 tion 250(c)(8) of the Balanced Budget and Emer-23 gency Deficit Control Act of 1985, the budgetary ef-24 fects of division C and each succeeding division shall 25 not be estimated—

1	(A) for purposes of section 251 of such
2	Act;
3	(B) for purposes of an allocation to the
4	Committee on Appropriations pursuant to sec-
5	tion 302(a) of the Congressional Budget Act of
6	1974; and
7	(C) for purposes of paragraph $(4)(C)$ of
8	section 3 of the Statutory Pay-As-You-Go Act
9	of 2010 as being included in an appropriation
10	Act.
11	(4) BALANCES ON THE PAYGO SCORECARDS.—
12	Effective on the date of the adjournment of the sec-
13	ond session of the 118th Congress, and for the pur-
14	poses of the annual report issued pursuant to section
15	5 of the Statutory Pay-As-You-Go Act of 2010 (2
16	U.S.C. 934) after such adjournment and for deter-
17	mining whether a sequestration order is necessary
18	under such section, the balances on the PAYGO
19	scorecards established pursuant to paragraphs (4)
20	and (5) of section 4(d) of such Act shall be zero.
21	This division may be cited as the "Disaster Relief
22	Supplemental Appropriations Act, 2025".

## DIVISION C—OTHER MATTERS TITLE I—DISASTER RELIEF

#### 3 SEC. 101. DISASTER GRANT CLOSEOUT PROCEDURES.

4 Section 705 of the Robert T. Stafford Disaster Relief
5 and Emergency Assistance Act (42 U.S.C. 5205) is
6 amended—

7 (1) by striking "State or local government" and
8 inserting "State, local government, or the owner or
9 operator of a private nonprofit facility" each place it
10 appears;

(2) in paragraphs (3) and (4) of subsection (b)
by striking "Federal, State, or local government"
and inserting "Federal Government, State, local government, or the owner or operator of a private nonprofit facility"; and

16 (3) in subsection (d)(1) by striking "State,
17 local," and inserting "State, local government, the
18 owner or operator of a private nonprofit facility,".

#### 19 SEC. 102. AVAILABILITY OF EXCESS FUNDS.

20 (a) IN GENERAL.—Section 324 of the Robert T.
21 Stafford Disaster Relief and Emergency Assistance Act
22 (42 U.S.C. 5165b) is amended—

23 (1) in subsection (b)(2)—

1	(A) by redesignating subparagraphs (A)
2	and (B) as clauses (i) and (ii), respectively, and
3	adjusting the margins accordingly; and
4	(B) in the matter preceding clause (i), as
5	so redesignated, by striking "provide the fol-
6	lowing percentage rates" and inserting "pro-
7	vide—
8	"(A) excess funds for management costs as
9	described in subsection (c); and
10	"(B) the following percentage rates";
11	(2) by redesignating subsection (c) as sub-
12	section (d); and
13	(3) by inserting after subsection (b) the fol-
14	lowing:
15	"(c) Use of Excess Funds for Management
16	Costs.—
17	"(1) DEFINITION.—In this subsection, the term
18	'excess funds for management costs' means the dif-
19	ference between—
20	"(A) the amount of the applicable specific
21	management costs authorized under subsection
22	(b)(1) and subsection $(b)(2)(B)$ ; and
23	"(B) as of the date on which the grant
24	award is closed, the amount of funding for
25	management costs activities expended by the

1	grantee or subgrantee receiving the financial as-
2	sistance for costs described in subparagraph
3	(A).
4	"(2) AVAILABILITY OF EXCESS FUNDS FOR
5	MANAGEMENT COSTS.—The President may make
6	available to a grantee or subgrantee receiving finan-
7	cial assistance under section 403, 404, 406, 407, or
8	502 any excess funds for management costs.
9	"(3) USE OF FUNDS.—Excess funds for man-
10	agement costs made available to a grantee or sub-
11	grantee under paragraph (2) may be used for—
12	"(A) activities associated with building ca-
13	pacity to prepare for, recover from, or mitigate
14	the impacts of a major disaster or emergency
15	declared under section 401 or 501, respectively;
16	and
17	"(B) management costs associated with
18	any—
19	"(i) major disaster;
20	"(ii) emergency;
21	"(iii) disaster preparedness measure;
22	OF
23	"(iv) mitigation activity or measure
24	authorized under section 203, 204, 205, or
25	404.

"(4) AVAILABILITY.—Excess funds for management costs made available to a grantee or subgrantee under paragraph (2) shall remain available
to the grantee or subgrantee until the date that is
5 5 years after the date on which the excess funds for
management costs are made available under paragraph (2).".

8 (b) APPLICABILITY.—The amendments made by sub-9 section (a) shall apply with respect to any grant award 10 in relation to a major disaster or emergency declared 11 under section 401 or 501, respectively, of the Robert T. 12 Stafford Disaster Relief and Emergency Assistance Act 13 (42 U.S.C. 5170, 5191)—

14 (1) the declaration of which is made on or after15 the date of enactment of this Act; and

16 (2) that is funded with amounts appropriated17 on or after the date of enactment of this Act.

(c) GAO STUDY.—Not later than 180 days after the
date of enactment of this Act, the Comptroller General
of the United States shall submit to the Committee on
Homeland Security and Governmental Affairs of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report—

24 (1) on the actual management costs described25 in section 324 of the Robert T. Stafford Disaster

1	Relief and Emergency Assistance Act (42 U.S.C.
2	5165b) during the period of a major disaster dec-
3	laration under section 401 of such Act (42 U.S.C.
4	5170) to determine whether the amount set aside for
5	those management costs after the date of enactment
6	of this Act is appropriate; and
7	(2) that includes the management costs de-
8	scribed in section 324 of the Robert T. Stafford Dis-
9	aster Relief and Emergency Assistance Act (42
10	U.S.C. 5165b) for each disaster declared under dur-
11	ing the period of a major disaster declaration under
12	section 401 of such Act (42 U.S.C. 5170) during the
13	5-year period preceding the date of the report, the
14	amount set aside for those management costs, the
15	use of those management costs, the length of each
16	disaster, and the reason for the length of each dis-
17	aster.
18	(d) NO ADDITIONAL FUNDS.—No additional funds

18 (d) NO ADDITIONAL FUNDS.—No additional funds
19 are authorized to be appropriated to carry out the amend20 ments made by subsection (a).

# 1SEC. 103. REIMBURSEMENT FOR REPAIR, REPLACEMENT,2AND RESTORATION WORK ON PRIVATE3ROADS AND BRIDGES IMPACTED BY TROP-4ICAL STORM HELENE.

5 (a) ELIGIBILITY FOR REIMBURSEMENT.—Notwithstanding any provision of the Robert T. Stafford Disaster 6 7 Relief and Emergency Assistance Act (42 U.S.C. 5121 et 8 seq.) or the regulations governing the public assistance 9 program of the Federal Emergency Management Agency under such Act, the State, Indian Tribal, and local govern-10 ments in North Carolina covered under major disaster 11 declaration FEMA-4827-DR-NC (relating to Tropical 12 13 Storm Helene) shall be eligible for reimbursement for the 14 cost of repairs, replacements, or restoration to private roads and bridges, without regard to pre-existing condi-15 16 tion, under section 428 of such Act that—

17 (1) are used as the sole means of access to pri-18 mary residences or essential community services;

19 (2) are significantly damaged or destroyed as a
20 direct result of Tropical Storm Helene as identified
21 in FEMA-4827-DR-NC; and

(3) does not duplicate work that has alreadybeen completed.

(b) CONDITIONS OF REIMBURSEMENT.—Reimbursement under this section shall be subject to the following
conditions:

(1) Private roads or bridges shall be inspected
 by appropriate State, Indian Tribal, or local govern ment officials or their designees to verify the scope,
 need, and cost-effectiveness of any mitigation meas ures for the proposed repair, replacement, or res toration.

7 (2) The State, Indian Tribal, or local govern8 ments requesting assistance shall ensure that the
9 private roads or bridges being repaired, replaced, or
10 restored remain open for disaster recovery activities
11 for the duration of the repair, replacement, or res12 toration process.

(3) The State or Indian Tribal governments
shall be responsible for documenting all costs associated with repairs, replacements, or restorations within their jurisdiction in accordance with Federal
Emergency Management Agency policy.

(4) The State, Indian Tribal, or local government applying for public assistance funding shall obtain authority or permission to perform the work to
permanently repair, replace, or restore the private
roads and bridges.

(5) The State, Indian Tribal, or local government applying for public assistance funding shall ensure the work under this section is performed in

compliance with all applicable State and Federal
 regulations and requirements that pertain to work
 that is permanent in nature.

4 (c) DUPLICATION OF BENEFITS.—

(1) IN GENERAL.—Any individual or household 5 6 that has received assistance prior to the date of en-7 actment of this section pursuant to section 408 of 8 the Robert T. Stafford Disaster Relief and Emer-9 gency Assistance Act (42 U.S.C. 5174) for the pur-10 poses of repairing a private road or bridge eligible 11 under this section may proceed with such repairs or 12 return any such assistance to have such repair eligi-13 ble pursuant to this section.

14 (2) CALCULATION.—In the event the individual 15 or household chooses to proceed with such repairs 16 utilizing assistance provided pursuant to section 408 17 of the Robert T. Stafford Disaster Relief and Emer-18 gency Assistance Act (42 U.S.C. 5174) for a private 19 road or bridge, such assistance shall not be counted 20 against the maximum amount of assistance for such 21 individual or household under such section.

(d) ELIGIBLE COSTS.—In determining eligible costs,
the Administrator shall base such determinations on properly conducted and certified cost estimates prepared by
professionally licensed engineers (mutually agreed upon by

1 the Administrator and the applicant). Once certified by
2 a professionally licensed engineer and accepted by the Ad3 ministrator, the estimates on which grants made pursuant
4 to this section are based shall be presumed to be reason5 able and eligible costs, as long as there is no evidence of
6 fraud.

# 7 TITLE II—RECYCLING, WATER, 8 AND ENVIRONMENT RELATED 9 PROVISIONS

#### 10 SEC. 201. RECYCLING AND COMPOSTING ACCOUNTABILITY.

(a) SHORT TITLE.—This section may be cited as the"Recycling and Composting Accountability Act".

- 13 (b) DEFINITIONS.—
- 14 (1) IN GENERAL.—In this section:

15 (A) ADMINISTRATOR.—The term "Admin16 istrator" means the Administrator of the Envi17 ronmental Protection Agency.

18 (B) COMPOST.—The term "compost"
19 means a product that—

20 (i) is manufactured through the con21 trolled aerobic, biological decomposition of
22 biodegradable materials;

23 (ii) has been subjected to medium and
24 high temperature organisms, which—

1	(I) significantly reduce the viabil-
2	ity of pathogens and weed seeds; and
3	(II) stabilize carbon in the prod-
4	uct such that the product is beneficial
5	to plant growth; and
6	(iii) is typically used as a soil amend-
7	ment, but may also contribute plant nutri-
8	ents.
9	(C) Compostable material.—The term
10	"compostable material" means material that is
11	a feedstock for creating compost, including—
12	(i) wood;
13	(ii) agricultural crops;
14	(iii) paper, such as cardboard and
15	other paper products;
16	(iv) certified compostable products as-
17	sociated with organic waste;
18	(v) other organic plant material;
19	(vi) organic waste, including food
20	waste and yard waste; and
21	(vii) such other material that is com-
22	posed of biomass that can be continually
23	replenished or renewed, as determined by
24	the Administrator.

(D) INDIAN TRIBE.—The term "Indian 1 2 Tribe" has the meaning given the term in section 4 of the Indian Self-Determination and 3 4 Education Assistance Act (25 U.S.C. 5304). (E) RECYCLABLE MATERIAL.—The term 5 "recyclable material" means a material that is 6 7 obsolete, previously used, off-specification, surplus, or incidentally produced for processing 8 9 into a specification-grade commodity for which 10 a reuse market currently exists or is being de-11 veloped. 12 RECYCLING.—The term "recycling"  $(\mathbf{F})$ 13 means the series of activities— 14 (i) during which recyclable materials 15 are processed into specification-grade com-16 modities and consumed as raw-material 17 feedstock, in lieu of virgin materials, in the 18 manufacturing of new products; 19 (ii) that may, with regard to recycla-20 ble materials and prior to the activities de-21 scribed in clause (i), include sorting, collec-22 tion, processing, and brokering; and 23 (iii) that result, subsequent to proc-24 essing described in clause (i), in consump-

1	tion by a materials manufacturer, includ-
2	ing for the manufacturing of new products.
3	(G) STATE.—The term "State" has the
4	meaning given the term in section 1004 of the
5	Solid Waste Disposal Act (42 U.S.C. 6903).
6	(2) Definition of processing.—In subpara-
7	graphs $(E)$ and $(F)$ of paragraph $(1)$ , the term
8	"processing" means any mechanical, manual, or
9	other method that—
10	(A) transforms a recyclable material into a
11	specification-grade commodity; and
12	(B) may occur in multiple steps, with dif-
13	ferent phases, including sorting, occurring at
14	different locations.
15	(c) Reports on Composting and Recycling In-
16	FRASTRUCTURE CAPABILITIES.—
17	(1) IN GENERAL.—Subtitle D of the Solid
18	Waste Disposal Act (42 U.S.C. 6941 et seq.) is
19	amended by adding at the end the following:
20	"SEC. 4011. REPORTS ON COMPOSTING AND RECYCLING IN-
21	FRASTRUCTURE CAPABILITIES.
22	"(a) DEFINITIONS.—In this section:
23	"(1) Recycling and compositing account-
24	ABILITY ACT TERMS.—The terms 'compost',
	1 /

1 cycling' have the meanings given the terms in sub-2 section (b) of the Recycling and Composting Ac-3 countability Act. (2)4 Compositing FACILITY.—The term 5 'composting facility' means a location, structure, or 6 device that transforms compostable materials into 7 compost. "(3) INDIAN TRIBE.—The term 'Indian Tribe' 8 9 has the meaning given the term in section 4 of the 10 Indian Self-Determination and Education Assistance 11 Act (25 U.S.C. 5304). 12 "(4) MATERIALS RECOVERY FACILITY.— 13 "(A) IN GENERAL.—The term 'materials 14 recovery facility' means a dedicated facility 15 where primarily residential recyclable materials, which are diverted from disposal by the gener-16 17 ator and collected separately from municipal 18 solid waste, are mechanically or manually sort-19 ed into commodities for further processing into 20 specification-grade commodities for sale to end 21 users. 22 "(B) EXCLUSION.—The term 'materials 23 recovery facility' does not include a solid waste 24 management facility that may process munic-25 ipal solid waste to remove recyclable materials.

1	"(C) DEFINITION OF PROCESSING.—For
2	purposes of this paragraph, the term 'proc-
3	essing' has the meaning given the term in sub-
4	section (b)(2) of the Recycling and Composting
5	Accountability Act.
6	"(b) Report.—
7	"(1) IN GENERAL.—The Administrator shall re-
8	quest information and data from, collaborate with,
9	or contract with, as necessary and appropriate,
10	States, units of local government, and Indian Tribes,
11	for the provision, preparation, and publication of a
12	report, or to expand work under the National Recy-
13	cling Strategy to include information and data, on
14	compostable materials and efforts to reduce contami-
15	nation rates for recycling, including—
16	"(A) an evaluation of existing Federal,
17	State, and local laws that may present barriers
18	to implementation of composting strategies;
19	"(B) a description and evaluation of
20	composting infrastructure and programs within
21	States, units of local government, and Indian
22	Tribes;
23	"(C) an estimate of the costs and approxi-
24	mate land needed to expand composting pro-
25	grams; and

1	"(D) a review of the practices of manufac-
2	turers and companies that are moving to using
3	compostable packaging and food service ware
4	for the purpose of making the composting proc-
5	ess the end-of-life use of those products.
6	"(2) SUBMISSION.—Not later than 2 years
7	after the date of enactment of this section, the Ad-
8	ministrator shall submit to Congress the report pre-
9	pared under paragraph (1).
10	"(c) Inventory of Materials Recovery Facili-
11	TIES.—Not later than 3 years after the date of enactment
12	of this section, and every 4 years thereafter, the Adminis-
13	trator, in consultation with relevant Federal agencies and
14	States, units of local government, and Indian Tribes,
15	shall—
16	"(1) prepare an inventory or estimate of mate-
17	rials recovery facilities in the United States, includ-
18	ing—
19	"(A) the number of materials recovery fa-
20	cilities in each State; and
21	"(B) a general description of the materials
22	that each of those materials recovery facilities
23	can process, including—
24	"(i) in the case of plastic, a descrip-
25	tion of—

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"(I) the types of accepted resin,
if applicable; and
"(II) the packaging or product
format, such as a jug, a carton, or
$ ext{film};$
"(ii) food packaging and service ware,
such as a bottle, cutlery, or a cup;
"(iii) paper;
"(iv) aluminum, such as an aluminum
beverage can, food can, aerosol can, or foil;
"(v) steel, such as a steel food or aer-
osol can;
"(vi) other scrap metal;
"(vii) glass; or
"(viii) any other material not de-
scribed in any of clauses (i) through (vii)
that a materials recovery facility processes;
and
"(2) submit to Congress the inventory or esti-
mate prepared under paragraph (1).
"(d) Information on Recycling and Compositing
Systems.—The Administrator shall, as necessary and ap-
propriate, collaborate or contract with States, units of
local government, and Indian Tribes to estimate, with re-

1	((1) the number and types of recycling and
2	composting programs;
3	((2) the types and forms of materials accepted
4	by recycling or composting programs;
5	"(3) the number of individuals—
6	"(A) with access to recycling and
7	composting services to at least the extent of ac-
8	cess to disposal services; and
9	"(B) who use, on a percentage basis, the
10	recycling and composting services described in
11	subparagraph (A);
12	"(4) the number of individuals with barriers to
13	accessing recycling and composting services similar
14	to their access to disposal services and the types of
15	those barriers experienced;
16	"(5) the inbound contamination and capture
17	rates of recycling and composting programs;
18	"(6) if applicable, other available recycling or
19	composting programs; and
20	"(7) the average costs and benefits to States,
21	units of local government, and Indian Tribes of recy-
22	cling and composting programs.
23	"(e) Recycling Reporting Rates.—
24	"(1) Collection of data; development of
25	RATES.—The Administrator may use amounts made

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1	available under subsection (f) of the Recycling and
2	Composting Accountability Act—
3	"(A) to biannually collect, in collaboration
4	with States, to the extent practicable, informa-
5	tion supplied on a voluntary basis to develop
6	the estimated rates described in subparagraphs
7	(B) and (C);
8	"(B) to develop a standardized estimated
9	rate of recyclable materials in States that pro-
10	vide information under subparagraph (A) that
11	have been successfully diverted from the waste
12	stream and brought to a materials recovery fa-
13	cility or composting facility; and
14	"(C) to develop an estimated national recy-
15	cling rate based on the information described in
16	subparagraphs (A) and (B).
17	"(2) USE.—Using amounts made available
18	under subsection (f) of the Recycling and
19	Composting Accountability Act, the Administrator
20	may use the information collected and rates devel-
21	oped under paragraph $(1)$ to provide requesting
22	States, units of local government, and Indian Tribes
23	data and technical assistance—

1	"(A) to reduce the overall waste produced
2	by the States, units of local government, and
3	Indian Tribes;
4	"(B) to assist the States, units of local
5	government, and Indian Tribes in under-
6	standing the nuances of the information col-
7	lected relating to diversion activities; and
8	"(C) to increase recycling and composting
9	rates of the States, units of local government,
10	and Indian Tribes.
11	"(f) Report on End Markets.—The Adminis-
12	trator, in collaboration or contract with, as necessary and
13	appropriate, relevant Federal agencies, States, units of
14	local government, or Indian Tribes, shall—
15	"(1) provide an update to the report submitted
16	under section 306 of the Save Our Seas 2.0 Act
17	(Public Law 116–224; 134 Stat. 1096) to include an
18	addendum on the end-market sale of all recyclable
19	materials from materials recovery facilities that
20	process recyclable materials, including, to the extent
21	practicable—
22	"(A) the total, in dollars per ton, domestic
23	sales of bales of recyclable materials; and
24	"(B) the total, in dollars per ton, inter-
25	national sales of bales of recyclable materials;

1 "(2) prepare a report on the end-market sale of 2 compost from, to the extent practicable, compostable 3 materials, including the total, in dollars per ton, of 4 domestic sales of compostable materials; and 5 "(3) not later than 3 years after the date of en-6 actment of this section, submit to Congress the up-7 date to the report prepared under paragraph (1) and 8 the report prepared under paragraph (2). Privileged or Confidential 9 "(g) INFORMA-10 TION.— 11 "(1) IN GENERAL.—Information collected under 12 subsection (e)(1) or paragraph (1) or (2) of sub-13 section (f) shall not include any privileged or con-14 fidential information described in section 552(b)(4)15 of title 5, United States Code. "(2) NONDISCLOSURE.—Information collected 16 17 to carry out this section shall not be made public if 18 the information meets the requirements of section 19 552(b) of title 5, United States Code.". 20 (2) CLERICAL AMENDMENT.—The table of con-21 tents in section 1001 of the Solid Waste Disposal 22 Act (Public Law 89–272; 90 Stat. 2795; 98 Stat. 23 3268) is amended by inserting after the item relat-24 ing to section 4010 the following:

"Sec. 4011. Report on composting and recycling infrastructure capabilities.".

1	(d) Federal Agency Activities Related to Re-
2	CYCLING.—Not later than 2 years after the date of enact-
3	ment of this Act, and every 2 years thereafter until 2033,
4	the Comptroller General of the United States shall make
5	publicly available a report—
6	(1) detailing or, to the extent practicable, pro-
7	viding an estimate of—
8	(A) the total annual recycling and
9	composting rates reported by all Federal agen-
10	cies; and
11	(B) the total annual percentage of prod-
12	ucts containing recyclable material, compostable
13	material, or recovered materials purchased by
14	all Federal agencies, including—
15	(i) the total quantity of procured
16	products containing recyclable material or
17	recovered materials listed in the com-
18	prehensive procurement guidelines pub-
19	lished under section 6002(e) of the Solid
20	Waste Disposal Act (42 U.S.C. 6962(e));
21	and
22	(ii) the total quantity of compostable
23	material purchased by all Federal agencies;
24	(2) identifying the activities of each Federal
25	agency that promote recycling or composting; and

(3) identifying activities that Federal agencies
 could carry out to further promote recycling or
 composting.

4 (e) STUDY ON THE DIVERSION OF RECYCLABLE MA5 TERIALS FROM A CIRCULAR MARKET.—

6 (1) IN GENERAL.—Not later than 1 year after 7 the date of enactment of this Act, the Administrator 8 shall develop a metric for determining the proportion 9 of recyclable materials in commercial and municipal 10 waste streams that are being diverted from a cir-11 cular market.

12 (2) STUDY; REPORT.—Not later than 1 year 13 after the development of a metric under paragraph 14 (1), the Administrator shall conduct a study of, and 15 submit to Congress a report on, the proportion of re-16 cyclable materials in commercial and municipal 17 waste streams that, during each of the 10 calendar 18 years preceding the year of submission of the report, 19 were diverted from a circular market.

20 (3) DATA.—The report under paragraph (2)
21 shall provide data on specific recyclable materials,
22 including aluminum, plastics, paper and paperboard,
23 textiles, and glass, that were prevented from remain24 ing in a circular market through disposal or elimi-

1	nation, and to what use those specific recyclable ma-
2	terials were lost.
3	(4) EVALUATION.—The report under paragraph
4	(2) shall include an evaluation of whether the estab-
5	lishment or improvement of recycling programs
6	would—
7	(A) improve recycling rates;
8	(B) reduce the quantity of recyclable mate-
9	rials being unutilized in a circular market; and
10	(C) affect prices paid by consumers for
11	products using materials recycled in the circular
12	market.
13	(f) Authorization of Appropriations.—There is
14	authorized to be appropriated to the Administrator to
15	carry out this section and the amendments made by this
16	section \$4,000,000 for each of fiscal years 2025 through
17	2029.
18	(g) Administration.—
19	(1) UNFUNDED MANDATES.—The Adminis-
20	trator or the Secretary of Commerce may not exer-
21	cise any authority under this section or any amend-
22	ment made by this section if exercising that author-
23	ity would require a State, a unit of local govern-
24	ment, or an Indian Tribe to carry out a mandate for
25	which funding is not available.

1	(2) Nondisclosure.—Any information col-
2	lected to carry out this section shall not be made
3	public if the information meets the requirements of
4	section 552(b) of title 5, United States Code.
5	SEC. 202. RECYCLING INFRASTRUCTURE AND ACCESSI-
6	BILITY PROGRAM.
7	(a) DEFINITIONS.—In this section:
8	(1) Administrator.—The term "Adminis-
9	trator" means the Administrator of the Environ-
10	mental Protection Agency.
11	(2) CURBSIDE RECYCLING.—The term
12	"curbside recycling" means the process by which
13	residential recyclable materials are picked up
14	curbside.
15	(3) ELIGIBLE ENTITY.—The term "eligible enti-
16	ty" means—
17	(A) a State (as defined in section 1004 of
18	the Solid Waste Disposal Act (42 U.S.C.
19	6903));
20	(B) a unit of local government;
21	(C) an Indian Tribe; and
22	(D) a public-private partnership.
23	(4) INDIAN TRIBE.—The term "Indian Tribe"
24	has the meaning given the term in section 4 of the

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

3 (5) MATERIALS RECOVERY FACILITY.—

4 (A) IN GENERAL.—The term "materials 5 recovery facility" means a recycling facility where primarily residential recyclables, which 6 7 are diverted from disposal by a generator and 8 collected separately from municipal solid waste, 9 are mechanically or manually sorted into com-10 modities for further processing into specifica-11 tion-grade commodities for sale to end users.

12 (B) EXCLUSION.—The term "materials recovery facility" does not include a solid waste 13 14 management facility that may process munic-15 ipal solid waste to remove recyclable materials. (6) PILOT GRANT PROGRAM.—The term "pilot 16 17 grant program" means the Recycling Infrastructure 18 and Accessibility Program established under sub-19 section (b).

20 (7) RECYCLABLE MATERIAL.—The term "recy21 clable material" means obsolete, previously used, off22 specification, surplus, or incidentally produced mate23 rial for processing into a specification-grade com24 modity for which a market exists.

1	(8) TRANSFER STATION.—The term "transfer
2	station" means a facility that—
3	(A) receives and consolidates recyclable
4	material from curbside recycling or drop-off fa-
5	cilities; and
6	(B) loads the recyclable material onto trac-
7	tor trailers, railcars, or barges for transport to
8	a distant materials recovery facility or another
9	recycling-related facility.
10	(9) UNDERSERVED COMMUNITY.—The term
11	"underserved community" means a community, in-
12	cluding an unincorporated area, without access to
13	full recycling services because—
14	(A) transportation, distance, or other rea-
15	sons render utilization of available processing
16	capacity at an existing materials recovery facil-
17	ity cost prohibitive; or
18	(B) the processing capacity of an existing
19	materials recovery facility is insufficient to
20	manage the volume of recyclable materials pro-
21	duced by that community.
22	(b) ESTABLISHMENT.—Not later than 18 months
23	after the date of enactment of this Act, the Administrator
24	shall establish a pilot grant program, to be known as the
25	"Recycling Infrastructure and Accessibility Program", to

award grants, on a competitive basis, to eligible entities
 to improve recycling accessibility in a community or com munities within the same geographic area.

4 (c) GOAL.—The goal of the pilot grant program is 5 to fund eligible projects that will significantly improve ac-6 cessibility to recycling systems through investments in in-7 frastructure in underserved communities through the use 8 of a hub-and-spoke model for recycling infrastructure de-9 velopment.

10 (d) APPLICATIONS.—To be eligible to receive a grant 11 under the pilot grant program, an eligible entity shall sub-12 mit to the Administrator an application at such time, in 13 such manner, and containing such information as the Ad-14 ministrator may require.

(e) CONSIDERATIONS.—In selecting eligible entities
to receive a grant under the pilot grant program, the Administrator shall consider—

18 (1) whether the community or communities in
19 which the eligible entity is seeking to carry out a
20 proposed project has curbside recycling;

(2) whether the proposed project of the eligible
entity will improve accessibility to recycling services
in a single underserved community or multiple underserved communities; and

1 (3) if the eligible entity is a public-private part-2 nership, the financial health of the private entity 3 seeking to enter into that public-private partnership. 4 (f) PRIORITY.—In selecting eligible entities to receive 5 a grant under the pilot grant program, the Administrator 6 shall give priority to eligible entities seeking to carry out 7 a proposed project in a community in which there is not 8 more than 1 materials recovery facility within a 75-mile 9 radius of that community.

10 (g) USE OF FUNDS.—An eligible entity awarded a 11 grant under the pilot grant program may use the grant 12 funds for projects to improve recycling accessibility in 13 communities, including in underserved communities, by—

(1) increasing the number of transfer stations;
(2) expanding curbside recycling collection programs where appropriate; and

17 (3) leveraging public-private partnerships to re18 duce the costs associated with collecting and trans19 porting recyclable materials in underserved commu20 nities.

(h) PROHIBITION ON USE OF FUNDS.—An eligible
entity awarded a grant under the pilot grant program may
not use the grant funds for projects relating to recycling
education programs.

(i) MINIMUM AND MAXIMUM GRANT AMOUNT.—A
 grant awarded to an eligible entity under the pilot grant
 program shall be in an amount—

- 4 (1) not less than \$500,000; and
- 5 (2) not more than \$15,000,000.

6 (j) SET-ASIDE.—The Administrator shall set aside 7 not less than 70 percent of the amounts made available 8 to carry out the pilot grant program for each fiscal year 9 to award grants to eligible entities to carry out a proposed 10 project or program in a single underserved community or 11 multiple underserved communities.

12 (k) FEDERAL SHARE.—The Federal share of the cost
13 of a project or program carried out by an eligible entity
14 using grant funds shall be not more than 95 percent.

(1) REPORT.—Not later than 2 years after the date
on which the first grant is awarded under the pilot grant
program, the Administrator shall submit to Congress a report describing the implementation of the pilot grant program, which shall include—

20 (1) a list of eligible entities that have received21 a grant under the pilot grant program;

(2) the actions taken by each eligible entity that
received a grant under the pilot grant program to
improve recycling accessibility with grant funds; and

1 (3) to the extent information is available, a de-2 scription of how grant funds received under the pilot 3 grant program improved recycling rates in each com-4 munity in which a project or program was carried 5 out under the pilot grant program. 6 (m) AUTHORIZATION OF APPROPRIATIONS.— 7 (1) IN GENERAL.—There is authorized to be 8 appropriated to the Administrator to carry out the 9 pilot grant program \$30,000,000 for each of fiscal 10 years 2025 through 2029, to remain available until 11 expended. 12 (2) Administrative costs and technical 13 ASSISTANCE.—Of the amounts made available under 14 paragraph (1), the Administrator may use up to 5 15 percent-16 (A) for administrative costs relating to car-17 rying out the pilot grant program; and 18 (B) to provide technical assistance to eligi-19 ble entities applying for a grant under the pilot 20 grant program. 21 SEC. 203. DRINKING WATER INFRASTRUCTURE RISK AND 22 **RESILIENCE.** 23 Section 1433(g) of the Safe Drinking Water Act (42) U.S.C. 300i-2(g)) is amended— 24

1	(1) in paragraph $(1)$ , by striking "2020 and
2	2021" and inserting "2026 and 2027";
3	(2) in paragraph (4), by striking "\$5,000,000"
4	and inserting "\$10,000,000";
5	(3) in paragraph $(5)$ , by striking
6	"\$10,000,000" and inserting "\$20,000,000"; and
7	(4) in paragraph $(6)$ —
8	(A) by striking "\$25,000,000" and insert-
9	ing ''\$50,000,000''; and
10	(B) by striking "2020 and 2021" and in-
11	serting "2026 and 2027".
12	SEC. 204. REAUTHORIZATION OF DIESEL EMISSIONS RE-
13	DUCTION ACT.
14	Section 797(a) of the Energy Policy Act of 2005 (42 $$
15	U.S.C. 16137(a)) is amended by striking "2024" and in-
16	serting "2029".
17	SEC. 205. NATIONWIDE CONSUMER AND FUEL RETAILER
18	CHOICE ACT OF 2024.
19	(a) SHOPM THE This section may be sited as the
	(a) SHORT TITLE.—This section may be cited as the
20	"Nationwide Consumer and Fuel Retailer Choice Act of
20 21	
	"Nationwide Consumer and Fuel Retailer Choice Act of
21	"Nationwide Consumer and Fuel Retailer Choice Act of 2024".
21 22	"Nationwide Consumer and Fuel Retailer Choice Act of 2024". (b) ETHANOL WAIVER.—

1	(A) by striking "(4) The Administrator,
2	upon" and inserting the following:
3	"(4) WAIVERS.—
4	"(A) IN GENERAL.—The Administrator,
5	on'';
6	(B) in subparagraph (A) (as so des-
7	ignated)—
8	(i) in the first sentence—
9	(I) by striking "of this sub-
10	section" each place it appears; and
11	(II) by striking "if he deter-
12	mines" and inserting "if the Adminis-
13	trator determines"; and
14	(ii) in the second sentence, by striking
15	"The Administrator" and inserting the fol-
16	lowing:
17	"(B) FINAL ACTION.—The Adminis-
18	trator"; and
19	(C) by adding at the end the following:
20	"(C) Reid vapor pressure.—A fuel or
21	fuel additive may be introduced into commerce
22	if—
23	"(i)(I) the Administrator determines
24	that the fuel or fuel additive is substan-
25	tially similar to a fuel or fuel additive uti-

1	lized in the certification of any model year
2	vehicle pursuant to paragraph (1)(A); or
3	"(II) the fuel or fuel additive has been
4	granted a waiver under subparagraph (A)
5	and meets all of the conditions of that
6	waiver other than any limitation of the
7	waiver with respect to the Reid Vapor
8	Pressure of the fuel or fuel additive; and
9	"(ii) the fuel or fuel additive meets all
10	other applicable Reid Vapor Pressure re-
11	quirements under subsection (h).".
12	(2) Reid vapor pressure limitation.—Sec-
13	tion 211(h) of the Clean Air Act (42 U.S.C.
14	7545(h)) is amended—
15	(A) by striking "vapor pressure" each
16	place it appears and inserting "Vapor Pres-
17	sure'';
18	(B) in paragraph (4), in the matter pre-
19	ceding subparagraph (A), by striking "10 per-
20	cent" and inserting "10 to 15 percent"; and
21	(C) in paragraph (5)(A)—
22	(i) by striking "Upon notification, ac-
23	companied by" and inserting "On receipt
24	of a notification that is submitted after the
25	date of enactment of the Nationwide Con-

1 sumer and Fuel Retailer Choice Act of 2 2024, and is accompanied by appropriate"; (ii) by striking "10 percent" and in-3 4 serting "10 to 15 percent"; and 5 (iii) by adding at the end the fol-6 lowing: "Upon the enactment of the Na-7 tionwide Consumer and Fuel Retailer 8 Choice Act of 2024, any State for which 9 the notification from the Governor of a 10 State was submitted before the date of en-11 actment of the Nationwide Consumer and 12 Fuel Retailer Choice Act of 2024 and to 13 which the Administrator applied the Reid 14 Vapor Pressure limitation established by 15 paragraph (1) shall instead have the Reid 16 Vapor Pressure limitation established by 17 paragraph (4) apply to all fuel blends con-18 taining gasoline and 10 to 15 percent de-19 natured anhydrous ethanol that are sold, 20 offered for sale, dispensed, supplied, of-21 fered for supply, transported, or introduced 22 into commerce in the area during the high 23 ozone season.". 24 (c) GENERATION OF CREDITS BY SMALL REFIN-

25 ERIES UNDER THE RENEWABLE FUEL PROGRAM.-Sec-

1	tion 211(0)(9) of the Clean Air Act (42 U.S.C.
2	7545(0)(9)) is amended by adding at the end the fol-
3	lowing:
4	"(E) CREDITS GENERATED FOR 2016-2018
5	COMPLIANCE YEARS.—
6	"(i) Rule.—For any small refinery
7	described in clause (ii) or (iii), the credits
8	described in the respective clause shall
9	be—
10	"(I) returned to the small refin-
11	ery and, notwithstanding paragraph
12	(5)(C), deemed eligible for future
13	compliance years; or
14	"(II) applied as a credit in the
15	EPA Moderated Transaction System
16	(EMTS) account of the small refinery.
17	"(ii) COMPLIANCE YEARS 2016 AND
18	2017.—Clause (i) applies with respect to
19	any small refinery that—
20	"(I) retired credits generated for
21	compliance years 2016 or 2017; and
22	"(II) submitted a petition under
23	subparagraph (B)(i) for that compli-
24	ance year that remained outstanding
25	as of December 1, 2022.

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1	"(iii) Compliance year 2018.—In
2	addition to small refineries described in
3	clause (ii), clause (i) applies with respect
4	to any small refinery—
5	"(I) that submitted a petition
6	under subparagraph (B)(i) for compli-
7	ance year 2018 by September 1,
8	2019;
9	"(II) that retired credits gen-
10	erated for compliance year 2018 as
11	part of the compliance demonstration
12	of the small refinery for compliance
13	year 2018 by March 31, 2019; and
14	"(III) for which—
15	"(aa) the petition remained
16	outstanding as of December 1,
17	2022; or
18	"(bb) the Administrator de-
19	nied the petition as of July 1,
20	2022, and has not returned the
21	retired credits as of December 1,
22	2022.''.
23	(d) Addressing Renewable Fuel Market Ma-
24	NIPULATION AND TRANSPARENCY.—Not later than 90
25	days after the date of enactment of this Act, the Adminis-

trator of the Environmental Protection Agency, in collabo ration with the Commodity Futures Trading Commission,
 shall—

4 (1) review all applicable Renewable Identifica5 tion Number (as described in section 80.1425 of title
6 40, Code of Federal Regulations (or successor regu7 lations)) data collected for the EPA Moderated
8 Transaction System (as defined in section 80.2 of
9 title 40, Code of Federal Regulations (or successor
10 regulations)); and

(2) submit to Congress a report that identifies
any additional data that should be collected to reduce renewable fuel market manipulation.

## 14 TITLE III—FOREIGN AFFAIRS

### 15 SEC. 301. GLOBAL ENGAGEMENT CENTER EXTENSION.

16 Section 1287(j) of the National Defense Authoriza-17 tion Act for Fiscal Year 2017 (Public Law 114–328; 22 18 U.S.C. 2656 note) is amended by striking "on the date 19 that is 8 years after the date of the enactment of this 20 Act" and inserting "on the date that is 9 years after the 21 date of the enactment of this Act".

# 22 SEC. 302. HAITI CRIMINAL COLLUSION TRANSPARENCY 23 ACT OF 2024.

- 24 (a) REPORTING REQUIREMENTS.—
- 25 (1) DEFINITIONS.—In this subsection:

1	(A) The term "appropriate congressional
2	committees" means—
3	(i) the Committee on Foreign Rela-
4	tions of the Senate;
5	(ii) the Select Committee on Intel-
6	ligence of the Senate;
7	(iii) the Committee on the Judiciary
8	of the Senate;
9	(iv) the Committee on Banking, Hous-
10	ing, and Urban Affairs of the Senate;
11	(v) the Committee on Foreign Affairs
12	of the House of Representatives;
13	(vi) the Permanent Select Committee
14	on Intelligence of the House of Represent-
15	atives;
16	(vii) the Committee on the Judiciary
17	of the House of Representatives; and
18	(viii) the Committee on Financial
19	Services of the House of Representatives.
20	(B) The term "economic elites" means
21	board members, officers, and executives of
22	groups, committees, corporations, or other enti-
23	ties that exert substantial influence or control
24	over Haiti's economy, infrastructure, or par-
25	ticular industries.

1	(C) The term "intelligence community"
2	has the meaning given such term in section
3	3(4) of the National Security Act of 1947 (50
4	U.S.C. 3003(4)).
5	(D) The term "political and economic
6	elites" means political elites and economic
7	elites.
8	(E) The term "political elites" means cur-
9	rent and former government officials and their
10	high-level staff, political party leaders, and po-
11	litical committee leaders.
12	(2) Report Required.—
13	(A) IN GENERAL.—Not later than 270
14	days after the date of the enactment of this
15	Act, and annually thereafter for the following 5
16	years, the Secretary of State, in coordination
17	with other Federal agencies as appropriate,
18	shall submit a report to the appropriate con-
19	gressional committees regarding the ties be-
20	tween criminal gangs and political and eco-
21	nomic elites in Haiti. The report shall—
22	(i) identify prominent criminal gangs
23	in Haiti, describe their criminal activities
24	including coercive recruitment, and identify

1 their primary geographic areas of operations; 2 3 (ii) list Haitian political and economic 4 elites who knowingly have direct and sig-5 nificant links to criminal gangs; 6 (iii) describe in detail the relationship 7 between the individuals listed pursuant to 8 clause (ii) and the criminal gangs identi-9 fied pursuant to clause (i); 10 (iv) list Haitian political and economic 11 elites with links to criminal activities who 12 are currently subjected to visa restrictions 13 or sanctions by the United States, its 14 international partners, or the United Na-15 tions, including information regarding— 16 (I) the date on which each such 17 Haitian political or economic elite was 18 designated for restrictions or sanc-19 tions; 20 (II) which countries have des-21 ignated such Haitian political and 22 economic elites for restrictions or 23 sanctions; and 24 (III) for Haitian political and 25 economic elites who were designated

1 by the United States, the statutory 2 basis for such designation; (v) describe in detail how Haitian po-3 4 litical and economic elites use their rela-5 tionships with criminal gangs to advance 6 their political and economic interests and 7 agenda; 8 (vi) include a list of each criminal or-9 ganization assessed to be trafficking Haitians and other individuals to the United 10 11 States border; 12 (vii) include an assessment of how the 13 nature and extent of collusion between po-14 litical and economic elites and criminal 15 gangs threatens the Haitian people and United States national interests and activi-16 17 ties in the country, including the provision 18 of security assistance to the Haitian gov-19 ernment; and 20 (viii) include an assessment of poten-21 tial actions that the Government of the 22 United States and the Government of 23 Haiti could take to address the findings

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24 made pursuant to clause (vii).

1	(B) FORM OF REPORT.—The report re-
2	quired under subparagraph (A) shall be sub-
3	mitted in unclassified form, but may include a
4	classified annex.
5	(3) DESIGNATIONS OF POLITICAL AND ECO-
6	NOMIC ELITES.—
7	(A) IN GENERAL.—The Secretary of State,
8	in coordination with the heads of other relevant
9	Federal agencies and departments, shall iden-
10	tify persons identified pursuant to clause (i)
11	and (ii) of paragraph (2)(A) who shall be sub-
12	jected to visa restrictions and may be subjected
13	to asset blocking sanctions under—
14	(i) section 7031(c) of the Department
15	of State, Foreign Operations, and Related
16	Programs Appropriations Act, 2022 (divi-
17	sion K of Public Law 117–103; 8 U.S.C.
18	1182 note); or
19	(ii) section 1263 of the Global
20	Magnitsky Human Rights Accountability
21	Act (22 U.S.C. 10102).
22	(B) WAIVER.—The President may waive
23	the requirements under subparagraph (A) with
24	respect to a foreign person if the President cer-
25	tifies and reports to the appropriate congres-

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1	sional committees before such waiver is to take
2	effect that such waiver would serve a national
3	interest of the United States.
4	(C) PUBLIC AVAILABILITY.—The list of
5	persons identified pursuant to paragraph
6	(2)(A)(ii) shall be posted on a publicly acces-
7	sible website of the Department of State con-
8	currently with the submission of the report re-
9	quired under paragraph (2)(A).
10	(D) IMPLEMENTATION AUTHORITY.—The
11	President may exercise all authorities provided
12	to the President under sections $203$ and $205$ of
13	the International Emergency Economic Powers
14	Act (50 U.S.C. 1702 and 1704) for purposes of
15	carrying out this section.
16	(E) RULE OF CONSTRUCTION.—Nothing in
17	this section shall be construed to affect the
18	availability of any existing authorities to issue
19	waivers, exceptions, exemptions, licenses, or
20	other authorizations.
21	(4) SUNSET.—This section shall cease to have
22	effect on the date that is 5 years after the date of
23	the enactment of this Act.
24	(b) EXCEPTION RELATING TO IMPORTATION OF
25	Goods.—

1	(1) IN GENERAL.—A requirement to block and
2	prohibit all transactions in all property and interests
3	in property pursuant to the authority provided by
4	this section shall not include the authority or a re-
5	quirement to impose sanctions on the importation of
6	goods.
7	(2) GOOD DEFINED.—In this section, the term
8	"good" means any article, natural or manmade sub-
9	stance, material, supply or manufactured product,
10	including inspection and test equipment, and exclud-
11	ing technical data.
12	SEC. 303. EXTENSION OF SPECIAL RULES FOR HAITI
12	INDED CADIDDEAN DAGIN ECONOMIC DE
13	UNDER CARIBBEAN BASIN ECONOMIC RE-
13 14	COVERY ACT.
14	COVERY ACT.
14 15	<b>COVERY ACT.</b> (a) IN GENERAL.—Section 213A of the Caribbean
14 15 16	COVERY ACT. (a) IN GENERAL.—Section 213A of the Caribbean Basin Economic Recovery Act (19 U.S.C. 2703a) is
14 15 16 17	COVERY ACT. (a) IN GENERAL.—Section 213A of the Caribbean Basin Economic Recovery Act (19 U.S.C. 2703a) is amended—
14 15 16 17 18	COVERY ACT. (a) IN GENERAL.—Section 213A of the Caribbean Basin Economic Recovery Act (19 U.S.C. 2703a) is amended— (1) in subsection (b)—
14 15 16 17 18 19	COVERY ACT. (a) IN GENERAL.—Section 213A of the Caribbean Basin Economic Recovery Act (19 U.S.C. 2703a) is amended— (1) in subsection (b)— (A) in paragraph (1)—
<ol> <li>14</li> <li>15</li> <li>16</li> <li>17</li> <li>18</li> <li>19</li> <li>20</li> </ol>	COVERY ACT. (a) IN GENERAL.—Section 213A of the Caribbean Basin Economic Recovery Act (19 U.S.C. 2703a) is amended— (1) in subsection (b)— (A) in paragraph (1)— (i) by amending subparagraph
<ol> <li>14</li> <li>15</li> <li>16</li> <li>17</li> <li>18</li> <li>19</li> <li>20</li> <li>21</li> </ol>	COVERY ACT. (a) IN GENERAL.—Section 213A of the Caribbean Basin Economic Recovery Act (19 U.S.C. 2703a) is amended— (1) in subsection (b)— (A) in paragraph (1)— (i) by amending subparagraph (B)(v)(I) to read as follows:
<ol> <li>14</li> <li>15</li> <li>16</li> <li>17</li> <li>18</li> <li>19</li> <li>20</li> <li>21</li> <li>22</li> </ol>	COVERY ACT. (a) IN GENERAL.—Section 213A of the Caribbean Basin Economic Recovery Act (19 U.S.C. 2703a) is amended— (1) in subsection (b)— (A) in paragraph (1)— (i) by amending subparagraph (B)(v)(I) to read as follows: "(I) APPLICABLE PERCENT-

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1	2017, and ending on September 30,
2	2030."; and
3	(ii) by amending subparagraph (C) to
4	read as follows:
5	"(C) QUANTITATIVE LIMITATIONS.—The
6	preferential treatment described in subpara-
7	graph (A) shall be extended, during each period
8	after the initial applicable 1-year period, to not
9	more than 1.25 percent of the aggregate square
10	meter equivalents of all apparel articles im-
11	ported into the United States in the most re-
12	cent 12-month period for which data are avail-
13	able."; and
14	(B) in paragraph (2), by striking "in each
15	of the 16 succeeding 1-year periods" each place
16	it appears and inserting "in any of the suc-
17	ceeding 1-year periods"; and
18	(2) by amending subsection (h) to read as fol-
19	lows:
20	"(h) TERMINATION.—The duty-free treatment pro-
21	vided under this section shall remain in effect until Sep-
22	tember 30, 2030.".
23	(b) Modifications to the Harmonized Tariff
24	Schedule of the United States.—The President
25	shall proclaim such modifications as may be necessary to
25	shall proclaim such modifications as may be necessar

the Harmonized Tariff Schedule of the United States to 1 restore such special tariff treatment to articles that lost 2 3 such treatment due to prior modifications made to U.S. 4 notes, tariff headings, subheadings or statistical suffixes 5 in chapters 1 through 97 of the Harmonized Tariff Schedule of the United States before the date of the enactment 6 7 of this Act and remain eligible for such tariff treatment 8 due to the amendments made by subsection (a) to section 9 213A of the Caribbean Basin Economic Recovery Act.

#### 10 SEC. 304. REPORTS ON FOREIGN BOYCOTTS OF ISRAEL.

11 (a) IN GENERAL.—Not later than 1 year after the 12 date of the enactment of this Act, and annually thereafter, 13 the head of the Office of Antiboycott Compliance of the Bureau of Industry and Security of the Department of 14 15 Commerce shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Com-16 17 mittee on Foreign Affairs of the House of Representatives a report on foreign boycotts described in section 1773(a) 18 of the Anti-Boycott Act of 2018 (50 U.S.C. 4842(a)) tar-19 geted at the State of Israel. 20

(b) ELEMENTS.—The report required by subsection
(a) shall include a description of—

23 (1) the foreign boycotts; and

(2) the steps taken by the Secretary of Commerce to enforce the provisions of the Anti-Boycott

Act of 2018 (50 U.S.C. 4841 et seq.) with respect
 to such boycotts.

3 (c) TERMINATION.—The requirement to submit re4 ports under subsection (a) shall terminate on the date that
5 is 5 years after the date of the enactment of this Act.
6 SEC. 305. LICENSING TRANSPARENCY.

7 Section 1756 of the Export Control Reform Act of
8 2018 (50 U.S.C. 4815) is amended by adding at the end
9 the following:

10 "(e) Report.—

11 "(1) IN GENERAL.—Not later than one year 12 after the date of the enactment of this subsection, 13 and not less frequently than annually thereafter, the 14 Secretary, shall, subject to the availability of appro-15 priations, submit to the appropriate congressional 16 committees a report on license applications, enforce-17 ment actions, and other requests for authorization 18 for the export, reexport, release, and in-country 19 transfer of items controlled under this part to cov-20 ered entities.

21 "(2) ELEMENTS.—The report required by para22 graph (1) shall include, with respect to the one year
23 preceding the previous one-year period, the fol24 lowing:

1	"(A) For each license application or other
2	request for authorization, the name of the enti-
3	ty submitting the application, a brief descrip-
4	tion of the item (including the Export Control
5	Classification Number (ECCN) and level of
6	control, if applicable), the name of the end-user,
7	the end-user's location, a value estimate, deci-
8	sion with respect to the license application or
9	authorization, and the date of submission.
10	"(B) The date, location, and result of any
11	related enforcement activities, such as end-use
12	checks, to ensure compliance with United
13	States export controls.
14	"(C) Aggregate statistics on all license ap-
15	plications and other requests for authorization
16	as described in subparagraph (A).
17	"(3) Confidentiality of information.—
18	The information required to be provided in the re-
19	ports required by this subsection (other than the in-
20	formation required by paragraph $(2)(C)$ ) shall be ex-
21	empt from public disclosure pursuant to section
22	1761(h)(1).
23	"(4) DEFINITIONS.—In this subsection—
24	"(A) the term 'appropriate congressional

25 committees' means—

1	"(i) the Committee on Foreign Affairs
2	of the House of Representatives; and
3	"(ii) the Committee on Banking,
4	Housing, and Urban Affairs of the Senate;
5	and
6	"(B) the term 'covered entity' means any
7	entity that—
8	"(i) is located or operating in a coun-
9	try listed in Country Group D:5 under
10	Supplement No. 1 to part 740 of title 15,
11	Code of Federal Regulations; and
12	"(ii) is included on—
13	"(I) the list maintained and set
14	forth in Supplement No. 4 to part
15	744 of the Export Administration
16	Regulations; or
17	"(II) the list maintained and set
18	forth in Supplement No. 7 to part
19	744 of the Export Administration
20	Regulations.".

1	SEC. 306. TEN-YEAR STATUTE OF LIMITATIONS FOR EX-
2	PORT CONTROL AND ANTI-BOYCOTT VIOLA-
3	TIONS.
4	(a) EXPORT CONTROL VIOLATIONS.—Section 1760
5	of the Export Control Reform Act of 2018 (50 U.S.C.
6	4819) is amended by adding at the end the following:
7	"(g) Statute of Limitations.—
8	"(1) TIME FOR COMMENCING PROCEEDINGS.—
9	"(A) IN GENERAL.—An action, suit, or
10	proceeding for the enforcement of any civil fine,
11	penalty, or forfeiture, pecuniary or otherwise,
12	under this section may not be entertained un-
13	less the action, suit, or proceeding is com-
14	menced within the 10-year period beginning on
15	the date of the violation upon which the civil
16	fine, penalty, or forfeiture is based.
17	"(B) Commencement.—For purposes of
18	subparagraph (A), the commencement of an ac-
19	tion, suit, or proceeding includes the issuance of
20	a charging letter.
21	"(2) TIME FOR INDICTMENT.—No person may
22	be prosecuted, tried, or punished for any offense
23	under subsection (a) unless the indictment is found
24	or the information is instituted within the 10-year
25	period beginning on the latest date of the violation
26	upon which the indictment or information is based.".
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1	(b) ANTI-BOYCOTT VIOLATIONS.—Section 1774 of
2	the Export Control Reform Act of 2018 (50 U.S.C. 4843)
3	is amended by adding at the end the following:
4	"(e) Statute of Limitations.—
5	"(1) TIME FOR COMMENCING PROCEEDINGS.—
6	"(A) IN GENERAL.—An action, suit, or
7	proceeding for the enforcement of any civil fine,
8	penalty, or forfeiture, pecuniary or otherwise,
9	under this section may not be entertained un-
10	less the action, suit, or proceeding is com-
11	menced within the 10-year period beginning on
12	the date of the violation upon which the civil
13	fine, penalty, or forfeiture is based.
14	"(B) Commencement.—For purposes of
15	subparagraph (A), the commencement of an ac-
16	tion, suit, or proceeding includes the issuance of
17	a charging letter.
18	"(2) TIME FOR INDICTMENT.—No person shall
19	be prosecuted, tried, or punished for any offense
20	under section $1773(a)(1)$ unless the indictment is
21	found or the information is instituted within the 10-
22	year period beginning on the latest date of the viola-

tion upon which the indictment or information is

24 based.".

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1	TITLE IV—VETERANS
2	SEC. 401. PROTECTING REGULAR ORDER FOR VETERANS
3	ACT OF 2024.
4	(a) SHORT TITLE.—This section may be cited as the
5	"Protecting Regular Order for Veterans Act of 2024" or
6	the "PRO Veterans Act of 2024".
7	(b) Quarterly Briefings on Department of
8	VETERANS AFFAIRS BUDGETARY SHORTFALLS.—
9	(1) QUARTERLY BRIEFINGS.—
10	(A) QUARTERLY BRIEFINGS REQUIRED.—
11	During the first quarter beginning after the
12	date of the enactment of this Act and in each
13	quarter thereafter until the date that is three
14	years after the date of the enactment of this
15	Act, the Secretary of Veterans Affairs shall pro-
16	vide to the appropriate committees of Congress
17	a quarterly briefing, in person, on the budget of
18	the Department of Veterans Affairs and any
19	shortfall the Department may be experiencing.
20	(B) PLANS.—In any case in which the Sec-
21	retary informs Congress during a briefing
22	under paragraph (1) that the Department is ex-
23	periencing a shortfall, the Secretary shall, dur-
24	ing such briefing, present the plans of the Sec-
25	retary to address or mitigate the shortfall.

1	(2) DEFINITIONS.—In this subsection:
2	(A) APPROPRIATE COMMITTEES OF CON-
3	GRESS.—The term "appropriate committees of
4	Congress" means—
5	(i) the Committee on Veterans' Af-
6	fairs and the Committee on Appropriations
7	of the Senate; and
8	(ii) the Committee on Veterans' Af-
9	fairs and the Committee on Appropriations
10	of the House of Representatives.
11	(B) Shortfall.—The term "shortfall",
12	with respect to a fiscal year, means that the
13	amount of appropriations required by the De-
14	partment of Veterans Affairs for such fiscal
15	year to meet all of the statutory obligations of
16	the Department during that fiscal year exceeds
17	the amount of appropriations requested for the
18	Department for that fiscal year in the budget of
19	the President submitted pursuant to section
20	1105(a) of title 31, United States Code, for
21	that fiscal year.
22	(c) Limitations on Provision of Incentives for
23	CRITICAL SKILLS TO SENIOR EXECUTIVE SERVICE EM-
24	PLOYEES OF DEPARTMENT OF VETERANS AFFAIRS

Section 706(d) of title 38, United States Code, is amended
 by adding at the end the following:

3 "(7)(A) Subject to subparagraph (B)(ii), a critical 4 skill incentive may not be provided under paragraph (1)5 to an employee of the Department employed in a Senior Executive Service position, or a position in another com-6 7 parable system for senior-level Government employees, as 8 defined by the Secretary, whose position is at the Central 9 Office of the Department, including the Veterans Health Administration, the Veterans Benefits Administration, 10 and the National Cemetery Administration, regardless of 11 12 the actual location where the employee performs the func-13 tions of the position.

"(B)(i) A critical skill incentive provided under para-14 15 graph (1) to an employee of the Department employed in a Senior Executive Service position, or a position in an-16 other comparable system for senior-level Government em-17 18 ployees, as defined by the Secretary, not described in sub-19 paragraph (A) of this paragraph may only be provided— "(I) on an individual basis and may not be pro-2021 vided to a group of such employees; and 22 "(II) upon approval of the following officers or

those serving in an acting capacity:

1	"(aa) The Under Secretary for Benefits,
2	the Under Secretary for Health, or the Under
3	Secretary for Memorial Affairs.
4	"(bb) The Assistant Secretary for Human
5	Resources and Administration.
6	"(cc) The Director of the Office of Man-
7	agement or the Chief Financial Officer.
8	"(dd) The Assistant Secretary for Ac-
9	countability and Whistleblower Protection.
10	"(ee) The General Counsel.
11	"(ff) Such other officers as the Secretary
12	determines appropriate.
13	"(ii) In the case of an employee of the Department
14	employed in a Senior Executive Service position, or a posi-
15	tion in another comparable system for senior-level Govern-
16	ment employees, as defined by the Secretary, whose posi-
17	tion is primarily at the Central Office of the Department,
18	but who performs some portion of the employee's job func-
19	tion at other facilities of the Department, as defined by
20	the Secretary, not at Central Office—
21	"(I) the employee shall not be considered de-
22	scribed in subparagraph (A) with respect to the por-
23	tion of the employee's job function that is based out
24	of non-Central Office facilities of the Department;
25	and

"(II) any critical skill incentive provided under
paragraph (1) to the employee for the portion of the
employee's job function that is based out of facilities
of the Department other than the Central Office
shall be proportionate to the time spent at those Department facilities.

"(C)(i) Not later than one year after the date of the 7 enactment of the Protecting Regular Order for Veterans 8 9 Act of 2024, and not less frequently than once each year thereafter, the Secretary shall submit to the Committee 10 on Veterans' Affairs of the Senate and the Committee on 11 12 Veterans' Affairs of the House of Representatives an an-13 nual report on the employees of the Department employed in a Senior Executive Service position, or a position in 14 15 another comparable system for senior-level Government employees, as defined by the Secretary, who were provided 16 17 a critical skill incentive under paragraph (1).

"(ii) Reports submitted pursuant to clause (i) may
be submitted by incorporating their contents into other
congressionally mandated reports to the committees described in such clause.

"(D) In this paragraph, the term 'Senior Executive
Service position' has the meaning given such term in section 3132(a) of title 5.".

SEC. 402. IMPROVING VETERANS' EXPERIENCE ACT OF 2024.
 (a) SHORT TITLE.—This section may be cited as the
 "Improving Veterans' Experience Act of 2024".
 (b) ESTABLISHMENT OF VETERANS EXPERIENCE
 OFFICE.—

6 (1) IN GENERAL.—Chapter 3 of title 38, United
7 States Code, is amended by adding at the end the
8 following new section:

### 9 "§ 325. Veterans Experience Office

10 "(a) ESTABLISHMENT.—There is established in the
11 Department within the Office of the Secretary an office
12 to be known as the 'Veterans Experience Office' (in this
13 section referred to as the 'Office').

14 "(b) HEAD OF OFFICE.—(1) The head of the Office15 shall be the Chief Veterans Experience Officer.

16 "(2) The Chief Veterans Experience Officer shall—
17 "(A) be appointed by the Secretary from among
18 individuals the Secretary considers qualified to per19 form the duties of the position;

20 "(B) report directly to the Secretary; and

21 "(C) be responsible for carrying out the func22 tions of the Office set forth under subsection (c).

23 "(c) FUNCTION.—The functions of the Office are as24 follows:

25 "(1) Carrying out the key customer experience
26 initiatives of the Department relating to veterans'
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1	and other beneficiaries' satisfaction with and usage
2	of benefits and services furnished under laws admin-
3	istered by the Secretary for which they are eligible,
4	including setting the strategy, framework, policy,
5	and other guidance for the Department relating to
6	customer experience, including ensuring the activi-
7	ties of the Office and those of other organizations
8	and offices within the Department are coordinated
9	and not duplicative.
10	"(2) Requiring the heads of other organizations
11	and offices within the Department to report regu-
12	larly on customer experience metrics, action plans,
13	and other customer experience improvement efforts
14	to the Chief Veterans Experience Officer.
15	"(3) Collecting veteran-derived data—
16	"(A) to determine veteran and beneficiary
17	satisfaction with and usage of the benefits and
18	services furnished under laws administered by
19	the Secretary for which they are eligible; and
20	"(B) to be considered during policymaking.
21	"(4) Providing strategic guidance and strategies
22	to Department entities for engaging with veterans
23	and beneficiaries regarding benefits and services fur-
24	nished under laws administered by the Secretary, in-
25	cluding those not using such benefits and services.

"(5) Assessing and advising the Secretary on
 the accuracy and helpfulness of the websites and
 other customer-facing information of the Depart ment, be it available electronically or in any other
 format.

6 "(6) Assessing and advising the Secretary on
7 the status and opportunities for improvement of the
8 customer service efforts of the Department.

9 "(d) REPORTS.—(1) Each year, the Chief Veterans 10 Experience Officer shall submit to the Secretary a sum-11 mary of the data received by the Chief Veterans Experi-12 ence Officer under subsection (c)(2).

"(2) Each year, not later than 180 days after the
date on which the Secretary receives the summary under
paragraph (1), the Secretary shall submit to Congress an
annual summary and analysis of the matters summarized
pursuant to such paragraph.

18 "(3) Each annual summary submitted pursuant to19 paragraph (2) shall include the following:

"(A) Data regarding customer service and experience feedback, disaggregated by benefit or service
furnished under laws administered by the Secretary,
and relevant demographic data of the veterans and
beneficiaries providing the feedback.

1	"(B) Data regarding veteran and beneficiary
2	satisfaction with and usage of benefits or services,
3	disaggregated by benefit or service furnished under
4	laws administered by the Secretary, and relevant de-
5	mographic data of the veterans and beneficiaries
6	providing the feedback, including—
7	"(i) potential reasons for not using the
8	benefits or services, such as—
9	"(I) eligibility;
10	"(II) lack of knowledge or awareness
11	of existence of benefit or service;
12	"(III) barriers of technology, informa-
13	tion, or time; and
14	"(IV) other related reasons; and
15	"(ii) an analysis of how such reasons may
16	be addressed.
17	"(e) Staff and Resources.—(1) The Secretary
18	shall ensure that—
19	"(A) the Office has such staff, resources, and
20	access to customer service and experience informa-
21	tion as may be necessary to carry out the functions
22	of the Office; and
23	"(B) any information provided to the Office
24	does not include personally identifiable information
25	of an individual veteran, survivor, dependent, or

other beneficiary unless such individual provides ap propriate consent to allow such information to be
 shared with the Office.

"(2) Funds available for basic pay and other adminis-4 5 trative expenses of other Department organizations and offices may be available to reimburse the Office for all 6 7 services provided at rates which will recover actual costs 8 for services provided to such organizations if the Secretary 9 determines that contributing to such costs will not under-10 mine the ability of any such organization or office to provide services required by such office. 11

12 "(3) Nothing in this subsection shall be construed to
13 authorize an increase in the number of full-time employees
14 otherwise authorized for the Department.

"(f) PRIVACY.—Nothing in this section shall be construed to authorize the Chief Veterans Experience Officer
to disclose any record in contravention of section 552a of
title 5 (commonly referred to as the 'Privacy Act of
19 1974').

20 "(g) SUNSET.—The requirements and authorities of
21 this section shall terminate on September 30, 2028.".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 3 of such title is
amended by adding at the end the following new
item:

"325. Veterans Experience Office.".

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(c) COMPTROLLER GENERAL REVIEW OF VETERANS
 EXPERIENCE OFFICE AND CUSTOMER SERVICE IMPROVE MENT EFFORTS.—Not later than 540 days after the date
 of the enactment of this Act, the Comptroller General of
 the United States shall—

6 (1) complete an analysis of the methodology, ef-7 fectiveness, and implementation of findings and 8 feedback of veterans and beneficiaries used by the 9 Department of Veterans Affairs, including the Vet-10 erans Experience Office, to improve veteran and 11 beneficiary customer experience and satisfaction, in-12 cluding through the use of what are known as 13 "trust-scores", Veteran Signals also known as 14 "VSignals", and related survey and data collection 15 activities, processes, and initiatives; and

16 (2) submit to the Committee on Veterans' Af17 fairs of the Senate and the Committee on Veterans'
18 Affairs of the House of Representatives a report set19 ting forth the findings of the Comptroller General
20 with respect to the analysis completed pursuant to
21 paragraph (1).

1	SEC. 403. NAMING THE DEPARTMENT OF VETERANS AF
2	FAIRS COMMUNITY-BASED OUTPATIENT
3	CLINIC IN PLANO, TEXAS, AS THE "U.S. CON-
4	GRESSMAN SAM JOHNSON MEMORIAL VA
5	CLINIC".

6 (a) SHORT TITLE.—This section may be cited as the
7 "U.S. Congressman Sam Johnson Memorial VA Clinic
8 Act".

9 (b) NAME OF DEPARTMENT OF VETERANS AFFAIRS 10 COMMUNITY-BASED OUTPATIENT CLINIC, PLANO, TEXAS.— The Department of Veterans Affairs commu-11 nity-based outpatient clinic in Plano, Texas, shall after the 12 13 date of the enactment of this Act be known and designated as the "U.S. Congressman Sam Johnson Memorial VA 14 15 Clinic". Any reference to such clinic in any law, regulation, map, document, record, or other paper of the United 16 17 States shall be considered to be a reference to the U.S. Congressman Sam Johnson Memorial VA Clinic. 18

#### 19 SEC. 404. EDDIE BERNICE JOHNSON VA MEDICAL CENTER.

20 (a) FINDINGS.—Congress finds the following:

- (1) Congresswoman Eddie Bernice Johnson
  served the veteran community diligently during her
  16 years working as the Chief Psychiatric Nurse of
  the Dallas VA Medical Center.
- 25 (2) Throughout her 30 years in Congress,
  26 Eddie Bernice Johnson introduced numerous bills
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that sought to honor and serve the patriots who so
 nobly served their country.

(3) Congresswoman Johnson introduced, and 3 won passage of, the Dr. James Allen Veteran Vision 4 Equity Act of 2007 (Public Law 110–157; 38) 5 6 U.S.C. 101 note), which assists those wounded in 7 service in receiving the treatment they need, and in-8 creases the dignity shown to those who gave their 9 last full measure of devotion to the country that they 10 served.

(4) Congresswoman Eddie Bernice Johnson was
a trailblazer who worked tirelessly on behalf of
American veterans and has earned the respect and
honor of her native city of Dallas, State of Texas,
the United States, and the Congress.

16 (b) DESIGNATION OF THE EDDIE BERNICE JOHNSON17 VA MEDICAL CENTER.—

(1) DESIGNATION.—The Dallas Veterans Center of the Department of Veterans Affairs located at
4500 South Lancaster Road, Dallas, Texas, shall,
after the date of the enactment of this Act, be
known and designated as the "Eddie Bernice Johnson VA Medical Center".

24 (2) REFERENCE.—Any reference in any law,
25 regulation, map, document, paper, or other record of

the United States to the veterans center referred to
 in paragraph (1).

# **3 TITLE V—COMPREHENSIVE OUT-**

# 4 BOUND INVESTMENT NA5 TIONAL SECURITY ACT OF 6 2024

## 7 SEC. 1. SHORT TITLE.

8 This title may be cited as the "Comprehensive Out9 bound Investment National Security Act of 2024" or
10 "COINS Act of 2024".

### 11 SEC. 2. SECRETARY DEFINED.

12 Except as otherwise provided, in this title, the term13 "Secretary" means the Secretary of the Treasury.

# 14 SEC. 3. SEVERABILITY.

15 If any provision of this title, or the application there-16 of, is held invalid, the validity of the remainder of this 17 title and the application of such provision to other persons 18 and circumstances shall not be affected thereby.

# 19 SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There is authorized to be appropriated \$150,000,000 to the Department of the Treasury,
out of which amounts may be transferred to the Department of Commerce to jointly conduct outreach to industry
and persons affected by this title, for each of the first two

1 fiscal years beginning on or after the date of the enact-2 ment of this Act, to carry out this title.

- 3 (b) HIRING AUTHORITY.—
- 4 (1) BY THE PRESIDENT.—The President may
  5 appoint, without regard to the provisions of sections
  6 3309 through 3318 of title 5, United States Code,
  7 not more than 15 individuals directly to positions in
  8 the competitive service (as defined in section 2102 of
  9 that title) to carry out this title.

10 (2) BY AGENCIES.—The Secretary and the Sec-11 retary of Commerce may appoint, without regard to 12 the provisions of sections 3309 through 3318 of title 13 5, United States Code, individuals directly to posi-14 tions in the competitive service (as defined in section 15 2102 of that title) of the Department of the Treas-16 ury and the Department of Commerce, respectively, 17 to carry out this title.

#### 18 SEC. 5. TERMINATION.

19 This title shall cease to have any force or effect on 20 the date on which the Secretary of Commerce revises sec-21 tion 791.4 of title 15, Code of Federal Regulations, to re-22 move the People's Republic of China from the list of for-23 eign adversaries contained in such section.

# 1 Subtitle A—Imposition of Sanctions

#### 2 SEC. 101. IMPOSITION OF SANCTIONS.

3 (a) IN GENERAL.—The President may impose the
4 sanctions described in subsection (b) with respect to any
5 foreign person determined by the Secretary, in consulta6 tion with the Secretary of State, to be a covered foreign
7 person.

8 (b) SANCTIONS DESCRIBED.—The President may ex-9 ercise all of the powers granted to the President under 10 the International Emergency Economic Powers Act (50 11 U.S.C. 1701 et seq.) to the extent necessary to block and 12 prohibit all transactions in property and interests in prop-13 erty of a foreign person that is determined to be a covered 14 foreign person pursuant to subsection (a) if such property 15 and interests in property are in the United States, come within the United States, or are or come within the posses-16 sion or control of a United States person. 17

(c) PENALTIES.—The penalties provided for in subsections (b) and (c) of section 206 of the International
Emergency Economic Powers Act (50 U.S.C. 1705) shall
apply to any person who violates, attempts to violate, conspires to violate, or causes a violation of any prohibition
of this section, or an order or regulation prescribed under
this section, to the same extent that such penalties apply

1 to a person that commits an unlawful act described in sec2 tion 206(a) of such Act (50 U.S.C. 1705(a)).

3 (d) EXCEPTION FOR INTELLIGENCE AND LAW EN-4 FORCEMENT ACTIVITIES.—Sanctions under this section 5 shall not apply with respect to any activity subject to the 6 reporting requirements under title V of the National Secu-7 rity Act of 1947 (50 U.S.C. 3091 et seq.) or any author-8 ized intelligence activities of the United States.

9 (e) EXCEPTION FOR UNITED STATES GOVERNMENT 10 ACTIVITIES.—Nothing in this section shall prohibit trans-11 actions for the conduct of the official business of the Fed-12 eral Government by employees, grantees, or contractors 13 thereof.

(f) REPORT TO CONGRESS.—Not later than 365 days
after the date of the enactment of this Act, and annually
thereafter for 7 years, the Secretary shall submit to the
appropriate congressional committees a report that—

(1) states whether each foreign person on the
Non-SDN Chinese Military-Industrial Complex Companies List is a covered foreign person; and

21 (2) shall be submitted in unclassified form, but22 may include a classified annex.

(g) CONSIDERATION OF CERTAIN INFORMATION IN
IMPOSING SANCTIONS.—In determining whether a foreign
person is a covered foreign person, the President—

(1) may consider credible information obtained by other countries, nongovernmental organizations, or the appropriate congressional committees that relates to the foreign person; and (2) may consider any other information that the Secretary deems relevant. (h) ADMINISTRATIVE PROVISIONS.—The President may exercise all authorities provided under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out this section. (i) DELEGATION.—The President shall delegate the authorities granted by this section to the Secretary. SEC. 102. DEFINITIONS. In this subtitle: (1)APPROPRIATE CONGRESSIONAL COMMIT-TEES.—The term "appropriate congressional committees" means— (A) the Committee on Financial Services and the Committee on Foreign Affairs of the House of Representatives; and (B) the Committee on Banking, Housing,

and Urban Affairs and the Committee on Foreign Relations of the Senate.

24 (2) COUNTRY OF CONCERN.—The term "coun25 try of concern"—

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1	(A) means the People's Republic of China;
2	and
3	(B) includes the Hong Kong Special Ad-
4	ministrative Region and the Macau Special Ad-
5	ministrative Region.
6	(3) COVERED FOREIGN PERSON.—The term
7	"covered foreign person" means a foreign person—
8	(A)(i) that is incorporated in, has a prin-
9	cipal place of business in, or is organized under
10	the laws of a country of concern;
11	(ii) the equity securities of which are pri-
12	marily traded in the ordinary course of business
13	on one or more exchanges in a country of con-
14	cern;
15	(iii) that is a member of the Central Com-
16	mittee of the Chinese Communist Party;
17	(iv) that is the state or the government of
18	a country of concern, as well as any political
19	subdivision, agency, or instrumentality thereof;
20	(v) that is subject to the direction or con-
21	trol of any entity described in clause (i), (ii),
22	(iii), or (iv); or
23	(vi) that is owned in the aggregate, directly
24	or indirectly, 50 percent or more by an entity

1	or a group of entities described in clause (i),
2	(ii), (iii), or (iv); and
3	(B) that knowingly engaged in significant
4	operations in the defense and related materiel
5	sector or the surveillance technology sector of
6	the economy of a country of concern.
7	(4) FOREIGN PERSON.—The term "foreign per-
8	son" means a person, country, state, or government
9	(and any political subdivision, agency, or instrumen-
10	tality thereof) that is not a United States person.
11	(5) Non-SDN chinese military-industrial
12	COMPLEX COMPANIES LIST.—The term "Non-SDN
13	Chinese Military-Industrial Complex Companies
14	List" means the list maintained by the Office of
15	Foreign Assets Control of the Department of the
16	Treasury under Executive Order 13959, as amended
17	by Executive Order 14032 (50 U.S.C. 1701 note; re-
18	lating to addressing the threat from securities in-
19	vestments that finance certain companies of the Peo-
20	ple's Republic of China), or any successor order.
21	(6) UNITED STATES PERSON.—The term
22	"United States person" means—
23	(A) any United States citizen or an alien
24	lawfully admitted for permanent residence to

25 the United States;

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1	(B) an entity organized under the laws of
2	the United States or of any jurisdiction within
3	the United States (including any foreign branch
4	of such an entity); or
5	(C) any person in the United States.
6	Subtitle B—Prohibition and Notifi-
7	cation on Investments Relating
8	to Covered National Security
9	Transactions
10	SEC. 111. PROHIBITION AND NOTIFICATION ON INVEST-
11	MENTS RELATING TO COVERED NATIONAL
12	SECURITY TRANSACTIONS.
13	The Defense Production Act of 1950 (50 U.S.C.
14	4501 et seq.) is amended by adding at the end the fol-
15	lowing:
16	<b>"TITLE VIII—PROHIBITION AND</b>
17	NOTIFICATION ON INVEST-
18	MENTS RELATING TO COV-
19	ERED NATIONAL SECURITY
20	TRANSACTIONS
21	"SEC. 801. PROHIBITION ON INVESTMENTS.
22	"(a) IN GENERAL.—The Secretary may prohibit, in

accordance with regulations issued under subsection (e),
a United States person from knowingly engaging in a cov-

ered national security transaction in a prohibited tech nology.

3 "(b) EVASION.—Any transaction by a United States
4 person or within the United States that evades or avoids,
5 has the purpose of evading or avoiding, causes a violation
6 of, or attempts to violate the prohibition set forth in sub7 section (a) is prohibited.

8 "(c) WAIVER.—Subject to subsection (d), the Sec-9 retary is authorized to exempt from the prohibition set 10 forth in subsection (a) any activity determined by the 11 President, in consultation with the Secretary, the Sec-12 retary of Commerce and, as appropriate, the heads of 13 other relevant Federal departments and agencies, to be in 14 the national interest of the United States.

15 "(d) CONGRESSIONAL NOTIFICATION.—The Sec-16 retary shall—

17 "(1) notify the appropriate congressional com18 mittees not later than 5 business days after issuing
19 a waiver under subsection (c); and

20 "(2) include in such notification an identifica21 tion of the national interest justifying the use of the
22 waiver.

23 "(e) Regulations.—

24 "(1) IN GENERAL.—The Secretary, in consulta-25 tion with the Secretary of Commerce and, as appro-

1	priate, the heads of other relevant Federal depart-
2	ments and agencies, may issue regulations to carry
3	out this section in accordance with subchapter II of
4	chapter 5 and chapter 7 of title 5, United States
5	Code (commonly known as 'Administrative Proce-
6	dure Act').
7	"(2) Non-binding feedback.—
8	"(A) IN GENERAL.—The regulations issued
9	under paragraph (1) shall include a process
10	under which a person can request non-binding
11	feedback on a confidential basis as to whether
12	a transaction would constitute a covered na-
13	tional security transaction in a prohibited tech-
14	nology.
15	"(B) Authority to limit frivolous
16	FEEDBACK REQUESTS.—In establishing the
17	process required by subparagraph (A), the Sec-
18	retary may prescribe limitations on requests for
19	feedback identified as frivolous for purposes of
20	this subsection.
21	"(3) Notice and opportunity to cure.—
22	"(A) IN GENERAL.—The regulations issued
23	under paragraph (1) shall account for whether
24	a United States person has self-identified a vio-
25	lation of the prohibition set forth in subsection

(a) in determining the legal consequences of that violation.

3 "(B) SELF-DISCLOSURE LETTERS.—The 4 regulations issued under paragraph (1) shall 5 dictate the form and content of a letter of self-6 disclosure, which shall include relevant facts 7 about the violation, why the United States per-8 son believes its activity to have violated the pro-9 hibition set forth in subsection (a), and a pro-10 posal for mitigation of the harm of such action. "(4) Public Notice and comment.—The reg-11 12 ulations issued under paragraph (1) shall be subject 13 to public notice and comment.

14 "(5) LOW-BURDEN REGULATIONS.—In issuing
15 regulations under paragraph (1), the Secretary shall
16 balance the priority of protecting the national secu17 rity interest of the United States while, to the extent
18 practicable—

19 "(A) minimizing the cost and complexity of
20 compliance for affected parties, including the
21 duplication of reporting requirements under
22 current regulations;

23 "(B) adopting the least burdensome alter24 native that achieves regulatory objectives; and

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1	"(C) prioritizing transparency and stake-
2	holder involvement in the process of issuing the
3	rules.
4	"(6) Penalties.—
5	"(A) IN GENERAL.—The regulations issued
6	under paragraph (1) shall provide for the impo-
7	sition of civil penalties described in subpara-
8	graph (B) for violations of the prohibition set
9	forth in subsection (a).
10	"(B) Penalties described.—
11	"(i) UNLAWFUL ACTS.—It shall be
12	unlawful for a person to violate, attempt to
13	violate, conspire to violate, or cause a vio-
14	lation of any license, order, regulation, no-
15	tification requirement, or prohibition
16	issued under this section.
17	"(ii) CIVIL PENALTY.—The Secretary
18	may impose a civil penalty on any person
19	who commits an unlawful act described in
20	clause (i) in an amount not to exceed the
21	greater of—
22	((I) \$250,000; or
23	"(II) an amount that is twice the
24	amount of the transaction that is the

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1	basis of the violation with respect to
2	which the penalty is imposed.
3	"(iii) Divestment.—The Secretary
4	may compel the divestment of a covered
5	national security transaction in a prohib-
6	ited technology determined to be in viola-
7	tion of this title.
8	"(iv) Relief.—The President may di-
9	rect the Attorney General of the United
10	States to seek appropriate relief, including
11	divestment relief, in the district courts of
12	the United States, in order to implement
13	and enforce this title.
14	"(7) BURDEN OF PROOF.—In accordance with
15	section 556(d) of title 5, United States Code, in an
16	enforcement action for a violation of the prohibition
17	set forth in subsection (a), the burden of proof shall
18	be upon the Secretary.
19	"SEC. 802. NOTIFICATION ON INVESTMENTS.
20	"(a) MANDATORY NOTIFICATION.—Not later than
21	450 days after the date of the enactment of this title, the
22	Secretary shall issue regulations prescribed in accordance
23	with subsection (b), to require a United States person that
24	engages in a covered national security transaction in a
25	prohibited technology (unless the Secretary has exercised

the authority provided by section 801(a) to prohibit know ingly engaging in such covered national security trans action) or a notifiable technology to submit to the Sec retary a written notification of the transaction not later
 than 30 days after the completion date of the transaction.

6 "(b) REGULATIONS.—

7 "(1) IN GENERAL.—Not later than 450 days after the date of the enactment of this title, the Sec-8 9 retary, in consultation with the Secretary of Com-10 merce and, as appropriate, the heads of other rel-11 evant Federal departments and agencies, shall issue 12 regulations to carry out this section in accordance 13 with subchapter II of chapter 5 and chapter 7 of 14 title 5, United States Code (commonly known as 15 'Administrative Procedure Act').

16 "(2) PUBLIC NOTICE AND COMMENT.—The reg17 ulations issued under paragraph (1) shall be subject
18 to public notice and comment.

19 "(3) LOW-BURDEN REGULATIONS.—In issuing
20 regulations under paragraph (1), the Secretary shall
21 balance the priority of protecting the national secu22 rity interest of the United States while, to the extent
23 practicable—

24 "(A) minimizing the cost and complexity of25 compliance for affected parties, including the

1	duplication of reporting requirements under
2	current regulation;
3	"(B) adopting the least burdensome alter-
4	native that achieves regulatory objectives; and
5	"(C) prioritizing transparency and stake-
6	holder involvement in the process of issuing the
7	rules.
8	"(4) Penalties.—
9	"(A) IN GENERAL.—The regulations issued
10	under paragraph (1) shall provide for the impo-
11	sition of civil penalties described in subpara-
12	graph (B) for violations of the notification re-
13	quirement set forth in subsection (a).
14	"(B) Penalties described.—
15	"(i) UNLAWFUL ACTS.—It shall be
16	unlawful for a person to violate, attempt to
17	violate, conspire to violate, or cause a vio-
18	lation of any license, order, regulation, no-
19	tification requirement, or prohibition
20	issued under this section.
21	"(ii) CIVIL PENALTY.—A civil penalty
22	may be imposed on any person who com-
23	mits an unlawful act described in clause (i)
24	in an amount not to exceed the greater
25	of—

1	"(I) \$250,000; or
2	"(II) an amount that is twice the
3	amount of the transaction that is the
4	basis of the violation with respect to
5	which the penalty is imposed.
6	"(5) BURDEN OF PROOF.—In accordance with
7	section 556(d) of title 5, United States Code, in an
8	enforcement action for a violation of the prohibition
9	set forth in subsection (a), the burden of proof shall
10	be upon the Secretary.
11	"(6) Completeness of notification.—
12	"(A) IN GENERAL.—The Secretary shall,
13	upon receipt of a notification under subsection
14	(a), and in consultation with the Secretary of
15	Commerce, promptly inspect the notification for
16	completeness.
17	"(B) Incomplete notifications.—If a
18	notification submitted under subsection (a) is
19	incomplete, the Secretary shall promptly inform
20	the United States person that submits the noti-
21	fication that the notification is not complete
22	and provide an explanation of relevant material
23	respects in which the notification is not com-
24	plete.

1	"(7) Identification of non-notified activ-
2	ITY.—The Secretary, in coordination with the Sec-
3	retary of Commerce, shall establish a process to
4	identify covered national security transactions in a
5	prohibited technology or a notifiable technology for
6	which—
7	"(A) a notification is not submitted to the
8	Secretary under subsection (a); and
9	"(B) information is reasonably available.
10	"(c) Confidentiality of Information.—
11	"(1) IN GENERAL.—Except as provided in para-
12	graph (2), any information or documentary material
13	filed with the Secretary pursuant to this section
14	shall be exempt from disclosure under section
15	552(b)(3) of title 5, United States Code, and no
16	such information or documentary material may be
17	made public by any government agency or Member
18	of Congress.
19	"(2) EXCEPTIONS.—The exemption from disclo-
20	sure provided by paragraph (1) shall not prevent the
21	disclosure of the following:
22	"(A) Information relevant to any adminis-
23	trative or judicial action or proceeding.

1	"(B) Information provided to Congress or
2	any of the appropriate congressional commit-
3	tees.
4	"(C) Information important to the national
5	security analysis or actions of the Secretary to

6 any domestic governmental entity, or to any 7 foreign governmental entity of an ally or part-8 ner of the United States, under the direction 9 and authorization of the Secretary, only to the 10 extent necessary for national security purposes, 11 and subject to appropriate confidentiality and 12 classification requirements.

13 "(D) Information that the parties have14 consented to be disclosed to third parties.

15 "(E) Information where the disclosure of
16 such information is determined by the Secretary
17 to be in the national security interest.

"(d) INAPPLICABILITY.—If the Secretary prohibits a
covered national security transaction in a prohibited technology under section 801, the requirements of this section
shall not apply with respect to the covered national security transaction.

## 23 "SEC. 803. REPORT.

24 "(a) IN GENERAL.—Not later than one year after the25 date on which the regulations issued under section 801(e)

1	take effect, and not less frequently than annually there-
2	after for 7 years, the Secretary, in consultation with the
3	Secretary of Commerce, shall submit to the appropriate
4	congressional committees a report that—
5	((1) lists all enforcement actions taken subject
6	to the regulations during the year preceding submis-
7	sion of the report, which includes, with respect to
8	each such action, a description of—
9	"(A) the prohibited technology or notifiable
10	technology;
11	"(B) the covered national security trans-
12	action; and
13	"(C) the covered foreign person;
14	((2)) provides an assessment of whether Con-
15	gress should amend the definition of the term 'pro-
16	hibited technology' by—
17	"(A) identifying additional technologies,
18	not currently listed as a prohibited technology,
19	that the Secretary, in consultation with the Sec-
20	retary of Commerce and, as applicable, the Sec-
21	retary of Defense, the Secretary of State, the
22	Secretary of Energy, the Director of National
23	Intelligence, and the heads of any other rel-
24	evant Federal agencies, determines may pose an
25	acute threat to the national security of the

1	United States if developed or acquired by a
2	country of concern;
3	"(B) explaining why each technology iden-
4	tified in subparagraph (A) may pose an acute
5	threat to the national security of the United
6	States if developed or acquired by a country of
7	concern; and
8	"(C) recommending the repeal of tech-
9	nologies from the category of prohibited tech-
10	nology to the extent that the technologies no
11	longer pose an acute threat to the national se-
12	curity of the United States if developed or ac-
13	quired by a country of concern;
14	"(3) lists all notifications submitted under sec-
15	tion 802 during the year preceding submission of the
16	report and includes, with respect to each such notifi-
17	cation—
18	"(A) basic information on each party to
19	the covered national security transaction with
20	respect to which the notification was submitted;
21	and
22	"(B) the nature of the covered national se-
23	curity transaction that was the subject to the
24	notification, including the elements of the cov-

1	ered national security transaction that neces-
2	sitated a notification;
3	"(4) includes a summary of those notifications,
4	disaggregated by prohibited technology, notifiable
5	technology, by covered national security transaction,
6	and by country of concern;
7	"(5) provides additional context and informa-
8	tion regarding trends in the prohibited technology,
9	notifiable technology, the types of covered national
10	security transaction, and the countries involved in
11	those notifications; and
12	"(6) assesses the overall impact of those notifi-
13	cations, including recommendations for—
14	"(A) expanding existing Federal programs
15	to support the production or supply of prohib-
16	ited technologies or notifiable technologies in
17	the United States, including the potential of ex-
18	isting authorities to address any related na-
19	tional security concerns;
20	"(B) investments needed to enhance pro-
21	hibited technologies or notifiable technologies
22	and reduce dependence on countries of concern
23	regarding those technologies; and
24	"(C) the continuation, expansion, or modi-
25	fication of the implementation and administra-

1 tion of this title, including recommendations 2 with respect to whether the definition of the term 'country of concern' under section 807(2)3 4 should be amended to add or remove countries. 5 "(b) Consideration of Certain Information.— In preparing the report pursuant to subsection (a), the 6 7 Secretary-8 "(1) shall consider information provided jointly 9 by the chairperson and ranking member of any of 10 the appropriate congressional committees; 11 "(2) may consider credible information obtained

12 by other countries and nongovernmental organiza-13 tions that monitor the military, surveillance, intel-14 ligence, or technology capabilities of a country of 15 concern; and

16 "(3) may consider any other information that17 the Secretary deems relevant.

18 "(c) FORM OF REPORT.—Each report required by
19 this section shall be submitted in unclassified form, but
20 may include a classified annex.

21 "(d) TESTIMONY REQUIRED.—Not later than one 22 year after the date of the enactment of this title, and an-23 nually thereafter for five years, the Secretary and the Sec-24 retary of Commerce shall each provide to the Committee 25 on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of
 Representatives testimony with respect to the national se curity threats relating to investments by United States
 persons in countries of concern and broader international
 capital flows.

6 "(e) REQUESTS BY APPROPRIATE CONGRESSIONAL
7 COMMITTEES.—

8 "(1) IN GENERAL.—After receiving a request 9 that meets the requirements of paragraph (2) with 10 respect to whether a technology should be included 11 in the amendments as described in subsection (a)(2), 12 the Secretary shall, in preparing the report pursuant 13 to subsection (a)—

14 "(A) determine if that technology may
15 pose an acute threat to the national security of
16 the United States if developed or acquired by a
17 country of concern; and

18 "(B) include in the report pursuant to sub19 section (a) an explanation with respect to that
20 determination that includes—

21 "(i) a statement of whether or not the
22 technology, as determined by the Sec23 retary, may pose an acute threat to the na24 tional security of the United States if de-

1	veloped or acquired by a country of con-
2	cern; and
3	"(ii) if the Secretary determines
4	that—
5	"(I) the technology may pose an
6	acute threat to the national security
7	of the United States if developed or
8	acquired by a country of concern, an
9	explanation for such determination
10	and a recommendation whether that
11	technology should be named a prohib-
12	ited technology or a notifiable tech-
13	nology; and
14	"(II) the technology would not
15	pose an acute threat to the national
16	security of the United States if devel-
17	oped or acquired by a country of con-
18	cern, an explanation for such deter-
19	mination.
20	"(2) REQUIREMENTS.—A request under para-
21	graph (1) with respect to whether a technology may
22	pose an acute threat to the national security of the
23	United States if developed or acquired by a country
24	of concern shall be submitted to the Secretary in
25	writing jointly by the chairperson and ranking mem-

ber of one or more of the appropriate congressional
 committees.

## 3 "SEC. 804. MULTILATERAL ENGAGEMENT AND COORDINA4 TION.

5 "(a) AUTHORITIES.—The Secretary, in coordination
6 with the Secretary of State, the Secretary of Commerce,
7 and the heads of other relevant Federal agencies, should—

8 "(1) conduct bilateral and multilateral engage-9 ment with the governments of countries that are al-10 lies and partners of the United States to promote 11 and increase coordination of protocols and proce-12 dures to facilitate the effective implementation of 13 and appropriate compliance with the prohibitions 14 pursuant to this title;

"(2) upon adoption of protocols and procedures
described in paragraph (1), work with those governments to establish mechanisms for sharing information, including trends, with respect to such activities;
and

"(3) work with and encourage the governments
of countries that are allies and partners of the
United States to develop similar mechanisms of their
own, for the exclusive purpose of preventing the development or acquisition of prohibited technologies
by a country of concern.

1 "(b) STRATEGY FOR MULTILATERAL ENGAGEMENT 2 AND COORDINATION.—Not later than 180 days after the 3 date of the enactment of this title, the Secretary, in con-4 sultation with the Secretary of State, the Secretary of 5 Commerce, and the heads of other relevant Federal agen-6 cies, should—

7 "(1) develop a strategy to work with the gov-8 ernments of countries that are allies and partners of 9 the United States to develop mechanisms that are 10 comparable to the prohibitions pursuant to this title, 11 for the exclusive purpose of preventing the develop-12 ment and acquisition of prohibited technologies by a 13 country of concern; and

"(2) assess opportunities to provide technical
assistance to those countries with respect to the development of those mechanisms.

17 "(c) REPORT.—Not later than one year after the date
18 of the enactment of this title, and annually thereafter for
19 four years, the Secretary shall submit to the appropriate
20 congressional committees a report that includes—

"(1) a discussion of any strategy developed pursuant to subsection (b)(1), including key tools and
objectives for the development of comparable mechanisms by the governments of allies and partners of
the United States;

1	"(2) a list of partner and allied countries to
2	target for cooperation in developing their own prohi-
3	bitions;
4	"(3) the status of the strategy's implementation
5	and outcomes; and
6	"(4) a description of impediments to the estab-
7	lishment of comparable mechanisms by governments
8	of allies and partners of the United States.
9	"(d) Appropriate Congressional Committees
10	DEFINED.—In this section, the term 'appropriate congres-
11	sional committees' means—
12	"(1) the Committee on Foreign Relations and
13	the Committee on Banking, Housing, and Urban Af-
14	fairs of the Senate; and
15	"(2) the Committee on Foreign Affairs and the
16	Committee on Financial Services of the House of
17	Representatives.
18	"SEC. 805. PUBLIC DATABASE OF COVERED FOREIGN PER-
19	SONS.
20	"(a) IN GENERAL.—The Secretary, in consultation
21	with the Secretary of Commerce, may establish a publicly
22	accessible, non-exhaustive database that identifies covered
23	foreign persons in a prohibited technology pursuant to this
24	title.

"(b) CONFIDENTIALITY OF EVIDENCE.—The Secretary shall establish a mechanism for the public, including Congress, stakeholders, investors, and nongovernmental organizations, to submit evidence on a confidential basis regarding whether a foreign person is a covered for-

6 eign person in a prohibited technology and should be in7 cluded in the database described in subsection (a), if any.
8 "(c) EXEMPTION FROM DISCLOSURE.—

9 "(1) IN GENERAL.—Except as provided in para-10 graph (2), any information or documentary material 11 filed with the Secretary pursuant to this section 12 shall be exempt from disclosure under section 13 552(b)(3) of title 5, United States Code, and no 14 such information or documentary material may be 15 made public (other than the identity of a covered 16 foreign person in accordance with subsection (b)).

17 "(2) EXCEPTIONS.—Paragraph (1) shall not18 prohibit the disclosure of the following:

19 "(A) Information relevant to any adminis-20 trative or judicial action or proceeding.

21 "(B) Information to Congress or any duly
22 authorized committee or subcommittee of Con23 gress.

24 "(C) Information important to the national
25 security analysis or actions of the Secretary to

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1any domestic governmental entity, or to any2foreign governmental entity of a United States3ally or partner, under the exclusive direction4and authorization of the Secretary, only to the5extent necessary for national security purposes,6and subject to appropriate confidentiality and7classification requirements.

8 "(D) Information that the parties have9 consented to be disclosed to third parties.

"(d) RULE OF CONSTRUCTION.—The database described in subsection (a), if any, shall not be considered
to be an exhaustive or comprehensive list of covered foreign persons for the purposes of this title.

## 14 "SEC. 806. RULE OF CONSTRUCTION.

15 "Nothing in this title may be construed to negate the 16 authority of the President under any authority, process, 17 regulation, investigation, enforcement measure, or review 18 provided by or established under any other provision of 19 Federal law, or any other authority of the President or 20 the Congress under the Constitution of the United States.

## 21 "SEC. 807. DEFINITIONS.

22 "In this title:

23 "(1) APPROPRIATE CONGRESSIONAL COMMIT24 TEES.—Except as provided by section 804(d), the

1	term 'appropriate congressional committees'
2	means—
3	"(A) the Committee on Financial Services,
4	the Committee on Foreign Affairs, the Com-
5	mittee on Energy and Commerce, and the Com-
6	mittee on Appropriations of the House of Rep-
7	resentatives; and
8	"(B) the Committee on Banking, Housing,
9	and Urban Affairs and the Committee on Ap-
10	propriations of the Senate.
11	"(2) Country of concern.—The term 'coun-
12	try of concern'—
13	"(A) means the People's Republic of
14	China; and
15	"(B) includes the Hong Kong Special Ad-
16	ministrative Region and the Macau Special Ad-
17	ministrative Region.
18	"(3) COVERED FOREIGN PERSON.—Subject to
19	regulations prescribed in accordance with this title,
20	the term 'covered foreign person' means a foreign
21	person that—
22	"(A) is incorporated in, has a principal
23	place of business in, or is organized under the
24	laws of a country of concern;

1	"(B) is a member of the Central Com-
2	mittee of the Chinese Communist Party;
3	"(C) is subject to the direction or control
4	of a country of concern, an entity described in
5	subparagraph (A) or (B), or the state or the
6	government of a country of concern (including
7	any political subdivision, agency, or instrumen-
8	tality thereof); or
9	"(D) is owned in the aggregate, directly or
10	indirectly, 50 percent or more by a country of
11	concern, an entity described in subparagraph
12	(A) or (B), or the state or the government of
13	a country of concern (including any political
14	subdivision, agency, or instrumentality thereof).
15	"(4) Covered National Security Trans-
16	ACTION.—
17	"(A) IN GENERAL.—Subject to such regu-
18	lations as may be issued in accordance with this
19	title, the term 'covered national security trans-
20	action' means any activity engaged in by a
21	United States person that involves—
22	"(i) the acquisition of an equity inter-
23	est or contingent equity interest in a cov-
24	ered foreign person;

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1	"(ii) the provision of a loan or similar
2	debt financing arrangement to a covered
3	foreign person, where such debt financ-
4	ing—
5	"(I) is convertible to an equity
6	interest; or
7	"(II) affords or will afford the
8	United States person the right to
9	make management decisions with re-
10	spect to or on behalf of a covered for-
11	eign person or the right to appoint
12	members of the board of directors (or
13	equivalent) of the covered foreign per-
14	son;
15	"(iii) the entrance by such United
16	States person into a joint venture with a
17	covered foreign person;
18	"(iv) the conversion of a contingent
19	equity interest (or interest equivalent to a
20	contingent equity interest) or conversion of
21	debt to an equity interest in a covered for-
22	eign person;
23	"(v) the acquisition, leasing, or other
24	development of operations, land, property,
25	or other assets in a country of concern

1	that will result in, or that the United
2	States person intends to result in—
3	"(I) the establishment of a cov-
4	ered foreign person; or
5	"(II) the engagement of a person
6	of a country of concern in a prohib-
7	ited technology where it was not pre-
8	viously engaged in such prohibited
9	technology;
10	"(vi) knowingly directing transactions
11	by foreign persons that the United States
12	person has knowledge at the time of the
13	transaction would constitute an activity de-
14	scribed in clause (i), (ii), (iii), (iv), or (v),
15	if engaged in by a United States person; or
16	"(vii) the acquisition of a limited part-
17	ner or equivalent interest in a venture cap-
18	ital fund, private equity fund, fund of
19	funds, or other pooled investment fund
20	that the United States person has knowl-
21	edge at the time of the acquisition, intends
22	to engage in an activity described in clause
23	(i), (ii), (iii), (iv), (v), or (vi).
24	"(B) EXCEPTIONS.—Subject to notice and
25	comment regulations prescribed in consultation

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1	with Congress and in accordance with this title,
2	the term 'covered national security transaction'
3	does not include—
4	"(i) any transaction the value of
5	which the Secretary determines is de mini-
6	mis;
7	"(ii) any category of transactions that
8	the Secretary determines is in the national
9	interest of the United States;
10	"(iii) an investment—
11	"(I) in a security (as defined in
12	section 3(a) of the Securities Ex-
13	change Act of 1934(15 U.S.C.
14	78c(a))) that is traded on an ex-
15	change or the over-the-counter market
16	in any jurisdiction;
17	"(II) in a security issued by an
18	investment company (as defined in
19	section 3 of the Investment Company
20	Act of 1940(15 U.S.C. 80a–3)) that is
21	registered with the Securities and Ex-
22	change Commission;
23	"(III) made as a limited partner
24	or equivalent in a venture capital
25	fund, private equity fund, fund of

1	funds, or other pooled investment
2	fund (other than as described in sub-
3	clause (II)) where—
4	"(aa) the limited partner or
5	equivalent's committed capital is
6	not more than \$2,000,000, ag-
7	gregated across any investment
8	and co-investment vehicles of the
9	fund; or
10	"(bb) the limited partner or
11	equivalent has secured a binding
12	contractual assurance that its
13	capital in the fund will not be
14	used to engage in a transaction
15	that would be a covered national
16	security transaction if engaged in
17	by a United States person; or
18	"(IV) in a derivative of a security
19	described under subclause (I), (II), or
20	(III);
21	"(iv) any ancillary transaction under-
22	taken by a financial institution (as defined
23	in section 5312 of title 31, United States
24	Code);

1	"(v) the acquisition by a United
2	States person of the equity or other inter-
3	est owned or held by a covered foreign per-
4	son in an entity or assets located outside
5	of a country of concern in which the
6	United States person is acquiring the to-
7	tality of the interest in the entity held by
8	the covered foreign person;
9	"(vi) an intracompany transfer of
10	funds, as defined in regulations prescribed
11	in accordance with this title, from a United
12	States parent company to a subsidiary lo-
13	cated in a country of concern or a trans-
14	action that, but for this clause, would be a
15	covered national security transaction be-
16	tween a United States person and its con-
17	trolled foreign person that supports oper-
18	ations that are not covered national secu-
19	rity transactions or that maintains covered
20	national security transactions that the con-
21	trolled foreign person was engaged in prior
22	to January 2, 2025;
23	"(vii) a transaction secondary to a
24	covered national security transaction, in-
25	eluding

25 cluding—

1	"(I) contractual arrangements or
2	the procurement of material inputs
3	for any covered national security
4	transaction (such as raw materials);
5	"(II) bank lending;
6	"(III) the processing, clearing, or
7	sending of payments by a bank;
8	"(IV) underwriting services;
9	"(V) debt rating services;
10	"(VI) prime brokerage;
11	"(VII) global custody;
12	"(VIII) equity research or anal-
13	ysis; or
14	"(IX) other similar services;
15	"(viii) any ordinary or administrative
16	business transaction as may be defined in
17	such regulations; or
18	"(ix) any transaction completed before
19	the date of the enactment of this title.
20	"(C) ANCILLARY TRANSACTION DE-
21	FINED.—In this paragraph, the term 'ancillary
22	transaction' means—
23	"(i) the processing, settling, clearing,
24	or sending of payments and cash trans-
25	actions;

1	"(ii) underwriting services;
2	"(iii) credit rating services; and
3	"(iv) other services ordinarily incident
4	to and part of the provision of financial
5	services, such as opening deposit accounts,
6	direct custody services, foreign exchange
7	services, remittances services, and safe de-
8	posit services.
9	"(5) FOREIGN PERSON.—The term 'foreign per-
10	son' means a person that is not a United States per-
11	son.
12	"(6) Notifiable technology.—
13	"(A) IN GENERAL.—The term 'notifiable
14	technology' means a technology with respect to
15	which a covered foreign person—
16	"(i) designs any advanced integrated
17	circuit that is not covered under paragraph
18	(8)(A)(iii);
19	"(ii) fabricates any integrated circuit
20	that is not covered under paragraph
21	(8)(A)(iv);
22	"(iii) packages any integrated circuit
23	that is not covered under paragraph
24	(8)(A)(v); or

2ligence system that is not covered3clause (vii), (viii), (ix), or (xvi) of4graph (8)(A), and that is—5"(I) designed to be used for6"(aa) any military en7(such as for weapons targ8target identification, combar9ulation, military vehicle or10ons control, military dec11making, weapons design (in12ing chemical, biological,13logical, or nuclear weapons14combat system logistics15maintenance); or16"(bb) any government17ligence or mass-surveillance18use (such as through incom19tion of features such as m20text, audio, or video, imag21ognition, location tracking22surreptitious listening device23"(II) intended by the covered		200
3clause (vii), (viii), (ix), or (xvi) of graph (8)(A), and that is—5"(I) designed to be used for "(aa) any military en "(aa) any military en "I" "(aa) any military en "I" "(aa) any military en "I" "I" "I" I"<	1	"(iv) develops any artificial intel-
4graph (8)(A), and that is—5"(I) designed to be used for6"(a) any military en7(such as for weapons targ8target identification, combar9ulation, military vehicle or10ons control, military dec11making, weapons design (in12ing chemical, biological, or13logical, or nuclear weapons14combat system logistics15maintenance); or16"(bb) any government17ligence or mass-surveillance18use (such as through incom19tion of features such as m20text, audio, or video, image21ognition, location tracking22surreptitious listening device23"(II) intended by the covere24eign person or joint venture	2	ligence system that is not covered under
5"(I) designed to be used for6"(aa) any military en7(such as for weapons targ8target identification, combar9ulation, military vehicle or10ons control, military ded11making, weapons design (in12ing chemical, biological,13logical, or nuclear weapons14combat system logistics15maintenance); or16"(bb) any government17ligence or mass-surveillance18use (such as through incod19tion of features such as n20text, audio, or video, imag21ognition, location tracking22surreptitious listening device23"(II) intended by the covere24eign person or joint venture	3	clause (vii), (viii), (ix), or (xvi) of para-
6 "(aa) any military en 7 (such as for weapons targ 8 target identification, combar 9 ulation, military vehicle or 10 ons control, military dec 11 making, weapons design (in 12 ing chemical, biological, 13 logical, or nuclear weapons 14 combat system logistics 15 maintenance); or 16 "(bb) any government 17 ligence or mass-surveillance 18 use (such as through incom 19 tion of features such as m 20 text, audio, or video, imag 21 ognition, location tracking 22 surreptitious listening device 23 "(II) intended by the covere 24 eign person or joint venture	4	graph (8)(A), and that is—
7(such as for weapons targ target identification, combar 99ulation, military vehicle or 1010ons control, military ded making, weapons design (in ing chemical, biological, 1112ing chemical, biological, 1213logical, or nuclear weapons togical, or nuclear weapons14combat system logistics15maintenance); or16"(bb) any government17ligence or mass-surveillance18use (such as through incom19tion of features such as m20text, audio, or video, imag21ognition, location tracking22surreptitious listening device23"(II) intended by the covere24eign person or joint venture	5	"(I) designed to be used for—
8target identification, combat9ulation, military vehicle or10ons control, military dec11making, weapons design (in12ing chemical, biological,13logical, or nuclear weapons14combat system logistics15maintenance); or16"(bb) any government17ligence or mass-surveillance18use (such as through inco19tion of features such as n20text, audio, or video, image21ognition, location tracking22surreptitious listening device23"(II) intended by the covere24eign person or joint venture	6	"(aa) any military end use
9ulation, military vehicle or10ons control, military dec11making, weapons design (in12ing chemical, biological,13logical, or nuclear weapons14combat system logistics15maintenance); or16"(bb) any government17ligence or mass-surveillance18use (such as through incor19tion of features such as m20text, audio, or video, image21ognition, location tracking22surreptitious listening device23"(II) intended by the covere24eign person or joint venture	7	(such as for weapons targeting,
10ons control, military dec11making, weapons design (in12ing chemical, biological,13logical, or nuclear weapons14combat system logistics15maintenance); or16"(bb) any government17ligence or mass-surveillance18use (such as through incor19tion of features such as n20text, audio, or video, image21ognition, location tracking22surreptitious listening device23"(II) intended by the covere24eign person or joint venture	8	target identification, combat sim-
11making, weapons design (in12ing chemical, biological,13logical, or nuclear weapons14combat system logistics15maintenance); or16"(bb) any government17ligence or mass-surveillance18use (such as through incor19tion of features such as n20text, audio, or video, image21ognition, location tracking22surreptitious listening device23"(II) intended by the covere24eign person or joint venture	9	ulation, military vehicle or weap-
12ing chemical, biological,13logical, or nuclear weapons14combat system logistics15maintenance); or16"(bb) any government17ligence or mass-surveillance18use (such as through incon19tion of features such as n20text, audio, or video, image21ognition, location tracking22surreptitious listening device23"(II) intended by the covere24eign person or joint venture	10	ons control, military decision-
13logical, or nuclear weapons14combat system logistics15maintenance); or16"(bb) any government17ligence or mass-surveillance18use (such as through incor19tion of features such as m20text, audio, or video, image21ognition, location tracking22surreptitious listening device23"(II) intended by the covere24eign person or joint venture	11	making, weapons design (includ-
14combat system logistics15maintenance); or16"(bb) any government17ligence or mass-surveillance18use (such as through incor19tion of features such as n20text, audio, or video, image21ognition, location tracking22surreptitious listening device23"(II) intended by the covere24eign person or joint venture	12	ing chemical, biological, radio-
15maintenance); or16"(bb) any government17ligence or mass-surveillance18use (such as through incor19tion of features such as n20text, audio, or video, image21ognition, location tracking22surreptitious listening device23"(II) intended by the covere24eign person or joint venture	13	logical, or nuclear weapons), or
<ul> <li>"(bb) any government</li> <li>ligence or mass-surveillance</li> <li>use (such as through incor</li> <li>tion of features such as n</li> <li>text, audio, or video, image</li> <li>ognition, location tracking</li> <li>surreptitious listening device</li> <li>"(II) intended by the covere</li> <li>eign person or joint venture</li> </ul>	14	combat system logistics and
17ligence or mass-surveillance18use (such as through incor19tion of features such as n20text, audio, or video, image21ognition, location tracking22surreptitious listening device23"(II) intended by the covere24eign person or joint venture	15	maintenance); or
18use (such as through incom19tion of features such as n20text, audio, or video, image21ognition, location tracking22surreptitious listening device23"(II) intended by the covere24eign person or joint venture	16	"(bb) any government intel-
19tion of features such as n20text, audio, or video, image21ognition, location tracking22surreptitious listening device23"(II) intended by the covere24eign person or joint venture	17	ligence or mass-surveillance end
20text, audio, or video, image21ognition, location tracking22surreptitious listening device23"(II) intended by the covere24eign person or joint venture	18	use (such as through incorpora-
21ognition, location tracking22surreptitious listening device23"(II) intended by the covere24eign person or joint venture	19	tion of features such as mining
22surreptitious listening device23"(II) intended by the covere24eign person or joint venture	20	text, audio, or video, image rec-
<ul> <li>23 "(II) intended by the covere</li> <li>24 eign person or joint venture</li> </ul>	21	ognition, location tracking, or
24 eign person or joint venture	22	surreptitious listening devices);
	23	"(II) intended by the covered for-
25 used for—	24	eign person or joint venture to be
	25	used for—

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1	"(aa) cybersecurity applica-
2	tions;
3	"(bb) digital forensics tools;
4	"(cc) penetration testing
5	tools; or
6	"(dd) control of robotic sys-
7	tems; or
8	"(III) trained using a quantity of
9	computing power greater than $10^{23}$
10	computational operations (such as in-
11	teger or floating-point operations).
12	"(B) UPDATES.—The Secretary, in con-
13	sultation with Congress, may prescribe regula-
14	tions in accordance with this title to refine the
15	technical parameters of technologies described
16	in subparagraph (A) as reasonably needed for
17	national security purposes or to add or remove
18	categories to or from the list in subparagraph
19	(A).
20	"(7) PARTY.—The term 'party', with respect to
21	a covered national security transaction, has the
22	meaning given that term in regulations prescribed in
23	accordance with this title.
24	"(8) Prohibited technology.—

1	((A) IN CENEDAL The torm (machibited
1	"(A) IN GENERAL.—The term 'prohibited
2	technology' means a technology with respect to
3	which a covered foreign person—
4	"(i) develops or produces any design
5	automation software for the design of inte-
6	grated circuits or advanced packaging;
7	"(ii) develops or produces any—
8	"(I) electronic design automation
9	software for the design of integrated
10	circuits or advanced packaging;
11	"(II) front-end semiconductor
12	fabrication equipment designed for the
13	volume fabrication of integrated cir-
14	cuits, including equipment used in the
15	production stages from a blank wafer
16	or substrate to a completed wafer or
17	substrate; or
18	"(III) equipment for performing
19	volume advanced packaging;
20	"(iii) designs any integrated circuit
21	designs that meet or exceed the specifica-
22	tions set in Export Control Classification
23	Number (ECCN) 3A090 in Supplement
24	No. 1 to the Export Administration Regu-

1	lations, or integrated circuits designed for
2	operation at or below 4.5 Kelvin;
3	"(iv) fabricates integrated circuits
4	that are—
5	"(I) logic integrated circuits
6	using a non-planar transistor architec-
7	ture or with a technology node of $16/$
8	14 nanometers or less, including fully
9	depleted silicon-on-insulator (FDSOI)
10	integrated circuits;
11	"(II) NOT-AND (NAND) mem-
12	ory integrated circuits with 128 layers
13	or more;
14	"(III) dynamic random-access
15	memory (DRAM) integrated circuits
16	using a technology node of 18
17	nanometer half-pitch or less;
18	"(IV) integrated circuits manu-
19	factured from a gallium-based com-
20	pound semiconductor;
21	"(V) integrated circuits using
22	graphene transistors or carbon
23	nanotubes; or
24	"(VI) integrated circuits designed
25	for operation at or below 4.5 Kelvin;

"(v) packages any integrated circuit 1 2 using advanced packaging techniques; 3 "(vi) develops, designs, or produces any commodity, material, software, or 4 5 technology designed exclusively for use in 6 or with extreme ultraviolet lithography fab-7 rication equipment; "(vii) develops, designs, or produces 8 9 any artificial intelligence models trained with at least  $10^{25}$  floating point oper-10 11 ations; 12 "(viii) develops, designs, or produces 13 any artificial intelligence models that rely 14 upon or utilize advanced integrated circuits 15 that meet or exceed the specifications set in Export Control Classification Number 16 17 (ECCN) 3A090 in Supplement No. 1 to 18 the Export Administration Regulations; 19 "(ix) develops, designs, or produces 20 any artificial intelligence models designed 21 for use by the Government of the People's 22 Republic of China, its special administra-23 tive regions, or its agencies and instrumentalities; 24

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1	"(x) develops a quantum computer or
2	produces any critical components required
3	to produce a quantum computer such as a
4	dilution refrigerator or two-stage pulse
5	tube cryocooler;
6	"(xi) develops or produces any quan-
7	tum sensing platform designed for, or
8	which the relevant covered foreign person
9	intends to be used for, any military, gov-
10	ernment intelligence, or mass-surveillance
11	end use;
12	"(xii) develops or produces quantum
13	networks or quantum communication sys-
14	tems designed for or intended to be used
15	for—
16	"(I) networking to scale up the
17	capabilities of quantum computers,
18	such as for the purposes of breaking
19	or compromising encryption;
20	"(II) secure communications,
21	such as quantum key distribution; or
22	"(III) any other application that
23	has any military, government intel-
24	ligence, or mass-surveillance end use;

1	
1	"(xiii) develops, designs, or produces
2	materials, components, avionics, flight con-
3	trol, propulsion, Global Positioning System
4	(GPS), data relay, and target detection
5	systems designed for use in hypersonic sys-
6	tems or capable of sustainable operations
7	above 1,000 degrees Celsius;
8	"(xiv) develops, installs, sells, or pro-
9	duces any supercomputer enabled by ad-
10	vanced integrated circuits that can provide
11	theoretical compute capacity of 100 or
12	more double-precision (64-bit) petaflops or
13	200 or more single-precision (32-bit)
14	petaflops of processing power within a
15	41,600 cubic foot or smaller envelope;
16	"(xv) develops, designs, or produces
17	any other technologies in the advanced
18	semiconductors and microelectronics sec-
19	tor, the artificial intelligence sector, the
20	high-performance computing and super-
21	computing sector, the hypersonic missiles
22	sector, or the quantum information science
23	and technology sector that are—
24	"(I) defense articles or defense
25	services included on the United States

1	Munitions List set forth in the Inter-
2	national Traffic in Arms Regulations
3	under subchapter M of chapter I of
4	title 22, Code of Federal Regulations;
5	"(II) specially designed and pre-
6	pared nuclear equipment, parts or
7	components, materials, software, or
8	technologies covered by part 810 of
9	title 10, Code of Federal Regulations
10	(relating to assistance to foreign
11	atomic energy activities);
12	"(III) nuclear facilities, equip-
13	ment, or materials covered by part
14	110 of title 10, Code of Federal Regu-
15	lations (relating to export and import
16	of nuclear equipment and material);
17	or
18	"(IV) emerging or foundational
19	technologies controlled pursuant to
20	section 1758 of the Export Control
21	Reform Act of 2018 (50 U.S.C.
22	4817); or
23	"(xvi) develops any artificial intel-
24	ligence system that is designed to be exclu-
25	sively used for, or which the relevant cov-

1	ered foreign person intends to be used for,
2	any—
3	"(I) military end use (such as for
4	weapons targeting, target identifica-
5	tion, combat simulation, military vehi-
6	cle or weapon control, military deci-
7	sion-making, weapons design (includ-
8	ing chemical, biological, radiological,
9	or nuclear weapons), or combat sys-
10	tem logistics and maintenance); or
11	"(II) government intelligence or
12	mass-surveillance end (such as
13	through incorporation of features such
14	as mining text, audio, or video, image
15	recognition, location tracking, or sur-
16	reptitious listening devices).
17	"(B) UPDATES.—The Secretary, in con-
18	sultation with Congress, may prescribe regula-
19	tions in accordance with this title to make up-
20	dates to the technical parameters of tech-
21	nologies described in subparagraph (A) as rea-
22	sonably needed for national security purposes.
23	"(9) Secretary.—Except as otherwise pro-
24	vided, the term 'Secretary' means the Secretary of

the Treasury.

1	"(10) UNITED STATES PERSON.—The term
2	'United States person' means—
3	"(A) any United States citizen or an alien
4	lawfully admitted for permanent residence to
5	the United States;
6	"(B) an entity organized under the laws of
7	the United States or of any jurisdiction within
8	the United States (including any foreign branch
9	of such an entity); or
10	"(C) any person in the United States.".
11	SEC. 112. REVIEW OF AND REPORTING ON NATIONAL SECU-
12	<b>RITY SENSITIVE SITES FOR PURPOSES OF RE-</b>
13	VIEWS OF REAL ESTATE TRANSACTIONS BY
14	THE COMMITTEE ON FOREIGN INVESTMENT
15	IN THE UNITED STATES.
16	(a) LIST OF NATIONAL SECURITY SENSITIVE
17	SITES.—Section $721(a)(4)(C)$ of the Defense Production
18	Act of 1950 (50 U.S.C. $4565(a)(4)(C)$ ) is amended by
19	adding at the end the following:
20	"(iii) LIST OF SITES.—For purposes
21	of subparagraph (B)(ii), the Committee
22	may prescribe through regulations a list of
23	facilities and property of the United States
24	Government that are sensitive for reasons
25	relating to national security. Such list may

1	include certain facilities and property of
2	the intelligence community and National
3	Laboratories (as defined in section 2 of the
4	Energy Policy Act of 2005 (42 U.S.C.
5	15801)).".
6	(b) REVIEW AND REPORTS.—Section 721(m) of the
7	Defense Production Act of 1950 (50 U.S.C. $4565(m)(2)$ )
8	is amended—
9	(1) in paragraph $(2)$ , by adding at the end the
10	following:
11	"(L) A list of all notices and declarations
12	filed and all reviews or investigations of covered
13	transactions completed during the period relat-
14	ing to facilities and property of the United
15	States Government determined to be sensitive
16	for reasons relating to national security for pur-
17	poses of subsection (a)(4)(B)(ii).
18	"(M) A certification that the list of sites
19	identified under subsection (a)(4)(C)(iii) re-
20	flects consideration of the recommended up-
21	dates and revisions submitted under paragraph
22	(4)(B). Upon request from any Member of Con-
23	gress specified in subsection $(b)(3)(C)(iii)$ , the
24	chairperson shall provide a classified briefing to
25	that Member, and staff of the member with ap-

1	propriate security clearances, regarding the list
2	of sites identified under subsection
3	(a)(4)(C)(iii).";
4	(2) by redesignating paragraph $(4)$ as para-
5	graph $(5)$ ; and
6	(3) by inserting after paragraph $(3)$ the fol-
7	lowing:
8	"(4) ANNUAL REVIEW OF LIST OF FACILITIES
9	AND PROPERTY.—Not later than January 31 of each
10	year, each member of the Committee shall—
11	"(A) review the facilities and property of
12	the agency represented by that member that are
13	on the list prescribed under subparagraph
14	(C)(iii) of subsection $(a)(4)$ of facilities and
15	property that are sensitive for reasons relating
16	to national security for purposes of subpara-
17	graph (B)(ii) of that subsection; and
18	"(B) submit to the chairperson a report on
19	that review, after approval of the report by an
20	Assistant Secretary or equivalent official of the
21	agency, which shall include any recommended
22	updates or revisions to the list regarding facili-
23	ties and property administered by the member
24	of the Committee.".

1 (c) CENTRALIZATION OF MONITORING AND EN-2 FORCEMENT FUNCTIONS.—Section 721(q)(2) of the De-3 fense Production Act of 1950 (50 U.S.C. 4565(q)(2)) is 4 amended by inserting before the period the following: ", 5 such as monitoring of agreements and conditions entered 6 into or imposed under subsection (1) and enforcement of 7 this section".

8 (d) MANDATORY DECLARATIONS OF TRANSACTIONS **RELATING TO CRITICAL INFRASTRUCTURE AND CRITICAL** 9 TECHNOLOGIES.—Section 721(b)(1)(C)(v)(IV)(cc) of the 10 11 Defense Production Act of 1950(50)U.S.C. 12 4565(b)(1)(C)(v)(IV)(cc)) is amended by striking "subsection (a)(4)(B)(iii)(II)" and inserting "subclause (I) or 13 14 (II) of subsection (a)(4)(B)(iii)".

(e) EXTENSION.—Section 717(a) of the Defense Production Act of 1950 (50 U.S.C. 4564(a)) is amended by
striking "September 30, 2025" and inserting "September
30, 2026".

## 19 Subtitle C—Securities and Related 20 Matters

21 SEC. 121. REQUIREMENTS RELATING TO THE NON-SDN CHI-

- 22 NESE MILITARY-INDUSTRIAL COMPLEX COM-
- 23 PANIES LIST.
- 24 (a) REPORT.—

1	(1) IN GENERAL.—Not later than 365 days
2	after the date of the enactment of this Act, and bi-
3	ennially thereafter for 6 years, the Secretary shall
4	submit to the appropriate congressional committees
5	a report that states whether any of the following for-
6	eign persons qualifies for inclusion on the Non-SDN
7	Chinese Military-Industrial Complex Companies
8	List:
9	(A) Any PRC person listed on the Military
10	End-User List (Supplement No. 7 to part 744
11	of the Export Administration Regulations).
12	(B) Any PRC person listed pursuant to
13	section 1260H of the William M. (Mac) Thorn-
14	berry National Defense Authorization Act for
15	Fiscal Year 2021 (10 U.S.C. 113 note).
16	(C) Any PRC person listed on the Depart-
17	ment of Commerce's Entity List (Supplement
18	No. 4 to part 744 of the Export Administration
19	Regulations).
20	(2) PROCESS REQUIRED.—To prepare the re-
21	ports under paragraph (1), the President shall es-
22	tablish a process under which the Federal agencies
23	responsible for administering the lists described in
24	subparagraphs (A), (B), and (C) of paragraph (1)
25	shall share with each other all relevant information

that led to the identification of the entities described
 in such lists.

(3)3 RISK-BASED PRIORITIZATION FRAME-4 WORK.—In making the initial determinations under 5 paragraph (1), the Secretary may establish a risk-6 based prioritization framework factoring in 7 prioritization of entity review submitted to the Sec-8 retary by the Federal agencies administering the 9 lists described in subparagraphs (A), (B), and (C) of 10 paragraph (1).

(4) ANNUAL REPORTS TO THE APPROPRIATE
CONGRESSIONAL COMMITTEES.—The report under
paragraph (1) may summarize findings concerning
entities previously reviewed pursuant to this section
and do not necessitate additional review by the Secretary.

17 (5) MATTERS TO BE INCLUDED.—The Sec-18 retary shall include in the report required by para-19 graph (1) an overview of the criteria required for 20 listing on Non-SDN Chinese Military-Industrial 21 Complex Companies List. The heads of the Federal 22 agencies administering the lists described in sub-23 paragraphs (A), (B), and (C) of paragraph (1) shall 24 provide an overview of the criteria for entity identi-25 fication or listing on each respective list.

#### (b) Requirement for Divestment.—

(1) IN GENERAL.—The President shall promulgate rules that prohibit a United States person from
knowingly holding securities of entities on the NonSDN Chinese Military-Industrial Complex Companies List, after the date that is 365 days after the
date of enactment of this Act.

8 (2) AUTHORIZATION.—The prohibitions on in-9 vestment imposed under paragraph (1) shall not 10 apply to a transaction in a security that is entered 11 into on or before the date that is 365 days after the 12 date of enactment of this Act by a United States 13 person, if such transaction is entered into solely to 14 divest of the security.

15 (c) WAIVER.—

1

16 (1) IN GENERAL.—The President may establish
17 a process under which the requirements of sub18 section (b) shall not apply if the President deter19 mines to do so is necessary to protect the national
20 security or foreign policy objectives of the United
21 States.

(2) CASE-BY-CASE REQUIREMENT.—Determinations under paragraph (1) shall be issued on a caseby-case basis for each entity on the Non-SDN Chinese Military-Industrial Complex Companies List.

1	(3) NOTICE AND BRIEFING.—The President
2	shall notify the appropriate congressional committees
3	in writing in advance of issuing a determination
4	under paragraph (1) and shall provide a substantive
5	briefing on the determination to the appropriate con-
6	gressional committees within 30 days of issuing a
7	determination.
8	(d) DEFINITIONS.—In this section:
9	(1) APPROPRIATE CONGRESSIONAL COMMIT-
10	TEES.—The term "appropriate congressional com-
11	mittees" means—
12	(A) the Committee on Financial Services
13	and the Committee on Foreign Affairs of the
14	House of Representatives; and
15	(B) the Committee on Banking, Housing,
16	and Urban Affairs of the Senate.
17	(2) Country of concern.—The term "coun-
18	try of concern''—
19	(A) means the People's Republic of China;
20	and
21	(B) includes the Hong Kong Special Ad-
22	ministrative Region and the Macau Special Ad-
23	ministrative Region.
24	(3) Non-SDN chinese military-industrial
25	COMPLEX COMPANIES LIST.—The term "Non-SDN

1	Chinese Military-Industrial Complex Companies
2	List" means the list maintained by the Office of
3	Foreign Assets Control of the Department of the
4	Treasury under Executive Order 13959, as amended
5	by Executive Order 14032 (50 U.S.C. 1701 note; re-
6	lating to addressing the threat from securities in-
7	vestments that finance certain companies of the Peo-
8	ple's Republic of China), and any successor order.
9	(4) PRC PERSON.—The term "PRC person"
10	means a foreign person that—
11	(A) is incorporated in a principal place of
12	business in, or is organized under the laws of,
13	a country of concern;
14	(B) is a member of the Central Committee
15	of the Chinese Communist Party;
16	(C) is the state or the government of a
17	country of concern, as well as any political sub-
18	division, agency, or instrumentality thereof; or
19	(D) is owned in the aggregate, directly or
20	indirectly, 50 percent or more by an entity or
21	a group of entities described in subparagraph
22	(A), (B), or (C).

## 1 SEC. 122. EXTENSION OF FILING DEADLINE FOR CERTAIN 2 PRE-EXISTING REPORTING COMPANIES.

Section 5336(b)(1)(B) of title 31, United States
Code, is amended by striking "before the effective date
of the regulations prescribed under this subsection shall,
in a timely manner, and not later than 2 years after the
effective date of the regulations prescribed under this subsection," and inserting "before January 1, 2024, shall, not
later than January 1, 2026,".

### 10 TITLE VI—MISCELLANEOUS

### 11 SEC. 601. COMMODITY FUTURES TRADING COMMISSION

#### 12 WHISTLEBLOWER PROGRAM.

(a) IN GENERAL.—Section 1(b) of Public Law 117–
(a) IN GENERAL.—Section 1(b) of Public Law 117–
(135 Stat. 297; 136 Stat. 2133; 136 Stat. 5984) is
amended, in paragraphs (3) and (4), by striking "October
(1, 2024" each place it appears and inserting "March 14,
2025".

18 (b) EFFECTIVE DATE.—The amendments made by
19 subsection (a) shall take effect as if enacted on September
20 30, 2024.

21 SEC. 602. TRANSFER AND REDESIGNATION OF THE 121ST
22 FIGHTER SQUADRON OF THE 113TH WING,
23 DISTRICT OF COLUMBIA AIR NATIONAL
24 GUARD.

25 (a) IN GENERAL.—Not later than September 30,
26 2025, the Secretary of the Air Force shall transfer and
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redesignate the 121st Fighter Squadron of the 113th
 Wing, District of Columbia Air National Guard to the
 175th Wing of the Maryland Air National Guard.

4 (b) SAVINGS PROVISION.—Nothing in this section
5 shall be construed to authorize the transfer or relocation
6 of billets or operational equipment from Joint Base An7 drews.

## 8 SEC. 603. PUBLIC AVAILABILITY OF REPORTS ON DISASTER 9 ASSISTANCE.

Section 12091 of the Small Business Disaster Response and Loan Improvements Act of 2008 (15 U.S.C.
636k) is amended—

13 (1) in subsection (a)—

14 (A) in paragraph (1), by inserting "and
15 make publicly available" after "Representa16 tives"; and

(B) in paragraph (2), in the matter preceding subparagraph (A), by inserting "and
made publicly available" after "submitted";

20 (2) in subsection (b)—

21 (A) in paragraph (1), by inserting "and
22 make publicly available" after "Representa23 tives"; and

1	(B) in paragraph (2), in the matter pre-
2	ceding subparagraph (A), by inserting "and
3	made publicly available" after "submitted";
4	(3) in subsection (c)—
5	(A) in paragraph (1), by inserting "and
6	make publicly available'' after ''Representa-
7	tives"; and
8	(B) in paragraph (2), in the matter pre-
9	ceding subparagraph (A), by inserting "and
10	made publicly available" after "submitted"; and
11	(4) in subsection (e)—
12	(A) in paragraph (1)—
13	(i) by striking "a report"; and
14	(ii) by inserting "and make publicly
15	available a report" after "Representa-
16	tives"; and
17	
1/	(B) in paragraph (2), in the matter pre-
18	(B) in paragraph (2), in the matter pre- ceding subparagraph (A), by inserting "and
18	ceding subparagraph (A), by inserting "and
18 19	ceding subparagraph (A), by inserting "and made publicly available" after "submitted".
18 19 20	<ul><li>ceding subparagraph (A), by inserting "and made publicly available" after "submitted".</li><li>SEC. 604. TRANSFER OF ADMINISTRATIVE JURISDICTION</li></ul>
18 19 20 21	ceding subparagraph (A), by inserting "and made publicly available" after "submitted". SEC. 604. TRANSFER OF ADMINISTRATIVE JURISDICTION OVER RFK MEMORIAL STADIUM CAMPUS TO
<ol> <li>18</li> <li>19</li> <li>20</li> <li>21</li> <li>22</li> </ol>	ceding subparagraph (A), by inserting "and made publicly available" after "submitted". SEC. 604. TRANSFER OF ADMINISTRATIVE JURISDICTION OVER RFK MEMORIAL STADIUM CAMPUS TO DISTRICT OF COLUMBIA.

1	of the Interior (hereafter referred to as the "Sec-
2	retary"), acting under the authority of section 8124
3	of title 40, United States Code (except as provided
4	under paragraph (2)), shall transfer administrative
5	jurisdiction over the Robert F. Kennedy Memorial
6	Stadium Campus (hereafter referred to as the
7	"Campus") to the District of Columbia (hereafter
8	referred to as the "District"), subject to a Declara-
9	tion of Covenants with the District which is con-
10	sistent with the succeeding provisions of this section
11	and which includes such other terms and conditions
12	as may be agreed to by the Secretary and the Dis-
13	trict.

14 (2) WAIVER OF REQUIREMENT FOR PRIOR REC15 OMMENDATION OF NATIONAL CAPITAL PLANNING
16 COMMISSION.—The second sentence of section
17 8124(a) of title 40, United States Code, shall not
18 apply to the transfer of administrative jurisdiction
19 over the Campus under this section.

(3) NO EFFECT ON STATUS OF OWNERSHIP OF
CAMPUS.—Consistent with section 8124 of title 40,
United States Code, the transfer of administrative
jurisdiction over the Campus under this section does
not change the status of the ownership of the Campus by the United States.

1	(b) Development and Uses of Campus.—After
2	transfer of administrative jurisdiction over the Campus
3	under this section, the District may develop and use, and
4	permit the development and use of, the Campus for any
5	of the following purposes:
6	(1) Stadium purposes, including training facili-
7	ties, offices, and other structures necessary to sup-
8	port a stadium.
9	(2) Commercial and residential development.
10	(3) Facilities, open space, and public outdoor
11	opportunities, which may include supporting cultural
12	activities, educational activities, and recreational ac-
13	tivities, as such terms are defined in section 3306(a)
14	of title 40, United States Code.
15	(4) Such other public purposes for which the
16	Campus was used or approved for use prior to June
17	1, 1985.
18	(5) Demolition purposes to facilitate develop-
19	ment and use of the Campus under subparagraphs
20	(1) through $(4)$ .
21	(c) Specific Requirements Relating to Devel-
22	OPMENT AND USE OF CAMPUS.—The Declaration of Cov-
23	enants entered into under subsection $(a)(1)$ shall include
24	provisions to require the District to meet the following re-
25	quirements as a condition of the development and use of

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the Campus as set forth under subsection (b) after trans fer of administrative jurisdiction over the Campus under
 this section:

4 (1) The District shall ensure that the develop5 ment and use does not materially degrade or ad6 versely impact any lands under the jurisdiction of
7 the National Park Service, including the restoration
8 of the wetlands south of Kingman Island.

9 (2) The District shall designate, develop, oper-10 ate, and maintain at least 30 percent of the Campus 11 (excluding the riparian area of the Campus as de-12 fined in subsection (g)(2)) as the "Robert F. Ken-13 nedy Memorial Park" as parks and open space to 14 provide land for passive and active outdoor recre-15 ation and shall require that portion to be reserved 16 for such purposes for the duration of the transfer.

17 (3) The District shall ensure that the develop18 ment and use provides for improved public access to
19 the Anacostia River and shall not interrupt the Ana20 costia River Trail.

(4) The District shall, to the extent necessary,
ensure that parking facilities are provided to accommodate the development.

24 (5) The District shall provide for adequate pub-25 lic safety and security measures and resources in the

planning and ongoing management of the develop ment.

3 (6) The District shall carry out measures that,
4 to the greatest extent practicable, will reduce the im5 pact of noise and traffic of the development on sur6 rounding residential areas in the District.

7 (7) The District shall operate and maintain the
8 riparian area of the Campus in accordance with sub9 section (g).

10 (8) The District shall ensure that no Member 11 of Congress, Delegate or Resident Commissioner to 12 the Congress, or any other official of the Govern-13 ment of the United States or the Government of the 14 District of Columbia shall be admitted to any share 15 or part of any lease entered into by the District in 16 the exercise of the administrative jurisdiction over 17 the Campus transferred under this section, or to any 18 benefit that may arise therefrom, including any con-19 tract or agreement made, entered into, or accepted 20 by or on behalf of the District as a result of this sec-21 tion. Nothing in the previous sentence may be con-22 strued to apply to a person who is a shareholder or 23 other beneficial owner of any publicly held corpora-24 tion or other entity, if the lease is for the general 25 benefit of such corporation or other entity.

1 (d) SURVEY.—

2	(1) REQUIRING SURVEY.—As soon as prac-
3	ticable after the date of the enactment of this Act,
4	the District shall conduct a survey of the Campus,
5	which shall determine the exact acreage and legal
6	description of the Campus by a boundary survey
7	prepared by a qualified Federally-, State-, or Dis-
8	trict-licensed surveyor who is approved by the Sec-
9	retary.
10	(2) SUBMISSION TO CONGRESS.—Upon comple-
11	tion, the survey conducted under paragraph (1) shall
12	be submitted to—
13	(A) the Committee on Oversight and Ac-
14	countability and the Committee on Natural Re-
15	sources of the House of Representatives; and
16	(B) the Committee on Homeland Security
17	and Governmental Affairs and the Committee
18	on Energy and Natural Resources of the Sen-
19	ate.
20	(3) Incorporation in declaration of cov-
21	ENANTS FOR TRANSFER.—The survey conducted
22	under paragraph (1) shall be incorporated in the
23	Declaration of Covenants entered into under sub-
24	section $(a)(1)$ .

(4) AVAILABILITY OF SURVEY AND MAP FOR
 PUBLIC INSPECTION.—The survey conducted under
 paragraph (1), together with the map of the Campus
 referred to in subsection (m), shall be kept on file
 and available for public inspection in the appropriate
 offices of the Secretary.

7 (e) MEMORANDUM OF UNDERSTANDING.—As a con-8 dition of the development and use of the Campus after 9 transfer of administrative jurisdiction over the Campus 10 under this section, the Secretary and the District shall enter into a memorandum of understanding to determine 11 12 an allocation of the costs of carrying out all responsibilities 13 of the United States and the District with respect to the Campus under the Comprehensive Environmental Re-14 15 sponse, Compensation, and Liability Act of 1980 (42) U.S.C. 9601 et seq.) and the Solid Waste Disposal Act 16 17 (42 U.S.C. 6901 et seq.), including any costs of any response action with respect to any contamination present 18 19 on the Campus.

20 (f) Costs.—

(1) COSTS OF TRANSFER.—The District shall
be responsible for payment of any costs of carrying
out the transfer of administrative jurisdiction over
the Campus under this section, including—

1	(A) any costs of carrying out the survey
2	under subsection (d); and
3	(B) any costs of carrying out any environ-
4	mental analysis required under Federal law.
5	(2) Costs after transfer.—Except as pro-
6	vided under the memorandum of understanding en-
7	tered into under subsection (e), the Secretary shall
8	not be responsible for payment of any costs or ex-
9	penses that are incurred by the District or any other
10	party (other than the United States) associated with
11	the Campus after the transfer of administrative ju-
12	risdiction under this section.
13	(g) Special Rules for Riparian Area.—
14	(1) RESTRICTION ON DEVELOPMENT AND
15	USE.—The Declaration of Covenants entered into
16	under subsection $(a)(1)$ shall include provisions to
17	ensure that the riparian area of the Campus may
18	not be developed or used for any purposes other
19	than the continuing maintenance of any develop-
20	ment, use, or infrastructure (including roads and
21	pathways) existing at the time of the execution of
22	the transfer of administrative jurisdiction over the
23	Campus under this section.
24	(2) RIPARIAN AREA OF THE CAMPUS DE-

25 FINED.—In this subsection, the term "riparian area

of the Campus' means the area designated in the
 map referred to in subsection (m) as "Riparian Area
 (Area F)".

4 (h) PROHIBITING USE OF FEDERAL FUNDS FOR 5 STADIUM.—The Declaration of Covenants entered into under subsection (a)(1) shall include provisions to ensure 6 7 that the District may not use Federal funds for stadium 8 purposes on the Campus, including training facilities, offices, and other structures necessary to support a stadium. 9 10 (i) TERM.—The transfer of administrative jurisdiction over the Campus under this section shall be in effect 11 12 for a term of not less than 99 years, and may be renewed 13 for subsequent periods agreed to by the Secretary and the 14 District.

15 (j) REVERSION OF ADMINISTRATIVE JURISDIC-16 TION.—

(1) GROUNDS FOR REVERSION.—The Declaration of Covenants entered into under subsection
(a)(1) shall include provisions stating that administrative jurisdiction over the Campus transferred
under this section shall revert to the Secretary if
each of the following occurs:

23 (A) The terms and conditions of the Dec-24 laration of Covenants have not been complied

with, as reasonably determined by the Secretary.

3 (B) Such noncompliance has not been cor-4 rected within 90 days after written notice of 5 such noncompliance has been received by the 6 District. Such noncompliance shall be treated 7 as corrected if the District and the Secretary 8 enter into an agreement that the Secretary 9 finds adequate to ensure that the Campus will 10 be developed and used in a manner consistent 11 with the purposes referred to in subsection (b). 12 (2) TIMING.—The Secretary may not seek the 13 reversion of administrative jurisdiction over the 14 Campus under this subsection before the expiration 15 of 90 days after the date on which written notice of 16 the alleged violation is received by the District. The 17 notice shall include notice of the Secretary's inten-18 tion for administrative jurisdiction over the Campus 19 to revert to the Secretary.

20 (3) COST OF REHABILITATING PROPERTY.—
21 The Declaration of Covenants entered into under
22 subsection (a)(1) shall include provisions requiring
23 the District to bear the actual cost of removing
24 structures from or rehabilitating the Campus if ad-

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ministrative jurisdiction over the Campus reverts to
 the Secretary under this subsection.

3 (k) RULE OF CONSTRUCTION RELATED TO THE AP-4 PLICABILITY TO THE ADMINISTRATIVE JURISDICTION 5 TRANSFER.—Nothing in this section may be construed to affect or limit the application of or obligation to comply 6 7 with the Comprehensive Environmental Response, Com-8 pensation, and Liability Act of 1980 (42 U.S.C. 9601 et 9 seq.) and the Solid Waste Disposal Act (42 U.S.C. 6901 10 et seq.).

(1) CONFORMING AMENDMENT; TERMINATION OF
12 EXISTING LEASE.—Effective on the date of the transfer
13 of administrative jurisdiction over the Campus under this
14 section—

(1) the District of Columbia Stadium Act of
16 1957 (sec. 3–321 et seq., D.C. Official Code) is re17 pealed; and

(2) the lease dated January 14, 1988, between
the United States and the District for the use of the
Campus, as authorized by section 7(b)(1)(B) of such
Act (sec. 3–326(b)(1)(B), D.C. Official Code), is terminated.

(m) DEFINITION.—In this section, the term "Robert
F. Kennedy Memorial Stadium Campus" means the approximately 174 acres of Federal land as generally de-

picted on the map entitled "Anacostia Park, Robert F.
 Kennedy Memorial Stadium Campus – Transfer of Ad ministrative Jurisdiction", numbered 831/189,767, and
 dated January 2024.

5 SEC. 605. TREATMENT OF ELECTRONIC SERVICES PRO-6 VIDED FOR HOUSE OFFICES.

7 (a) IN GENERAL.—In this section—

8 (1) the term "agent of the Office of the Chief 9 Administrative Officer" includes a provider of elec-10 tronic communication service or remote computing 11 service commissioned or used through the Office of 12 the Chief Administrative Officer by a House office 13 to provide such services to the House office;

14 (2) the term "electronic communication service"
15 has the meaning given that term in section 2510 of
16 title 18, United States Code;

17 (3) the term "House data", with respect to a
18 House office, means any electronic mail or other
19 electronic or data communication, other data (in20 cluding metadata), or other information of the
21 House office;

(4) the term "House office" means any employing office whose salaries or expenses are disbursed
by the Office of the Chief Administrative Officer;

1	(5) the term "Office of the Chief Administrative
2	Officer" means the Office of the Chief Administra-
3	tive Officer of the House of Representatives;
4	(6) the term "provider for a House office"
5	means a provider of electronic communication serv-
6	ice or remote computing service directly commis-
7	sioned or used by a House office to provide such
8	services; and
9	(7) the term "remote computing service" has
10	the meaning given that term in section 2711 of title
11	18, United States Code.
12	(b) TREATMENT.—
13	(1) RETAINING POSSESSION.—
14	(A) IN GENERAL.—A House office shall be
15	deemed to retain possession of any House data
16	of the House office, without regard to the use
17	by the House office of any individual or entity
18	described in paragraph $(2)$ for the purposes of
19	any function or service described in paragraph
20	(2).
21	(B) RULE OF CONSTRUCTION.—Subpara-
22	graph (A) shall not be construed to limit the
22 23	graph (A) shall not be construed to limit the use by an intended recipient of any House data

1 (2) Chief administrative officer and pro-2 VIDERS FOR A HOUSE OFFICE.—The Office of the 3 Chief Administrative Officer, any officer, employee, 4 or agent of the Office of the Chief Administrative Officer, and any provider for a House office shall 5 6 not be treated as acquiring possession, custody, or 7 control of any House data by reason of its being 8 transmitted, processed, or stored (whether tempo-9 rarily or otherwise) through the use of an electronic 10 system established, maintained, or operated, or the 11 use of electronic services provided, in whole or in 12 part by the Office of the Chief Administrative Offi-13 cer, the officer, employee, or agent of the Office of 14 the Chief Administrative Officer, or the provider for 15 the House office.

16 (c) NOTIFICATION.—Notwithstanding any other provision of law or rule of civil or criminal procedure, the 17 18 Office of the Chief Administrative Officer, any officer, employee, or agent of the Office of the Chief Administrative 19 20 Officer, and any provider for a House office that is pro-21 viding services to or used by a House office shall not be 22 barred, through operation of any court order or any statu-23 tory provision, from notifying the House office of any legal 24 process seeking disclosure of House data of the House of-25 fice that is transmitted, processed, or stored (whether temporarily or otherwise) through the use of an electronic sys tem established, maintained, or operated, or the use of
 electronic services provided, in whole or in part by the Of fice of the Chief Administrative Officer, the officer, em ployee, or agent of the Office of the Chief Administrative
 Officer, or the provider for a House office.

7 (d) MOTIONS TO QUASH OR MODIFY.---Upon a mo-8 tion made promptly by a House office or provider for a 9 House office, a court of competent jurisdiction shall quash 10 or modify any legal process directed to the provider for a House office if compliance with the legal process would 11 require the disclosure of House data of the House office. 12 13 (e) INFORMATION REGARDING IMPLICATIONS OF USING PROVIDERS.—The Office of the Chief Administra-14 15 tive Officer, in consultation with the House Office of General Counsel, shall provide information regarding the po-16 17 tential constitutional implications and the potential impact on privileges that may be asserted to each House office 18 that commissions or uses a provider of electronic commu-19 20nication service or remote computing service.

(f) APPLICABLE PRIVILEGES.—Nothing in this section shall be construed to limit or supersede any applicable
privilege, immunity, or other objection that may apply to
the disclosure of House data.

(g) PREEMPTION.—Except as provided in this sec tion, any provision of law or rule of civil or criminal proce dure of any State, political subdivision, or agency thereof,
 which is inconsistent with this section shall be deemed to
 be preempted and superseded.

6 (h) EFFECTIVE DATE.—This section shall apply with
7 respect to—

8 (1) any legal process seeking disclosure of
9 House data of a House office that is filed, issued,
10 or made on or after the date of the enactment of
11 this Act; and

(2) any matter that is pending on or after the
date of enactment of this Act that relates to a legal
process described in paragraph (1) that is filed,
issued, or made before the date of the enactment of
this Act, unless the House data of the House office
was disclosed in accordance with such legal process
before the date of the enactment of this Act.

## 19SEC. 606. PROTECTION OF CERTAIN FACILITIES AND AS-20SETS FROM UNMANNED AIRCRAFT.

Section 210G(i) of the Homeland Security Act of
22 2002 (6 U.S.C. 124n(i)) is amended by striking "Decem23 ber 20, 2024" and inserting "March 14, 2025".

1 SEC. 607. ADDITIONAL SPECIAL ASSESSMENT.

2 Section 3014 of title 18, United States Code, is
3 amended by striking "December 23, 2024" and inserting
4 "March 14, 2025".

5 SEC. 608. NATIONAL CYBERSECURITY PROTECTION SYS-6 TEM AUTHORIZATION.

7 Section 227(a) of the Federal Cybersecurity En8 hancement Act of 2015 (6 U.S.C. 1525(a)) is amended
9 by striking "December 20, 2024" and inserting "March
10 14, 2025".

#### **DIVISION D—COMMERCE** 11 **MATTERS** 12 TITLE I—SECOND CHANCE 13 **REAUTHORIZATION ACT OF 2024** 14 15 SECTION 101. SHORT TITLE. 16 This Act may be cited as the "Second Chance Reauthorization Act of 2024". 17 18 SEC. 102. IMPROVEMENTS TO EXISTING PROGRAMS. 19 (a) STATE AND LOCAL REENTRY DEMONSTRATION 20 **PROJECTS.**—Section 2976 of title I of the Omnibus Crime 21 Control and Safe Streets Act of 1968 (34 U.S.C. 10631) 22 is amended—

- (1) in subsection (b)—
- 24 (A) in paragraph (7), by striking "and" at
- the end;

1	(B) in paragraph (8), by striking the pe-
2	riod at the end; and
3	(C) by adding at the end the following:
4	"(9) treating substance use disorders, including
5	by providing peer recovery services, case manage-
6	ment, and access to overdose education and overdose
7	reversal medications; and
8	"(10) providing reentry housing services."; and
9	(2) in subsection (o)(1), by striking " $2019$
10	through 2023" and inserting "2025 through 2029".
11	(b) Grants for Family-Based Substance Abuse
12	TREATMENT.—Section 2926(a) of the Omnibus Crime
13	Control and Safe Streets Act of 1968 (34 U.S.C.
14	10595a(a)) is amended by striking "2019 through 2023"
15	and inserting "2025 through 2029".
16	(c) GRANT PROGRAM TO EVALUATE AND IMPROVE
17	Educational Methods at Prisons, Jails, and Juve-
18	NILE FACILITIES.—Section $1001(a)(28)$ of the Omnibus
19	Crime Control and Safe Streets Act of 1968 (34 U.S.C.
20	10261(a)(28)) is amended by striking "2019, 2020, 2021,
21	2022, and 2023" and inserting "2025 through 2029".
22	(d) CAREERS TRAINING DEMONSTRATION
23	GRANTS.—Section 115(f) of the Second Chance Act of
24	2007 (34 U.S.C. 60511(f)) is amended by striking "2019,

2020, 2021, 2022, and 2023" and inserting "2025
 through 2029".

3 (e) OFFENDER REENTRY SUBSTANCE ABUSE AND
4 CRIMINAL JUSTICE COLLABORATION PROGRAM.—Section
5 201(f)(1) of the Second Chance Act of 2007 (34 U.S.C.
6 60521(f)(1)) is amended by striking "2019 through 2023"
7 and inserting "2025 through 2029".

8 (f) COMMUNITY-BASED MENTORING AND TRANSI9 TIONAL SERVICE GRANTS TO NONPROFIT ORGANIZA10 TIONS.—Section 211(f) of the Second Chance Act of 2007
11 (34 U.S.C. 60531(f)) is amended by striking "2019
12 through 2023" and inserting "2025 through 2029".

## 13 TITLE II—YOUTH POISONING 14 PREVENTION

#### 15 SEC. 201. SHORT TITLE.

19

16 This title may be cited as the "Youth Poisoning Pro-17 tection Act".

18 SEC. 202. BANNING OF PRODUCTS CONTAINING A HIGH

#### CONCENTRATION OF SODIUM NITRITE.

(a) IN GENERAL.—Any consumer product containing
a high concentration of sodium nitrite shall be considered
to be a banned hazardous product under section 8 of the
Consumer Product Safety Act (15 U.S.C. 2057).

24 (b) RULE OF CONSTRUCTION.—Nothing in this sec-25 tion shall be construed to—

1 (1) prohibit any commercial or industrial pur-2 pose in which high concentration sodium nitrite is 3 not customarily produced or distributed for sale to, 4 or use or consumption by, or enjoyment of, a con-5 sumer; and 6 (2) apply to high concentration sodium nitrite 7 that meets the definition of a drug, device, or cos-8 metic (as such terms are defined in sections 201(g), 9 (h), and (i) of the Federal Food, Drug, and Cos-10 metic Act (21 U.S.C. 321(g), (h), and (i))), or food 11 (as defined in section 201(f) of such Act (21 U.S.C.

12 321(f))), including poultry and poultry products (as 13 such terms are defined in sections 4(e) and (f) of 14 the Poultry Products Inspection Act (21 U.S.C. 15 453(e)and (f))), meat and meat food products (as 16 such terms are defined in section 1(j) of the Federal 17 Meat Inspection Act (21 U.S.C. 601(j))), and eggs 18 and egg products (as such terms are defined in sec-19 tion 4 of the Egg Products Inspection Act (21) 20 U.S.C. 1033)).

21 (c) DEFINITIONS.—For purposes of this section:

(1) CONSUMER PRODUCT.—The term consumer
product has the meaning given that term under section 3(a)(5) of the Consumer Product Safety Act (
15 U.S.C. 2052(a)(5)).

(2) HIGH CONCENTRATION OF SODIUM NI TRITE.—The term high concentration of sodium ni trite means a concentration of 10 or more percent
 by weight of sodium nitrite.

5 (d) EFFECTIVE DATE.—This section shall take effect6 90 days after the date of enactment of this Act.

# 7 TITLE III—CONSUMER PRODUCT 8 SAFETY STANDARD FOR CER9 TAIN BATTERIES

## 10SEC. 301. CONSUMER PRODUCT SAFETY STANDARD FOR11CERTAIN BATTERIES.

12 (a) CONSUMER PRODUCT SAFETY STANDARD RE-13 QUIRED.—Not later than 180 days after the date of the enactment of this Act, the Consumer Product Safety Com-14 15 mission (referred to in this section as the "Commission") shall promulgate, under section 553 of title 5, United 16 17 States Code, the provisions of ANSI/CAN/UL 2271-18 Standard for Batteries for Use in Light Electric Vehicle 19 Applications, ANSI/CAN/UL 2849-Standard for Safety 20 for Electrical Systems for eBikes, and ANSI/CA/UL 21 2272-Standard for Electrical Systems for Personal E-Mo-22 bility Devices, as in effect on the date of enactment of 23 this Act, as final consumer product safety standards.

24 (b) CONSUMER PRODUCT SAFETY COMMISSION DE-25 TERMINATION OF SCOPE.—In adopting the standards

under subsection (a), the Commission shall limit the appli cation of such standards to consumer products as defined
 in section 3(a)(5) of the Consumer Product Safety Act (15
 U.S.C. 2052(a)(5)).

#### 5 (c) REVISION OF VOLUNTARY STANDARDS.—

6 (1) NOTICE TO COMMISSION.—If the provisions 7 of ANSI/CAN/UL 2271-Standard for Batteries for 8 Use in Light Electric Vehicle Applications, ANSI/ 9 CAN/UL 2849-Standard for Safety for Electrical 10 Systems for eBikes, or ANSI/CAN/UL 2272-Stand-11 ard for Electrical Systems for Personal E-Mobility 12 Devices, are revised following the enactment of this 13 Act, the organization that revised the requirements 14 of such standard shall notify the Commission after 15 the final approval of the revision.

16 (2) TREATMENT OF REVISION.—The revised 17 voluntary standard shall be considered to be a con-18 sumer product safety standard issued by the Com-19 mission under section 9 of the Consumer Product 20 Safety Act (15 U.S.C. 2058), effective 180 days 21 after the date on which the organization notifies the 22 Commission (or such later date specified by the 23 Commission in the Federal Register) unless, within 24 90 days after receiving that notice, the Commission 25 notifies the organization that it has determined that 1 the proposed revision, in whole or in part, does not 2 improve the safety of the consumer product covered 3 by the standard and that the Commission is retain-4 ing the existing consumer product safety standard. 5 (d) TREATMENT OF STANDARD.—A standard promulgated under this section, including a revision of such 6 standard adopted by the Commission, shall be treated as 7 8 a consumer product safety rule promulgated under section 9 9 of the Consumer Product Safety Act (15 U.S.C. 2058).

10 (e) Report to Congress.—

11 (1) IN GENERAL.—Not later than 5 years after 12 the date of enactment of this Act, the Commission 13 shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the 14 15 Committee on Energy and Commerce of the House of Representatives, a report regarding fires, explo-16 17 sions, and other hazards relating to lithium-ion bat-18 teries used in micromobility products during the pe-19 riod beginning on the date of enactment of this Act 20 and ending on the report date.

21 (2) CONTENT.—The report required by para22 graph (1) shall describe, at a minimum—

23 (A) the source of the information that was
24 provided to the Commission regarding the fire,
25 explosion, or other hazard;

1	(B) the make and model of the lithium-ion
2	battery and micromobility product that resulted
3	in a fire, explosion, or other hazard, if known;
4	(C) whether a lithium-ion battery involved
5	in a fire, explosion, or other hazard complied
6	with the standard required by this section, if
7	known; and
8	(D) if known, the manufacturer and coun-
9	try of manufacture of a lithium-ion battery that
10	resulted in a fire, explosion, or other hazard.
11	TITLE IV—FOREIGN ADVERSARY
12	COMMUNICATIONS TRANS-
13	PARENCY ACT
14	SEC. 401. SHORT TITLE.
15	This title may be cited as the "Foreign Adversary
16	Communications Transparency Act".
17	SEC. 402. LIST OF ENTITIES HOLDING FCC AUTHORIZA-
18	TIONS, LICENSES, OR OTHER GRANTS OF AU-
19	THORITY AND HAVING CERTAIN FOREIGN
20	OWNERSHIP.
21	(a) IN GENERAL.—Not later than 120 days after the
22	date of the enactment of this Act, the Commission shall
23	publish on the internet website of the Commission a list
24	of each entity—

1	(1) that holds a license issued by the Commis-
2	sion pursuant to—
3	(A) section 309(j) of the Communications
4	Act of 1934 (47 U.S.C. 309(j)); or
5	(B) the Act of May 27, 1921 (47 U.S.C.
6	34 et seq.; commonly known as the "Cable
7	Landing Licensing Act") and Executive Order
8	10530 (3 U.S.C. 301 note; relating to the per-
9	formance of certain functions vested in or sub-
10	ject to the approval of the President); and
11	(2) with respect to which—
12	(A) a covered entity holds an equity or vot-
13	ing interest that is required to be reported to
14	the Commission under the ownership rules of
15	the Commission; or
16	(B) an appropriate national security agen-
17	cy has determined that a covered entity exerts
18	control, regardless of whether such covered enti-
19	ty holds an equity or voting interest as de-
20	scribed in subparagraph (A).
21	(b) Rulemaking.—
22	(1) IN GENERAL.—Not later than 18 months
23	after the date of the enactment of this Act, the
24	Commission shall issue rules to obtain information
25	to identify each entity—

1	(A) that holds any authorization, license,
2	or other grant of authority issued by the Com-
3	mission (other than a license described in sub-
4	section $(a)(1)$ ; and
5	(B) with respect to which a covered entity
6	holds an equity or voting interest that is re-
7	quired to be reported to the Commission under
8	the ownership rules of the Commission.
9	(2) Placement on list.—Not later than 1
10	year after the Commission issues the rules required
11	by paragraph (1), the Commission shall place each
12	entity described in such paragraph on the list pub-
13	lished under subsection (a).
13 14	
	lished under subsection (a).
14	lished under subsection (a). (c) Paperwork Reduction Act Exemption.—A
14 15	lished under subsection (a). (c) PAPERWORK REDUCTION ACT EXEMPTION.—A collection of information conducted or sponsored by the Commission to implement this section does not constitute
14 15 16	lished under subsection (a). (c) PAPERWORK REDUCTION ACT EXEMPTION.—A collection of information conducted or sponsored by the Commission to implement this section does not constitute
14 15 16 17	lished under subsection (a). (c) PAPERWORK REDUCTION ACT EXEMPTION.—A collection of information conducted or sponsored by the Commission to implement this section does not constitute a collection of information for the purposes of subchapter
14 15 16 17 18	lished under subsection (a). (c) PAPERWORK REDUCTION ACT EXEMPTION.—A collection of information conducted or sponsored by the Commission to implement this section does not constitute a collection of information for the purposes of subchapter I of chapter 35 of title 44, United States Code (commonly
14 15 16 17 18 19	lished under subsection (a). (c) PAPERWORK REDUCTION ACT EXEMPTION.—A collection of information conducted or sponsored by the Commission to implement this section does not constitute a collection of information for the purposes of subchapter I of chapter 35 of title 44, United States Code (commonly referred to as the "Paperwork Reduction Act").
<ol> <li>14</li> <li>15</li> <li>16</li> <li>17</li> <li>18</li> <li>19</li> <li>20</li> </ol>	lished under subsection (a). (c) PAPERWORK REDUCTION ACT EXEMPTION.—A collection of information conducted or sponsored by the Commission to implement this section does not constitute a collection of information for the purposes of subchapter I of chapter 35 of title 44, United States Code (commonly referred to as the "Paperwork Reduction Act"). (d) ANNUAL UPDATES.—The Commission shall, not
<ol> <li>14</li> <li>15</li> <li>16</li> <li>17</li> <li>18</li> <li>19</li> <li>20</li> <li>21</li> </ol>	<ul> <li>lished under subsection (a).</li> <li>(c) PAPERWORK REDUCTION ACT EXEMPTION.—A</li> <li>collection of information conducted or sponsored by the</li> <li>Commission to implement this section does not constitute</li> <li>a collection of information for the purposes of subchapter</li> <li>I of chapter 35 of title 44, United States Code (commonly</li> <li>referred to as the "Paperwork Reduction Act").</li> <li>(d) ANNUAL UPDATES.—The Commission shall, not</li> <li>less frequently than annually, update the list published</li> </ul>

(1) APPROPRIATE NATIONAL SECURITY AGEN-
CY.—The term "appropriate national security agen-
cy" has the meaning given such term in section $9$
of the Secure and Trusted Communications Net-
works Act of 2019 (47 U.S.C. 1608).
(2) Commission.—The term "Commission"
means the Federal Communications Commission.
(3) COVERED COUNTRY.—The term "covered
country" means a country specified in section
4872(d)(2) of title 10, United States Code.
(4) COVERED ENTITY.—The term "covered en-
tity" means—
(A) the government of a covered country;
(B) an entity organized under the laws of
a covered country; and
(C) a subsidiary of an entity described in
subparagraph (B), regardless of whether the
subsidiary is organized under the laws of a cov-
ered country.
TITLE V—PROMOTING
<b>RESILIENT SUPPLY CHAINS</b>
SEC. 501. SHORT TITLE.
This title may be cited as the "Promoting Resilient

24 Supply Chains Act of 2024".

# 1SEC. 502. ADDITIONAL RESPONSIBILITIES OF ASSISTANT2SECRETARY OF COMMERCE FOR INDUSTRY3AND ANALYSIS.

In addition to the responsibilities of the Assistant
Secretary on the day before the date of the enactment of
this Act, the Assistant Secretary shall have the following
responsibilities:

8 (1) Promote the stability and resilience of crit-9 ical supply chains and critical and emerging tech-10 nologies that strengthen the national security of the 11 United States.

(2) Lead the Working Group established pursuant to section 503 and consult covered nongovernmental representatives, industry, institutions of
higher education, and State and local governments
in order to—

- 17 (A) promote resilient critical supply chains;18 and
- 19 (B) identify, prepare for, and respond to20 supply chain shocks to—
- 21 (i) critical industries;
- 22 (ii) critical supply chains; and

23 (iii) critical and emerging tech-24 nologies.

1	(3) Encourage the growth and competitiveness
2	of United States production and manufacturing in
3	the United States of emerging technologies.
4	(4) Assess the resilience, diversity, and strength
5	of critical supply chains and critical and emerging
6	technologies.
7	(5) In consultation with the Secretary of State
8	and the United States Trade Representative, sup-
9	port the availability of critical goods from domestic
10	manufacturers, domestic enterprises, and manufac-
11	turing operations in countries that are allies or key
12	international partner nations.
13	(6) Assist the Federal Government in preparing
14	for and responding to supply chain shocks to critical
15	supply chains, including by improving flexible manu-
16	facturing capacities and capabilities in the United
17	States.
18	(7) Consistent with United States obligations
19	under international agreements, encourage and
20	incentivize the reduced reliance of domestic enter-
21	prises and domestic manufacturers on critical goods
22	from countries that are described in section
23	507(2)(B).
24	(8) Encourage the relocation of manufacturing
25	facilities that manufacture critical goods from coun-

tries that are described in section 507(2)(B) to the
United States and countries that are allies or key
international partner nations to strengthen the resilience, diversity, and strength of critical supply
chains.

## 6 SEC. 503. CRITICAL SUPPLY CHAIN RESILIENCE WORKING 7 GROUP.

(a) ESTABLISHMENT.—Not later than 120 days after 8 9 the date of the enactment of this Act, the Assistant Sec-10 retary shall establish a working group to be known as the 11 "Supply Chain Resilience Working Group" (in this title 12 referred to as the "Working Group") composed of the 13 Federal agencies that rely upon the Industry and Analysis Business unit analysis, including agencies enumerated in 14 15 subsection (c).

(b) ACTIVITIES.—Not later than 1 year after the date
of the enactment of this Act, the Assistant Secretary shall
carry out the following activities:

- 19 (1) In consultation with the Working Group—
  20 (A) assessing, mapping, and modeling crit21 ical supply chains, including for critical and
  22 emerging technologies, which may include—
  23 (i) modeling the impact of supply
- 23 (i) modeling the impact of supply24 chain shocks on critical industries (includ-

1	ing for critical and emerging technologies),
2	and critical supply chains;
3	(ii) assessing the demand for and sup-
4	ply of critical goods, production equipment,
5	and manufacturing technology needed for
6	critical supply chains, including critical
7	goods, production equipment, and manu-
8	facturing technology obtained by or pur-
9	chased from a person outside of the United
10	States or imported into the United States;
11	and
12	(iii) assessing manufacturing,
13	warehousing, transportation, and distribu-
14	tion related to critical supply chains;
15	(B) identifying high priority gaps and
16	vulnerabilities in critical supply chains and crit-
17	ical industries (including critical industries for
18	critical and emerging technologies) that—
19	(i) exist as of the date of the enact-
20	ment of this Act; or
21	(ii) are anticipated to occur after the
22	date of the enactment of this Act;
23	(C) identifying potential supply chain
24	shocks to a critical supply chain that may dis-

1	rupt, strain, or eliminate the critical supply
2	chain;
3	(D) evaluating the capability and capacity
4	of domestic manufacturers or manufacturers lo-
5	cated in countries that are allies or key inter-
6	national partner nations to serve as sources for
7	critical goods, production equipment, or manu-
8	facturing technology needed in critical supply
9	chains;
10	(E) evaluating the effect on market sta-
11	bility that may result from the disruption,
12	strain, or elimination of a critical supply chain;
13	(F) evaluating the state of the manufac-
14	turing workforce, including by—
15	(i) identifying the needs of domestic
16	manufacturers; and
17	(ii) identifying opportunities to create
18	high-quality manufacturing jobs; and
19	(G) identifying and describing necessary
20	tools, including commercially available risk as-
21	sessment tools, that leverage data and industry
22	expertise to provide insights into critical supply
23	chain vulnerabilities, including how such tools
24	fulfill the requirements described in subpara-
25	graphs (A) through (F).

1	(2) In consultation with State and local govern-
2	ments, the Working Group, and (as appropriate)
3	countries that are allies or key international partner
4	nations—
5	(A) identifying opportunities to reduce
6	gaps and vulnerabilities in critical supply chains
7	and critical industries;
8	(B) encouraging consultation between the
9	Federal Government, industry, covered non-
10	governmental representatives, institutions of
11	higher education, and State and local govern-
12	ments to—
13	(i) better respond to supply chain
14	shocks to critical supply chains and critical
15	industries (including critical industries for
16	emerging technologies); and
17	(ii) coordinate response efforts to sup-
18	ply chain shocks;
19	(C) encouraging consultation between the
20	Federal Government and the governments of
21	countries that are allies or key international
22	partner nations;
23	(D) identifying opportunities to build the
24	capacity of the United States in critical supply

1	chains, critical industries, and emerging tech-
2	nologies;
3	(E) identifying opportunities to build the
4	capacity of countries that are allies or key
5	international partner nations in critical indus-
6	tries (including critical industries for emerging
7	technologies) and critical supply chains; and
8	(F) developing and assessing contingency
9	plans and coordination mechanisms to improve
10	the response of critical supply chains and crit-
11	ical industries to supply chain shocks.
12	(c) Working Group Membership.—The Working
13	Group shall include a representative from each Federal
14	agency that relies on the analysis of the Industry and
15	Analysis business unit, including—
16	(1) the Department of State;
17	(2) the Department of Defense;
18	(3) the Department of Homeland Security;
19	(4) the Department of Transportation;
20	(5) the Department of Energy;
21	(6) the Department of Agriculture;
22	(7) the Department of the Interior;
23	(8) the Department of Health and Human
24	Services;

1	(9) the Office of the Director of National Intel-
2	ligence; and
3	(10) the Small Business Administration.
4	(d) DESIGNATIONS.—The Assistant Secretary shall—
5	(1) not later than 120 days after the date of
6	the enactment of this Act, designate—
7	(A) critical industries;
8	(B) critical supply chains; and
9	(C) critical goods;
10	(2) provide for a period of public comment and
11	review in carrying out paragraph (1); and
12	(3) update the designations made pursuant to
13	paragraph $(1)$ not less frequently than once every 4
14	years, including designations for technologies that
15	are not described in section $507(12)(B)$ that the As-
16	sistant Secretary considers necessary.
17	(e) IMPLEMENTATION REPORT.—Not later than 1
18	year after the date of the enactment of this Act, the As-
19	sistant Secretary shall submit to the relevant committees
20	of Congress a report that—
21	(1) details supply chain activities, including ap-
22	plicable activities described in subsection (b) and re-
23	sponsibilities described in section 502, that the As-
24	sistant Secretary has conducted over the past year;

1 (2) describes supply chain data collected, re-2 tained, and analyzed by the Assistant Secretary over 3 the past year; 4 (3) identifies and describes necessary tools, in-5 cluding commercially available risk assessment tools, 6 that leverage data and industry expertise to provide 7 insights into critical supply chain vulnerabilities, in-8 cluding how such tools fulfill each responsibility de-9 scribed in subsection (b); 10 (4) identifies and describes all Federal agencies 11 with authorities or responsibilities described in sub-12 section (b); and 13 (5) identifies Federal agencies, programs, and 14 bureaus with duplicative purposes to fulfill any of 15 the authorities or responsibilities described in sub-16 section (b). 17 (f) NATIONAL STRATEGY AND REVIEW ON CRITICAL SUPPLY CHAIN RESILIENCY AND MANUFACTURING IN 18 THE UNITED STATES.— 19 20 (1) IN GENERAL.—Not later than 18 months 21 after the date of the enactment of this Act, and an-22 nually thereafter, the Assistant Secretary, in con-23 sultation with the Working Group, covered non-24 governmental representatives, industries, institutions 25 of higher education, and State and local govern-

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1	ments, shall submit to the relevant committees of
2	Congress a report that—
3	(A) identifies—
4	(i) critical infrastructure that may as-
5	sist in fulfilling the responsibilities de-
6	scribed in section 502;
7	(ii) critical and emerging technologies
8	that may assist in fulfilling the responsibil-
9	ities described in section 502, including
10	such technologies that may be critical to
11	addressing preparedness, weaknesses, and
12	vulnerabilities relating to critical supply
13	chains;
14	(iii) critical industries, critical supply
15	chains, and critical goods designated pur-
16	suant to subsection (d);
17	(iv) other supplies and services that
18	are critical to the crisis preparedness of
19	the United States;
20	(v) substitutes for critical goods, pro-
21	duction equipment, and manufacturing
22	technology;
23	(vi) methods and technologies, includ-
24	ing blockchain technology, distributed ledg-
25	er technology, and other critical and

1	emerging technologies, as appropriate, for
2	the authentication and traceability of crit-
3	ical goods; and
4	(vii) countries that are allies or key
5	international partner nations;
6	(B) describes the matters identified and
7	evaluated under subsection $(b)(1)$ , including—
8	(i) the manufacturing base, critical
9	supply chains, and emerging technologies
10	in the United States, including the manu-
11	facturing base and critical supply chains
12	for—
13	(I) critical goods;
14	(II) production equipment; and
15	(III) manufacturing technology;
16	and
17	(ii) the ability of the United States
18	to—
19	(I) maintain readiness with re-
20	spect to preparing for and responding
21	to supply chain shocks; and
22	(II) in response to a supply chain
23	shock—
24	(aa) surge production in
25	critical industries;

1	(bb) surge production of
2	critical goods and production
3	equipment; and
4	(cc) maintain access to crit-
5	ical goods, production equipment,
6	and manufacturing technology;
7	(C) assesses and describes—
8	(i) the demand and supply of critical
9	goods, production equipment, and manu-
10	facturing technology;
11	(ii) the production of critical goods,
12	production equipment, and manufacturing
13	technology by domestic manufacturers;
14	(iii) the capability and capacity of do-
15	mestic manufacturers and manufacturers
16	in countries that are allies or key inter-
17	national partner nations to manufacture
18	critical goods, production equipment, and
19	manufacturing technology; and
20	(iv) how supply chain shocks could af-
21	fect rural, Tribal, and underserved commu-
22	nities;
23	(D) identifies threats and supply chain
24	shocks that may disrupt, strain, or eliminate
25	critical supply chains, critical goods, and critical

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1	industries (including critical industries for
2	emerging technologies);
3	(E) with regard to any threat identified
4	under subparagraph (D), lists any threat or
5	supply chain shock that may originate from a
6	country, or a company or individual from a
7	country, that is described in section $507(2)(B)$ ;
8	(F) assesses—
9	(i) the resilience and capacity of the
10	manufacturing base, critical supply chains,
11	and workforce of the United States and
12	countries that are allies or key inter-
13	national partner nations that can sustain
14	critical industries (including critical indus-
15	tries for emerging technologies) through a
16	supply chain shock; and
17	(ii) the effect innovation has on do-
18	mestic manufacturers;
19	(G) assesses the flexible manufacturing ca-
20	pacity and capability available in the United
21	States in the case of a supply chain shock; and
22	(H) develops a strategy for the Depart-
23	ment of Commerce to support the resilience, di-
24	versity, and strength of critical supply chains
25	and critical and emerging technologies to—

1 (i) support sufficient access to critical 2 goods by mitigating vulnerabilities in crit-3 ical supply chains, including critical supply 4 chains concentrated in countries that are 5 described in section 507(2)(B); 6 (ii) consult with other relevant agen-7 cies to assist countries that are allies or 8 key international partner nations in build-9 ing capacity for manufacturing critical 10 goods; 11 (iii) recover from supply chain shocks; 12 (iv) identify, in consultation with the 13 Working Group and other relevant agen-14 cies, actions relating to critical supply 15 chains or emerging technologies that the 16 United States may take to improve re-17 sponses to supply chain shocks; 18  $(\mathbf{v})$ protect against supply chain 19 shocks relating to critical supply chains 20 from countries that are described in sec-21 tion 507(2)(B); and

(vi) make specific recommendations to
implement the strategy under this section
and improve the security and resiliency of
manufacturing capacity and supply chains

1	for critical industries (including critical in-
2	dustries for emerging technologies) by—
3	(I) developing long-term strate-
4	gies;
5	(II) increasing visibility into the
6	networks and capabilities of domestic
7	manufacturers and suppliers of do-
8	mestic manufacturers;
9	(III) identifying and mitigating
10	risks, including—
11	(aa) significant
12	vulnerabilities to supply chain
13	shocks; and
14	(bb) exposure to gaps and
15	vulnerabilities in domestic capac-
16	ity or capabilities and sources of
17	imports needed to sustain critical
18	industries (including critical in-
19	dustries for emerging tech-
20	nologies) or critical supply
21	chains;
22	(IV) identifying opportunities to
23	reuse and recycle critical goods, in-
24	cluding raw materials, to increase re-
25	silient critical supply chains;

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(V) consulting with countries
that are allies or key international
partner nations on—
(aa) sourcing critical goods,
production equipment, and man-
ufacturing technology; and
(bb) developing, sustaining,
and expanding production and
availability of critical goods, pro-
duction equipment, and manufac-
turing technology during a supply
chain shock; and
(VI) providing guidance to other
relevant agencies with respect to crit-
ical goods, supply chains, and critical
industries (including critical industries
for emerging technologies) that should
be prioritized to support United
States leadership in the deployment of
such technologies.
(2) PROHIBITION.—The report submitted pur-
suant to paragraph (1) may not include—
(A) critical supply chain information that
is not aggregated;

1	(B) confidential business information of a
2	private sector entity; or
3	(C) classified information.
4	(3) FORM.—The report submitted pursuant to
5	paragraph (1), and any update submitted thereafter,
6	shall be submitted to the relevant committees of
7	Congress in unclassified form and may include a
8	classified annex.
9	(4) PUBLIC COMMENT.—The Assistant Sec-
10	retary shall provide for a period of public comment
11	and review in developing the report submitted pursu-
12	ant to paragraph (1).
13	(g) CONSULTATION.—Not later than 1 year after the
14	date of the enactment of this Act, the Assistant Secretary
15	shall enter into an agreement with the head of any rel-
16	evant agency to obtain any information, data, or assist-
17	ance that the Assistant Secretary determines necessary to
18	conduct the activities described in subsection (b).
19	(h) RULE OF CONSTRUCTION.—Nothing in this sec-
20	tion may be construed to require any private entity—
21	(1) to share information with the Secretary or
22	Assistant Secretary;
23	(2) to request assistance from the Secretary or
24	Assistant Secretary; or

1	(3) to implement any measure or recommenda-
2	tion suggested by the Secretary or Assistant Sec-
3	retary in response to a request by the private entity.
4	(i) PROTECTION OF VOLUNTARILY SHARED CRIT-
5	ICAL SUPPLY CHAIN INFORMATION.—
6	(1) PROTECTION.—
7	(A) IN GENERAL.—Notwithstanding any
8	other provision of law, critical supply chain in-
9	formation (including the identity of the submit-
10	ting person or entity) that is voluntarily sub-
11	mitted under this section to the Department of
12	Commerce for use by the Department for pur-
13	poses of this section, when accompanied by an
14	express statement described in subparagraph
15	(B)—
16	(i) shall be exempt from disclosure
17	under section 552(b)(3) of title 5, United
18	States Code (commonly referred to as the
19	"Freedom of Information Act");
20	(ii) is not subject to any agency rules
21	or judicial doctrine regarding ex parte
22	communications with a decision-making of-
23	ficial;
24	(iii) may not, without the written con-
25	sent of the person or entity submitting

1	such information, be used directly by the
2	Department of Commerce, any other Fed-
3	eral, State, or local authority, or any third
4	party, in any civil action arising under
5	Federal or State law if such information is
6	submitted in good faith;
7	(iv) may not, without the written con-
8	sent of the person or entity submitting
9	such information, be used or disclosed by
10	any officer or employee of the United
11	States for purposes other than the pur-
12	poses of this section, except—
13	(I) in furtherance of an investiga-
14	tion or the prosecution of a criminal
15	act; or
16	(II) when disclosure of the infor-
17	mation would be—
18	(aa) to either House of Con-
19	gress, or to the extent of matter
20	within its jurisdiction, any com-
21	mittee or subcommittee thereof,
22	any joint committee thereof, or
23	any subcommittee of any such
24	joint committee; or

1	(bb) to the Comptroller Gen-
2	eral of the United States, or any
3	authorized representative of the
4	Comptroller General, in the
5	course of the performance of the
6	duties of the Government Ac-
7	countability Office;
8	(v) may not, if provided to a State or
9	local government or government agency—
10	(I) be made available pursuant to
11	any State or local law requiring dis-
12	closure of information or records;
13	(II) otherwise be disclosed or dis-
14	tributed to any party by such State or
15	local government or government agen-
16	cy without the written consent of the
17	person or entity submitting such in-
18	formation; or
19	(III) be used other than for the
20	purpose of carrying out this section,
21	or in furtherance of an investigation
22	or the prosecution of a criminal act;
23	and
24	(vi) does not constitute a waiver of
25	any applicable privilege or protection pro-

1	vided under law, such as trade secret pro-
2	tection.
3	(B) EXPRESS STATEMENT.—The express
4	statement described in this subparagraph, with
5	respect to information or records, is—
6	(i) in the case of written information
7	or records, a written marking on the infor-
8	mation or records substantially similar to
9	the following: "This information is volun-
10	tarily submitted to the Federal Govern-
11	ment in expectation of protection from dis-
12	closure as provided by the provisions of the
13	Promoting Resilient Supply Chains Act of
14	2024."; or
15	(ii) in the case of oral information, a
16	written statement similar to the statement
17	described in clause (i) submitted within a
18	reasonable period following the oral com-
19	munication.
20	(2) LIMITATION.—No communication of critical
21	supply chain information to the Department of Com-
22	merce made pursuant to this section may be consid-
23	ered to be an action subject to the requirements of
24	chapter 10 of title 5, United States Code.

1 (3)INDEPENDENTLY OBTAINED INFORMA-2 TION.—Nothing in this subsection may be construed 3 to limit or otherwise affect the ability of a State, 4 local, or Federal Government entity, agency, or authority, or any third party, under applicable law to 5 6 obtain critical supply chain information in a manner 7 not covered by paragraph (1), including any infor-8 mation lawfully and properly disclosed generally or 9 broadly to the public and to use such information in 10 any manner permitted by law. For purposes of this 11 subsection, a permissible use of independently ob-12 tained information includes the disclosure of such in-13 formation under section 2302(b)(8) of title 5, 14 United States Code.

(4) TREATMENT OF VOLUNTARY SUBMITTAL OF
INFORMATION.—The voluntary submittal to the Department of Commerce of information or records
that are protected from disclosure by this section
may not be construed to constitute compliance with
any requirement to submit such information to an
agency under any other provision of law.

(5) INAPPLICABILITY TO SEMICONDUCTOR INCENTIVE PROGRAM.—This subsection does not apply
to the voluntary submission of critical supply chain
information in an application for Federal financial

1	assistance under section 9902 of the William M.
2	(Mac) Thornberry National Defense Authorization
3	Act for Fiscal Year 2021 (Public Law 116–283).
4	SEC. 504. DEPARTMENT OF COMMERCE CAPABILITY AS-
5	SESSMENT.
6	(a) REPORT REQUIRED.—The Secretary shall
7	produce a report—
8	(1) identifying the duties, responsibilities, re-
9	sources, programs, and expertise within the offices
10	and bureaus of the Department of Commerce rel-
11	evant to critical supply chain resilience and manu-
12	facturing innovation;
13	(2) identifying and assessing the purpose, legal
14	authority, effectiveness, efficiency, and limitations of
15	each office or bureau identified under paragraph (1);
16	and
17	(3) providing recommendations to enhance the
18	activities related to critical supply chain resilience
19	and manufacturing innovation of the Department of
20	Commerce, including—
21	(A) improving the effectiveness, efficiency,
22	and impact of the offices and bureaus identified
23	under paragraph (1);
24	(B) coordinating across offices and bu-
25	reaus identified under paragraph (1); and

(C) consulting with agencies implementing
 similar activities related to critical supply chain
 resilience and manufacturing innovation.

4 (b) SUBMISSION OF REPORT.—Not later than 2 years
5 after the date of the enactment of this Act, the Secretary
6 shall submit to the relevant committees of Congress the
7 report required by subsection (a), along with a strategy
8 to implement, as appropriate and as determined by the
9 Secretary, the recommendations contained in the report.

## 10 SEC. 505. NO ADDITIONAL FUNDS.

11 No additional funds are authorized to be appro-12 priated to carry out this title.

## 13 SEC. 506. SUNSET.

14 This title and all requirements, responsibilities, and 15 obligations under this title shall terminate on the date that 16 is 10 years after the date of the enactment of this Act. 17 SEC. 507. DEFINITIONS.

18 In this title:

19 (1) AGENCY.—The term "agency" has the
20 meaning given that term in section 551 of title 5,
21 United States Code.

(2) ALLY OR KEY INTERNATIONAL PARTNER
NATION.—The term "ally or key international partner nation"—

1	(A) means a country that is critical to ad-
2	dressing critical supply chain weaknesses and
3	vulnerabilities; and
4	(B) does not include—
5	(i) a country that poses a significant
6	risk to the national security or economic
7	security of the United States; or
8	(ii) a country that is described in sec-
9	tion 503(b) of the RANSOMWARE Act
10	(title V of division BB of the Consolidated
11	Appropriations Act, 2023; Public Law
12	117–328; 136 Stat. 5564).
13	(3) Assistant secretary.—The term "Assist-
14	ant Secretary" means the Assistant Secretary of
15	Commerce assigned by the Secretary to direct the
16	office of Industry and Analysis.
17	(4) Covered nongovernmental represent-
18	ATIVE.—The term "covered nongovernmental rep-
19	resentative" means a representative as specified in
20	the second sentence of section $135(b)(1)$ of the
21	Trade Act of 1974 (19 U.S.C. $2155(b)(1)$ ), except
22	that such term does not include a representative of
23	a non-Federal government.
24	(5) CRITICAL GOOD.—The term "critical good"
25	means any raw, in process, or manufactured mate-

1	rial (including any mineral, metal, or advanced proc-
2	essed material), article, commodity, supply, product,
3	or item for which an absence of supply would have
4	a debilitating impact on—
5	(A) the national security or economic secu-
6	rity of the United States; and
7	(B) either—
8	(i) critical infrastructure; or
9	(ii) an emerging technology.
10	(6) CRITICAL INDUSTRY.—The term "critical
11	industry" means an industry that—
12	(A) is critical for the national security or
13	economic security of the United States; and
14	(B) produces or procures a critical good.
15	(7) CRITICAL INFRASTRUCTURE.—The term
16	"critical infrastructure" has the meaning given that
17	term in section 1016 of the Critical Infrastructures
18	Protection Act of 2001 (42 U.S.C. 5195c).
19	(8) CRITICAL SUPPLY CHAIN.—The term "crit-
20	ical supply chain" means a supply chain for a crit-
21	ical good.
22	(9) Critical supply chain information.—
23	The term "critical supply chain information" means
24	information that is not customarily in the public do-
25	main and relates to—

1	(A) sustaining and adapting a critical sup-
2	ply chain during a supply chain shock;
3	(B) critical supply chain risk mitigation
4	and recovery planning with respect to a supply
5	chain shock, including any planned or past as-
6	sessment, projection, or estimate of a vulner-
7	ability within the critical supply chain, includ-
8	ing testing, supplier network assessments, pro-
9	duction flexibility, supply chain risk evaluations,
10	supply chain risk management planning, or risk
11	audits; or
12	(C) operational best practices, planning,
13	and supplier partnerships that enable enhanced
14	resilience of a critical supply chain during a
15	supply chain shock, including response, repair,
16	recovery, reconstruction, insurance, or con-
17	tinuity.
18	(10) Domestic enterprise.—The term "do-
19	mestic enterprise" means an enterprise that con-
20	ducts business in the United States and procures a
21	critical good.
22	(11) Domestic Manufacturer.—The term
23	"domestic manufacturer" means a business that
24	conducts in the United States the research and de-

1	velopment, engineering, or production activities nec-
2	essary for manufacturing a critical good.
3	(12) Emerging technology.—The term
4	"emerging technology" means a technology that is
5	critical for the national security or economic security
6	of the United States, including the following:
7	(A) Technologies included in the American
8	COMPETE Act (title XV of division FF of the
9	Consolidated Appropriations Act, 2021; Public
10	Law 116–260; 134 Stat. 3276).
11	(B) The following technologies:
12	(i) Artificial intelligence.
13	(ii) Automated vehicles and unmanned
14	delivery systems.
15	(iii) Blockchain and other distributed
16	ledger, data storage, data management,
17	and cybersecurity technologies.
18	(iv) Quantum computing and quan-
19	tum sensing.
20	(v) Additive manufacturing.
21	(vi) Advanced manufacturing and the
22	Internet of Things.
23	(vii) Nano technology.
24	(viii) Robotics.

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1	(ix) Microelectronics, optical fiber ray,
2	and high performance and advanced com-
3	puter hardware and software.
4	(x) Semiconductors.
5	(xi) Advanced materials science, in-
6	cluding composition 2D, other next genera-
7	tion materials, and related manufacturing
8	technologies.
9	(13) INSTITUTION OF HIGHER EDUCATION.—
10	The term "institution of higher education" has the
11	meaning given that term in section 101 of the High-
12	er Education Act of 1965 (20 U.S.C. 1001).
13	(14) MANUFACTURE.—The term "manufac-
14	ture''—
15	(A) means any activity that is necessary
16	for the development, production, processing,
17	distribution, or delivery of any raw, in process,
18	or manufactured material (including any min-
19	eral, metal, and advanced processed material),
20	article, commodity, supply, product, critical
21	good, or item of supply; and
22	(B) does not include software unrelated to
23	the manufacturing process.
24	(15) MANUFACTURING TECHNOLOGY.—The
25	term "manufacturing technology" means a tech-

2	critical good.
3	(16) PRODUCTION EQUIPMENT.—The term
4	"production equipment" means any component, sub-
5	system, system, equipment, tooling, accessory, part,
6	or assembly necessary for the manufacturing of a
7	critical good.
8	(17) Relevant committees of congress.—
9	The term "relevant committees of Congress" means
10	the following:
11	(A) The Committee on Commerce, Science,
12	and Transportation of the Senate.
13	(B) The Committee on Energy and Com-
14	merce of the House of Representatives.
15	(18) RESILIENT CRITICAL SUPPLY CHAIN.—The
16	term "resilient critical supply chain" means a crit-
17	ical supply chain that—
18	(A) ensures that the United States can
19	sustain critical industry, including emerging
20	technologies, production, critical supply chains,
21	services, and access to critical goods, production
22	equipment, and manufacturing technology dur-
23	ing a supply chain shock; and
24	(B) has key components of resilience that
25	include—

1	(i) effective private sector risk man-
2	agement and mitigation planning to sus-
3	tain critical supply chains and supplier
4	networks during a supply chain shock; and
5	(ii) minimized or managed exposure to
6	a supply chain shock.
7	(19) Secretary.—The term "Secretary"
8	means the Secretary of Commerce.
9	(20) STATE.—The term "State" means each of
10	the several States, the District of Columbia, each
11	commonwealth, territory, or possession of the United
12	States, and each federally recognized Indian Tribe.
13	(21) SUPPLY CHAIN SHOCK.—The term "supply
14	chain shock"—
15	(A) means an event causing severe or seri-
16	ous disruption to normal operations or capacity
17	in a supply chain; and
18	(B) includes—
19	(i) a natural disaster;
20	(ii) a pandemic;
21	(iii) a biological threat;
22	(iv) a cyber attack;
23	(v) a geopolitical conflict;
24	(vi) a terrorist or geopolitical attack;
25	(vii) a trade disruption caused by—

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1	(I) a country described in para-
2	graph $(2)(B)$ ; or
3	(II) an entity or an individual
4	subject to the jurisdiction of such a
5	country; and
6	(viii) an event for which the President
7	declares a major disaster or an emergency
8	under section 401 or 501, respectively, of
9	the Robert T. Stafford Disaster Relief and
10	Emergency Assistance Act (42 U.S.C.
11	5170; 42 U.S.C. 5191).
12	TITLE VI—DEPLOYING
13	AMERICAN BLOCKCHAINS
14	SEC. 601. SHORT TITLE.
15	This title may be cited as the "Deploying American
16	Blockchains Act of 2024".
17	SEC. 602. DEFINITIONS.
18	In this title:
19	(1) ADVISORY COMMITTEE.—The term "Advi-
20	sory Committee" means the National Blockchain
01	sory Committee means the National Diockcham
21	Deployment Advisory Committee established pursu-
21 22	·
	Deployment Advisory Committee established pursu-
22	Deployment Advisory Committee established pursu- ant to section 603(c).
22 23	Deployment Advisory Committee established pursu- ant to section 603(c). (2) BLOCKCHAIN TECHNOLOGY OR OTHER DIS-

technology" means a distributed digital database
where data is—
(A) shared across a network of computers
to create a ledger of verified information among
network participants;
(B) linked using cryptography to maintain
the integrity of the ledger and to execute other
functions; and
(C) distributed among network partici-
pants in an automated fashion to concurrently
update network participants on the state of the
ledger and other functions.
(3) Covered nongovernmental represent-
ATIVE.—The term "covered nongovernmental rep-
resentative" means a representative as specified in
the second sentence of section $135(b)(1)$ of the
Trade Act of 1974 (19 U.S.C. $2155(b)(1)$ ), except
that such term does not include a representative of
a non-Federal government.
(4) Secretary.—The term "Secretary" means
the Secretary of Commerce.
(5) STATE.—The term "State" means each of
the several States, the District of Columbia, each
commonwealth, territory, or possession of the United
States, and each federally recognized Indian Tribe.

(6) TOKEN.—The term "token" means a trans ferable, digital representation of information re corded on blockchain technology or other distributed
 ledger technology.

5 (7) TOKENIZATION.—The term "tokenization"
6 means the process of creating a token.

## 7 SEC. 603. DEPARTMENT OF COMMERCE LEADERSHIP ON 8 BLOCKCHAIN.

9 (a) FUNCTION OF SECRETARY.—The Secretary shall 10 serve as a principal advisor to the President for policy per-11 taining to the deployment, use, application, and competi-12 tiveness of blockchain technology or other distributed ledg-13 er technology, applications built on blockchain technology 14 or other distributed ledger technology, tokens, and 15 tokenization.

16 (b) ACTIVITIES.—The Secretary shall support the 17 leadership of the United States with respect to the deploy-18 ment, use, application, and competitiveness of blockchain 19 technology or other distributed ledger technology, applica-20 tions built on blockchain technology or other distributed 21 ledger technology, tokens, and tokenization by organizing 22 the Advisory Committee—

(1) to examine and to provide recommendations
on issues and risks relating to the deployment, use,
application, and competitiveness of blockchain tech-

1 nology or other distributed ledger technology, appli-2 cations built on blockchain technology or other distributed ledger technology, tokens, and tokenization, 3 4 including the issues of decentralized identity, cyber-5 security, key storage and security systems, artificial 6 intelligence, fraud reduction, regulatory compliance, 7 e-commerce, health care applications, and supply 8 chain resiliency;

9 (2) to support and to promote the improvement 10 and security of blockchain technology or other dis-11 tributed ledger technology, applications built on 12 blockchain technology or other distributed ledger 13 technology, tokens, and tokenization;

(3) to help to promote the leadership of the
United States with respect to the deployment, use,
application, and competitiveness of blockchain technology or other distributed ledger technology, applications built on blockchain technology or other distributed ledger technology, tokens, and tokenization;

20 (4) to promote the national security of the
21 United States with respect to blockchain technology
22 or other distributed ledger technology, applications
23 built on blockchain technology or other distributed
24 ledger technology, tokens, and tokenization;

1	(5) to support engagement with the public to
2	develop a compendium of proposals for practices as
3	part of the work described in subsection (d);
4	(6) to consider policies to encourage coordina-
5	tion among Federal agencies with respect to the de-
6	ployment of blockchain technology or other distrib-
7	uted ledger technology, applications built on
8	blockchain technology or other distributed ledger
9	technology, tokens, and tokenization;
10	(7) to examine—
11	(A) how Federal agencies can benefit from
12	utilizing blockchain technology or other distrib-
13	uted ledger technology, applications built on
14	blockchain technology or other distributed ledg-
15	er technology, tokens, and tokenization;
16	(B) the current use by Federal agencies of
17	blockchain technology or other distributed ledg-
18	er technology, applications built on blockchain
19	technology or other distributed ledger tech-
20	nology, tokens, and tokenization;
21	(C) the current and future preparedness
22	and ability of Federal agencies to adopt
23	blockchain technology or other distributed ledg-
24	er technology, applications built on blockchain

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1	technology or other distributed ledger tech-
2	nology, tokens, and tokenization; and
3	(D) additional security measures Federal
4	agencies may need to take—
5	(i) to securely use blockchain tech-
6	nology or other distributed ledger tech-
7	nology, applications built on blockchain
8	technology or other distributed ledger tech-
9	nology, tokens, and tokenization, including
10	to support the security of critical infra-
11	structure; and
12	(ii) to enhance the resiliency of Fed-
13	eral systems against cyber threats to
14	blockchain technology or other distributed
15	ledger technology, applications built on
16	blockchain technology or other distributed
17	ledger technology, tokens, and
18	tokenization; and
19	(8) to support coordination of the activities of
20	the Federal Government relating to the security of
21	blockchain technology and other distributed ledger
22	technology, applications built on blockchain tech-
23	nology or other distributed ledger technology, to-
24	kens, and tokenization.

(c) ESTABLISHMENT OF NATIONAL BLOCKCHAIN
 DEPLOYMENT ADVISORY COMMITTEE.—

3 (1) ESTABLISHMENT.—

4 (A) IN GENERAL.—Not later than 180 5 days after the date of the enactment of this 6 Act, the Secretary shall, in consultation with the heads of relevant Federal agencies, establish 7 8 an advisory committee to support the adoption 9 of blockchain technology or other distributed 10 ledger technology, applications built on 11 blockchain technology or other distributed ledg-12 er technology, tokens, and tokenization.

13 (B) DESIGNATION.—The advisory com14 mittee established pursuant to subparagraph
15 (A) shall be known as the "National Blockchain
16 Deployment Advisory Committee".

17 (2) MEMBERSHIP COMPOSITION.—The Advisory
18 Committee shall consist of members appointed by
19 the Secretary, which shall include—

20 (A) the Secretary;21 (B) representatives of

(B) representatives of Federal agencies (as determined necessary by the Secretary); and

23 (C) covered nongovernmental representa24 tives with expertise related to blockchain tech25 nology or other distributed ledger technology

1	(as determined necessary by the Secretary),
2	which may include—
3	(i) blockchain technology or other dis-
4	tributed ledger technology infrastructure
5	operators, suppliers, service providers, and
6	vendors;
7	(ii) application developers building on
8	blockchain technology or other distributed
9	ledger technology;
10	(iii) developers and organizations sup-
11	porting the advancement and deployment
12	of public blockchain technology or other
13	distributed ledger technology;
14	(iv) subject matter experts rep-
15	resenting industrial sectors that can ben-
16	efit from blockchain technology or other
17	distributed ledger technology;
18	(v) small, medium, and large busi-
19	nesses;
20	(vi) think tanks and academia;
21	(vii) nonprofit organizations and con-
22	sumer groups;
23	(viii) cybersecurity experts;
24	(ix) rural stakeholders;

1	(x) covered nongovernmental rep-
2	resentatives; and
3	(xi) artists and the content creator
4	community.
5	(3) Termination of advisory committee.—
6	The Advisory Committee shall terminate on the date
7	that is 7 years after the date of the enactment of
8	this Act.
9	(d) BEST PRACTICES.—The Secretary shall, on an

10 ongoing basis, facilitate and support the development of 11 a compendium of identified or recommended guidelines or 12 best practices for the deployment of blockchain technology 13 or other distributed ledger technology, applications built 14 on blockchain technology or other distributed ledger tech-15 nology, tokens, and tokenization that—

(1) support the deployment of technologies 16 17 needed to advance the capabilities of blockchain 18 technology or other distributed ledger technology, 19 applications built on blockchain technology or other 20 distributed ledger technology, tokens, and 21 tokenization;

(2) support the interoperability of blockchain
technology or other distributed ledger technology,
applications built on blockchain technology or other

distributed ledger technology, tokens, and
 tokenization;

3 (3) support operations, including hashing and 4 key storage and security systems, that form the 5 foundation of blockchain technology or other distrib-6 ledger technology, applications built uted on 7 blockchain technology or other distributed ledger 8 technology, tokens, and tokenization;

9 (4) reduce cybersecurity risks that may com-10 promise blockchain technology or other distributed 11 ledger technology, applications built on blockchain 12 technology or other distributed ledger technology, to-13 kens, and tokenization; and

14 (5) quantify the value and potential cost sav-15 ings associated with adoption of blockchain tech-16 nology or other distributed ledger technology, appli-17 cations built on blockchain technology or other dis-18 tributed ledger technology, tokens, and tokenization, 19 including through comparative analyses of competing 20 and existing technologies within specific industry ap-21 plications.

(e) ADDITIONAL REQUIREMENTS.—In carrying outthis section, the Secretary shall—

(1) consult closely and regularly with stake holders, including private sector individuals and enti ties, and incorporate industry expertise;

4 (2) collaborate with private sector stakeholders 5 to identify prioritized, flexible, repeatable, perform-6 ance-based, and cost-effective approaches to the de-7 ployment of blockchain technology or other distrib-8 uted ledger technology, applications built on 9 blockchain technology or other distributed ledger 10 technology, tokens, and tokenization;

(3) make public research and information pertaining to the use of, and marketplace for,
blockchain technology or other distributed ledger
technology, applications built on blockchain technology or other distributed ledger technology, tokens, and tokenization;

(4) develop standardized terminology for, and
promote common understanding of, blockchain technology or other distributed ledger technology, applications built on blockchain technology or other distributed ledger technology, tokens, and tokenization;

(5) align the recommendations of the compendium described in subsection (d) with the goal of facilitating the ease of use of blockchain technology or
other distributed ledger technology, applications

1	built on blockchain technology or other distributed
2	ledger technology, tokens, and tokenization;
3	(6) support open-source infrastructure, data
4	management, and authentication activities with re-
5	spect to blockchain technology or other distributed
6	ledger technology, applications built on blockchain
7	technology or other distributed ledger technology, to-
8	kens, and tokenization; and
9	(7) consider the needs and interests of both the
10	private and public sector, including small businesses
11	and Federal, State, and local governments.
12	(f) RULES OF CONSTRUCTION.—Nothing in this sec-
13	tion may be construed—
14	(1) to require a private entity to share informa-
15	tion with the Secretary;
16	(2) to require a private entity to request assist-
17	ance from the Secretary;
18	(3) to require a private entity to implement any
19	measure or recommendation suggested by the Sec-
20	retary in response to a request by the private entity;
21	or
22	(4) to require the adoption of the best practices
23	described in subsection (d).

(g) CONSULTATION.—In implementing this section,
 the Secretary may, as appropriate, consult with the heads
 of relevant Federal agencies.

### 4 SEC. 604. REPORTS TO CONGRESS.

5 (a) INTERIM REPORTS.—Not later than 2 years after 6 the date of the enactment of this Act, and annually there-7 after, the Secretary shall make public on the website of 8 the Department of Commerce and submit to the Com-9 mittee on Commerce, Science, and Transportation of the 10 Senate and the Committee on Energy and Commerce of 11 the House of Representatives a report that includes—

12 (1) a description of the activities of the Sec-13 retary under this title during the preceding year;

14 (2) any recommendations by the Secretary for 15 additional legislation to strengthen the competitive-16 ness of the United States with respect to blockchain 17 technology or other distributed ledger technology, 18 applications built on blockchain technology or other 19 ledger technology, distributed tokens. and 20 tokenization; and

(3) a description of any emerging risks and
long-term trends with respect to blockchain technology or other distributed ledger technology, applications built on blockchain technology or other distributed ledger technology, tokens, and tokenization.

1 (b) FINAL REPORT.—Not later than 18 months before the termination of the Advisory Committee pursuant 2 to section 603(c)(3), the Secretary shall make available 3 4 to the public on the website of the Department of Com-5 merce and submit to the President, the Committee on Commerce, Science, and Transportation of the Senate, 6 7 and the Committee on Energy and Commerce of the 8 House of Representatives a final report containing the 9 findings, conclusions, and recommendations of the Advi-10 sory Committee.

# 11 TITLE VII—FUTURE NETWORKS 12 ACT

# 13 SEC. 801. SHORT TITLE.

This title may be cited as the "Future Uses of Technology Upholding Reliable and Enhanced Networks Act"
or the "FUTURE Networks Act".

#### 17 SEC. 802. 6G TASK FORCE.

(a) ESTABLISHMENT.—Not later than 120 days after
the date of the enactment of this Act, the Commission
shall establish a task force to be known as the "6G Task
Force".

- 22 (b) Membership.—
- 23 (1) APPOINTMENT.—The members of the Task
- 24 Force shall be appointed by the Chair.

1	(2) Composition.—To the extent practicable,
2	the membership of the Task Force shall be com-
3	posed of the following:
4	(A) Representatives of companies in the
5	communications industry, except companies
6	that are determined by the Chair to be not
7	trusted.
8	(B) Representatives of public interest orga-
9	nizations or academic institutions, except public
10	interest organizations or academic institutions
11	that are determined by the Chair to be not
12	trusted.
13	(C) Representatives of the Federal Govern-
14	ment, State governments, local governments, or
15	Tribal Governments, with at least one member
16	representing each such type of government.
17	(c) Report.—
18	(1) IN GENERAL.—Not later than 1 year after
19	the date on which the Task Force is established
20	under subsection (a), the Task Force shall publish
21	in the Federal Register and on the website of the
22	Commission, and submit to the Committee on En-
23	ergy and Commerce of the House of Representatives
24	and the Committee on Commerce, Science, and

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1	Transportation of the Senate, a report on sixth-gen-
2	eration wireless technology, including—
3	(A) the status of industry-led standards-
4	setting bodies in setting standards for such
5	technology;
6	(B) possible uses of such technology identi-
7	fied by industry-led standards-setting bodies
8	that are setting standards for such technology;
9	(C) any limitations of such technology (in-
10	cluding any supply chain or cybersecurity limi-
11	tations) identified by industry-led standards-set-
12	ting bodies that are setting standards for such
13	technology;
14	(D) workforce needs to build, maintain,
15	and utilize 6G and advanced wireless commu-
16	nications technologies and networks, and strate-
17	gies to conduct the necessary workforce train-
18	ing;
19	(E) possible uses of emerging technologies
20	and Open RAN networks to bolster 6G and ad-
21	vanced wireless networks; and
22	(F) how to best work with entities across
23	the Federal Government, State governments,
24	local governments, and Tribal Governments to

1	leverage such technology, including with regard
2	to siting, deployment, and adoption.
3	(2) Draft report; public comment.—The
4	Task Force shall—
5	(A) not later than 180 days after the date
6	on which the Task Force is established under
7	subsection (a), publish in the Federal Register
8	and on the website of the Commission a draft
9	of the report required by paragraph (1); and
10	(B) accept public comments on such draft
11	and take such comments into consideration in
12	preparing the final version of such report.
13	(d) DEFINITIONS.—In this section:
14	(1) CHAIR.—The term "Chair" means the
15	Chair of the Commission.
16	(2) COMMISSION.—The term "Commission"
17	means the Federal Communications Commission.
18	(3) Not trusted.—
19	(A) IN GENERAL.—The term "not trusted"
20	means, with respect to an entity, that—
21	(i) the Chair has made a public deter-
22	mination that such entity is owned by, con-
23	trolled by, or subject to the influence of a
24	foreign adversary; or

1	(ii) the Chair otherwise determines
2	that such entity poses a threat to the na-
3	tional security of the United States.
4	(B) CRITERIA FOR DETERMINATION.—In
5	making a determination under subparagraph
6	(A)(ii), the Chair shall use the criteria de-
7	scribed in paragraphs $(1)$ through $(4)$ of section
8	2(c) of the Secure and Trusted Communica-
9	tions Networks Act of 2019 (47 U.S.C.
10	1601(c)), as appropriate.
11	(4) STATE.—The term "State" has the mean-
12	ing given such term in section 3 of the Communica-
13	tions Act of 1934 (47 U.S.C. 153).
14	(5) TASK FORCE.—The term "Task Force"
15	means the 6G Task Force established under sub-
16	section (a).
17	SEC. 803. TERMINATION OF TASK FORCE.
18	The Task Force shall be terminated 30 days after
19	the date on which the Task Force submits the report re-
20	quired under section 2(c) of this Act.
21	TITLE VIII—SECURE SPACE ACT
22	<b>OF 2024</b>
23	SEC. 901. SHORT TITLE.
24	This title may be cited as the "Secure Space Act of

2024".

1	SEC. 902. PROHIBITION ON GRANT OF CERTAIN SATELLITE
2	LICENSES, UNITED STATES MARKET ACCESS,
3	OR EARTH STATION AUTHORIZATIONS.
4	(a) IN GENERAL.—The Secure and Trusted Commu-
5	nications Networks Act of 2019 (47 U.S.C. 1601 et seq.)
6	is amended—
7	(1) by redesignating sections 10 and 11 as sec-
8	tions 11 and 12, respectively; and
9	(2) by inserting after section 9 the following:
10	"SEC. 10. PROHIBITION ON GRANT OF CERTAIN SATELLITE
11	LICENSES, UNITED STATES MARKET ACCESS,
12	OR EARTH STATION AUTHORIZATIONS.
13	"(a) IN GENERAL.—The Commission may not grant
14	a license for, or a petition for a declaratory ruling to ac-
15	cess the United States market using, a geostationary orbit
16	satellite system or a nongeostationary orbit satellite sys-
17	tem, or an authorization to use an individually licensed
18	earth station or a blanket-licensed earth station, if such
19	license, grant of market access, or authorization would be
20	held or controlled by—
21	((1) an entity that produces or provides any
22	covered communications equipment or service; or
23	((2) an affiliate (as defined in section 3 of the
24	Communications Act of 1934 (47 U.S.C. 153)) of an
25	entity described in paragraph (1).
26	"(b) DEFINITIONS In this social

26 "(b) DEFINITIONS.—In this section:

1	"(1) BLANKET-LICENSED EARTH STATION.—
2	The term 'blanket-licensed earth station' means an
3	earth station that is licensed with a geostationary
4	orbit satellite system or a nongeostationary orbit
5	satellite system.
6	"(2) GATEWAY STATION.—The term 'gateway
7	station' means an earth station or a group of earth
8	stations that—
9	"(A) supports the routing and switching
10	functions of a geostationary orbit satellite sys-
11	tem or a nongeostationary orbit satellite sys-
12	tem;
13	"(B) may also be used for telemetry, track-
14	ing, and command transmissions;
15	"(C) does not originate or terminate com-
16	munication traffic; and
17	"(D) is not for the exclusive use of any
18	customer.
19	"(3) Individually licensed earth sta-
20	TION.—The term 'individually licensed earth station'
21	means—
22	"(A) an earth station (other than a blan-
23	ket-licensed earth station) that sends a signal
24	to, and receives a signal from, a geostationary

1	orbit satellite system or a nongeostationary
2	orbit satellite system; or
3	"(B) a gateway station.".
4	(b) Applicability.—Section 10 of the Secure and
5	Trusted Communications Networks Act of 2019, as added
6	by subsection (a), shall apply with respect to the grant
7	of a license, petition, or authorization on or after the date
8	of the enactment of this Act.
9	(c) RULES.—Not later than 1 year after the date of
10	the enactment of this Act, the Federal Communications
11	Commission shall issue rules to implement section 10 of
12	the Secure and Trusted Communications Networks Act of
13	2019, as added by subsection (a).
14	TITLE IX—TAKE IT DOWN ACT
15	SEC. 1001. SHORT TITLE.

16 This title may be cited as the "Tools to Address
17 Known Exploitation by Immobilizing Technological
18 Deepfakes on Websites and Networks Act" or the "TAKE
19 IT DOWN Act".

20 SEC. 1002. CRIMINAL PROHIBITION ON INTENTIONAL DIS21 CLOSURE OF NONCONSENSUAL INTIMATE
22 VISUAL DEPICTIONS.

(a) IN GENERAL.—Section 223 of the Communications Act of 1934 (47 U.S.C. 223) is amended—

(1) by redesignating subsection (h) as sub-
section (i); and
(2) by inserting after subsection (g) the fol-
lowing:
"(h) Intentional Disclosure of Nonconsen-
SUAL INTIMATE VISUAL DEPICTIONS.—
"(1) DEFINITIONS.—In this subsection:
"(A) CONSENT.—The term 'consent'
means an affirmative, conscious, and voluntary
authorization made by an individual free from
force, fraud, duress, misrepresentation, or coer-
cion.
"(B) DIGITAL FORGERY.—The term 'dig-
ital forgery' means any intimate visual depic-
tion of an identifiable individual created
through the use of software, machine learning,
artificial intelligence, or any other computer-
generated or technological means, including by
adapting, modifying, manipulating, or altering
an authentic visual depiction, that, when viewed
as a whole by a reasonable person, is indistin-
guishable from an authentic visual depiction of
the individual.

1	"(C) Identifiable individual.—The
2	term 'identifiable individual' means an indi-
3	vidual—
4	"(i) who appears in whole or in part
5	in an intimate visual depiction; and
6	"(ii) whose face, likeness, or other dis-
7	tinguishing characteristic (including a
8	unique birthmark or other recognizable
9	feature) is displayed in connection with
10	such intimate visual depiction.
11	"(D) INTERACTIVE COMPUTER SERVICE.—
12	The term 'interactive computer service' has the
13	meaning given the term in section 230.
14	"(E) INTIMATE VISUAL DEPICTION.—The
15	term 'intimate visual depiction' has the mean-
16	ing given such term in section 1309 of the Con-
17	solidated Appropriations Act, 2022 (15 U.S.C.
18	6851).
19	"(F) MINOR.—The term 'minor' means
20	any individual under the age of 18 years.
21	"(2) Offense involving authentic inti-
22	MATE VISUAL DEPICTIONS.—
23	"(A) INVOLVING ADULTS.—Except as pro-
24	vided in subparagraph (C), it shall be unlawful
25	for any person, in interstate or foreign com-

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merce, to use an interactive computer service to
knowingly publish an intimate visual depiction
of an identifiable individual who is not a minor
if—
"(i) the intimate visual depiction was
obtained or created under circumstances in
which the person knew or reasonably
should have known the identifiable indi-
vidual had a reasonable expectation of pri-
vacy;
"(ii) what is depicted was not volun-
tarily exposed by the identifiable individual
in a public or commercial setting;
"(iii) what is depicted is not a matter
of public concern; and
"(iv) publication of the intimate visual
depiction—
"(I) is intended to cause harm;
or
"(II) causes harm, including psy-
chological, financial, or reputational
harm, to the identifiable individual.
"(B) INVOLVING MINORS.—Except as pro-
vided in subparagraph (C), it shall be unlawful
for any person, in interstate or foreign com-

1	merce, to use an interactive computer service to
2	knowingly publish an intimate visual depiction
3	of an identifiable individual who is a minor with
4	intent to—
5	"(i) abuse, humiliate, harass, or de-
6	grade the minor; or
7	"(ii) arouse or gratify the sexual de-
8	sire of any person.
9	"(C) EXCEPTIONS.—Subparagraphs (A)
10	and (B) shall not apply to—
11	"(i) a lawfully authorized investiga-
12	tive, protective, or intelligence activity of—
13	"(I) a law enforcement agency of
14	the United States, a State, or a polit-
15	ical subdivision of a State; or
16	"(II) an intelligence agency of
17	the United States;
18	"(ii) a disclosure made reasonably and
19	in good faith—
20	"(I) to a law enforcement officer
21	or agency;
22	"(II) as part of a document pro-
23	duction or filing associated with a
24	legal proceeding;

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1	"(III) as part of medical edu-
2	cation, diagnosis, or treatment or for
3	a legitimate medical, scientific, or
4	education purpose;
5	"(IV) in the reporting of unlaw-
6	ful content or unsolicited or unwel-
7	come conduct or in pursuance of a
8	legal, professional, or other lawful ob-
9	ligation; or
10	"(V) to seek support or help with
11	respect to the receipt of an unsolicited
12	intimate visual depiction;
13	"(iii) a disclosure reasonably intended
14	to assist the identifiable individual; or
15	"(iv) a person who possesses or pub-
16	lishes an intimate visual depiction of him-
17	self or herself engaged in nudity or sexu-
18	ally explicit conduct (as that term is de-
19	fined in section 2256(2)(A) of title 18,
20	United States Code).
21	"(3) OFFENSE INVOLVING DIGITAL FOR-
22	GERIES.—
23	"(A) INVOLVING ADULTS.—Except as pro-
24	vided in subparagraph (C), it shall be unlawful
25	for any person, in interstate or foreign com-

1	merce, to use an interactive computer service to
2	knowingly publish a digital forgery of an identi-
3	fiable individual who is not a minor if—
4	"(i) the digital forgery was published
5	without the consent of the identifiable indi-
6	vidual;
7	"(ii) what is depicted was not volun-
8	tarily exposed by the identifiable individual
9	in a public or commercial setting;
10	"(iii) what is depicted is not a matter
11	of public concern; and
12	"(iv) publication of the digital for-
13	gery—
14	"(I) is intended to cause harm;
15	Or
16	"(II) causes harm, including psy-
17	chological, financial, or reputational
18	harm, to the identifiable individual.
19	"(B) INVOLVING MINORS.—Except as pro-
20	vided in subparagraph (C), it shall be unlawful
21	for any person, in interstate or foreign com-
22	merce, to use an interactive computer service to
23	knowingly publish a digital forgery of an identi-
24	fiable individual who is a minor with intent
25	to—

"(i) abuse, humiliate, harass, or de-1 2 grade the minor; or 3 "(ii) arouse or gratify the sexual de-4 sire of any person. "(C) EXCEPTIONS.—Subparagraphs (A) 5 6 and (B) shall not apply to— "(i) a lawfully authorized investiga-7 8 tive, protective, or intelligence activity of— "(I) a law enforcement agency of 9 10 the United States, a State, or a polit-11 ical subdivision of a State; or 12 "(II) an intelligence agency of 13 the United States; 14 "(ii) a disclosure made reasonably and 15 in good faith— "(I) to a law enforcement officer 16 17 or agency; 18 "(II) as part of a document pro-19 duction or filing associated with a 20 legal proceeding; "(III) as part of medical edu-21 22 cation, diagnosis, or treatment or for 23 a legitimate medical, scientific, or 24 education purpose;

1	"(IV) in the reporting of unlaw-
2	ful content or unsolicited or unwel-
3	come conduct or in pursuance of a
4	legal, professional, or other lawful ob-
5	ligation; or
6	"(V) to seek support or help with
7	respect to the receipt of an unsolicited
8	intimate visual depiction;
9	"(iii) a disclosure reasonably intended
10	to assist the identifiable individual; or
11	"(iv) a person who possesses or pub-
12	lishes a digital forgery of himself or herself
13	engaged in nudity or sexually explicit con-
14	duct (as that term is defined in section
15	2256(2)(A) of title 18, United States
16	Code).
17	"(4) Penalties.—
18	"(A) Offenses involving adults.—Any
19	person who violates paragraph $(2)(A)$ or $(3)(A)$
20	shall be fined under title 18, United States
21	Code, imprisoned not more than 2 years, or
22	both.
23	"(B) Offenses involving minors.—Any
24	person who violates paragraph $(2)(B)$ or $(3)(B)$
25	shall be fined under title 18, United States

1	Code, imprisoned not more than 3 years, or
2	both.
3	"(5) Rules of construction.—For purposes
4	of paragraphs (2) and (3)—
5	"(A) the fact that the identifiable indi-
6	vidual provided consent for the creation of the
7	intimate visual depiction shall not establish that
8	the individual provided consent for the publica-
9	tion of the intimate visual depiction; and
10	"(B) the fact that the identifiable indi-
11	vidual disclosed the intimate visual depiction to
12	another individual shall not establish that the
13	identifiable individual provided consent for the
14	publication of the intimate visual depiction by
15	the person alleged to have violated paragraph
16	(2) or (3), respectively.
17	"(6) THREATS.—
18	"(A) THREATS INVOLVING AUTHENTIC IN-
19	TIMATE VISUAL DEPICTIONS.—Any person who
20	intentionally threatens to commit an offense
21	under paragraph (2) for the purpose of intimi-
22	dation, coercion, extortion, or to create mental
23	distress shall be punished as provided in para-
24	graph (4).

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1	"(B) THREATS INVOLVING DIGITAL FOR-
2	GERIES.—
3	"(i) THREATS INVOLVING ADULTS.—
4	Any person who intentionally threatens to
5	commit an offense under paragraph $(3)(A)$
6	for the purpose of intimidation, coercion,
7	extortion, or to create mental distress shall
8	be fined under title 18, United States
9	Code, imprisoned not more than 18
10	months, or both.
11	"(ii) Threats involving minors
12	Any person who intentionally threatens to
13	commit an offense under paragraph $(3)(B)$
14	for the purpose of intimidation, coercion,
15	extortion, or to create mental distress shall
16	be fined under title 18, United States
17	Code, imprisoned not more than 30
18	months, or both.
19	"(7) Forfeiture.—
20	"(A) IN GENERAL.—The court, in impos-
21	ing a sentence on any person convicted of a vio-
22	lation of paragraph (2) or (3), shall order, in

addition to any other sentence imposed and ir-

respective of any provision of State law, that

the person forfeit to the United States—

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1	"(i) any material distributed in viola-
2	tion of that paragraph;
3	"(ii) the person's interest in property,
4	real or personal, constituting or derived
5	from any gross proceeds of the violation, or
6	any property traceable to such property,
7	obtained or retained directly or indirectly
8	as a result of the violation; and
9	"(iii) any personal property of the
10	person used, or intended to be used, in any
11	manner or part, to commit or to facilitate
12	the commission of the violation.
13	"(B) PROCEDURES.—Section 413 of the
14	Controlled Substances Act (21 U.S.C. 853),
15	with the exception of subsections (a) and (d),
16	shall apply to the criminal forfeiture of property
17	under subparagraph (A).
18	"(8) RESTITUTION.—The court shall order res-
19	titution for an offense under paragraph $(2)$ or $(3)$ in
20	the same manner as under section 2264 of title 18,
21	United States Code.
22	"(9) RULE OF CONSTRUCTION.—Nothing in
23	this subsection shall be construed to limit the appli-
24	cation of any other relevant law, including section
25	2252 of title 18, United States Code.".

(b) DEFENSES.—Section 223(e)(1) of the Commu-1 2 nications Act of 1934 (47 U.S.C. 223(e)(1)) is amended by striking "or (d)" and inserting ", (d), or (h)". 3 4 (c) TECHNICAL AND CONFORMING AMENDMENT.— 5 Subsection (i) of section 223 of the Communications Act of 1934 (47 U.S.C. 223), as so redesignated by subsection 6 (a), is amended by inserting "DEFINITIONS.—" before 7 8 "For purposes of this section". 9 SEC. 1003. NOTICE AND REMOVAL OF NONCONSENSUAL IN-10 TIMATE VISUAL DEPICTIONS. 11 (a) IN GENERAL.— 12 (1) NOTICE AND REMOVAL PROCESS.— 13 (A) ESTABLISHMENT.—Not later than 1 14 year after the date of enactment of this Act, a 15 covered platform shall establish a process 16 whereby an identifiable individual (or an au-17 thorized person acting on behalf of such indi-18 vidual) may— 19 (i) notify the covered platform of an 20 intimate visual depiction published on the 21 covered platform that— 22 (I) includes a depiction of the

23 identifiable individual; and

(II) was published without the consent of the identifiable individual; and (ii) submit a request for the covered platform to remove such intimate visual depiction. (B) REQUIREMENTS.—A notification and request for removal of an intimate visual depiction submitted under the process established under subparagraph (A) shall include, in writing-(i) a physical or electronic signature of the identifiable individual (or an authorized person acting on behalf of such individual); (ii) an identification of, and information reasonably sufficient for the covered platform to locate, the intimate visual depiction of the identifiable individual;

20 (iii) a brief statement that the identi21 fiable individual has a good faith belief
22 that any intimate visual depiction identi23 fied under clause (ii) is not consensual, in24 cluding any relevant information for the
25 covered platform to determine the intimate

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1	visual depiction was published without the
2	consent of the identifiable individual; and
3	(iv) information sufficient to enable
4	the covered platform to contact the identi-
5	fiable individual (or an authorized person
6	acting on behalf of such individual).
7	(2) NOTICE OF PROCESS.—A covered platform
8	shall provide on the platform a clear and con-
9	spicuous notice, which may be provided through a
10	clear and conspicuous link to another web page or
11	disclosure, of the notice and removal process estab-
12	lished under paragraph (1)(A) that—
13	(A) is easy to read and in plain language;
14	and
15	(B) provides information regarding the re-
16	sponsibilities of the covered platform under this
17	section, including a description of how an indi-
18	vidual can submit a notification and request for
19	removal.
20	(3) Removal of nonconsensual intimate
21	VISUAL DEPICTIONS.—Upon receiving a valid re-
22	moval request from an identifiable individual (or an
23	authorized person acting on behalf of such indi-
24	vidual) using the process described in paragraph
25	(1)(A)(ii), a covered platform shall, as soon as pos-

1	sible, but not later than 48 hours after receiving
2	such request—
3	(A) remove the intimate visual depiction;
4	and
5	(B) make reasonable efforts to identify and
6	remove any known identical copies of such de-
7	piction.
8	(4) LIMITATION ON LIABILITY.—A covered plat-
9	form shall not be liable for any claim based on the
10	covered platform's good faith disabling of access to,
11	or removal of, material claimed to be a nonconsen-
12	sual intimate visual depiction based on facts or cir-
13	cumstances from which the unlawful publishing of
14	an intimate visual depiction is apparent, regardless
15	of whether the intimate visual depiction is ultimately
16	determined to be unlawful or not.
17	(b) Enforcement by the Commission.—
18	(1) UNFAIR OR DECEPTIVE ACTS OR PRAC-
19	TICES.—A failure to reasonably comply with the no-
20	tice and takedown obligations under subsection (a)
21	shall be treated as a violation of a rule defining an
22	unfair or a deceptive act or practice under section
23	18(a)(1)(B) of the Federal Trade Commission Act
24	(15 U.S.C. 57a(a)(1)(B)).
25	(2) Powers of the commission.—

1	(A) IN GENERAL.—Except as provided in
2	subparagraph (D), the Commission shall en-
3	force this section in the same manner, by the
4	same means, and with the same jurisdiction,
5	powers, and duties as though all applicable
6	terms and provisions of the Federal Trade
7	Commission Act (15 U.S.C. 41 et seq.) were in-
8	corporated into and made a part of this section.
9	(B) Privileges and immunities.—Any
10	person who violates this section shall be subject
11	to the penalties and entitled to the privileges
12	and immunities provided in the Federal Trade
13	Commission Act (15 U.S.C. 41 et seq.).
14	(C) AUTHORITY PRESERVED.—Nothing in
15	this title shall be construed to limit the author-
16	ity of the Federal Trade Commission under any
17	other provision of law.
18	(D) Scope of Jurisdiction.—Notwith-
19	standing sections 4, $5(a)(2)$ , or 6 of the Federal
20	Trade Commission Act (15 U.S.C. 44, 45(a)(2),
21	46), or any jurisdictional limitation of the Com-
22	mission, the Commission shall also enforce this
23	section in the same manner provided in sub-
24	paragraph (A), with respect to organizations

1	that are not organized to carry on business for
2	their own profit or that of their members.
3	SEC. 1004. DEFINITIONS.
4	In this title:
5	(1) COMMISSION.—The term "Commission"
6	means the Federal Trade Commission.
7	(2) Consent; digital forgery; identifi-
8	ABLE INDIVIDUAL; INTIMATE VISUAL DEPICTION
9	The terms "consent", "digital forgery", "identifiable
10	individual", "intimate visual depiction", and
11	"minor" have the meaning given such terms in sec-
12	tion 223(h) of the Communications Act of 1934 (47
13	U.S.C. 223), as added by section 1002.
14	(3) Covered platform.—
15	(A) IN GENERAL.—The term "covered
16	platform" means a website, online service, on-
17	line application, or mobile application—
18	(i) that serves the public; and
19	(ii)(I) that primarily provides a forum
20	for user-generated content, including mes-
21	sages, videos, images, games, and audio
22	files; or
23	(II) for which it is in the regular
24	course of trade or business of the website,
25	online service, online application, or mobile

1	application to publish, curate, host, or
2	make available content of nonconsensual
3	intimate visual depictions.
4	(B) EXCLUSIONS.—The term "covered
5	platform" shall not include the following:
6	(i) A provider of broadband internet
7	access service (as described in section
8	8.1(b) of title 47, Code of Federal Regula-
9	tions, or successor regulation).
10	(ii) Electronic mail.
11	(iii) Except as provided in subpara-
12	graph (A)(ii)(II), an online service, appli-
13	cation, or website—
14	(I) that consists primarily of con-
15	tent that is not user generated but is
16	preselected by the provider of such on-
17	line service, application, or website;
18	and
19	(II) for which any chat, com-
20	ment, or interactive functionality is
21	incidental to, directly related to, or
22	dependent on the provision of the con-
23	tent described in subclause (I).

1 SEC. 1005. SEVERABILITY.

If any provision of this title, or an amendment made
by this title, is determined to be unenforceable or invalid,
the remaining provisions of this title and the amendments
made by this title shall not be affected.

# 6 TITLE X—RURAL BROADBAND 7 PROTECTION ACT OF 2024

## 8 SEC. 1101. SHORT TITLE.

9 This title may be cited as the "Rural Broadband Pro-10 tection Act of 2024".

 11
 SEC. 1102. VETTING PROCESS FOR PROSPECTIVE HIGH 

 12
 COST UNIVERSAL SERVICE FUND APPLI 

 13
 CANTS.

Section 254 of the Communications Act of 1934 (47
U.S.C. 254) is amended by adding at the end the following:

17 "(m) Vetting of High-cost Fund Recipients.—

18 "(1) DEFINITIONS.—In this subsection—

"(A) the term 'covered funding' means any
new offer of high-cost universal service program
funding, including funding provided through a
reverse competitive bidding mechanism provided
under this section, for the deployment of a
broadband-capable network and the provision of
supported services over the network; and

1	"(B) the term 'new covered funding award'
2	means an award of covered funding that is
3	made based on an application submitted to the
4	Commission on or after the date on which rules
5	are promulgated under paragraph (2).
6	"(2) Commission Rulemaking.—Not later
7	than 180 days after the date of enactment of this
8	subsection, the Commission shall initiate a rule-
9	making proceeding to establish a vetting process for
10	applicants for, and other recipients of, a new covered
11	funding award.
12	"(3) CONTENTS.—
13	"(A) IN GENERAL.—In promulgating rules
14	under paragraph (2), the Commission shall pro-
15	vide that, consistent with principles of tech-
16	nology neutrality, the Commission will only
17	award covered funding to applicants that can
18	demonstrate that they meet the qualifications in
19	subparagraph (B).
20	"(B) QUALIFICATIONS DESCRIBED.—An
21	applicant for a new covered funding award shall
22	include in the initial application a proposal con-
23	taining sufficient detail and documentation for
24	the Commission to ascertain that the applicant
25	possesses the technical, financial, and oper-

1	ational capabilities, and has a reasonable busi-
2	ness plan, to deploy the proposed network and
3	deliver services with the relevant performance
4	characteristics and requirements defined by the
5	Commission and as pledged by the applicant.
6	"(C) EVALUATION OF PROPOSAL.—The
7	Commission shall evaluate a proposal described
8	in subparagraph (B) against—
9	"(i) reasonable and well-established
10	technical, financial, and operational stand-
11	ards, including the technical standards
12	adopted by the Commission in orders of
13	the Commission relating to Establishing
14	the Digital Opportunity Data Collection
15	(WC Docket No. 19–195) (or orders of the
16	Commission relating to modernizing any
17	successor collection) for purposes of enti-
18	ties that must report broadband avail-
19	ability coverage; and
20	"(ii) the applicant's history of com-
21	plying with requirements in Commission
22	and other government broadband deploy-
23	ment funding programs.
24	"(D) Penalties for pre-authorization
25	DEFAULTS.—In adopting rules for any new cov-

1	ered funding award, the Commission shall set a
2	penalty for pre-authorization defaults of at least
3	\$9,000 per violation and may not limit the base
4	forfeiture to an amount less than 30 percent of
5	the applicant's total support, unless the Com-
6	mission demonstrates the need for lower pen-
7	alties in a particular instance.".
8	TITLE XI—AMERICAN MUSIC
9	TOURISM
10	SEC. 1201. SHORT TITLE.
11	This title may be cited as the "American Music Tour-
12	ism Act of 2024''.
13	SEC. 1202. RESPONSIBILITIES OF THE ASSISTANT SEC-
13 14	SEC. 1202. RESPONSIBILITIES OF THE ASSISTANT SEC- RETARY OF COMMERCE FOR TRAVEL AND
14	RETARY OF COMMERCE FOR TRAVEL AND
14 15	RETARY OF COMMERCE FOR TRAVEL AND TOURISM.
14 15 16	<b>RETARY OF COMMERCE FOR TRAVEL AND</b> <b>TOURISM.</b> (a) DOMESTIC TRAVEL AND TOURISM.—Section
14 15 16 17	RETARY OF COMMERCE FOR TRAVEL AND TOURISM. (a) DOMESTIC TRAVEL AND TOURISM.—Section 605(b) of the Visit America Act (15 U.S.C. 9803(b)) is
14 15 16 17 18	RETARY OF COMMERCE FOR TRAVEL AND TOURISM. (a) DOMESTIC TRAVEL AND TOURISM.—Section 605(b) of the Visit America Act (15 U.S.C. 9803(b)) is amended—
14 15 16 17 18 19	RETARY OF COMMERCE FOR TRAVEL AND TOURISM. (a) DOMESTIC TRAVEL AND TOURISM.—Section 605(b) of the Visit America Act (15 U.S.C. 9803(b)) is amended— (1) in paragraph (2), by striking "; and" and
<ol> <li>14</li> <li>15</li> <li>16</li> <li>17</li> <li>18</li> <li>19</li> <li>20</li> </ol>	RETARY OF COMMERCE FOR TRAVEL AND TOURISM. (a) DOMESTIC TRAVEL AND TOURISM.—Section 605(b) of the Visit America Act (15 U.S.C. 9803(b)) is amended— (1) in paragraph (2), by striking "; and" and inserting a semicolon;
<ol> <li>14</li> <li>15</li> <li>16</li> <li>17</li> <li>18</li> <li>19</li> <li>20</li> <li>21</li> </ol>	RETARY OF COMMERCE FOR TRAVEL AND TOURISM. (a) DOMESTIC TRAVEL AND TOURISM.—Section 605(b) of the Visit America Act (15 U.S.C. 9803(b)) is amended— (1) in paragraph (2), by striking "; and" and inserting a semicolon; (2) in paragraph (3), by striking the period at
<ol> <li>14</li> <li>15</li> <li>16</li> <li>17</li> <li>18</li> <li>19</li> <li>20</li> <li>21</li> <li>22</li> </ol>	RETARY OF COMMERCE FOR TRAVEL AND TOURISM. (a) DOMESTIC TRAVEL AND TOURISM.—Section 605(b) of the Visit America Act (15 U.S.C. 9803(b)) is amended— (1) in paragraph (2), by striking "; and" and inserting a semicolon; (2) in paragraph (3), by striking the period at the end and inserting "; and"; and

cilitate and promote domestic travel and tourism to
 those locations and events.".

3 (b) FACILITATION OF INTERNATIONAL BUSINESS
4 AND LEISURE TRAVEL.—Section 605 of the Visit America
5 Act (15 U.S.C. 9803) is amended by striking subsection
6 (d) and inserting the following:

7 "(d) FACILITATION OF INTERNATIONAL BUSINESS 8 AND LEISURE TRAVEL.—The Assistant Secretary, in co-9 ordination with relevant Federal agencies, shall strive to 10 increase and facilitate international business and leisure 11 travel to the United States and ensure competitiveness 12 by—

13 "(1) facilitating large meetings, incentives, con14 ferences, and exhibitions in the United States;

"(2) emphasizing rural and other destinations
in the United States that are rich in cultural heritage or ecological tourism, among other uniquely
American destinations, as locations for hosting international meetings, incentives, conferences, and exhibitions;

21 "(3) facilitating and promoting international
22 travel and tourism to sports and recreation events
23 and activities in the United States; and

24 "(4) identifying locations and events in the25 United States that are important to music tourism

and facilitating and promoting international travel
 and tourism to those locations and events.".
 (c) REPORTING REQUIREMENTS.—Section 605(f) of
 the Visit America Act (15 U.S.C. 9803(f)) is amended by
 adding at the end the following:

6 "(4) REPORT ON GOALS RELATING TO DOMES-7 TIC AND INTERNATIONAL TRAVEL.—Not later than 8 1 year after the date of enactment of the American 9 Music Tourism Act of 2024, and every 2 years 10 thereafter, the Assistant Secretary shall submit to 11 the Subcommittee on Tourism, Trade, and Export 12 Promotion of the Committee on Commerce, Science, 13 and Transportation of the Senate and the Sub-14 committee on Innovation, Data, and Commerce of 15 the Committee on Energy and Commerce of the 16 House of Representatives a report of activities, find-17 ings, achievements, and vulnerabilities relating to 18 the goals described in subsections (a) through (d).". 19 (d) DEFINITION.—Section 600 of title VI of division BB of the Consolidated Appropriations Act, 2023 (15 20 21 U.S.C. 9801) is amended—

(1) by redesignating paragraphs (1) and (2) as
subparagraphs (A) and (B), respectively, and adjusting the margins accordingly; and

1	(2) by striking "In this title, the term COVID-
2	19 public health emergency'—" and inserting the
3	following:
4	"In this title:
5	"(1) COVID-19 PUBLIC HEALTH EMER-
6	GENCY.—The term 'COVID-19 public health emer-
7	gency'—''; and
8	(3) by adding at the end the following:
9	"(2) MUSIC TOURISM.—The term 'music tour-
10	ism' means—
11	"(A) the act of traveling to a State or lo-
12	cality to visit historic or modern day music-re-
13	lated attractions, including museums, studios,
14	venues of all sizes, and other sites related to
15	music; or
16	"(B) the act of traveling to a State or lo-
17	cality to attend a music festival, a concert, or
18	other live musical performance or music-related
19	special event.".
20	TITLE XII—INFORMING CON-
21	SUMERS ABOUT SMART DE-
22	VICES
23	SEC. 1301. SHORT TITLE.
24	This title may be cited as the "Informing Consumers
25	about Smart Devices Act".

Each manufacturer of a covered device shall disclose,
clearly and conspicuously and prior to purchase, whether
the covered device manufactured by the manufacturer contains a camera or microphone as a component of the covered device.

## 9 SEC. 1303. ENFORCEMENT BY THE FEDERAL TRADE COM-10 MISSION.

(a) UNFAIR OR DECEPTIVE ACTS OR PRACTICES.—
A violation of section 1302 shall be treated as a violation
of a rule defining an unfair or deceptive act or practice
prescribed under section 18(a)(1)(B) of the Federal Trade
Commission Act (15 U.S.C. 57a(a)(1)(B)).

16 (b) ACTIONS BY THE COMMISSION.—

(1) IN GENERAL.—The Federal Trade Commis-17 18 sion (in this title referred to as the "Commission") 19 shall enforce this title in the same manner, by the 20 same means, and with the same jurisdiction, powers, 21 and duties as though all applicable terms and provi-22 sions of the Federal Trade Commission Act (15 23 U.S.C. 41 et seq.) were incorporated into and made 24 a part of this title.

25 (2) PENALTIES AND PRIVILEGES.—Any person
26 who violates this title or a regulation promulgated
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under this title shall be subject to the penalties and
 entitled to the privileges and immunities provided in
 the Federal Trade Commission Act (15 U.S.C. 41 et
 seq.).

5 (3) SAVINGS CLAUSE.—Nothing in this title
6 shall be construed to limit the authority of the Com7 mission under any other provision of law.

8 (c) COMMISSION GUIDANCE.—Not later than 180 9 days after the date of enactment of this title, the Commis-10 sion, through outreach to relevant private entities, shall issue guidance to assist manufacturers in complying with 11 12 the requirements of this title, including guidance about best practices for making the disclosure required by sec-13 tion 1302 as clear and conspicuous and age appropriate 14 15 as practicable and about best practices for the use of a pictorial (as defined in section 2(a) of the Consumer Re-16 view Fairness Act of 2016 (15 U.S.C. 45b(a))) visual rep-17 resentation of the information to be disclosed. 18

(d) TAILORED GUIDANCE.—A manufacturer of a covered device may petition the Commission for tailored guidance as to how to meet the requirements of section 1302
consistent with existing rules of practice or any successor
rules.

(e) LIMITATION ON COMMISSION GUIDANCE.—No25 guidance issued by the Commission with respect to this

title shall confer any rights on any person, State, or local-1 2 ity, nor shall operate to bind the Commission or any per-3 son to the approach recommended in such guidance. In 4 any enforcement action brought pursuant to this title, the 5 Commission shall allege a specific violation of a provision of this title. The Commission may not base an enforce-6 7 ment action on, or execute a consent order based on, prac-8 tices that are alleged to be inconsistent with any such 9 guidelines, unless the practices allegedly violate section 10 1302.

#### 11 SEC. 1304. DEFINITION OF COVERED DEVICE.

12 As used in this title, the term "covered device"—

(1) means a consumer product, as defined by
section 3(a) of the Consumer Product Safety Act
(15 U.S.C. 2052(a)) that is capable of connecting to
the internet, a component of which is a camera or
microphone; and

18 (2) does not include—

19 (A) a telephone (including a mobile phone),
20 a laptop, tablet, or any device that a consumer
21 would reasonably expect to have a microphone
22 or camera;

23 (B) any device that is specifically marketed
24 as a camera, telecommunications device, or
25 microphone; or

(C) any device or apparatus described in
 sections 255, 716, and 718, and subsections
 (aa) and (bb) of section 303 of the Communica tions Act of 1934 (47 U.S.C. 255; 617; 619;
 and 303(aa) and (bb)), and any regulations
 promulgated thereunder.

#### 7 SEC. 1305. EFFECTIVE DATE.

8 This title shall apply to all covered devices manufac-9 tured after the date that is 180 days after the date on 10 which guidance is issued by the Commission under section 11 1303(c), and shall not apply to covered devices manufac-12 tured or sold before such date, or otherwise introduced 13 into interstate commerce before such date.

# 14 TITLE XIII—SECURING SEMI 15 CONDUCTOR SUPPLY CHAINS 16 ACT OF 2024

#### 17 SEC. 1401. SHORT TITLE.

18 This title may be cited as the "Securing Semicon-19 ductor Supply Chains Act of 2024".

#### 20 SEC. 1402. SELECTUSA DEFINED.

In this title, the term "SelectUSA" means the
SelectUSA program of the Department of Commerce established by Executive Order 13577 (76 Fed. Reg.
35,715).

#### 1 SEC. 1403. FINDINGS.

2 Congress makes the following findings:

3 (1) Semiconductors underpin the United States
4 and global economies, including manufacturing sec5 tors. Semiconductors are also essential to the na6 tional security of the United States.

7 (2) A shortage of semiconductors, brought
8 about by the COVID-19 pandemic and other com9 plex factors impacting the overall supply chain, has
10 threatened the economic recovery of the United
11 States and industries that employ millions of United
12 States citizens.

(3) Addressing current challenges and building
resilience against future risks requires ensuring a secure and stable supply chain for semiconductors that
will support the economic and national security
needs of the United States and its allies.

(4) The supply chain for semiconductors is
complex and global. While the United States plays
a leading role in certain segments of the semiconductor industry, securing the supply chain requires
onshoring, reshoring, or diversifying vulnerable segments, such as for—

24 (A) fabrication;

(B) advanced packaging; and

1	(C) materials and equipment used to man-
2	ufacture semiconductor products.
3	(5) The Federal Government can leverage for-
4	eign direct investment and private dollars to grow
5	the domestic manufacturing and production capacity
6	of the United States for vulnerable segments of the
7	semiconductor supply chain.
8	(6) The SelectUSA program of the Department
9	of Commerce, in coordination with other Federal
10	agencies and State-level economic development orga-
11	nizations, is positioned to boost foreign direct invest-
12	ment in domestic manufacturing and to help secure
13	the semiconductor supply chain of the United States.
13 14	the semiconductor supply chain of the United States. <b>SEC. 1404. COORDINATION WITH STATE-LEVEL ECONOMIC</b>
14	SEC. 1404. COORDINATION WITH STATE-LEVEL ECONOMIC
14 15	SEC. 1404. COORDINATION WITH STATE-LEVEL ECONOMIC DEVELOPMENT ORGANIZATIONS.
14 15 16 17	SEC. 1404. COORDINATION WITH STATE-LEVEL ECONOMIC DEVELOPMENT ORGANIZATIONS. Not later than 180 days after the date of the enact-
14 15 16 17	SEC. 1404. COORDINATION WITH STATE-LEVEL ECONOMIC DEVELOPMENT ORGANIZATIONS. Not later than 180 days after the date of the enact- ment of this Act, the Executive Director of SelectUSA
14 15 16 17 18	SEC. 1404. COORDINATION WITH STATE-LEVEL ECONOMIC DEVELOPMENT ORGANIZATIONS. Not later than 180 days after the date of the enact- ment of this Act, the Executive Director of SelectUSA shall solicit comments from State-level economic develop-
14 15 16 17 18 19	SEC. 1404. COORDINATION WITH STATE-LEVEL ECONOMIC DEVELOPMENT ORGANIZATIONS. Not later than 180 days after the date of the enact- ment of this Act, the Executive Director of SelectUSA shall solicit comments from State-level economic develop- ment organizations—
<ol> <li>14</li> <li>15</li> <li>16</li> <li>17</li> <li>18</li> <li>19</li> <li>20</li> </ol>	SEC. 1404. COORDINATION WITH STATE-LEVEL ECONOMIC DEVELOPMENT ORGANIZATIONS. Not later than 180 days after the date of the enact- ment of this Act, the Executive Director of SelectUSA shall solicit comments from State-level economic develop- ment organizations— (1) to review—
<ol> <li>14</li> <li>15</li> <li>16</li> <li>17</li> <li>18</li> <li>19</li> <li>20</li> <li>21</li> </ol>	SEC. 1404. COORDINATION WITH STATE-LEVEL ECONOMIC DEVELOPMENT ORGANIZATIONS. Not later than 180 days after the date of the enact- ment of this Act, the Executive Director of SelectUSA shall solicit comments from State-level economic develop- ment organizations— (1) to review— (A) what efforts the Federal Government

1	(B) what barriers to such investment may
2	exist and how to amplify State efforts to attract
3	such investment;
4	(C) public opportunities those organiza-
5	tions have identified to attract foreign direct in-
6	vestment to help increase investment described
7	in subparagraph (A); and
8	(D) resource gaps or other challenges that
9	prevent those organizations from increasing
10	such investment; and
11	(2) to develop recommendations for—
12	(A) how SelectUSA can increase such in-
13	vestment independently or through partnership
14	with those organizations; and
15	(B) working with countries that are allies
16	or partners of the United States to ensure that
17	foreign adversaries (as defined in section
18	8(c)(2) of the Secure and Trusted Communica-
19	tions Networks Act of 2019 (47 U.S.C.
20	1607(c)(2))) do not benefit from United States
21	efforts to increase such investment.

# 1SEC. 1405. REPORT ON INCREASING FOREIGN DIRECT IN-2VESTMENT IN SEMICONDUCTOR-RELATED3MANUFACTURING AND PRODUCTION.

4 Not later than 2 years after the date of the enact-5 ment of this Act, the Executive Director of SelectUSA, in coordination with the Federal Interagency Investment 6 7 Working Group established by Executive Order 13577 (76) 8 Fed. Reg. 35,715; relating to establishment of the 9 SelectUSA Initiative), shall submit to the Committee on Commerce, Science, and Transportation of the Senate and 10 11 the Committee on Energy and Commerce of the House of Representatives a report that includes— 12

(1) a review of the comments SelectUSA received from State-level economic development organizations under section 4;

16 (2) a description of activities SelectUSA is en17 gaged in to increase foreign direct investment in
18 semiconductor-related manufacturing and produc19 tion; and

20 (3) an assessment of strategies SelectUSA may
21 implement to achieve an increase in such investment
22 and to help secure the United States supply chain
23 for semiconductors, including by—

24 (A) working with other relevant Federal25 agencies; and

(B) working with State-level economic de velopment organizations and implementing any
 strategies or recommendations SelectUSA re ceived from those organizations.

#### 5 SEC. 1406. NO ADDITIONAL FUNDS.

6 No additional funds are authorized to be appro-7 priated for the purpose of carrying out this title. The Ex-8 ecutive Director of SelectUSA shall carry out this title 9 using amounts otherwise available to the Executive Direc-10 tor for such purposes.

# 11 TITLE XIV—HOTEL FEES 12 TRANSPARENCY ACT

#### 13 SEC. 1601. SHORT TITLE.

14 This title may be cited as the "Hotel Fees Trans-15 parency Act of 2024".

16 SEC. 1602. PROHIBITION ON UNFAIR AND DECEPTIVE AD-

17 VERTISING OF HOTEL ROOMS AND OTHER

18 SHORT-TERM RENTAL PRICES.

19 (a) PROHIBITION.—

(1) IN GENERAL.—It shall be unlawful for a
covered entity to display, advertise, market, or offer
in interstate commerce, including through direct offerings, third-party distribution, or metasearch referrals, a price for covered services that does not clearly, conspicuously, and prominently—

1	(A) display the total services price, if a
2	price is displayed, in any advertisement, mar-
3	keting, or price list wherever the covered serv-
4	ices are displayed, advertised, marketed, or of-
5	fered for sale;
6	(B) disclose to any individual who seeks to
7	purchase covered services the total services
8	price at the time the covered services are first
9	displayed to the individual and anytime there-
10	after throughout the covered services pur-
11	chasing process; and
12	(C) disclose, prior to the final purchase,
13	any tax, fee, or assessment imposed by any gov-
14	ernment entity, quasi-government entity, or
15	government-created special district or program
16	on the sale of covered services.
17	(2) INDIVIDUAL COMPONENTS.—Provided that
18	such displays are less prominent than the total serv-
19	ice price required in paragraph (1), nothing in this
20	Act shall be construed to prohibit the display of—
21	(A) individual components of the total
22	price; or
23	(B) details of other items not required by
24	paragraph (1).

1	(3) INDEMNIFICATION PROVISIONS.—Nothing
2	in this section shall be construed to prohibit any cov-
3	ered entity from entering into a contract with any
4	other covered entity that contains an indemnification
5	provision with respect to price or fee information
6	disclosed, exchanged, or shared between the covered
7	entities that are parties to the contract.
8	(b) Enforcement.—
9	(1) Enforcement by the commission.—
10	(A) UNFAIR OR DECEPTIVE ACTS OR PRAC-
11	TICES.—A violation of subsection (a) shall be
12	treated as a violation of a rule defining an un-
13	fair or deceptive act or practice prescribed
14	under section $18(a)(1)(B)$ of the Federal Trade
15	Commission Act (15 U.S.C. $57a(a)(1)(B)$ ).
16	(B) Powers of the commission.—
17	(i) IN GENERAL.—The Commission
18	shall enforce this section in the same man-
19	ner, by the same means, and with the
20	same jurisdiction, powers, and duties as
21	though all applicable terms and provisions
22	of the Federal Trade Commission Act (15
23	U.S.C. 41 et seq.) were incorporated into
24	and made a part of this Act.

2Any person who violates this section shall3be subject to the penalties and entitled to4the privileges and immunities provided in5the Federal Trade Commission Act (156U.S.C. 41 et seq.).7(iii) AUTHORITY PRESERVED.—Noth-8ing in this section shall be construed to9limit the authority of the Commission10under any other provision of law.11(2) ENFORCEMENT BY STATES.—12(A) IN GENERAL.—If the attorney general13of a State has reason to believe that an interest14of the residents of the State has been or is15being threatened or adversely affected by a16practice that violates subsection (a), the attor-17ney general of the State may, as parens patriae,18bring a civil action on behalf of the residents of19the State in an appropriate district court of the20United States to obtain appropriate relief.21(B) RIGHTS OF THE COMMISSION.—23(I) IN GENERAL.—Except as pro-24vided in subclause (III), the attorney25general of a State, before initiating a	1	(ii) Privileges and immunities.—
4the privileges and immunities provided in5the Federal Trade Commission Act (156U.S.C. 41 et seq.).7(iii) AUTHORITY PRESERVED.—Noth-8ing in this section shall be construed to9limit the authority of the Commission10under any other provision of law.11(2) ENFORCEMENT BY STATES.—12(A) IN GENERAL.—If the attorney general13of a State has reason to believe that an interest14of the residents of the State has been or is15being threatened or adversely affected by a16practice that violates subsection (a), the attor-17ney general of the State may, as parens patriae,18bring a eivil action on behalf of the residents of19the States to obtain appropriate relief.21(B) RIGHTS OF THE COMMISSION.—23(I) IN GENERAL.—Except as pro-24vided in subclause (III), the attorney	2	Any person who violates this section shall
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( )) v	23	(I) IN GENERAL.—Except as pro-
25 general of a State, before initiating a	24	vided in subclause (III), the attorney
	25	general of a State, before initiating a

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	110
1	civil action under subparagraph (A)
2	shall notify the Commission in writing
3	that the attorney general intends to
4	bring such civil action.
5	(II) CONTENTS.—The notifica-
6	tion required by subclause (I) shall in-
7	clude a copy of the complaint to be
8	filed to initiate the civil action.
9	(III) EXCEPTION.—If it is not
10	feasible for the attorney general of a
11	State to provide the notification re-
12	quired by subclause (I) before initi-
13	ating a civil action under subpara-
14	graph (A), the attorney general shall
15	notify the Commission immediately
16	upon instituting the civil action.
17	(ii) INTERVENTION BY THE COMMIS-
18	SION.—The Commission may—
19	(I) intervene in any civil action
20	brought by the attorney general of a
21	State under subparagraph (A); and
22	(II) upon intervening—
23	(aa) be heard on all matters
24	arising in the civil action; and
25	(bb) file petitions for appeal.

1 (C) INVESTIGATORY POWERS.—Nothing in 2 this paragraph may be construed to prevent the 3 attorney general of a State from exercising the 4 powers conferred on the attorney general by the 5 laws of the State to conduct investigations, to 6 administer oaths or affirmations, or to compel 7 the attendance of witnesses or the production of 8 documentary or other evidence. 9 (D) ACTION BY THE COMMISSION.—When-10 ever a civil action has been instituted by or on 11 behalf of the Commission for violation of sub-12 section (a), no attorney general of a State may, 13 during the pendency of that action, institute an 14 action under subparagraph (A) against any de-15 fendant named in the complaint in that action 16 for a violation of subsection (a) alleged in such

17 complaint.

18

(E) VENUE; SERVICE OF PROCESS.—

19(i) VENUE.—Any action brought20under subparagraph (A) may be brought21in—

(I) the district court of the
United States that meets applicable
requirements relating to venue under

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1	section 1391 of title 28, United States
2	Code; or
3	(II) another court of competent
4	jurisdiction.
5	(ii) SERVICE OF PROCESS.—In an ac-
6	tion brought under subparagraph (A),
7	process may be served in any district in
8	which—
9	(I) the defendant is an inhab-
10	itant, may be found, or transacts
11	business; or
12	(II) venue is proper under section
13	1391 of title 28, United States Code.
14	(F) ACTIONS BY OTHER STATE OFFI-
15	CIALS.—
16	(i) IN GENERAL.—In addition to civil
17	actions brought by an attorney general
18	under subparagraph (A), any other officer
19	of a State who is authorized by the State
20	to do so may bring a civil action under
21	subparagraph (A), subject to the same re-
22	quirements and limitations that apply
23	under this paragraph to civil actions
24	brought by attorneys general.

1	(ii) SAVINGS PROVISION.—Nothing in
2	this paragraph may be construed to pro-
3	hibit an authorized official of a State from
4	initiating or continuing any proceeding in
5	a court of the State for a violation of any
6	civil or criminal law of the State.
7	(3) Affirmative defense.—In any action
8	pursuant to paragraph $(1)$ or $(2)$ , an intermediary
9	or third-party online seller may assert an affirmative
10	defense if such intermediary or third-party online
11	seller—
12	(A) established procedures to receive up-to-
13	date price information from hotels or short-
14	term rentals, or agents acting on behalf of a
15	hotel or short-term rental;
16	(B) relied in good faith on information
17	provided to the intermediary or third-party on-
18	line seller by a hotel or short-term rental, or
19	agent acting on behalf of such hotel or short-
20	term rental, and such information was inac-
21	curate at the time it was provided to the inter-
22	mediary or third-party online seller; and
23	(C) took prompt action to remove or cor-
24	rect any false or inaccurate information about

the total services price after receiving notice
 that such information was false or inaccurate.
 (c) PREEMPTION.—

4 (1) IN GENERAL.—A State, or political subdivi-5 sion of a State, may not maintain, enforce, pre-6 scribe, or continue in effect any law, rule, regulation, 7 requirement, standard, or other provision having the 8 force and effect of law of the State, or political sub-9 division of the State, that prohibits a covered entity 10 from advertising, displaying, marketing, or otherwise 11 offering, or otherwise affects the manner in which a 12 covered entity may advertise, display, market, or 13 otherwise offer, for sale in interstate commerce, in-14 cluding through a direct offering, third-party dis-15 tribution, or metasearch referral, a price of a res-16 ervation for a covered service, and that requires fee 17 disclosure, unless the law requires the total services 18 price to include each service fee, as defined in sub-19 section (d)(8), and in accordance with subsection 20 (a)(1).

21 (2) RULE OF CONSTRUCTION.—This section
22 may not be construed to—

23 (A) preempt any law of a State or political
24 subdivision of a State relating to contracts or
25 torts; or

1	(B) preempt any law of a State or political
2	subdivision of a State to the extent that such
3	law relates to an act of fraud, unauthorized ac-
4	cess to personal information, or notification of
5	unauthorized access to personal information.
6	(d) DEFINITIONS.—In this Act:
7	(1) BASE SERVICES PRICE.—The term "base
8	services price" —
9	(A) means, with respect to the covered
10	services provided by a hotel or short-term rent-
11	al, the price in order to obtain the covered serv-
12	ices of the hotel or short-term rental; and
13	(B) does not include—
14	(i) any service fee;
15	(ii) any taxes or fees imposed by a
16	government or quasi-government entity;
17	(iii) assessment fees of a government-
18	created special district or program; or
19	(iv) any charges or fees for an op-
20	tional product or service associated with
21	the covered services that may be selected
22	by a purchaser of covered services.
23	(2) Commission.—The term "Commission"
24	means the Federal Trade Commission.

1	(3) COVERED ENTITY.—The term "covered en-
2	tity" means a person, partnership, or corporation
3	with respect to whom the Commission has jurisdic-
4	tion under section $5(a)(2)$ of the Federal Trade
5	Commission Act (15 U.S.C. 45(a)(2)), including—
6	(A) a hotel or short-term rental;
7	(B) a third-party online seller; or
8	(C) an intermediary.
9	(4) COVERED SERVICES.—The term "covered
10	services''—
11	(A) means the temporary provision of a
12	room, building, or other lodging facility; and
13	(B) does not include the provision of a
14	meeting room, banquet services, or catering
15	services.
16	(5) HOTEL.—The term "hotel" means an es-
17	tablishment that is—
18	(A) primarily engaged in providing a cov-
19	ered service to the general public; and
20	(B) promoted, advertised, or marketed in
21	interstate commerce or for which such estab-
22	lishment's services are sold in interstate com-
23	merce.
24	(6) INTERMEDIARY.—The term "intermediary"
25	means an entity that operates either as a business-

1	to-business platform, consumer-facing platform, or
2	both, that displays, including through direct offer-
3	ings, third-party distribution, or metasearch referral,
4	a price for covered services or price comparison tools
5	for consumers seeking covered services.
6	(7) Optional product or service.—The
7	term "optional product or service" means a product
8	or service that an individual does not need to pur-
9	chase to use or obtain covered services
10	(8) SERVICE FEE.—The term "service fee"—
11	(A) means a charge imposed by a covered
12	entity that must be paid in order to obtain cov-
13	ered services; and
14	(B) does not include—
15	(i) any taxes or fees imposed by a
16	government or quasi-government entity;
17	(ii) any assessment fees of a govern-
18	ment-created special district or program;
19	or
20	(iii) any charges or fees for an op-
21	tional product or service associated with
22	the covered services that may be selected
23	by a purchaser of covered services.
24	(9) SHORT-TERM RENTAL.—The term "short-
25	term rental" means a property, including a single-

1	family dwelling or a unit in a condominium, coopera-
2	tive, or time-share, that provides covered services
3	(either with respect to the entire property or a part
4	of the property) to the general public—
5	(A) in exchange for a fee;
6	(B) for periods shorter than 30 consecutive
7	days; and
8	(C) is promoted, advertised, or marketed in
9	interstate commerce or for which such prop-
10	erty's services are sold in interstate commerce.
11	(10) STATE.—The term "State" means each of
12	the 50 States, the District of Columbia, and any ter-
13	ritory or possession of the United States.
14	(11) THIRD-PARTY ONLINE SELLER.—The term
15	"third-party online seller" means any person other
16	than a hotel or short-term rental that sells covered
17	services or offers for sale covered services with re-
18	spect to a hotel or short-term rental in a transaction
19	facilitated on the internet.
20	(12) TOTAL SERVICES PRICE.—The term "total
21	services"—
22	(A) means, with respect to covered serv-
23	ices, the total cost of the covered services, in-
24	cluding the base services price and any service
25	fees; and

1	(B) does not include—
2	(i) any taxes or fees imposed by a
3	government or quasi-government entity;
4	(ii) any assessment fees of a govern-
5	ment-created special district or program;
6	or
7	(iii) any charges or fees for an op-
8	tional product or service associated with
9	the covered services that may be selected
10	by a purchaser of covered services.
11	(e) Effective Date.—The prohibition under sub-
12	section (a) shall take effect 450 days after the date of
13	the enactment of this Act and shall apply to advertise-
14	ments, displays, marketing, and offers of covered services
15	of a covered entity made on or after such date.
16	TITLE XV—TRANSPARENCY IN
17	CHARGES FOR KEY EVENTS
18	TICKETING
18 19	TICKETING SEC. 1701. SHORT TITLE.
-	
19	SEC. 1701. SHORT TITLE.
19 20	SEC. 1701. SHORT TITLE. This title may be cited as the "Transparency In
19 20 21	<b>SEC. 1701. SHORT TITLE.</b> This title may be cited as the "Transparency In Charges for Key Events Ticketing Act" or the "TICKET

25 of this Act, it shall be unlawful for a ticket issuer, sec-

ondary market ticket issuer, or secondary market ticket
 exchange to offer for sale an event ticket unless the ticket
 issuer, secondary market ticket issuer, or secondary mar ket ticket exchange—

- 5 (1) clearly and conspicuously displays the total
  6 event ticket price, if a price is displayed, in any ad7 vertisement, marketing, or price list wherever the
  8 ticket is offered for sale;
- 9 (2) clearly and conspicuously discloses to any 10 individual who seeks to purchase an event ticket the 11 total event ticket price at the time the ticket is first 12 displayed to the individual and anytime thereafter 13 throughout the ticket purchasing process; and
- 14 (3) provides an itemized list of the base event
  15 ticket price and each event ticket fee prior to the
  16 completion of the ticket purchasing process.

#### 17 SEC. 1703. SPECULATIVE TICKETING BAN.

18 (a) PROHIBITION.—Beginning 180 days after the 19 date of the enactment of this Act, a ticket issuer, sec-20 ondary market ticket issuer, or secondary market ticket 21 exchange that does not have actual or constructive posses-22 sion of an event ticket shall not sell, offer for sale, or ad-23 vertise for sale such event ticket.

24 (b) SERVICES PERMITTED.—Notwithstanding sub-25 section (a), a secondary market ticket issuer or secondary

market ticket exchange may sell, offer for sale, or adver tise for sale a service to an individual to obtain an event
 ticket on behalf of such individual if the secondary market
 ticket issuer or secondary market ticket exchange complies
 with the following:

6 (1) Does not market or list the service as an7 event ticket.

8 (2) Maintains a clear, distinct, and easily dis-9 cernible separation between the service and event 10 tickets that persists throughout the entire service se-11 lection and purchasing process.

(3) Clearly and conspicuously discloses before
selection of the service that the service is not an
event ticket and that the purchase of the service
does not guarantee an event ticket.

#### 16 SEC. 1704. DISCLOSURES.

17 A ticket issuer, secondary market ticket issuer, or18 secondary market ticket exchange—

(1) if offering an event ticket for resale, shall
provide a clear and conspicuous statement, before a
consumer purchases the event ticket from the ticket
issuer, secondary market ticket issuer, or secondary
market ticket exchange, that the issuer or exchange
is engaged in the secondary sale of event tickets; and

(2) shall not state that the ticket issuer, sec-1 2 ondary market ticket issuer, or secondary market 3 ticket exchange is affiliated with or endorsed by a 4 venue, team, or artist, as applicable, including by using words like "official" in promotional materials, 5 6 social media promotions, or paid advertising, unless 7 a partnership agreement has been executed or the 8 issuer or exchange has the express written consent 9 of the venue, team, or artist, as applicable.

#### 10 SEC. 1705. REFUND REQUIREMENTS.

11 (a) CANCELLATION.—Beginning 180 days after the date of the enactment of this Act, if an event is canceled 12 13 or postponed (except for a case in which an event is canceled or postponed due to a cause beyond the reasonable 14 15 control of the issuer, including a natural disaster, civil disturbance, or otherwise unforeseeable impediment), a ticket 16 17 issuer, secondary market ticket issuer, or secondary market ticket exchange shall provide the purchaser of an event 18 ticket from the issuer or exchange for the canceled or post-19 poned event, at a minimum-20

- (1) if the event is cancelled, a full refund forthe total event ticket price;
- (2) subject to availability, if the event is postponed for not more than 6 months and the original
  event ticket is no longer valid for entry to the re-

1	scheduled event, a replacement event ticket for the
2	rescheduled event in the same or a comparable loca-
3	tion once the event has been rescheduled; or
4	(3) if the event is postponed for more than 6
5	months, at the option of the purchaser—
6	(A) a full refund for the total event ticket
7	price; or
8	(B) if the original event ticket is no longer
9	valid for entry to the rescheduled event, a re-
10	placement event ticket for the rescheduled event
11	in the same or a comparable location once the
12	event has been rescheduled.
13	(b) Disclosure of Guarantee and Refund Pol-
14	ICY REQUIRED.—Beginning 180 days after the date of the
15	enactment of this Act, a ticket issuer, secondary market
16	ticket issuer, or secondary market ticket exchange shall
17	disclose clearly and conspicuously to a purchaser before
18	the completion of an event ticket sale the guarantee or
19	refund policy of such ticket issuer, secondary market tick-
20	et issuer, or secondary market ticket exchange, including
21	under what circumstances any refund issued will include
22	a refund of any event ticket fee.
23	(c) DISCLOSURE OF HOW TO OBTAIN A REFUND RE-
24	OUPED Boginning 180 days after the date of the enact-

24 QUIRED.—Beginning 180 days after the date of the enact-25 ment of this Act, a ticket issuer, secondary market ticket

issuer, or secondary market ticket exchange shall provide
 a clear and conspicuous explanation of how to obtain a
 refund of the total event ticket price.

### 4 SEC. 1706. REPORT BY THE FEDERAL TRADE COMMISSION 5 ON BOTS ACT OF 2016 ENFORCEMENT.

6 Not later than 6 months after the date of the enact-7 ment of this Act, the Commission shall submit to Congress 8 a report on enforcement of the Better Online Ticket Sales 9 Act of 2016 (Public Law 114–274; 15 U.S.C. 45c), includ-10 ing any enforcement action taken, challenges with enforcement and coordination with State Attorneys General, and 11 12 recommendations on how to improve enforcement and in-13 dustry compliance.

#### 14 SEC. 1707. ENFORCEMENT.

(a) UNFAIR OR DECEPTIVE ACT OR PRACTICE.—A
violation of this title shall be treated as a violation of a
rule defining an unfair or deceptive act or practice under
section 18(a)(1)(B) of the Federal Trade Commission Act
(15 U.S.C. 57a(a)(1)(B)).

20 (b) POWERS OF COMMISSION.—

(1) IN GENERAL.—The Commission shall enforce this title in the same manner, by the same
means, and with the same jurisdiction, powers, and
duties as though all applicable terms and provisions
of the Federal Trade Commission Act (15 U.S.C. 41

3 (2) PRIVILEGES AND IMMUNITIES.—Any person
4 who violates this title shall be subject to the pen5 alties and entitled to the privileges and immunities
6 provided in the Federal Trade Commission Act (15)
7 U.S.C. 41 et seq.).

8 (3) AUTHORITY PRESERVED.—Nothing in this
9 title shall be construed to limit the authority of the
10 Commission under any other provision of law.

#### 11 SEC. 1708. DEFINITIONS.

12 In this title:

(1) ARTIST.—The term "artist" means any performer, musician, comedian, producer, ensemble or
production entity of a theatrical production, sports
team owner, or similar person.

17 (2) BASE EVENT TICKET PRICE.—The term
18 "base event ticket price" means, with respect to an
19 event ticket, the price of the event ticket excluding
20 the cost of any event ticket fees.

21 (3) COMMISSION.—The term "Commission"
22 means the Federal Trade Commission.

(4) EVENT.—The term "event" means any live
concert, theatrical performance, sporting event,
show, or similarly scheduled live activity, that is—

1	(A) taking place in a venue with a seating
2	or attendance capacity exceeding 200 persons;
3	(B) open to the general public; and
4	(C) promoted, advertised, or marketed in
5	interstate commerce, or for which event tickets
6	are generally sold or distributed in interstate
7	commerce.
8	(5) EVENT TICKET; TICKET ISSUER.—The
9	terms "event ticket" and "ticket issuer" have the
10	meaning given those terms in the Better Online
11	Ticket Sales Act of 2016 (Public Law 114–274).
12	(6) EVENT TICKET FEE.—The term "event
13	ticket fee"—
14	(A) means a charge for an event ticket
15	that must be paid in addition to the base event
16	ticket price in order to obtain an event ticket
17	from a ticket issuer, secondary market ticket
18	issuer, or secondary market ticket exchange, in-
19	cluding any service fee, charge and order proc-
20	essing fee, delivery fee, facility charge fee, tax,
21	and any other charge; and
22	(B) does not include any charge or fee for
23	an optional product or service associated with
24	the event that may be selected by a purchaser
25	of an event ticket.

1 (7) OPTIONAL PRODUCT OR SERVICE.—The 2 term "optional product or service" means a product or service that an individual does not need to pur-3 4 chase to use or take possession of an event ticket. (8) RESALE; SECONDARY SALE.—The terms 5 "resale" and "secondary sale" mean any sale of an 6 7 event ticket that occurs after the initial sale of the 8 event ticket by a ticket issuer. 9 (9) Secondary Market Ticket exchange.— 10 The term "secondary market ticket exchange" 11 means any person that in the regular course of trade 12 or business of that person operates a platform or ex-13 change for advertising, listing, or selling resale tick-14 ets, on behalf of itself, vendors, or a secondary mar-15 ket ticket issuer. 16 (10) Secondary market ticket issuer.— 17 The term "secondary market ticket issuer" means 18 any person, including a ticket issuer, that resells or 19 makes a secondary sale of an event ticket to the gen-20 eral public in the regular course of the trade or busi-21 ness of the person.

(11) TOTAL EVENT TICKET PRICE.—The term
"total event ticket price" means, with respect to an
event ticket, the total cost of the event ticket, includ-

ing the base event ticket price and any event ticket
 fee.

3 (12) VENUE.—The term "venue" means a
4 physical space at which an event takes place.

### 5 **TITLE XVI—ROUTERS ACT**

#### 6 SEC. 1801. SHORT TITLE.

7 This title may be cited as the "Removing Our Unse8 cure Technologies to Ensure Reliability and Security Act"
9 or the "ROUTERS Act".

## SEC. 1802. STUDY OF NATIONAL SECURITY RISKS POSED BY CERTAIN ROUTERS AND MODEMS.

(a) IN GENERAL.—The Secretary shall conduct a
study of the national security risks posed by consumer
routers, modems, and devices that combine a modem and
router that are designed, developed, manufactured, or supplied by persons owned by, controlled by, or subject to the
influence of a covered country.

(b) REPORT TO CONGRESS.—Not later than 1 year
after the date of the enactment of this Act, the Secretary
shall submit to the Committee on Energy and Commerce
of the House of Representatives and the Committee on
Commerce, Science, and Transportation of the Senate a
report on the results of the study conducted under subsection (a).

25 (c) DEFINITIONS.—In this section:

1	(1) COVERED COUNTRY.—The term "covered
2	country" means a country specified in section
3	4872(d)(2) of title 10, United States Code.
4	(2) Secretary.—The term "Secretary" means
5	the Secretary of Commerce, in consultation with the
6	Assistant Secretary of Commerce for Communica-
7	tions and Information.
8	TITLE XVII—NTIA
9	REAUTHORIZATION
10	SEC. 1901. SHORT TITLE.
11	This title may be cited as the "National Tele-
12	communications and Information Administration Reau-
13	thorization Act of 2024" or the "NTIA Reauthorization
14	Act of 2024".
15	SEC. 1902. DEFINITIONS.
16	In this title:
17	(1) COMMISSION.—The term "Commission"
18	means the Federal Communications Commission.
19	(2) NTIA.—The term "NTIA" means the Na-
20	tional Telecommunications and Information Admin-
21	istration.
22	(3) UNDER SECRETARY.—The term "Under
23	Secretary" means the Under Secretary of Commerce
24	for Communications and Information.

1	Subtitle A—Reauthorization
2	SEC. 1911. REAUTHORIZATION OF THE NATIONAL TELE-
3	COMMUNICATIONS AND INFORMATION AD-
4	MINISTRATION ORGANIZATION ACT.
5	(a) Authorization of Appropriations.—Section
6	151 of the National Telecommunications and Information
7	Administration Organization Act is amended by striking
8	" $$17,600,000$ for fiscal year 1992 and $$17,900,000$ for
9	fiscal year 1993" and inserting "\$57,000,000 for fiscal
10	year 2025 and \$57,000,000 for fiscal year 2026".
11	(b) Under Secretary of Commerce for Commu-
12	NICATIONS AND INFORMATION.—
13	(1) UNDER SECRETARY; DEPUTY UNDER SEC-
14	RETARY.—
15	(A) UNDER SECRETARY.—The National
16	Telecommunications and Information Adminis-
17	tration Organization Act (47 U.S.C. 901 et seq)
18	is amended by striking "Assistant Secretary"
19	each place it appears and inserting "Under Sec-
20	retary".
21	(B) DEPUTY UNDER SECRETARY.—Section
22	103(a) of the National Telecommunications and
23	Information Administration Organization Act
24	(47 U.S.C. 902(a)), as amended by this section,
25	is amended by adding at the end the following:

1	"(3) Deputy under secretary.—The Dep-
2	uty Under Secretary of Commerce for Communica-
3	tions and Information shall—
4	"(A) be the principal policy advisor of the
5	Under Secretary;
6	"(B) perform such other functions as the
7	Under Secretary shall from time to time assign
8	or delegate; and
9	"(C) act as Under Secretary during the
10	absence or disability of the Under Secretary or
11	in the event of a vacancy in the office of the
12	Under Secretary.".
13	(2) CONTINUATION OF CIVIL ACTIONS.—This
14	subsection, and the amendments made by this sub-
15	section, shall not abate any civil action commenced
16	by or against the Assistant Secretary of Commerce
17	for Communications and Information before the date
18	of the enactment of this Act, except that the Under
19	Secretary shall be substituted as a party to the ac-
20	tion on and after such date.
21	(3) CONTINUATION IN OFFICE.—The individual
22	serving as the Assistant Secretary of Commerce for
23	Communications and Information and the individual
24	serving as the Deputy Assistant Secretary of Com-
25	merce for Communications and Information on the

1	day before the date of the enactment of this Act may
2	serve as the Under Secretary and the Deputy Under
3	Secretary of Commerce for Communications and In-
4	formation, respectively, on and after that date with-
5	out the need for renomination or reappointment.
6	(4) References.—Any reference in a law, reg-
7	ulation, document, paper, or other record of the
8	United States to the Assistant Secretary of Com-
9	merce for Communications and Information shall, on
10	and after the date of the enactment of this Act, be
11	deemed to be a reference to the Under Secretary.
12	(5) EXECUTIVE SCHEDULE.—
13	(A) IN GENERAL.—Subchapter II of chap-
14	ter 53 of title 5, United States Code, is amend-
15	ed—
16	(i) in section 5314, by adding at the
17	end the following:
18	"Under Secretary of Commerce for Commu-
19	nications and Information."; and
20	(ii) in section 5315, in the item relat-
21	ing to the Assistant Secretaries of Com-
22	merce, by striking " $(11)$ " and inserting
23	<i>"(</i> 10 <i>)"</i> .
24	(B) EFFECTIVE DATE.—The amendment
25	made by subparagraph (A) (establishing the an-

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1	nual rate of the basic pay of the Under Sec-
2	retary) shall take effect on the first day of the
3	first pay period beginning after the date of the
4	enactment of this Act.
5	(c) Authorities and Responsibilities.—
6	(1) COORDINATION OF EXECUTIVE BRANCH
7	VIEWS ON MATTERS BEFORE THE FEDERAL COMMU-
8	NICATIONS COMMISSION.—Section $105(a)(1)$ of the
9	National Telecommunications and Information Ad-
10	ministration Organization Act (47 U.S.C. 904(a)(1))
11	is amended—
12	(A) by striking "to ensure that the con-
13	duct" and inserting the following: "to ensure
14	that—
15	"(A) the conduct";
16	(B) in subparagraph (A), as so designated,
17	by striking the period at the end and inserting
18	"; and"; and
19	(C) by adding at the end the following:
20	"(B) the views of the executive branch on
21	matters presented to the Commission are, con-
22	sistent with section $103(b)(2)(J)$ —
23	"(i) appropriately coordinated; and
24	"(ii) reflective of executive branch pol-
25	icy.".

1	(2) Assigned functions.—Section 103(b)(2)
2	of the National Telecommunications and Informa-
3	tion Administration Organization Act (47 U.S.C.
4	902(b)(2)) is amended—
5	(A) in the matter preceding subparagraph
6	(A), by inserting ", some of which were" before
7	"transferred to the Secretary"; and
8	(B) in subparagraph (M), by inserting ",
9	publish reports," after "studies".
10	(3) RULE OF CONSTRUCTION.—Nothing in the
11	amendments made by paragraphs $(1)$ and $(2)$ may
12	be construed to expand or contract the authority of
13	the Commission.
14	(d) Technical and Conforming Amendments.—
15	(1) Public telecommunications financing
16	ACT OF 1978.—Section 106(c) of the Public Tele-
17	communications Financing Act of 1978 (5 U.S.C.
18	5316 note; Public Law 95–567) is amended by strik-
19	ing "The position of Deputy Assistant Secretary of
20	Commerce for Communications and Information, es-
21	tablished in Department of Commerce Organization
22	Order Numbered 10–10 (effective March 26,
23	1978)," and inserting "The position of Deputy
24	Under Secretary of Commerce for Communications
25	and Information, established under section 103(a) of

1	the National Telecommunications and Information
2	Administration Organization Act (47 U.S.C.
3	902(a)),".
4	(2) Communications act of 1934.—Section
5	344(d)(2) of the Communications Act of 1934 (47)
6	U.S.C. 344(d)(2)) is amended by striking "Assistant
7	Secretary" and inserting "Under Secretary".
8	(3) Homeland security act of 2002.—Sec-
9	tion $1805(d)(2)$ of the Homeland Security Act of
10	2002 (6 U.S.C. $575(d)(2)$ ) is amended by striking
11	"Assistant Secretary for Communications and Infor-
12	mation of the Department of Commerce" and insert-
13	ing "Under Secretary of Commerce for Communica-
14	tions and Information".
15	(4) Agriculture improvement act of
16	2018.—Section 6212 of the Agriculture Improvement
17	Act of 2018 (7 U.S.C. 950bb-6) is amended—
18	(A) in subsection $(d)(1)$ , in the heading, by
19	striking "Assistant secretary" and inserting
20	"UNDER SECRETARY"; and
21	(B) by striking "Assistant Secretary" each
22	place the term appears and inserting "Under
23	Secretary".
24	(5) TITLE 17, UNITED STATES CODE.—Section
25	1201(a)(1)(C) of title 17, United States Code, is

amended by striking "Assistant Secretary for Com-1 2 munications and Information of the Department of 3 Commerce" and inserting "Under Secretary of Commerce for Communications and Information". 4 5 (6) UNLOCKING CONSUMER CHOICE AND WIRE-6 LESS COMPETITION ACT.—Section 2(b) of the 7 Unlocking Consumer Choice and Wireless Competi-8 tion Act (17 U.S.C. 1201 note; Public Law 113-9 144) is amended by striking "Assistant Secretary 10 for Communications and Information of the Depart-11 ment of Commerce" and inserting "Under Secretary of Commerce for Communications and Information". 12 13 COMMUNICATIONS SATELLITE (7)ACT OF 14 1962.—Section 625(a)(1) of the Communications

14 1962.—Section 625(a)(1) of the Communications
15 Satellite Act of 1962 (47 U.S.C. 763d(a)(1)) is
16 amended, in the matter preceding subparagraph (A),
17 by striking "Assistant Secretary" and inserting
18 "Under Secretary of Commerce".

19 (8) SPECTRUM PIPELINE ACT OF 2015.—The
20 Spectrum Pipeline Act of 2015 (47 U.S.C. 921 note;
21 title X of Public Law 114–74) is amended—

(A) in section 1002(1), in the heading, by
striking "ASSISTANT SECRETARY" and inserting
"UNDER SECRETARY"; and

1	(B) by striking "Assistant Secretary" each
2	place the term appears and inserting "Under
3	Secretary".
4	(9) WARNING, ALERT, AND RESPONSE NET-
5	WORK ACT.—Section 606 of the Warning, Alert, and
6	Response Network Act (47 U.S.C. 1205) is amend-
7	ed—
8	(A) by striking "Assistant Secretary" each
9	place the term appears and inserting "Under
10	Secretary"; and
11	(B) in subsection (b), in the first sentence,
12	by striking "for7Communications" and insert-
13	ing "for Communications".
14	(10) American recovery and reinvestment
15	ACT OF 2009.—Section 6001 of the American Recov-
16	ery and Reinvestment Act of 2009 (47 U.S.C. 1305)
17	is amended by striking "Assistant Secretary" each
18	place the term appears and inserting "Under Sec-
19	retary".
20	(11) MIDDLE CLASS TAX RELIEF AND JOB CRE-
21	ATION ACT OF 2012.—Title VI of the Middle Class
22	Tax Relief and Job Creation Act of 2012 (47 U.S.C.
23	1401 et seq.) is amended—
24	(A) in section 6001 (47 U.S.C. 1401)—
25	(i) by striking paragraph (4);

1	(ii) by redesignating paragraphs (5)
2	through $(32)$ as paragraphs $(4)$ through
3	(31), respectively; and
4	(iii) by inserting after paragraph (31),
5	as so redesignated, the following:
6	"(32) UNDER SECRETARY.—The term 'Under
7	Secretary' means the Under Secretary of Commerce
8	for Communications and Information."; and
9	(B) by striking "Assistant Secretary" each
10	place the term appears and inserting "Under
11	Secretary".
12	(12) RAY BAUM'S ACT OF 2018.—The RAY
13	BAUM'S Act of 2018 (division P of Public Law
14	115–141; 132 Stat. 348) is amended by striking
15	"Assistant Secretary" each place the term appears
16	and inserting "Under Secretary".
17	(13) Secure and trusted communications
18	NETWORKS ACT OF 2019.—Section 8 of the Secure
19	and Trusted Communications Networks Act of 2019
20	(47 U.S.C. 1607) is amended—
21	(A) in subsection $(c)(1)$ , in the heading, by
22	striking "Assistant secretary" and inserting
23	"UNDER SECRETARY"; and

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1	(B) by striking "Assistant Secretary" each
2	place the term appears and inserting "Under
3	Secretary".
4	(14) TITLE 51, UNITED STATES CODE.—Section
5	50112(3) of title 51, United States Code, is amend-
6	ed, in the matter preceding subparagraph (A), by
7	striking "Assistant Secretary" each place the term
8	appears and inserting "Under Secretary".
9	(15) Consolidated appropriations act,
10	2021.—The Consolidated Appropriations Act, 2021
11	(Public Law 116–260) is amended—
12	(A) in title IX of division N—
13	(i) in section $902(a)(2)$ , in the head-
14	ing, by striking "Assistant secretary"
15	and inserting "UNDER SECRETARY";
16	(ii) in section 905—
17	(I) in subsection $(a)(1)$ , in the
18	heading, by striking "ASSISTANT SEC-
19	RETARY" and inserting "UNDER SEC-
20	RETARY'';
21	(II) in subsection $(c)(3)(B)$ , in
22	the heading, by striking "ASSISTANT
23	SECRETARY" and inserting "UNDER
24	SECRETARY"; and

1	(III) in subsection $(d)(2)(B)$ , in
2	the heading, by striking "ASSISTANT
3	SECRETARY" and inserting "UNDER
4	SECRETARY"; and
5	(iii) by striking "Assistant Secretary"
6	each place the term appears and inserting
7	"Under Secretary"; and
8	(B) in title IX of division FF—
9	(i) in section $903(g)(2)$ , in the head-
10	ing, by striking "Assistant secretary"
11	and inserting "UNDER SECRETARY"; and
12	(ii) by striking "Assistant Secretary"
13	each place the term appears and inserting
14	"Under Secretary".
15	(16) INFRASTRUCTURE INVESTMENT AND JOBS
16	ACT.—The Infrastructure Investment and Jobs Act
17	(Public Law 117–58) is amended—
18	(A) in section 27003, by striking "Assist-
19	ant Secretary' each place the term appears and
20	inserting "Under Secretary";
21	(B) in division F—
22	(i) in section 60102—
23	(I) in subsection $(a)(2)(A)$ , by
24	striking "Assistant secretary"
25	and inserting "UNDER SECRETARY";

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1	(II) in subsection $(d)(1)$ , by
2	striking "Assistant secretary"
3	and inserting "UNDER SECRETARY";
4	and
5	(III) in subsection (h)—
6	(aa) in paragraph (1)(B), by
7	striking "ASSISTANT SEC-
8	RETARY" and inserting "UNDER
9	SECRETARY"; and
10	(bb) in paragraph
11	(5)(B)(iii), by striking "ASSIST-
12	ANT SECRETARY" and inserting
13	"UNDER SECRETARY";
14	(ii) in title III—
15	(I) in section $60302(5)$ , by strik-
16	ing "Assistant secretary" and in-
17	serting "UNDER SECRETARY"; and
18	(II) in section
19	60305(d)(2)(B)(ii), by striking "AS-
20	SISTANT SECRETARY" and inserting
21	"UNDER SECRETARY";
22	(iii) in section $60401(a)(2)$ , by strik-
23	ing "Assistant secretary" and insert-
24	ing "UNDER SECRETARY"; and

1	(iv) by striking "Assistant Secretary"
2	each place the term appears and inserting
3	"Under Secretary"; and
4	(C) in division J, in title I, in the matter
5	under the heading "distance learning, telemedi-
6	cine, and broadband program" under the head-
7	ing "Rural Utilities Service" under the heading
8	"RURAL DEVELOPMENT PROGRAMS", by
9	striking "Assistant Secretary" and inserting
10	"Under Secretary".
11	SEC. 1912. NTIA CONSOLIDATED REPORTING ACT.
12	(a) Elimination of Certain Outdated or Com-
13	PLETED REPORTING REQUIREMENTS.—
14	(1) BTOP QUARTERLY REPORT.—Section
15	6001(d) of the American Recovery and Reinvestment
16	Act of 2009 (47 U.S.C. 1305(d)) is amended—
17	(A) in paragraph (2), by striking the semi-
18	colon at the end and inserting "; and";
19	(B) in paragraph (3), by striking "; and"
20	and inserting a period; and
21	(C) by striking paragraph (4).
22	(2) Certain reports required by National
23	TELECOMMUNICATIONS AND INFORMATION ADMINIS-
24	TRATION ORGANIZATION ACT.—Sections 154, 155,
25	and 156 of the National Telecommunications and

1	Information Administration Organization Act are re-
2	pealed.
3	(3) INITIAL REPORT REQUIRED BY SECTION
4	9202(a)(1)(G) of the NDAA for FISCAL year
5	2021.—Section $9202(a)(1)(G)$ of the William M.
6	(Mac) Thornberry National Defense Authorization
7	Act for Fiscal Year 2021 (47 U.S.C. 906(a)(1)(G))
8	is amended—
9	(A) in clause (ii), by redesignating sub-
10	clauses (I), (II), and (III) as clauses (i), (ii),
11	and (iii), respectively, and conforming the mar-
12	gins of such clauses accordingly; and
13	(B) by striking "Reports to congress"
14	and all that follows through "For each fiscal
15	year" and inserting "ANNUAL REPORT TO CON-
16	GRESS.—For each fiscal year".
17	(4) Report to president.—Section 105(a) of
18	the National Telecommunications and Information
19	Administration Organization Act (47 U.S.C. 904(a))
20	is amended—
21	(A) by striking paragraph (2); and
22	(B) by redesignating paragraph $(3)$ as
23	paragraph (2).
24	(5) EFFECT ON AUTHORITY.—Nothing in this
25	subsection or the amendments made by this sub-

section may be construed to expand or contract the
 authority of the Secretary, the Under Secretary, the
 NTIA, or the Commission.

4 (6) OTHER REPORTS.—Nothing in this sub-5 section or the amendments made by this subsection 6 may be construed to prohibit or otherwise prevent 7 the Secretary, the Under Secretary, the NTIA, or 8 the Commission from producing any additional re-9 ports otherwise within the authority of the Sec-10 retary, the Under Secretary, the NTIA, or the Commission, respectively. 11

12 (b) CONSOLIDATED ANNUAL REPORT.—

13 (1) IN GENERAL.—In the first quarter of each 14 calendar year, the Under Secretary shall publish on 15 the website of the NTIA and submit to the Com-16 mittee on Energy and Commerce of the House of 17 Representatives and the Committee on Commerce, 18 Science, and Transportation of the Senate a report 19 that contains the reports described in paragraph (2)20 for the fiscal year ending most recently before the 21 beginning of such quarter.

22 (2) REPORTS DESCRIBED.—The reports de23 scribed in this paragraph are the following:

24 (A) The report required by section
25 903(c)(2)(C) of division FF of the Consolidated

	Appropriations	Act,	2021	(47)	U.S.C.
,	1307(c)(2)(C)).				

(B) If amounts in the Public Wireless Sup-3 4 ply Chain Innovation Fund established by sec-5 tion 9202(a)(1)(A)(i) of the William M. (Mac) 6 Thornberry National Defense Authorization Act 7 for Fiscal Year 2021 (47)U.S.C. 8 906(a)(1)(A)(i) were available for the fiscal 9 year described in paragraph (1) of this sub-10 section, the report required by section 11 9202(a)(1)(G)of such Act (47)U.S.C. 12 906(a)(1)(G)).

13 (C) If the Under Secretary awarded grants 14 under section 60304(d)(1) of the Infrastructure 15 Investment and Jobs Act (47)U.S.C. 16 1723(d)(1) in the fiscal year described in para-17 graph (1) of this subsection, the report required 18 by section 60306(a)(1)(A) of such Act (47) 19 U.S.C. 1725(a)(1)(A)).

20 (3) TIMING OF UNDERLYING REPORTING RE21 QUIREMENTS.—

(A) REPORT OF OFFICE OF INTERNET
CONNECTIVITY AND GROWTH.—Section
903(c)(2)(C) of division FF of the Consolidated

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1	Appropriations Act, 2021 (47 U.S.C.
2	1307(c)(2)(C)) is amended—
3	(i) in the matter preceding clause
4	(i)—
5	(I) by striking "Not later than 1
6	year after the date of the enactment
7	of this Act, and every year there-
8	after," and inserting "In the first
9	quarter of each calendar year,"; and
10	(II) by inserting ", for the fiscal
11	year ending most recently before the
12	beginning of such quarter," after "a
13	report"; and
14	(ii) in clause (i), by striking "for the
15	previous year".
16	(B) REPORT ON DIGITAL EQUITY GRANT
17	PROGRAMS.—Section $60306(a)(1)$ of the Infra-
18	structure Investment and Jobs Act (47 U.S.C.
19	1725(a)(1)) is amended—
20	(i) in the matter preceding subpara-
21	graph (A), by striking "Not later than 1
22	year" and all that follows through "shall—
23	" and inserting the following: "For the
24	first fiscal year in which the Under Sec-
25	retary awards grants under section

1	60304(d)(1), and each fiscal year there-
2	after in which the Under Secretary awards
3	grants under such section, the Under Sec-
4	retary shall—"; and
5	(ii) in subparagraph (A)—
6	(I) by inserting "in the first
7	quarter of the first calendar year that
8	begins after the end of such fiscal
9	year," before "submit"; and
10	(II) by striking ", for the year
11	covered by the report".
12	(4) Satisfaction of underlying reporting
13	REQUIREMENTS.—
14	(A) IN GENERAL.—Except as provided in
15	subparagraph (B), the publication and submis-
16	sion of a report as required by paragraph $(1)$
17	in the first quarter of a calendar year shall be
18	treated as satisfying any requirement to publish
19	or otherwise make publicly available or to sub-
20	mit to Congress or to a committee of Congress
21	a report described in paragraph (2) for the fis-
22	cal year ending most recently before the begin-
23	ning of such quarter.
24	(B) CERTAIN SUBMISSION REQUIRE-
25	MENTS.—At the time when the Under Secretary

1 submits a report required by paragraph (1) to 2 the committees described in such paragraph, 3 the Under Secretary shall submit any portion of 4 such report that relates to a report described in 5 paragraph (2)(C) to each committee of Con-6 gress not described in paragraph (1) to which 7 such report would (without regard to subpara-8 graph (A) of this paragraph) be required to be 9 submitted.

10 (5) APPLICABILITY.—Paragraph (1), and the 11 amendments made by paragraph (3), shall apply be-12 ginning on January 1 of the first calendar year that 13 begins after the date of the enactment of this Act. 14 (c) EXTENSION OF CERTAIN AUDIT AND REPORTING 15 REQUIREMENTS.—Section 902(c)(4)(A) of division N of 16 the Consolidated Appropriations Act, 2021 (47 U.S.C. 17 1306(c)(4)(A) is amended by striking "fiscal years 2021 and 2022" and inserting "fiscal years 2021, 2022, 2023, 18 19 and 2024".

20 (d) DEFINITION.—In this section, the term "Sec-21 retary" means the Secretary of Commerce.

# Subtitle B—Office of Spectrum Management

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3 SEC. 1921. OFFICE OF SPECTRUM MANAGEMENT.

4 Part A of the National Telecommunications and In5 formation Administration Organization Act (47 U.S.C.
6 901 et seq.) is amended by adding at the end the fol7 lowing:

#### 8 "SEC. 106. OFFICE OF SPECTRUM MANAGEMENT.

9 "(a) ESTABLISHMENT.—There is established within
10 the NTIA an Office of Spectrum Management (in this sec11 tion referred to as the 'Office').

12 "(b) HEAD OF OFFICE.—

13 "(1) IN GENERAL.—The head of the Office
14 shall be an Associate Administrator for Spectrum
15 Management (in this section referred to as the 'Associate Administrator').

17 "(2) REQUIREMENT TO REPORT.—The Asso18 ciate Administrator shall report to the Under Sec19 retary (or a designee of the Under Secretary).

20 "(c) DUTIES.—The Associate Administrator shall, at
21 the direction of the Under Secretary—

"(1) carry out responsibilities under section
103(b)(2)(A) (relating to frequency assignments for
radio stations belonging to and operated by the
United States), make frequency allocations for fre-

quencies that will be used by such stations, and de velop and maintain techniques, databases, measure ments, files, and procedures necessary for such allo cations;

"(2) carry out responsibilities under section 5 6 103(b)(2)(K) (relating to establishing policies con-7 cerning spectrum assignments and use by radio sta-8 tions belonging to and operated by the United 9 States) and provide Federal agencies with guidance 10 to ensure that the conduct of telecommunications ac-11 tivities by such agencies is consistent with such poli-12 cies;

"(3) represent the interests of Federal agencies
in the process through which the Commission and
the NTIA jointly determine the National Table of
Frequency Allocations, and coordinate with the
Commission in the development of a comprehensive
long-range plan for improved management of all
electromagnetic spectrum resources;

20 "(4) appoint the chairpersons of and provide
21 secretariat functions for the Interdepartmental
22 Radio Advisory Committee and the Interagency
23 Spectrum Advisory Council;

24 "(5) carry out responsibilities under section
25 103(b)(2)(B) (relating to authorizing a foreign gov-

ernment to construct and operate a radio station at
 the seat of Government of the United States) and
 assign frequencies for use by such stations;

"(6) provide advice and assistance to the Under 4 5 Secretary and coordinate with the Associate Admin-6 istrator for International Affairs in carrying out 7 spectrum management aspects of the international 8 policy responsibilities of the NTIA, including spec-9 trum-related responsibilities under section 10 103(b)(2)(G);

"(7) carry out spectrum-related responsibilities
under section 103(b)(2)(H) (relating to coordination
of the telecommunications activities of the executive
branch and assistance in the formulation of policies
and standards for such activities);

"(8) carry out spectrum-related responsibilities
under section 103(b)(2)(Q) (relating to certain activities with respect to telecommunications resources); and

20 "(9) carry out any other duties of the NTIA
21 with respect to spectrum policy that the Under Sec22 retary may designate.".

# Subtitle C—Office of International Affairs

3 SEC. 1931. OFFICE OF INTERNATIONAL AFFAIRS.

4 Part A of the National Telecommunications and In5 formation Administration Organization Act (47 U.S.C.
6 901 et seq.), as amended by the preceding provisions of
7 this title, is further amended by adding at the end the
8 following:

### 9 "SEC. 107. OFFICE OF INTERNATIONAL AFFAIRS.

10 "(a) ESTABLISHMENT.—There is established within
11 the NTIA an Office of International Affairs (in this sec12 tion referred to as the 'Office').

13 "(b) HEAD OF OFFICE.—

14 "(1) IN GENERAL.—The head of the Office
15 shall be an Associate Administrator for International
16 Affairs (in this section referred to as the 'Associate
17 Administrator').

18 "(2) REQUIREMENT TO REPORT.—The Asso19 ciate Administrator shall report to the Under Sec20 retary (or a designee of the Under Secretary).

21 "(c) DUTIES.—The Associate Administrator shall, at
22 the direction of the Under Secretary—

23 "(1) in coordination with the Secretary of
24 State, conduct analysis of, review, and formulate

1	international telecommunications and information
2	policy;
3	"(2) present on international telecommuni-
4	cations and information policy—
5	"(A) before the Commission, Congress,
6	and others; and
7	"(B) in coordination with the Secretary of
8	State, before international telecommunications
9	bodies, including the International Tele-
10	communication Union;
11	"(3) conduct or obtain analysis on economic
12	and other aspects of international telecommuni-
13	cations and information policy;
14	"(4) formulate, and recommend to the Under
15	Secretary, polices and plans with respect to prepara-
16	tion for and participation in international tele-
17	communications and information policy activities;
18	"(5) in coordination with the Secretary of
19	State, coordinate NTIA and interdepartmental eco-
20	nomic, technical, operational, and other preparations
21	related to participation by the United States in
22	international telecommunications and information
23	policy conferences and negotiations;
24	"(6) ensure NTIA representation with respect
25	to international telecommunications and information

policy meetings and the activities related to prepara tion for such meetings;

"(7) in coordination with the Secretary of
State, coordinate with Federal agencies and private
organizations engaged in activities involving international telecommunications and information policy
matters and maintain cognizance of the activities of
United States signatories with respect to related
treaties, agreements, and other instruments;

10 "(8) provide advice and assistance related to 11 international telecommunications and information 12 policy to other Federal agencies charged with re-13 sponsibility for international negotiations, to 14 strengthen the position and serve the best interests 15 of the United States in the conduct of negotiations 16 with foreign nations;

"(9) provide advice and assistance to the Under
Secretary with respect to evaluating the international impact of matters pending before the Commission, other Federal agencies, and Congress;

"(10) carry out, at the request of the Secretary,
the responsibilities of the Secretary under the Communications Satellite Act of 1962 (47 U.S.C. 701 et
seq.) and other Federal laws related to international
telecommunications and information policy; and

"(11) carry out any other duties of the NTIA
 with respect to international telecommunications and
 information policy that the Under Secretary may
 designate.".

## DIVISION E—HEALTH

#### 6 SEC. 1. SHORT TITLE; TABLE OF CONTENTS.

7 (a) SHORT TITLE.—This division may be cited as the

8 "Health Improvements, Extenders, and Reauthorizations

9 Act".

5

10 (b) TABLE OF CONTENTS.—The table of contents for

11 this division is as follows:

Sec. 1. Short title; table of contents.

#### TITLE I—MEDICAID

- Sec. 101. Streamlined enrollment process for eligible out-of-state providers under Medicaid and CHIP.
- Sec. 102. Making certain adjustments to coverage of home or community-based services under Medicaid.
- Sec. 103. Removing certain age restrictions on Medicaid eligibility for working adults with disabilities.
- Sec. 104. Medicaid State plan requirement for determining residency and coverage for military families.
- Sec. 105. Ensuring the reliability of address information provided under the Medicaid program.
- Sec. 106. Codifying certain Medicaid provider screening requirements related to deceased providers.
- Sec. 107. Modifying certain State requirements for ensuring deceased individuals do not remain enrolled.
- Sec. 108. One-year delay of Medicaid and CHIP requirements for health screenings, referrals, and case management services for eligible juveniles in public institutions; State interim work plans.
- Sec. 109. State studies and HHS report on costs of providing maternity, labor, and delivery services.
- Sec. 110. Modifying certain disproportionate share hospital allotments.
- Sec. 111. Modifying certain limitations on disproportionate share hospital payment adjustments under the Medicaid program.
- Sec. 112. Ensuring accurate payments to pharmacies under Medicaid.
- Sec. 113. Preventing the use of abusive spread pricing in Medicaid.

#### TITLE II—MEDICARE

- Sec. 201. Extension of increased inpatient hospital payment adjustment for certain low-volume hospitals.
- Sec. 202. Extension of the Medicare-dependent hospital (MDH) program.
- Sec. 203. Extension of add-on payments for ambulance services.
- Sec. 204. Extending incentive payments for participation in eligible alternative payment models.
- Sec. 205. Temporary payment increase under the Medicare physician fee schedule to account for exceptional circumstances.
- Sec. 206. Extension of funding for quality measure endorsement, input, and selection.
- Sec. 207. Extension of funding outreach and assistance for low-income programs.
- Sec. 208. Extension of the work geographic index floor.
- Sec. 209. Extension of certain telehealth flexibilities.
- Sec. 210. Requiring modifier for use of telehealth to conduct face-to-face encounter prior to recertification of eligibility for hospice care.
- Sec. 211. Extending acute hospital care at home waiver flexibilities.
- Sec. 212. Enhancing certain program integrity requirements for DME under Medicare.
- Sec. 213. Guidance on furnishing services via telehealth to individuals with limited English proficiency.
- Sec. 214. In-home cardiopulmonary rehabilitation flexibilities.
- Sec. 215. Inclusion of virtual diabetes prevention program suppliers in MDPP Expanded Model.
- Sec. 216. Medication-induced movement disorder outreach and education.
- Sec. 217. Report on wearable medical devices.
- Sec. 218. Extension of temporary inclusion of authorized oral antiviral drugs as covered part D drugs.
- Sec. 219. Extension of adjustment to calculation of hospice cap amount.
- Sec. 220. Multiyear contracting authority for MedPAC and MACPAC.
- Sec. 221. Contracting parity for MedPAC and MACPAC.
- Sec. 222. Adjustments to Medicare part D cost-sharing reductions for low-income individuals.
- Sec. 223. Requiring Enhanced and Accurate Lists of (REAL) Health Providers Act.
- Sec. 224. Medicare coverage of multi-cancer early detection screening tests.
- Sec. 225. Medicare coverage of external infusion pumps and non-self-administrable home infusion drugs.
- Sec. 226. Assuring pharmacy access and choice for Medicare beneficiaries.
- Sec. 227. Modernizing and Ensuring PBM Accountability.
- Sec. 228. Requiring a separate identification number and an attestation for each off-campus outpatient department of a provider.
- Sec. 229. Medicare sequestration.
- Sec. 230. Medicare improvement fund.

#### TITLE III—HUMAN SERVICES

Subtitle A—Reauthorize Child Welfare Services and Strengthen State and Tribal Child Support Program

Sec. 301. Short title.

#### PART 1—CHILD WELFARE REAUTHORIZATION AND MODERNIZATION

- Sec. 311. Short title; references.
- Sec. 312. Reauthorization of child welfare programs.

- Sec. 313. Enhancements to the court improvement program.
- Sec. 314. Expanding regional partnership grants to address parental substance use disorder as cause of child removal.
- Sec. 315. Modernization; reducing administrative burden.
- Sec. 316. Streamlining funding for Indian tribes.
- Sec. 317. Accelerating access to Family First prevention services.
- Sec. 318. Strengthening support for youth aging out of foster care.
- Sec. 319. Recognizing the importance of relative and kinship caregivers.
- Sec. 320. Avoiding neglect by addressing poverty.
- Sec. 321. Strengthening support for caseworkers.
- Sec. 322. Demonstration projects for improving relationships between incarcerated parents and children in foster care.
- Sec. 323. Guidance to States on improving data collection and reporting for youth in residential treatment programs.
- Sec. 324. Streamlining research, training, and technical assistance funding.
- Sec. 325. Report on post adoption and subsidized guardianship services.
- Sec. 326. Effective date.

#### PART 2-STRENGTHENING STATE AND TRIBAL CHILD SUPPORT

- Sec. 331. Short title.
- Sec. 332. Improving the effectiveness of tribal child support enforcement agencies.

#### Subtitle B—Other Matters

- Sec. 341. Sexual risk avoidance education extension.
- Sec. 342. Personal responsibility education extension.
- Sec. 343. Extension of funding for family-to-family health information centers.

#### TITLE IV—PUBLIC HEALTH EXTENDERS

#### Subtitle A—Extensions

- Sec. 401. Extension for community health centers, National Health Service Corps, and teaching health centers that operate GME programs.
- Sec. 402. Extension of special diabetes programs.

#### Subtitle B—World Trade Center Health Program

Sec. 411. 9/11 responder and survivor health funding corrections.

#### TITLE V—SUPPORT ACT REAUTHORIZATION

Sec. 501. Short title.

#### Subtitle A—Prevention

- Sec. 511. Prenatal and postnatal health.
- Sec. 512. Monitoring and education regarding infections associated with illicit drug use and other risk factors.
- Sec. 513. Preventing overdoses of controlled substances.
- Sec. 514. Support for individuals and families impacted by fetal alcohol spectrum disorder.
- Sec. 515. Promoting state choice in PDMP systems.
- Sec. 516. First responder training program.
- Sec. 517. Donald J. Cohen National Child Traumatic Stress Initiative.

- Sec. 518. Protecting suicide prevention lifeline from cybersecurity incidents.
- Sec. 519. Bruce's law.
- Sec. 520. Guidance on at-home drug disposal systems.
- Sec. 521. Assessment of opioid drugs and actions.
- Sec. 522. Grant program for State and Tribal response to opioid use disorders.

#### Subtitle B—Treatment

- Sec. 531. Residential treatment program for pregnant and postpartum women.
- Sec. 532. Improving access to addiction medicine providers.
- Sec. 533. Mental and behavioral health education and training grants.
- Sec. 534. Loan repayment program for substance use disorder treatment workforce.
- Sec. 535. Development and dissemination of model training programs for substance use disorder patient records.
- Sec. 536. Task force on best practices for trauma-informed identification, referral, and support.
- Sec. 537. Grants to enhance access to substance use disorder treatment.
- Sec. 538. State guidance related to individuals with serious mental illness and children with serious emotional disturbance.
- Sec. 539. Reviewing the scheduling of approved products containing a combination of buprenorphine and naloxone.

#### Subtitle C—Recovery

- Sec. 541. Building communities of recovery.
- Sec. 542. Peer support technical assistance center.
- Sec. 543. Comprehensive opioid recovery centers.
- Sec. 544. Youth prevention and recovery.
- Sec. 545. CAREER Act.
- Sec. 546. Addressing economic and workforce impacts of the opioid crisis.

#### Subtitle D—Miscellaneous Matters

- Sec. 551. Delivery of a controlled substance by a pharmacy to a prescribing practitioner.
- Sec. 552. Technical correction on controlled substances dispensing.
- Sec. 553. Required training for prescribers of controlled substances.
- Sec. 554. Extension of temporary order for fentanyl-related substances.

# TITLE VI—PANDEMIC AND ALL-HAZARDS PREPAREDNESS AND RESPONSE

Sec. 601. Short title.

#### Subtitle A—State and Local Readiness and Response

- Sec. 611. Temporary reassignment of State and local personnel during a public health emergency.
- Sec. 612. Public Health Emergency Preparedness program.
- Sec. 613. Hospital Preparedness Program.
- Sec. 614. Facilities and capacities of the Centers for Disease Control and Prevention to combat public health security threats.
- Sec. 615. Pilot program to support State medical stockpiles.
- Sec. 616. Enhancing domestic wastewater surveillance for pathogen detection.
- Sec. 617. Reauthorization of Mosquito Abatement for Safety and Health program.

#### Subtitle B—Federal Planning and Coordination

- Sec. 621. All-Hazards Emergency Preparedness and Response.
- Sec. 622. National Health Security Strategy.
- Sec. 623. Improving development and distribution of diagnostic tests.
- Sec. 624. Combating antimicrobial resistance.
- Sec. 625. Strategic National Stockpile and material threats.
- Sec. 626. Medical countermeasures for viral threats with pandemic potential.
- Sec. 627. Public Health Emergency Medical Countermeasures Enterprise.
- Sec. 628. Fellowship and training programs.
- Sec. 629. Regional biocontainment research laboratories.
- Sec. 629A. Limitation related to countries of concern conducting certain research.

#### Subtitle C—Addressing the Needs of All Individuals

- Sec. 631. Improving access to certain programs.
- Sec. 632. Supporting at-risk individuals during emergency responses.
- Sec. 633. National advisory committees.
- Sec. 634. National Academies study on prizes.

#### Subtitle D—Additional Reauthorizations

- Sec. 641. Medical countermeasure priority review voucher.
- Sec. 642. Epidemic Intelligence Service.
- Sec. 643. Monitoring and distribution of certain medical countermeasures.
- Sec. 644. Regional health care emergency preparedness and response systems. Sec. 645. Emergency system for advance registration of volunteer health pro-
- fessionals.
- Sec. 646. Ensuring collaboration and coordination in medical countermeasure development.
- Sec. 647. Military and civilian partnership for trauma readiness.
- Sec. 648. National Disaster Medical System.
- Sec. 649. Volunteer Medical Reserve Corps.
- Sec. 649A. Epidemiology-laboratory capacity.

#### TITLE VII—PUBLIC HEALTH PROGRAMS

- Sec. 701. Action for dental health.
- Sec. 702. PREEMIE.
- Sec. 703. Preventing maternal deaths.
- Sec. 704. Sickle cell disease prevention and treatment.
- Sec. 705. Traumatic brain injuries.
- Sec. 706. Lifespan respite care.
- Sec. 707. Dr. Lorna Breen health care provider protection.
- Sec. 708. Gabriella Miller kids first research.
- Sec. 709. SCREENS for Cancer.
- Sec. 710. DeOndra Dixon INCLUDE Project.
- Sec. 711. IMPROVE Initiative.
- Sec. 712. Organ Procurement and Transplantation Network.
- Sec. 713. Honor Our Living Donors.
- Sec. 714. Program for pediatric studies of drugs.

#### TITLE VIII—FOOD AND DRUG ADMINISTRATION

#### Subtitle A—Give Kids a Chance

- Sec. 801. Research into pediatric uses of drugs; additional authorities of Food and Drug Administration regarding molecularly targeted cancer drugs.
- Sec. 802. Ensuring completion of pediatric study requirements.
- Sec. 803. FDA report on PREA enforcement.
- Sec. 804. Extension of authority to issue priority review vouchers to encourage treatments for rare pediatric diseases.
- Sec. 805. Limitations on exclusive approval or licensure of orphan drugs.

Subtitle B—United States-Abraham Accords Cooperation and Security

Sec. 811. Establishment of Abraham Accords Office within Food and Drug Administration.

#### TITLE IX—LOWERING PRESCRIPTION DRUG COSTS

- Sec. 901. Oversight of pharmacy benefit management services.
- Sec. 902. Full rebate pass through to plan; exception for innocent plan fiduciaries.
- Sec. 903. Increasing transparency in generic drug applications.
- Sec. 904. Title 35 amendments.

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#### TITLE X—MISCELLANEOUS

Sec. 1001. Two-year extension of safe harbor for absence of deductible for telehealth.

Sec. 1002. Eligibility for FEHBP enrollment for Members of Congress.

### TITLE I—MEDICAID

#### 2 SEC. 101. STREAMLINED ENROLLMENT PROCESS FOR ELI-

- 3 GIBLE OUT-OF-STATE PROVIDERS UNDER
- 4 MEDICAID AND CHIP.

5 (a) IN GENERAL.—Section 1902(kk) of the Social Se-

6 curity Act (42 U.S.C. 1396a(kk)) is amended by adding7 at the end the following new paragraph:

8 "(10) STREAMLINED ENROLLMENT PROCESS

9 FOR ELIGIBLE OUT-OF-STATE PROVIDERS.—

- 10 "(A) IN GENERAL.—The State—
- 11 "(i) adopts and implements a process
- 12 to allow an eligible out-of-State provider to
- 13 enroll under the State plan (or a waiver of

1	such plan) to furnish items and services to,
2	or order, prescribe, refer, or certify eligi-
3	bility for items and services for, qualifying
4	individuals without the imposition of
5	screening or enrollment requirements by
6	such State that exceed the minimum nec-
7	essary for such State to provide payment
8	to an eligible out-of-State provider under
9	such State plan (or a waiver of such plan),
10	such as the provider's name and National
11	Provider Identifier (and such other infor-
12	mation specified by the Secretary); and
13	"(ii) provides that an eligible out-of-
14	State provider that enrolls as a partici-
15	pating provider in the State plan (or a
16	waiver of such plan) through such process
17	shall be so enrolled for a 5-year period, un-
18	less the provider is terminated or excluded
19	from participation during such period.
20	"(B) DEFINITIONS.—In this paragraph:
21	"(i) ELIGIBLE OUT-OF-STATE PRO-
22	VIDER.—The term 'eligible out-of-State
23	provider' means, with respect to a State, a
24	provider—

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1	"(I) that is located in any other
2	State;
3	"(II) that—
4	"(aa) was determined by the
5	Secretary to have a limited risk
6	of fraud, waste, and abuse for
7	purposes of determining the level
8	of screening to be conducted
9	under section $1866(j)(2)$ , has
10	been so screened under such sec-
11	tion $1866(j)(2)$ , and is enrolled in
12	the Medicare program under title
13	XVIII; or
14	"(bb) was determined by the
15	State agency administering or su-
16	pervising the administration of
17	the State plan (or a waiver of
18	such plan) of such other State to
19	have a limited risk of fraud,
20	waste, and abuse for purposes of
21	determining the level of screening
22	to be conducted under paragraph
23	(1) of this subsection, has been
24	so screened under such para-
25	graph (1), and is enrolled under

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1	such State plan (or a waiver of
2	such plan); and
3	"(III) that has not been—
4	"(aa) excluded from partici-
5	pation in any Federal health care
6	program pursuant to section
7	1128 or 1128A;
8	"(bb) excluded from partici-
9	pation in the State plan (or a
10	waiver of such plan) pursuant to
11	part 1002 of title 42, Code of
12	Federal Regulations (or any suc-
13	cessor regulation), or State law;
14	OF
15	"(cc) terminated from par-
16	ticipating in a Federal health
17	care program or the State plan
18	(or a waiver of such plan) for a
19	reason described in paragraph
20	(8)(A).
21	"(ii) Qualifying individual.—The
22	term 'qualifying individual' means an indi-
23	vidual under 21 years of age who is en-
24	rolled under the State plan (or waiver of
25	such plan).

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1	"(iii) STATE.—The term 'State'
2	means 1 of the 50 States or the District
3	of Columbia.".
4	(b) Conforming Amendments.—
5	(1) Section $1902(a)(77)$ of the Social Security
6	Act (42 U.S.C. $1396a(a)(77)$ ) is amended by insert-
7	ing "enrollment," after "screening,".
8	(2) The subsection heading for section
9	1902(kk) of such Act (42 U.S.C. 1396a(kk)) is
10	amended by inserting "enrollment," after "screen-
11	ing,".
12	(3) Section $2107(e)(1)(G)$ of such Act (42)
13	U.S.C. $1397gg(e)(1)(G)$ ) is amended by inserting
14	"enrollment," after "screening,".
15	(c) EFFECTIVE DATE.—The amendments made by
16	this section shall take effect on the date that is 3 years
17	after the date of enactment of this Act.
18	SEC. 102. MAKING CERTAIN ADJUSTMENTS TO COVERAGE
19	OF HOME OR COMMUNITY-BASED SERVICES
20	UNDER MEDICAID.
21	(a) Increasing Transparency of HCBS Cov-
22	erage Under Medicaid.—
23	(1) IN GENERAL.—Section 1915(c) of the So-
24	cial Security Act (42 U.S.C. 1396n(c)) is amend-
25	ed—

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1	(A) in paragraph (2)—
2	(i) in subparagraph (E)—
3	(I) by inserting ", not less fre-
4	quently than' before "annually"; and
5	(II) by inserting "(including,
6	with respect to such information pro-
7	vided on or after July 9, 2027, the in-
8	formation specified in paragraph
9	(11))" before the period at the end;
10	and
11	(ii) by adding at the end the following
12	flush sentence:
13	"The Secretary shall make all information provided
14	under subparagraph (E) on or after the date of the
15	enactment of this sentence publicly available on the
16	website of the Centers for Medicare & Medicaid
17	Services."; and
18	(B) by adding at the end the following new
19	paragraph:
20	"(11) For purposes of paragraph $(2)(E)$ , the
21	information specified in this paragraph is the fol-
22	lowing:
23	"(A) In the case of a State that limits the
24	number of individuals who may be provided
25	home or community-based services under a

1	waiver granted under this subsection and main-
2	tains a list of individuals waiting to enroll in
3	such waiver, a description of how the State
4	maintains such list, including—
5	"(i) information on whether the State
6	screens individuals on such list to deter-
7	mine whether such individuals are eligible
8	to receive such services under such waiver;
9	"(ii) information on whether (and, if
10	applicable, how often) the State periodi-
11	cally re-screens individuals on such list for
12	eligibility;
13	"(iii) the number of people on such
14	list of individuals waiting to enroll in such
15	waiver; and
16	"(iv) the average amount of time that
17	individuals newly enrolled in such waiver
18	within the past 12 months were on such
19	list of individuals waiting to enroll in such
20	waiver.
21	"(B) With respect to homemaker services,
22	home health aide services, personal care serv-
23	ices, and habilitation services furnished under
24	waivers under this subsection, by each such
25	service type—

1	"(i) for individuals newly receiving
2	such services within the past 12 months,
3	the average amount of time (which may be
4	determined using statistically valid random
5	sampling of such individuals) from when
6	such services are initially approved for
7	such an individual to when such individual
8	begins receiving such services; and
9	"(ii) the percentage of authorized
10	hours (which may be determined using sta-
11	tistically valid random sampling of individ-
12	uals authorized to receive such services)
13	that are provided within the past 12
14	months.".
15	(2) Conforming Amendments.—Section 1915
16	of the Social Security Act (42 U.S.C. 1396n) is
17	amended—
18	(A) in subsection (i) by adding at the end
19	the following new paragraph:
20	"(8) Reporting Requirement.—With respect
21	to homemaker services, home health aide services,
22	personal care services, and habilitation services pro-
23	vided under this subsection on or after July 9, 2027,
24	the State, not less frequently than annually, shall
25	provide to the Secretary the same information re-

1	garding such services as the State is required to pro-
2	vide under subsection (c)(11)(B).";
3	(B) in subsection $(j)(2)(E)$ , by inserting
4	after the second sentence the following: "With
5	respect to any homemaker services, home health
6	aide services, personal care services, and habili-
7	tation services provided under this subsection
8	on or after July 9, 2027, the State, not less fre-
9	quently than annually, shall provide to the Sec-
10	retary the same information regarding such
11	services as the State is required to provide
12	under subsection (c)(11)(B)."; and
13	(C) in subsection $(k)(3)(E)$ —
14	(i) by striking "and" after "the cost
15	of such services and supports,"; and
16	(ii) by inserting before the period, the
17	following: ", and with respect to home-
18	maker services, home health aide services,
19	personal care services, and habilitation
20	services provided under this subsection on
21	or after July 9, 2027, not less frequently
22	than annually, the same information re-
23	garding such services as the State is re-
24	quired to provide under subsection
25	(c)(11)(B)".

1	(b) Demonstration Program to Expand HCBS
2	Coverage Under Section 1915(c) Waivers.—Section
3	1915(c) of the Social Security Act (42 U.S.C. 1396n(c)),
4	as amended by subsection (a), is further amended—
5	(1) in paragraph $(2)(E)$ , by inserting ", and the
6	information specified in paragraph $(12)(C)(v)$ , when
7	applicable" after "paragraph (11)"; and
8	(2) by adding at the end the following new
9	paragraph:
10	"(12) DEMONSTRATION PROGRAM TO EXPAND
11	COVERAGE FOR HOME OR COMMUNITY-BASED SERV-
12	ICES.—
13	"(A) IN GENERAL.—
14	"(i) Approval.—Not later than 24
15	months after the date on which the plan-
16	ning grants under subparagraph (B) are
17	awarded, notwithstanding paragraph $(1)$ ,
18	the Secretary may approve a waiver that is
19	standalone from any other waiver approved
20	under this subsection for not more than 5
21	States, selected in accordance with clause
22	(ii), to include as medical assistance under
23	the State plan of such State, for the 3-year
24	period beginning on the date of such ap-
25	proval, payment for part or all of the cost

1	of home or community-based services
2	(other than room and board (as described
3	in paragraph (1))) approved by the Sec-
4	retary which are provided pursuant to a
5	written plan of care to individuals de-
6	scribed in subparagraph (C)(iii).
7	"(ii) Selection criteria.—In se-
8	lecting States for purposes of clause (i),
9	the Secretary shall—
10	"(I) only select States that re-
11	ceived a planning grant under sub-
12	paragraph (B);
13	"(II) only select States that meet
14	the requirements specified in subpara-
15	graph (C) and such other require-
16	ments as the Secretary may determine
17	appropriate;
18	"(III) select States in a manner
19	that ensures geographic diversity;
20	"(IV) give preference to States
21	with a higher percentage (relative to
22	other States that apply to be selected
23	for purposes of clause (i)) of the total
24	State population residing in rural

1	areas (as determined by the Sec-
2	retary);
3	"(V) give preference to States
4	that have demonstrated more progress
5	in rebalancing long-term services and
6	supports systems under this title, as
7	determined based on the relative share
8	of individuals who use home or com-
9	munity-based services (as defined by
10	the Secretary) under this title as a
11	percentage of total individuals who
12	use long-term services and supports
13	(as defined by the Secretary) under
14	this title (in the most recent year for
15	which such data is available); and
16	"(VI) give preference to States
17	that pursue a waiver under this para-
18	graph that incorporates the provision
19	of mental health services for adults
20	with serious mental illness, children
21	with serious emotional disturbances,
22	or individuals with substance use dis-
23	order.
24	"(B) Planning grants.—
25	"(i) IN GENERAL.—

1	"(I) APPROVAL.—Not later than
2	18 months after the date of the enact-
3	ment of this paragraph, the Secretary
4	shall award planning grants of not
5	more than $$5,000,000$ each to not
6	more than 10 States for purposes of
7	preparing to submit a request for a
8	waiver under this subsection (includ-
9	ing for costs to implement the waiver
10	or other activities to expand the provi-
11	sion of home or community-based
12	services under this section) to provide
13	home or community-based services to
14	individuals described in subparagraph
15	(C)(iii).
16	"(II) SELECTION CRITERIA.—In
17	awarding planning grants under sub-
18	clause (I), the Secretary shall use the
19	selection criteria specified in sub-
20	clauses (III) through (VI) of subpara-
21	graph (A)(ii).
22	"(ii) CONSULTATION.—A State that is
23	awarded a planning grant under clause (i)
24	shall, in preparing to submit a request for

1	a waiver described in such clause, consult
2	with—
3	"(I) individuals in need of (and
4	not receiving) home or community-
5	based services, individuals receiving
6	home or community-based services,
7	and the caregivers of such individuals;
8	"(II) providers furnishing home
9	or community-based services; and
10	"(III) such other stakeholders, as
11	the Secretary may specify.
12	"(C) STATE REQUIREMENTS.—In addition
13	to the requirements specified under this sub-
14	section (except for the requirements described
15	in subparagraphs (C) and (D) of paragraph (2)
16	and any other requirement the Secretary deter-
17	mines to be inapplicable in the context of a
18	waiver relation to individuals who do not re-
19	quire the level of care described in paragraph
20	(1)), the requirements specified in this para-
21	graph are, with respect to a State, the fol-
22	lowing:
23	"(i) As of the date that such State re-
24	quests a waiver under this subsection to
25	provide home or community-based services

1 to individuals described in clause (iii), all 2 other waivers (if any) granted under this 3 subsection to such State meet the require-4 ments of this subsection. "(ii) The State demonstrates to the 5 6 Secretary that approval of a waiver under 7 this subsection with respect to individuals 8 described in clause (iii) will not result in a 9 material increase of the average amount of 10 time that individuals with respect to whom 11 a determination described in paragraph (1) 12 has been made will need to wait to receive 13 home or community-based services under any waiver granted under this subsection, 14 15 as determined by the Secretary. 16 "(iii) The State establishes needs-17 based criteria, subject to the approval of 18 the Secretary, to identify individuals for 19 whom a determination described in para-20 graph (1) is not applicable, who will be eli-21 gible for home or community-based serv-22 ices under a waiver approved under this 23 paragraph, and specifies the home or com-24 munity-based services such individuals so 25 eligible will receive.

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1	"(iv) The State established needs-
2	based criteria for determining whether an
3	individual described in clause (iii) requires
4	the level of care provided in a hospital,
5	nursing facility, or an intermediate care fa-
6	cility for individuals with developmental
7	disabilities under the State plan or under
8	any waiver of such plan that are more
9	stringent than the needs-based criteria es-
10	tablished under clause (iii) for determining
11	eligibility for home or community-based
12	services.
13	"(v) The State attests that the State's
14	average per capita expenditure for medical
15	assistance under the State plan (or waiver
16	of such plan) provided with respect to such
16 17	of such plan) provided with respect to such individuals enrolled in a waiver under this
17	individuals enrolled in a waiver under this
17 18	individuals enrolled in a waiver under this paragraph will not exceed the State's aver-
17 18 19	individuals enrolled in a waiver under this paragraph will not exceed the State's aver- age per capita expenditures for medical as-
17 18 19 20	individuals enrolled in a waiver under this paragraph will not exceed the State's aver- age per capita expenditures for medical as- sistance for individuals receiving institu-
17 18 19 20 21	individuals enrolled in a waiver under this paragraph will not exceed the State's aver- age per capita expenditures for medical as- sistance for individuals receiving institu- tional care under the State plan (or waiver
<ol> <li>17</li> <li>18</li> <li>19</li> <li>20</li> <li>21</li> <li>22</li> </ol>	individuals enrolled in a waiver under this paragraph will not exceed the State's aver- age per capita expenditures for medical as- sistance for individuals receiving institu- tional care under the State plan (or waiver of such plan) for the duration that the

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retary data (in such form and manner as

1	the Secretary may specify) regarding the
2	number of individuals described in clause
3	(i) with respect to a State seeking approval
4	of a waiver under this subsection, to whom
5	the State will make such services available
6	under such waiver.
7	"(vii) The State agrees to provide to
8	the Secretary, not less frequently than an-
9	nually, data for purposes of paragraph
10	(2)(E) (in such form and manner as the
11	Secretary may specify) regarding, with re-
12	spect to each preceding year in which a
13	waiver under this subsection to provide
14	home and community-based services to in-
15	dividuals described in clause (iii) was in ef-
16	fect—
17	"(I) the cost (as such term is de-
18	fined by the Secretary) of such serv-
19	ices furnished to individuals described
20	in clause (iii), broken down by type of
21	service;
22	"(II) with respect to each type of
23	home and community-based service
24	provided under the waiver, the length

of time that such individuals have received such service;

"(III) a comparison between the 3 4 data described in subclause (I) and 5 any comparable data available with 6 respect to individuals with respect to 7 whom a determination described in 8 paragraph (1) has been made and 9 with respect to individuals receiving 10 institutional care under this title; and 11 "(IV) the number of individuals 12 who have received home and commu-13 nity-based services under the waiver 14 during the preceding year.".

(c) NON-APPLICATION OF THE PAPERWORK REDUC16 TION ACT.—Chapter 35 of title 44, United States Code
17 (commonly referred to as the "Paperwork Reduction Act
18 of 1995"), shall not apply to the implementation of the
19 amendments made by subsections (a) and (b).

(d) CMS GUIDANCE TO STATES ON INTERIM COV21 ERAGE UNDER SECTION 1915 HOME AND COMMUNITY22 BASED SERVICES AUTHORITIES.—Not later than January
23 1, 2027, the Secretary of Health and Human Services
24 shall issue guidance to the States to clarify how a State
25 may provide, with respect to an individual who is eligible

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for home and community-based services under section
 1915 of the Social Security Act (42 U.S.C. 1396n), cov erage of such services pursuant to a provisional written
 plan of care, pending finalization, with respect to such in dividual.

6 (e) FUNDING.—

7 (1) IN GENERAL.—There are appropriated, out 8 of any funds in the Treasury not otherwise obli-9 gated, \$71,000,000 for fiscal year 2025, to remain 10 available until expended, to the Secretary of Health 11 and Human Services for purposes of carrying out 12 subsection (d) and the amendments made by sub-13 section (b).

14 (2) Reservation for planning grants.—Of 15 the amount appropriated under paragraph (1), the 16 Secretary of Health and Human Services shall re-17 serve \$50,000,000 of such amount to award plan-18 ning grants under the demonstration program estab-19 lished by the amendments made by subsection (b). 20 SEC. 103. REMOVING CERTAIN AGE RESTRICTIONS ON MED-21 ICAID ELIGIBILITY FOR WORKING ADULTS 22 WITH DISABILITIES. 23 (a) Modification of Optional Buy-in Groups.— 24 (1)IN GENERAL.—Section

25 1902(a)(10)(A)(ii)(XV) of the Social Security Act

3 (2) DEFINITION MODIFICATION.—Section
4 1905(v)(1)(A) of the Social Security Act (42 U.S.C.
5 1396d(v)(1)(A)) is amended by striking ", but less
6 than 65,".

7 (b) APPLICATION TO CERTAIN STATES.—A State 8 that, as of the date of enactment of this Act, provides for 9 making medical assistance available to individuals de-10 scribed in subclause (XV) or (XVI) of section 11 1902(a)(10)(A)(ii) of the Social Security Act (42 U.S.C. 12 1396a(a)(10)(A)(ii)) shall not be regarded as failing to 13 comply with the requirements of either such subclause (as 14 subsection (a)(1)with amended by or section 15 1905(v)(1)(A) of the Social Security Act (42 U.S.C. 16 1396d(v)(1)(A) (as amended by subsection (a)(2)) before 17 January 1, 2027.

18 SEC. 104. MEDICAID STATE PLAN REQUIREMENT FOR DE-

## 19TERMINING RESIDENCY AND COVERAGE FOR20MILITARY FAMILIES.

(a) IN GENERAL.—Section 1902 of the Social Security Act (42 U.S.C. 1396a) is amended—

- 23 (1) in subsection (a)—
- 24 (A) in paragraph (86), by striking "and"
  25 at the end;

1	$(\mathbf{D})$ is some set $(0.7)$ $(0.7)$ $(1.5)$
1	(B) in paragraph (87), by striking the pe-
2	riod at the end and inserting "; and"; and
3	(C) by inserting after paragraph (87), the
4	following new paragraph:
5	"(88) beginning January 1, 2028, provide, with
6	respect to an active duty relocated individual (as de-
7	fined in subsection $(uu)(1))$ —
8	"(A) that, for purposes of determining eli-
9	gibility for medical assistance under the State
10	plan (or waiver of such plan), such active duty
11	relocated individual is treated as a resident of
12	the State unless such individual voluntarily
13	elects not to be so treated for such purposes;
14	"(B) that if, at the time of relocation (as
15	described in subsection $(uu)(1)$ , such active
16	duty relocated individual is on a home and com-
17	munity-based services waiting list (as defined in
18	subsection $(uu)(2)$ , such individual remains on
19	such list until—
20	"(i) the State completes an assess-
21	ment and renders a decision with respect
22	to the eligibility of such individual to re-
23	ceive the relevant home and community-
24	based services at the time a slot for such
25	services becomes available and, in the case

1 such decision is a denial of such eligibility, 2 such individual has exhausted the individ-3 ual's opportunity for a fair hearing; or "(ii) such individual elects to be re-4 5 moved from such list; and 6 "(C) payment for medical assistance fur-7 nished under the State plan (or a waiver of the 8 plan) on behalf of such active duty relocated in-9 dividual in the military service relocation State 10 (as referred to in subsection (uu)(1)(B)(i)), to 11 the extent that such assistance is available in 12 such military service relocation State in accord-13 ance with such guidance as the Secretary may 14 issue to ensure access to such assistance."; and 15 (2) by adding at the end the following new subsection: 16 17 "(uu) ACTIVE DUTY RELOCATED INDIVIDUAL; HOME AND COMMUNITY-BASED SERVICES WAITING LIST.—For 18 purposes of subsection (a)(88) and this subsection: 19 "(1) ACTIVE DUTY RELOCATED INDIVIDUAL.— 20 21 The term 'active duty relocated individual' means an 22 individual-"(A) who— 23 "(i) is enrolled under the State plan 24 25 (or waiver of such plan); or

1	"(ii) with respect to an individual de-
2	scribed in subparagraph (C)(ii), would be
2	so enrolled pursuant to subsection
4	(a)(10)(A)(ii)(VI) if such individual began
5	receiving home and community-based serv-
6	ices;
7	"(B) who—
8	"(i) is a member of the Armed Forces
9	engaged in active duty service and is relo-
10	cated to another State (in this subsection
11	referred to as the 'military service reloca-
12	tion State') by reason of such service;
13	"(ii) would be described in clause (i)
14	except that the individual stopped being
15	engaged in active duty service (including
16	by reason of retirement from such service)
17	and the last day on which the individual
18	was engaged in active duty service oc-
19	curred not more than 12 months ago; or
20	"(iii) is a dependent (as defined by
21	the Secretary) of a member described in
22	clause (i) or (ii) who relocates to the mili-
23	tary service relocation State with such
24	member; and
25	"(C) who—

1	"(i) was receiving home and commu-
2	nity-based services (as defined in section
3	9817(a)(2)(B) of the American Rescue
4	Plan Act of 2021) at the time of such relo-
5	cation; or
6	"(ii) if the State maintains a home
7	and community-based services waiting list,
8	was on such home and community-based
9	services waiting list at the time of such re-
10	location.
11	"(2) Home and community-based services
12	WAITING LIST.—The term 'home and community-
13	based services waiting list' means, in the case of a
14	State that has a limit on the number of individuals
15	who may receive home and community-based services
16	under section 1115(a), section 1915(c), or section
17	1915(j), a list maintained by such State of individ-
18	uals who are requesting to receive such services
19	under 1 or more such sections but for whom the
20	State has not yet completed an assessment and ren-
21	dered a decision with respect to the eligibility of
22	such individuals to receive the relevant home and
23	community-based services at the time a slot for such
24	services becomes available due to such limit.".

(b) IMPLEMENTATION FUNDING.—There are appropriated, out of any funds in the Treasury not otherwise obligated, \$1,000,000 for each of fiscal years 2025 through 2029, to remain available until expended, to the Secretary of Health and Human Services for purposes of

6 implementing the amendments made by subsection (a).

7 SEC. 105. ENSURING THE RELIABILITY OF ADDRESS INFOR-

## 8 MATION PROVIDED UNDER THE MEDICAID 9 PROGRAM.

10 (a) IN GENERAL.—Section 1902(a) of the Social Se11 curity Act (42 U.S.C. 1396a(a)), as previously amended
12 by this title, is amended—

13 (1) in paragraph (87), by striking "and" at theend;

(2) in paragraph (88), by striking the period atthe end and inserting "; and"; and

17 (3) by inserting after paragraph (88) the fol-18 lowing new paragraph:

19 "(89) beginning January 1, 2026, provide for a 20 process to regularly obtain address information for 21 individuals enrolled under such plan (or a waiver of 22 such plan) from reliable data sources (as described 23 in section 435.919(f)(1)(iii) of title 42, Code of Fed-24 eral Regulations (or a successor regulation)) and act 25 on any changes to such an address based on such in-

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1	formation in accordance with such section (or suc-
2	cessor regulation), except that this paragraph shall
3	only apply in the case of the 50 States and the Dis-
4	trict of Columbia.".
5	(b) Application to CHIP.—Section 2107(e)(1) of
6	the Social Security Act (42 U.S.C. $1397gg(e)(1)$ ) is
7	amended—
8	(1) by redesignating subparagraphs (H)
9	through (U) as subparagraphs (I) through (V), re-
10	spectively; and
11	(2) by inserting after subparagraph (G) the fol-
12	lowing new subparagraph:
13	"(H) Section 1902(a)(89) (relating to reg-
14	ularly obtaining address information for enroll-
15	ees).".
16	(c) Ensuring Transmission of Address Infor-
17	MATION FROM MANAGED CARE ORGANIZATIONS.—Sec-
18	tion 1932 of the Social Security Act (42 U.S.C. 1396u–
19	2) is amended by adding at the end the following new sub-
20	section:
21	"(j) Transmission of Address Information.—
22	Beginning January 1, 2026, each contract under a State
23	plan with a managed care entity under section 1903(m)
24	shall provide that the entity transmits to the State any
25	

25 address information for an individual enrolled with the en-

1	tity that is provided to such entity directly from, or
2	verified by such entity directly with, such individual.".
3	SEC. 106. CODIFYING CERTAIN MEDICAID PROVIDER
4	SCREENING REQUIREMENTS RELATED TO
5	DECEASED PROVIDERS.
6	Section $1902(kk)(1)$ of the Social Security Act (42)
7	U.S.C. 1396a(kk)(1)) is amended—
8	(1) by striking "The State" and inserting:
9	"(A) IN GENERAL.—The State"; and
10	(2) by adding at the end the following new sub-
11	paragraph:
12	"(B) Additional provider screen-
13	ING.—Beginning January 1, 2027, as part of
14	the enrollment (or reenrollment or revalidation
15	of enrollment) of a provider or supplier under
16	this title, and not less frequently than quarterly
17	during the period that such provider or supplier
18	is so enrolled, the State conducts a check of the
19	Death Master File (as such term is defined in
20	section 203(d) of the Bipartisan Budget Act of
21	2013) to determine whether such provider or
22	supplier is deceased.".

1	SEC. 107. MODIFYING CERTAIN STATE REQUIREMENTS FOR
2	ENSURING DECEASED INDIVIDUALS DO NOT
3	REMAIN ENROLLED.
4	Section 1902 of the Social Security Act (42 U.S.C.
5	1396a), as previously amended by this title, is amended—
6	(1) in subsection (a)—
7	(A) in paragraph (88), by striking "; and"
8	and inserting a semicolon;
9	(B) in paragraph (89), by striking the pe-
10	riod at the end and inserting "; and"; and
11	(C) by inserting after paragraph $(89)$ the
12	following new paragraph:
13	"(90) provide that the State shall comply with
14	the eligibility verification requirements under sub-
15	section (vv), except that this paragraph shall apply
16	only in the case of the 50 States and the District
17	of Columbia."; and
18	(2) by adding at the end the following new sub-
19	section:
20	"(vv) Verification of Certain Eligibility Cri-
21	TERIA.—
22	"(1) IN GENERAL.—For purposes of subsection
23	(a)(90), the eligibility verification requirements, be-
24	ginning January 1, 2026, are as follows:
25	"(A) QUARTERLY SCREENING TO VERIFY
26	ENROLLEE STATUS.—The State shall, not less
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1	frequently than quarterly, review the Death
2	Master File (as such term is defined in section
3	203(d) of the Bipartisan Budget Act of 2013)
4	to determine whether any individuals enrolled
5	for medical assistance under the State plan (or
6	waiver of such plan) are deceased.
7	"(B) DISENROLLMENT UNDER STATE
8	PLAN.—If the State determines, based on infor-
9	mation obtained from the Death Master File,
10	that an individual enrolled for medical assist-
11	ance under the State plan (or waiver of such
12	plan) is deceased, the State shall—
13	"(i) treat such information as factual
14	information confirming the death of a ben-
15	eficiary for purposes of section 431.213(a)
16	of title 42, Code of Federal Regulations (or
17	any successor regulation);
18	"(ii) disenroll such individual from the
19	State plan (or waiver of such plan); and
20	"(iii) discontinue any payments for
21	medical assistance under this title made on
22	behalf of such individual (other than pay-
23	ments for any items or services furnished
24	to such individual prior to the death of
25	such individual).

1 "(C) REINSTATEMENT OF COVERAGE IN 2 THE EVENT OF ERROR.—If a State determines 3 that an individual was misidentified as deceased 4 based on information obtained from the Death 5 Master File, and was erroneously disenrolled 6 from medical assistance under the State plan 7 (or waiver of such plan) based on such 8 misidentification, the State shall immediately 9 reenroll such individual under the State plan 10 (or waiver of such plan), retroactive to the date 11 of such disenrollment. "(2) RULE OF CONSTRUCTION.—Nothing under

12 "(2) RULE OF CONSTRUCTION.—Nothing under 13 this subsection shall be construed to preclude the 14 ability of a State to use other electronic data sources 15 to timely identify potentially deceased beneficiaries, 16 so long as the State is also in compliance with the 17 requirements of this subsection (and all other re-18 quirements under this title relating to Medicaid eli-19 gibility determination and redetermination).".

1	SEC. 108. ONE-YEAR DELAY OF MEDICAID AND CHIP RE-
2	QUIREMENTS FOR HEALTH SCREENINGS, RE-
3	FERRALS, AND CASE MANAGEMENT SERV-
4	ICES FOR ELIGIBLE JUVENILES IN PUBLIC
5	INSTITUTIONS; STATE INTERIM WORK PLANS.
6	(a) IN GENERAL.—Section 5121(d) of subtitle C of
7	title V of division FF of the Consolidated Appropriations
8	Act, 2023 (Public Law 117–328) is amended—
9	(1) by striking "The amendments made by this
10	section" and inserting the following:
11	"(1) IN GENERAL.—Subject to paragraph $(2)$ ,
12	the amendments made by this section"; and
13	(2) by adding at the end the following new
14	paragraph:
15	"(2) Delay of date by which states must
16	COMPLY WITH CERTAIN JUVENILE JUSTICE-RE-
17	LATED REQUIREMENTS.—A State shall not be re-
18	garded as failing to comply with the requirements of
19	section $1902(a)(84)(D)$ or $2102(d)(2)$ of the Social
20	Security Act (42 U.S.C. 1396a(a)(84)(D),
21	1397bb(d)(2)) before January 1, 2026.".
22	(b) Clarifying Nonapplication of Require-
23	ments to Individuals in Federal Custody.—
24	(1) MEDICAID.—
25	(A) Subparagraph (D) of section
26	1902(a)(84) of the Social Security Act (42)

1	U.S.C. $1396a(a)(84)$ ), as added by section $5121$
2	of subtitle C of title V of division FF of the
3	Consolidated Appropriations Act, 2023 (Public
4	Law 117–328), is amended by striking "an in-
5	dividual who is an eligible juvenile" and insert-
6	ing "an individual (other than an individual
7	who is in Federal custody, including as an in-
8	mate in a Federal prison) who is an eligible ju-
9	venile''.
10	(B) Section 5122(a) of subtitle C of title
11	V of division FF of the Consolidated Appropria-
12	tions Act, 2023 (Public Law 117–328) is
13	amended—
14	(i) by striking "paragraph (31)" each
15	place it appears and inserting "the last
16	numbered paragraph"; and
17	(ii) in paragraph (1), by striking "an
18	individual who is an eligible juvenile" and
19	inserting "an individual (other than an in-
20	dividual who is in Federal custody, includ-
21	ing as an inmate in a Federal prison) who
22	is an eligible juvenile".
23	(2) CHIP.—
24	(A) Subsection $(d)(2)$ of section 2102 of
25	the Social Security Act (42 U.S.C. 1397bb), as

1 added by section 5121 of subtitle C of title V 2 of division FF of the Consolidated Appropria-3 tions Act, 2023 (Public Law 117–328), is amended by striking "a targeted low-income 4 5 child who" and inserting "a targeted low in-6 come child (other than a child who is in Federal 7 custody, including as an inmate in a Federal 8 prison) who". 9 (B) Section 5122(b)(2) of subtitle C of 10 title V of division FF of the Consolidated Ap-11 propriations Act, 2023 (Public Law 117–328) is amended by striking "a child who is" and in-12 13 serting "a child (other than a child who is in 14 Federal custody, including as an inmate in a 15 Federal prison) who is". 16 (3) EFFECTIVE DATE.—The amendments made

by this subsection shall take effect as if enacted onDecember 29, 2022.

(c) INTERIM WORK PLAN.—Not later than June 30,
20 2025, each State (as such term is defined in section
21 1101(a)(1) of the Social Security Act (42 U.S.C.
22 1301(a)(1)) for purposes of titles XIX and XXI of such
23 Act) shall submit to the Secretary of Health and Human
24 Services an interim work plan, in such form and con25 taining such information as the Secretary may specify, de-

1 scribing the State's progress towards implementing, and its plans to come into compliance with, the requirements 2 3 imposed by the amendments made by section 5121 of sub-4 title C of title V of division FF of the Consolidated Appro-5 priations Act, 2023 (Public Law 117–328), consistent 6 with the guidance issued by the Centers for Medicare & 7 Medicaid Services in State Health Official Letter #24– 8 004 on July 23, 2024.

## 9 SEC. 109. STATE STUDIES AND HHS REPORT ON COSTS OF 10 PROVIDING MATERNITY, LABOR, AND DELIV11 ERY SERVICES.

12 (a) STATE STUDY.—

13 (1) IN GENERAL.—Not later than 24 months 14 after the date of enactment of this Act, and every 15 5 years thereafter, each State (as such term is de-16 fined in section 1101(a)(1) of the Social Security 17 Act (42 U.S.C. 1301(a)(1)) for purposes of titles 18 XIX and XXI of such Act) shall conduct a study on 19 the costs of providing maternity, labor, and delivery 20 services in applicable hospitals (as defined in para-21 graph (3)) and submit the results of such study to 22 the Secretary of Health and Human Services (re-23 ferred to in this section as the "Secretary").

24 (2) CONTENT OF STUDY.—A State study re25 quired under paragraph (1) shall include the fol-

1 lowing information (to the extent practicable) with 2 respect to maternity, labor, and delivery services fur-3 nished by applicable hospitals located in the State: 4 (A) An estimate of the cost of providing 5 maternity, labor, and delivery services at appli-6 cable hospitals, based on the expenditures a 7 representative sample of such hospitals incurred 8 for providing such services during the 2 most 9 recent years for which data is available. 10 (B) An estimate of the cost of providing 11 maternity, labor, and delivery services at appli-12 cable hospitals that ceased providing labor and 13 delivery services within the past 5 years, based 14 on the expenditures a representative sample of 15 such hospitals incurred for providing such serv-16 ices during the 2 most recent years for which 17 data is available. 18 (C) To the extent data allows, an analysis 19 of the extent to which geographic location, com-20 munity demographics, and local economic fac-21 tors (as defined by the Secretary) affect the 22 cost of providing maternity, labor, and delivery 23 services at applicable hospitals, including the

25 maternity, labor, and delivery services.

cost of services that support the provision of

1	(D) The amounts applicable hospitals are
2	paid for maternity, labor, and delivery services,
3	by geographic location and hospital size,
4	under—
5	(i) Medicare;
6	(ii) the State Medicaid program, in-
7	cluding payment amounts for such services
8	under fee-for-service payment arrange-
9	ments and under managed care (as appli-
10	cable);
11	(iii) the State CHIP plan, including
12	payment amounts for such services under
13	fee-for-service payment arrangements and
14	under managed care (as applicable); and
15	(iv) private health insurance.
16	(E) A comparative payment rate anal-
17	ysis—
18	(i) comparing payment rates for ma-
19	ternity, labor, and delivery services (inclu-
20	sive of all payments received by applicable
21	hospitals for furnishing maternity, labor,
22	and delivery services) under the State
23	Medicaid fee-for-service program to such
24	payment rates for such services under
25	Medicare (as described in section

1	447.203(b)(3) of title 42, Code of Federal
2	Regulations), other Federally-funded or
3	State-funded programs (including, to the
4	extent data is available, Medicaid managed
5	care rates), and to the payment rates for
6	such services, to the extent data is avail-
7	able, of private health insurers within geo-
8	graphic areas of the State; and
9	(ii) analyzing different payment meth-
10	ods for such services, such as the use of
11	bundled payments, quality incentives, and
12	low-volume adjustments.
13	(F) An evaluation, using such methodology
14	and parameters established by the Secretary, of
15	whether each hospital located in the State that
16	furnishes maternity, labor, and delivery services
17	is expected to experience in the next 3 years
18	significant changes in particular expenditures
19	or types of reimbursement for maternity, labor,
20	and delivery services.
21	(3) Applicable hospital defined.—For
22	purposes of this subsection, the term "applicable
23	hospital" means any hospital located in a State that
24	meets either of the following criteria:

1	(A) The hospital provides labor and deliv-
2	ery services and more than 50 percent of the
3	hospital's births (in the most recent year for
4	which such data is available) are financed by
5	the Medicaid program or CHIP.
6	(B) The hospital—
7	(i) is located in a rural area (as de-
8	fined by the Federal Office of Rural
9	Health Policy for the purpose of rural
10	health grant programs administered by
11	such Office);
12	(ii) based on the most recent 2 years
13	of data available (as determined by the
14	Secretary), furnished services for less than
15	an average of 300 births per year; and
16	(iii) provides labor and delivery serv-
17	ices.
18	(4) Assistance to small hospitals in com-
19	PILING COST INFORMATION.—There are appro-
20	priated to the Secretary for fiscal year 2025,
21	\$10,000,000 for the purpose of providing grants and
22	technical assistance to a hospital described in para-
23	graph (3)(B) to enable such hospital to compile de-
24	tailed information for use in the State studies re-

quired under paragraph (1), to remain available
 until expended.

3 (5) HHS REPORT ON STATE STUDIES.—For 4 each year in which a State is required to conduct a 5 study under paragraph (1), the Secretary shall issue, 6 not later than 12 months after the date on which 7 the State submits to the Secretary the data de-8 scribed in such paragraph, a publicly available re-9 port that compiles and details the results of such 10 study and includes the information described in 11 paragraph (2).

12 (b) HHS Report on National Data Collection 13 FINDINGS.—Not later than 3 years after the date of enactment of this Act, the Secretary shall submit to Con-14 15 gress, and make publicly available, a report analyzing the first studies conducted by States under subsection (a)(1), 16 17 including recommendations for improving data collection 18 on the cost of providing maternity, labor, and delivery 19 services.

(c) IMPLEMENTATION FUNDING.—In addition to the
amount appropriated under subsection (a)(4), there are
appropriated, out of any funds in the Treasury not otherwise obligated, \$3,000,000 for fiscal year 2025, to remain
available until expended, to the Secretary of Health and

Human Services for purposes of implementing this sec tion.

## 3 SEC. 110. MODIFYING CERTAIN DISPROPORTIONATE SHARE 4 HOSPITAL ALLOTMENTS.

5 (a) EXTENDING TENNESSEE DSH ALLOTMENTS.—
6 Section 1923(f)(6)(A)(vi) of the Social Security Act (42)
7 U.S.C. 1396r-4(f)(6)(A)(vi)) is amended—

8 (1) in the heading, by striking "2025" and in9 serting "2026 AND FOR THE 1ST QUARTER OF FISCAL
10 YEAR 2027";

(2) by striking "fiscal year 2025" and inserting
"fiscal year 2026"; and

(3) by inserting ", and the DSH allotment for
Tennessee for the 1st quarter of fiscal year 2027,
shall be \$13,275,000" before the period.

16 (b) ELIMINATING AND DELAYING DSH ALLOTMENT
17 REDUCTIONS.—Section 1923(f) of the Social Security Act
18 (42 U.S.C. 1396r-4(f)) is amended—

19 (1) in paragraph (7)(A)—

20 (A) in clause (i), in the matter preceding
21 subclause (I), by striking "January 1, 2025,"
22 and all that follows through "2027" and insert23 ing "January 1, 2027, and ending September
24 30, 2027, and for fiscal year 2028"; and

1	(B) in clause (ii), by striking "January 1,
2	2025," and all that follows through "2027" and
3	inserting "January 1, 2027, and ending Sep-
4	tember 30, 2027, and for fiscal year 2028";
5	and
6	(2) in paragraph (8), by striking "2027" and
7	inserting "2028".
8	SEC. 111. MODIFYING CERTAIN LIMITATIONS ON DIS-
9	PROPORTIONATE SHARE HOSPITAL PAY-
10	MENT ADJUSTMENTS UNDER THE MEDICAID
11	PROGRAM.
12	(a) IN GENERAL.—Section 1923(g) of the Social Se-
13	curity Act (42 U.S.C. 1396r–4(g)) is amended—
14	(1) in paragraph $(1)$ —
15	(A) in subparagraph (A)—
16	(i) in the matter preceding clause (i),
17	by striking "(other than a hospital de-
18	scribed in paragraph (2)(B))";
19	(ii) in clause (i), by inserting "with
20	respect to such hospital and year" after
21	"described in subparagraph (B)"; and
22	(iii) in clause (ii)—
23	(I) in subclause (I), by striking
24	"and" at the end;

<ul> <li>(II) in subclause (II), by striking the period and inserting "; and"; and (III) by adding at the end the following new subclause:</li> <li>"(III) payments made under title XVIII or by an applicable plan (as defined in section 1862(b)(8)(F)) for such services."; and</li> <li>(B) in subparagraph (B)— <ul> <li>(i) in the matter preceding clause (i), by striking "in this clause are" and insert-</li> </ul> </li> </ul>
<ul> <li>(III) by adding at the end the following new subclause:</li> <li>"(III) payments made under title XVIII or by an applicable plan (as defined in section 1862(b)(8)(F)) for such services."; and</li> <li>(B) in subparagraph (B)— <ul> <li>(i) in the matter preceding clause (i),</li> </ul> </li> </ul>
following new subclause: (III) payments made under title XVIII or by an applicable plan (as de- fined in section 1862(b)(8)(F)) for such services."; and (B) in subparagraph (B)— (i) in the matter preceding clause (i),
<ul> <li>"(III) payments made under title XVIII or by an applicable plan (as defined in section 1862(b)(8)(F)) for such services."; and</li> <li>(B) in subparagraph (B)— <ul> <li>(i) in the matter preceding clause (i),</li> </ul> </li> </ul>
<ul> <li>XVIII or by an applicable plan (as defined in section 1862(b)(8)(F)) for such services."; and</li> <li>(B) in subparagraph (B)— <ul> <li>(i) in the matter preceding clause (i),</li> </ul> </li> </ul>
<ul> <li>fined in section 1862(b)(8)(F)) for such services."; and</li> <li>(B) in subparagraph (B)—</li> <li>(i) in the matter preceding clause (i),</li> </ul>
such services."; and (B) in subparagraph (B)— (i) in the matter preceding clause (i),
<ul><li>(B) in subparagraph (B)—</li><li>(i) in the matter preceding clause (i),</li></ul>
(i) in the matter preceding clause (i),
by striking "in this clause are" and insert-
ing "in this subparagraph are, with respect
to a hospital and a year,"; and
(ii) by adding at the end the following
new clause:
"(iii) Individuals who are eligible for
medical assistance under the State plan or
under a waiver of such plan and for whom
the State plan or waiver is a payor for
such services after application of benefits
under title XVIII or under an applicable
plan (as defined in section $1862(b)(8)(F)$ ),
but only if the hospital has in the aggre-
gate incurred costs exceeding payments
under such State plan, waiver, title XVIII,

1	or applicable plan for such services fur-
2	nished to such individuals during such
3	year.";
4	(2) by striking paragraph (2);
5	(3) by redesignating paragraph $(3)$ as para-
6	graph (2); and
7	(4) in paragraph $(2)$ , as so redesignated, by
8	striking "Notwithstanding paragraph (2) of this
9	subsection (as in effect on October 1, 2021), para-
10	graph (2)" and inserting "Paragraph (2)".
11	(b) Effective Date.—
12	(1) IN GENERAL.—Except as provided in para-
13	graph (2), the amendments made by this section
14	shall apply to payment adjustments made under sec-
15	tion 1923 of the Social Security Act (42 U.S.C.
16	1396r–4) for Medicaid State plan rate years begin-
17	ning on or after the date of enactment of this Act.
18	(2) STATE OPTION TO DISTRIBUTE UNSPENT
19	DSH ALLOTMENTS FROM PRIOR YEARS UP TO MODI-
20	FIED CAP.—
21	(A) IN GENERAL.—If, for any Medicaid
22	State plan rate year that begins on or after Oc-
23	tober 1, 2021, and before the date of enactment
24	of this Act, a State did not spend the full
25	amount of its Federal fiscal year allotment

1	under section 1923 of the Social Security Act
2	(42 U.S.C. 1396r-4) applicable to that State
3	plan rate year, the State may use the unspent
4	portion of such allotment to increase the
5	amount of any payment adjustment made to a
6	hospital for such rate year, provided that—
7	(i) such payment adjustment (as so
8	increased) is consistent with subsection (g)
9	of such section (as amended by this sec-
10	tion); and
11	(ii) the total amount of all payment
12	adjustments for the State plan rate year
13	(as so increased) does not exceed the dis-
14	proportionate share hospital allotment for
15	the State and applicable Federal fiscal
16	year under subsection (f) of such section.
17	(B) NO RECOUPMENT OF PAYMENTS AL-
18	READY MADE TO HOSPITALS.—A State shall not
19	recoup any payment adjustment made by the
20	State to a hospital for a Medicaid State plan
21	rate year described in subparagraph (A) if such
22	payment adjustment is consistent with section
23	1923(g) of such Act (42 U.S.C. 1396r–4(g)) as
24	in effect on October 1, 2021.

1	(C) AUTHORITY TO PERMIT RETROACTIVE
2	MODIFICATION OF STATE PLAN AMENDMENTS
3	TO ALLOW FOR INCREASES.—

4 (i) IN GENERAL.—Subject to para-5 graph (2), solely for the purpose of allow-6 ing a State to increase the amount of a 7 payment adjustment to a hospital for a 8 Medicaid State plan rate year described in 9 subparagraph (A) pursuant to this para-10 graph, a State may retroactively modify a 11 provision of the Medicaid State plan, a 12 waiver of such plan, or a State plan 13 amendment that relates to such rate year 14 and the Secretary may approve such modi-15 fication.

16 (ii) DEADLINE.—A State may not 17 submit a request for approval of a retro-18 active modification to a provision of the 19 Medicaid State plan, a waiver of such plan, 20 or a State plan amendment for a Medicaid 21 State plan rate year after the date by 22 which the State is required to submit the 23 independent certified audit for that State 24 plan rate year as required under section

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1	1923(j)(2) of the Social Security Act (42)
2	U.S.C. 1396r-4(j)(2)).
3	(D) Reporting.—If a State increases a
4	payment adjustment made to a hospital for a
5	Medicaid State plan rate year pursuant to this
6	paragraph, the State shall include information
7	on such increased payment adjustment as part
8	of the next annual report submitted by the
9	State under section $1923(j)(1)$ of the Social Se-
10	curity Act (42 U.S.C. 1396r-4(j)(1)).
11	SEC. 112. ENSURING ACCURATE PAYMENTS TO PHAR-
12	MACIES UNDER MEDICAID.
13	(a) IN GENERAL.—Section 1927(f) of the Social Se-
14	curity Act (42 U.S.C. 1396r–8(f)) is amended—
15	(1) in paragraph $(1)(A)$ —
16	(A) by redesignating clause (ii) as clause
17	(iii); and
18	(B) by striking "and" after the semicolon
19	at the end of clause (i) and all that precedes it
20	through $((1))$ and inserting the following:
21	"(1) Determining pharmacy actual acqui-
22	SITION COSTS.—The Secretary shall conduct a sur-
23	vey of retail community pharmacy drug prices and
24	applicable non-retail pharmacy drug prices to deter-
25	mine national average drug acquisition cost bench-

1	marks (as such term is defined by the Secretary) as
2	follows:
3	"(A) USE OF VENDOR.—The Secretary
4	may contract services for—
5	"(i) with respect to retail community
6	pharmacies, the determination of retail
7	survey prices of the national average drug
8	acquisition cost for covered outpatient
9	drugs that represent a nationwide average
10	of consumer purchase prices for such
11	drugs, net of all discounts, rebates, and
12	other price concessions (to the extent any
13	information with respect to such discounts,
14	rebates, and other price concessions is
15	available) based on a monthly survey of
16	such pharmacies;
17	"(ii) with respect to applicable non-re-
18	tail pharmacies—
19	"(I) the determination of survey
20	prices, separate from the survey prices
21	described in clause (i), of the non-re-
22	tail national average drug acquisition
23	cost for covered outpatient drugs that
24	represent a nationwide average of con-
25	sumer purchase prices for such drugs,

1	net of all discounts, rebates, and other
2	price concessions (to the extent any
3	information with respect to such dis-
4	counts, rebates, and other price con-
5	cessions is available) based on a
6	monthly survey of such pharmacies;
7	and
8	"(II) at the discretion of the Sec-
9	retary, for each type of applicable
10	non-retail pharmacy, the determina-
11	tion of survey prices, separate from
12	the survey prices described in clause
13	(i) or subclause (I) of this clause, of
14	the national average drug acquisition
15	cost for such type of pharmacy for
16	covered outpatient drugs that rep-
17	resent a nationwide average of con-
18	sumer purchase prices for such drugs,
19	net of all discounts, rebates, and other
20	price concessions (to the extent any
21	information with respect to such dis-
22	counts, rebates, and other price con-
23	cessions is available) based on a
24	monthly survey of such pharmacies;
25	and";

1	(2) in subparagraph $(B)$ of paragraph $(1)$ , by
2	striking "subparagraph (A)(ii)" and inserting "sub-
3	paragraph (A)(iii)";
4	(3) in subparagraph (D) of paragraph (1), by
5	striking clauses (ii) and (iii) and inserting the fol-
6	lowing:
7	"(ii) The vendor must update the Sec-
8	retary no less often than monthly on the
9	survey prices for covered outpatient drugs.
10	"(iii) The vendor must differentiate,
11	in collecting and reporting survey data, for
12	all cost information collected, whether a
13	pharmacy is a retail community pharmacy
14	or an applicable non-retail pharmacy, in-
15	cluding whether such pharmacy is an affil-
16	iate (as defined in subsection $(k)(14)$ ),
17	and, in the case of an applicable non-retail
18	pharmacy, which type of applicable non-re-
19	tail pharmacy it is using the relevant phar-
20	macy type indicators included in the guid-
21	ance required by subsection $(d)(2)$ of sec-
22	tion 112 of the Health Improvements, Ex-
23	tenders, and Reauthorizations Act.";
24	(4) by adding at the end of paragraph (1) the
25	following:

1 "(F) SURVEY REPORTING.—In order to 2 meet the requirement of section 1902(a)(54), a 3 State shall require that any retail community 4 pharmacy or applicable non-retail pharmacy in 5 the State that receives any payment, reimburse-6 ment, administrative fee, discount, rebate, or 7 other price concession related to the dispensing 8 of covered outpatient drugs to individuals re-9 ceiving benefits under this title, regardless of 10 whether such payment, reimbursement, admin-11 istrative fee, discount, rebate, or other price 12 concession is received from the State or a man-13 aged care entity or other specified entity (as 14 defined such in section terms are 15 1903(m)(9)(D) directly or from a pharmacy 16 benefit manager or another entity that has a 17 contract with the State or a managed care enti-18 ty or other specified entity (as so defined), shall 19 respond to surveys conducted under this para-20 graph.

21 "(G) SURVEY INFORMATION.—Information
22 on national drug acquisition prices obtained
23 under this paragraph shall be made publicly
24 available in a form and manner to be deter-

1	mined by the Secretary and shall include at
2	least the following:
3	"(i) The monthly response rate to the
4	survey including a list of pharmacies not in
5	compliance with subparagraph (F).
6	"(ii) The sampling methodology and
7	number of pharmacies sampled monthly.
8	"(iii) Information on price concessions
9	to pharmacies, including discounts, re-
10	bates, and other price concessions, to the
11	extent that such information may be pub-
12	licly released and has been collected by the
13	Secretary as part of the survey.
14	"(H) PENALTIES.—
15	"(i) IN GENERAL.—Subject to clauses
16	(ii), (iii), and (iv), the Secretary shall en-
17	force the provisions of this paragraph with
18	respect to a pharmacy through the estab-
19	lishment of civil money penalties applicable
20	to a retail community pharmacy or an ap-
21	plicable non-retail pharmacy.
22	"(ii) BASIS FOR PENALTIES.—The
23	Secretary shall impose a civil money pen-
24	alty established under this subparagraph

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1	on a retail community pharmacy or appli-
2	cable non-retail pharmacy if—
3	"(I) the retail pharmacy or appli-
4	cable non-retail pharmacy refuses or
5	otherwise fails to respond to a request
6	for information about prices in con-
7	nection with a survey under this sub-
8	section;
9	"(II) knowingly provides false in-
10	formation in response to such a sur-
11	vey; or
12	"(III) otherwise fails to comply
13	with the requirements established
14	under this paragraph.
15	"(iii) Parameters for pen-
16	ALTIES.—
17	"(I) IN GENERAL.—A civil money
18	penalty established under this sub-
19	paragraph may be assessed with re-
20	spect to each violation, and with re-
21	spect to each non-compliant retail
22	community pharmacy (including a
23	pharmacy that is part of a chain) or
24	non-compliant applicable non-retail
25	pharmacy (including a pharmacy that

1	is part of a chain), in an amount not
2	to exceed \$100,000 for each such vio-
3	lation.
4	"(II) CONSIDERATIONS.—In de-
5	termining the amount of a civil money
6	penalty imposed under this subpara-
7	graph, the Secretary may consider the
8	size, business structure, and type of
9	pharmacy involved, as well as the type
10	of violation and other relevant factors,
11	as determined appropriate by the Sec-
12	retary.
13	"(iv) Rule of application.—The
14	provisions of section 1128A (other than
15	subsections (a) and (b)) shall apply to a
16	civil money penalty under this subpara-
17	graph in the same manner as such provi-
18	sions apply to a civil money penalty or pro-
19	ceeding under section 1128A(a).
20	"(I) LIMITATION ON USE OF APPLICABLE
21	NON-RETAIL PHARMACY PRICING INFORMA-
22	TION.—No State shall use pricing information
23	reported by applicable non-retail pharmacies
24	under subparagraph (A)(ii) to develop or inform

1	payment methodologies for retail community
2	pharmacies.";
3	(5) in paragraph $(2)$ —
4	(A) in subparagraph (A), by inserting ",
5	including payment rates and methodologies for
6	determining ingredient cost reimbursement
7	under managed care entities or other specified
8	entities (as such terms are defined in section
9	1903(m)(9)(D))," after "under this title"; and
10	(B) in subparagraph (B), by inserting
11	"and the basis for such dispensing fees" before
12	the semicolon;
13	(6) by redesignating paragraph $(4)$ as para-
14	graph (5);
15	(7) by inserting after paragraph $(3)$ the fol-
16	lowing new paragraph:
17	"(4) Oversight.—
18	"(A) IN GENERAL.—The Inspector General
19	of the Department of Health and Human Serv-
20	ices shall conduct periodic studies of the survey
21	data reported under this subsection, as appro-
22	priate, including with respect to substantial
23	variations in acquisition costs or other applica-
24	ble costs, as well as with respect to how internal
25	transfer prices and related party transactions

1 may influence the costs reported by pharmacies 2 that are affiliates (as defined in subsection 3 (k)(14)) or are owned by, controlled by, or re-4 lated under a common ownership structure with 5 a wholesaler, distributor, or other entity that 6 acquires covered outpatient drugs relative to 7 costs reported by pharmacies not affiliated with 8 such entities. The Inspector General shall pro-9 vide periodic updates to Congress on the results 10 of such studies, as appropriate, in a manner 11 that does not disclose trade secrets or other 12 proprietary information. 13 "(B) APPROPRIATION.—There is appro-14 priated to the Inspector General of the Depart-15 ment of Health and Human Services, out of 16 any money in the Treasury not otherwise ap-17 propriated, \$5,000,000 for fiscal year 2025, to 18 remain available until expended, to carry out 19 this paragraph."; and 20 (8) in paragraph (5), as so redesignated— (A) by inserting ", and \$9,000,000 for fis-21 22 cal year 2025 and each fiscal year thereafter," after "2010"; and 23

24 (B) by inserting "Funds appropriated
25 under this paragraph for fiscal year 2025 and

1	any subsequent fiscal year shall remain avail-
2	able until expended." after the period.
3	(b) DEFINITIONS.—Section 1927(k) of the Social Se-
4	curity Act (42 U.S.C. 1396r–8(k)) is amended—
5	(1) in the matter preceding paragraph $(1)$ , by
6	striking "In the section" and inserting "In this sec-
7	tion"; and
8	(2) by adding at the end the following new
9	paragraphs:
10	"(12) Applicable non-retail pharmacy.—
11	The term 'applicable non-retail pharmacy' means a
12	pharmacy that is licensed as a pharmacy by the
13	State and that is not a retail community pharmacy,
14	including a pharmacy that dispenses prescription
15	medications to patients primarily through mail and
16	specialty pharmacies. Such term does not include
17	nursing home pharmacies, long-term care facility
18	pharmacies, hospital pharmacies, clinics, charitable
19	or not-for-profit pharmacies, government phar-
20	macies, or low dispensing pharmacies (as defined by
21	the Secretary).
22	"(13) AFFILIATE.—The term 'affiliate' means
23	any entity that is owned by, controlled by, or related
24	under a common ownership structure with a phar-
25	macy benefit manager or a managed care entity or

other specified entity (as such terms are defined in
 section 1903(m)(9)(D)).".

3 (c) Effective Date.—

4 (1) IN GENERAL.—Subject to paragraph (2),
5 the amendments made by this section shall take ef6 fect on the first day of the first quarter that begins
7 on or after the date that is 6 months after the date
8 of enactment of this Act.

9 (2) Delayed application to applicable 10 NON-RETAIL PHARMACIES.—The pharmacy survey 11 requirements established by the amendments to sec-12 tion 1927(f) of the Social Security Act (42 U.S.C. 13 1396r-8(f)) made by this section shall apply to re-14 tail community pharmacies beginning on the effec-15 tive date described in paragraph (1), but shall not 16 apply to applicable non-retail pharmacies until the 17 first day of the first quarter that begins on or after 18 the date that is 18 months after the date of enact-19 ment of this Act.

20 (d) IDENTIFICATION OF APPLICABLE NON-RETAIL21 PHARMACIES.—

(1) IN GENERAL.—Not later than January 1,
2026, the Secretary of Health and Human Services
shall, in consultation with stakeholders as appropriate, publish guidance specifying pharmacies that

1	meet the definition of applicable non-retail phar-
2	macies (as such term is defined in subsection
3	(k)(12) of section 1927 of the Social Security Act
4	(42 U.S.C. 1396r–8), as added by subsection (b)),
5	and that will be subject to the survey requirements
6	under subsection $(f)(1)$ of such section, as amended
7	by subsection (a).
8	(2) INCLUSION OF PHARMACY TYPE INDICA-

9 TORS.—The guidance published under paragraph (1) 10 shall include pharmacy type indicators to distinguish 11 between different types of applicable non-retail phar-12 macies, such as pharmacies that dispense prescrip-13 tions primarily through the mail and pharmacies 14 that dispense prescriptions that require special han-15 dling or distribution. An applicable non-retail phar-16 macy may be identified through multiple pharmacy 17 type indicators.

18 (e) IMPLEMENTATION.—

19 (1) IN GENERAL.—Notwithstanding any other
20 provision of law, the Secretary of Health and
21 Human Services may implement the amendments
22 made by this section by program instruction or oth23 erwise.

24 (2) NONAPPLICATION OF ADMINISTRATIVE PRO 25 CEDURE ACT.—Implementation of the amendments

made by this section shall be exempt from the re quirements of section 553 of title 5, United States
 Code.

4 (f) NONAPPLICATION OF PAPERWORK REDUCTION
5 ACT.—Chapter 35 of title 44, United States Code, shall
6 not apply to any data collection undertaken by the Sec7 retary of Health and Human Services under section
8 1927(f) of the Social Security Act (42 U.S.C. 1396r-8(f)),
9 as amended by this section.

## 10 SEC. 113. PREVENTING THE USE OF ABUSIVE SPREAD PRIC 11 ING IN MEDICAID.

(a) IN GENERAL.—Section 1927 of the Social Security Act (42 U.S.C. 1396r–8) is amended—

14 (1) in subsection (e), by adding at the end the15 following new paragraph:

16 "(6) TRANSPARENT PRESCRIPTION DRUG PASS17 THROUGH PRICING REQUIRED.—

18 "(A) IN GENERAL.—A contract between 19 the State and a pharmacy benefit manager (re-20 ferred to in this paragraph as a 'PBM'), or a 21 contract between the State and a managed care 22 entity or other specified entity (as such terms 23 are defined in section 1903(m)(9)(D) and col-24 lectively referred to in this paragraph as the 25 'entity') that includes provisions making the en-

tity responsible for coverage of covered out-
patient drugs dispensed to individuals enrolled
with the entity, shall require that payment for
such drugs and related administrative services
(as applicable), including payments made by a
PBM on behalf of the State or entity, is based
on a transparent prescription drug pass-
through pricing model under which—
"(i) any payment made by the entity
or the PBM (as applicable) for such a
drug—
"(I) is limited to—
"(aa) ingredient cost; and
"(bb) a professional dis-
pensing fee that is not less than
the professional dispensing fee
that the State would pay if the
State were making the payment
directly in accordance with the
State plan;
"(II) is passed through in its en-
tirety (except as reduced under Fed-
eral or State laws and regulations in
response to instances of waste, fraud,
or abuse) by the entity or PBM to the

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2

pharmacy or provider that dispenses the drug; and

3 "(III) is made in a manner that 4 is consistent with sections 447.502, 5 447.512, 447.514, and 447.518 of 6 title 42, Code of Federal Regulations 7 (or any successor regulation) as if 8 such requirements applied directly to 9 the entity or the PBM, except that 10 any payment by the entity or the 11 PBM for the ingredient cost of such drug purchased by a covered entity 12 13 (as defined in subsection (a)(5)(B)) 14 may exceed the actual acquisition cost 15 (as defined in 447.502 of title 42, 16 Code of Federal Regulations, or any 17 successor regulation) for such drug 18 if— 19 "(aa) such drug was subject 20 to an agreement under section 21 340B of the Public Health Serv-22 ice Act;

23 "(bb) such payment for the
24 ingredient cost of such drug does
25 not exceed the maximum pay-

ment that would have been made

-	
2	by the entity or the PBM for the
3	ingredient cost of such drug if
4	such drug had not been pur-
5	chased by such covered entity;
6	and
7	"(cc) such covered entity re-
8	ports to the Secretary (in a form
9	and manner specified by the Sec-
10	retary), on an annual basis and
11	with respect to payments for the
12	ingredient costs of such drugs so
13	purchased by such covered entity
14	that are in excess of the actual
15	acquisition costs for such drugs,
16	the aggregate amount of such ex-
17	cess;
18	"(ii) payment to the entity or the
19	PBM (as applicable) for administrative
20	services performed by the entity or PBM is
21	limited to an administrative fee that re-
22	flects the fair market value (as defined by
23	the Secretary) of such services;
24	"(iii) the entity or the PBM (as appli-
25	cable) makes available to the State, and

1	the Secretary upon request in a form and
2	manner specified by the Secretary, all costs
3	and payments related to covered outpatient
4	drugs and accompanying administrative
5	services (as described in clause (ii)) in-
6	curred, received, or made by the entity or
7	the PBM, broken down (as specified by the
8	Secretary), to the extent such costs and
9	payments are attributable to an individual
10	covered outpatient drug, by each such
11	drug, including any ingredient costs, pro-
12	fessional dispensing fees, administrative
13	fees (as described in clause (ii)), post-sale
14	and post-invoice fees, discounts, or related
15	adjustments such as direct and indirect re-
16	muneration fees, and any and all other re-
17	muneration, as defined by the Secretary;
18	and
19	"(iv) any form of spread pricing
20	whereby any amount charged or claimed by
21	the entity or the PBM (as applicable) that
22	exceeds the amount paid to the pharmacies
23	or providers on behalf of the State or enti-
24	ty, including any post-sale or post-invoice

fees, discounts, or related adjustments

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1	such as direct and indirect remuneration
2	fees or assessments, as defined by the Sec-
3	retary, (after allowing for an administra-
4	tive fee as described in clause (ii)) is not
5	allowable for purposes of claiming Federal
6	matching payments under this title.
7	"(B) PUBLICATION OF INFORMATION.—
8	The Secretary shall publish, not less frequently
9	than on an annual basis and in a manner that
10	does not disclose the identity of a particular
11	covered entity or organization, information re-
12	ceived by the Secretary pursuant to subpara-
13	graph (A)(iii)(III) that is broken out by State
14	and by each of the following categories of cov-
15	ered entity within each such State:
16	"(i) Covered entities described in sub-
17	paragraph (A) of section $340B(a)(4)$ of the
18	Public Health Service Act.
19	"(ii) Covered entities described in sub-
20	paragraphs (B) through (K) of such sec-
21	tion.
22	"(iii) Covered entities described in
23	subparagraph (L) of such section.
24	"(iv) Covered entities described in
25	subparagraph (M) of such section.

"(v) Covered entities described in sub-1 2 paragraph (N) of such section. 3 "(vi) Covered entities described in 4 subparagraph (O) of such section."; and 5 (2) in subsection (k), as previously amended by 6 this title, by adding at the end the following new 7 paragraph: 8 "(14) PHARMACY BENEFIT MANAGER.—The

9 term 'pharmacy benefit manager' means any person 10 or entity that, either directly or through an inter-11 mediary, acts as a price negotiator or group pur-12 chaser on behalf of a State, managed care entity (as defined in section 1903(m)(9)(D)), or other specified 13 14 entity (as so defined), or manages the prescription 15 drug benefits provided by a State, managed care en-16 tity, or other specified entity, including the proc-17 essing and payment of claims for prescription drugs, 18 the performance of drug utilization review, the proc-19 essing of drug prior authorization requests, the man-20 aging of appeals or grievances related to the pre-21 scription drug benefits, contracting with pharmacies, 22 controlling the cost of covered outpatient drugs, or 23 the provision of services related thereto. Such term 24 includes any person or entity that acts as a price ne-25 gotiator (with regard to payment amounts to phar-

1	macies and providers for a covered outpatient drug
2	or the net cost of the drug) or group purchaser on
3	behalf of a State, managed care entity, or other
4	specified entity or that carries out 1 or more of the
5	other activities described in the preceding sentence,
6	irrespective of whether such person or entity calls
7	itself a pharmacy benefit manager.".
8	(b) Conforming Amendments.—Section 1903(m)
9	of such Act (42 U.S.C. 1396b(m)) is amended—
10	(1) in paragraph (2)(A)(xiii)—
11	(A) by striking "and (III)" and inserting
12	''(III)'';
13	(B) by inserting before the period at the
14	end the following: ", and (IV) if the contract in-
15	cludes provisions making the entity responsible
16	for coverage of covered outpatient drugs, the
17	entity shall comply with the requirements of
18	section $1927(e)(6)$ "; and
19	(C) by moving the margin 2 ems to the
20	left; and
21	(2) by adding at the end the following new
22	paragraph:
23	"(10) No payment shall be made under this
24	title to a State with respect to expenditures incurred
25	by the State for payment for services provided by an

other specified entity (as defined in paragraph
 (9)(D)(iii)) unless such services are provided in ac cordance with a contract between the State and such
 entity which satisfies the requirements of paragraph
 (2)(A)(xiii).".

6 (c) EFFECTIVE DATE.—The amendments made by 7 this section shall apply to contracts between States and 8 managed care entities, other specified entities, or phar-9 macy benefit managers that have an effective date begin-10 ning on or after the date that is 18 months after the date 11 of enactment of this Act.

12 (d) IMPLEMENTATION.—

(1) IN GENERAL.—Notwithstanding any other
provision of law, the Secretary of Health and
Human Services may implement the amendments
made by this section by program instruction or otherwise.

18 (2) NONAPPLICATION OF ADMINISTRATIVE PRO19 CEDURE ACT.—Implementation of the amendments
20 made by this section shall be exempt from the re21 quirements of section 553 of title 5, United States
22 Code.

(e) NONAPPLICATION OF PAPERWORK REDUCTION
ACT.—Chapter 35 of title 44, United States Code, shall
not apply to any data collection undertaken by the Sec-

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retary of Health and Human Services under section
1927(e) of the Social Security Act (42 U.S.C. 1396r-
8(e)), as amended by this section.
TITLE II—MEDICARE
SEC. 201. EXTENSION OF INCREASED INPATIENT HOSPITAL
PAYMENT ADJUSTMENT FOR CERTAIN LOW-
VOLUME HOSPITALS.
(a) IN GENERAL.—Section 1886(d)(12) of the Social
Security Act (42 U.S.C. 1395ww(d)(12)) is amended—
(1) in subparagraph (B), in the matter pre-
ceding clause (i), by striking "fiscal year 2025 be-
ginning on January 1, 2025, and ending on Sep-
tember 30, 2025, and in fiscal year 2026" and in-
serting "fiscal year 2026 beginning on January 1,
2026, and ending on September 30, 2026, and in
fiscal year 2027";
(2) in subparagraph (C)(i)—
(A) in the matter preceding subclause
(I)—
(i) by striking "through 2024" and
inserting "through 2025";
(ii) by striking "fiscal year 2025" and
inserting "fiscal year 2026";
(iii) by striking "October 1, 2024"

1	(iv) by striking "December 31, 2024"
2	and inserting "December 31, 2025";
3	(B) in subclause (III)—
4	(i) by striking "through 2024" and
5	inserting "through 2025";
6	(ii) by striking "fiscal year 2025" and
7	inserting "fiscal year 2026";
8	(iii) by striking "October 1, 2024"
9	and inserting "October 1, 2025"; and
10	(iv) by striking "December 31, 2024"
11	and inserting "December 31, 2025"; and
12	(C) in subclause (IV)—
13	(i) by striking "fiscal year 2025" and
14	inserting "fiscal year 2026";
15	(ii) by striking "January 1, 2025"
16	and inserting "January 1, 2026";
17	(iii) by striking "September 30,
18	2025" and inserting "September 30,
19	2026''; and
20	(iv) by striking "fiscal year 2026"
21	and inserting "fiscal year 2027"; and
22	(3) in subparagraph (D)—
23	(A) in the matter preceding clause (i)—
24	(i) by striking "through 2024" and
25	inserting "through 2025";

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1	(ii) by striking "fiscal year 2025" and
2	inserting "fiscal year 2026";
3	(iii) by striking "October 1, 2024"
4	and inserting "October 1, 2025"; and
5	(iv) by striking "December 31, 2024"
6	and inserting "December 31, 2025"; and
7	(B) in clause (ii)—
8	(i) by striking "through 2024" and
9	inserting "through 2025";
10	(ii) by striking "fiscal year 2025" and
11	inserting "fiscal year 2026";
12	(iii) by striking "October 1, 2024"
13	and inserting "October 1, 2025"; and
14	(iv) by striking "December 31, 2024"
15	and inserting "December 31, 2025".
16	(b) IMPLEMENTATION.—Notwithstanding any other
17	provision of law, the Secretary of Health and Human
18	Services may implement the amendments made by this
19	section by program instruction or otherwise.
20	SEC. 202. EXTENSION OF THE MEDICARE-DEPENDENT HOS-
21	PITAL (MDH) PROGRAM.
22	(a) IN GENERAL.—Section $1886(d)(5)(G)$ of the So-
23	cial Security Act (42 U.S.C. 1395ww(d)(5)(G)) is amend-
24	ed—

1	(1) in clause (i), by striking "January 1, 2025"
2	and inserting "January 1, 2026"; and
3	(2) in clause (ii)(II), by striking "January 1,
4	2025" and inserting "January 1, 2026".
5	(b) Conforming Amendments.—
6	(1) IN GENERAL.—Section $1886(b)(3)(D)$ of
7	the Social Security Act (42 U.S.C.
8	1395ww(b)(3)(D)) is amended—
9	(A) in the matter preceding clause (i), by
10	striking "January 1, 2025" and inserting "Jan-
11	uary 1, 2026"; and
12	(B) in clause (iv)—
13	(i) by striking "fiscal year 2024" and
14	inserting "fiscal year 2025";
15	(ii) by striking "fiscal year 2025" and
16	inserting "fiscal year 2026";
17	(iii) by striking "October 1, 2024"
18	and inserting "October 1, 2025"; and
19	(iv) by striking "December 31, 2024"
20	and inserting "December 31, 2025".
21	(2) Permitting hospitals to decline re-
22	CLASSIFICATION.—Section $13501(e)(2)$ of the Omni-
23	bus Budget Reconciliation Act of 1993 (42 U.S.C.
24	1395ww note) is amended—

1	(A) by striking "through 2024" and insert-
2	ing "through 2025";
3	(B) by striking "fiscal year 2025" and in-
4	serting "fiscal year 2026";
5	(C) by striking "October 1, 2024" and in-
6	serting "October 1, 2025"; and
7	(D) by striking "December 31, 2024" and
8	inserting "December 31, 2025".
9	SEC. 203. EXTENSION OF ADD-ON PAYMENTS FOR AMBU-
10	LANCE SERVICES.
11	Section 1834(l) of the Social Security Act (42 U.S.C.
12	1395m(l)) is amended—
13	(1) in paragraph (12)(A), by striking "January
14	1, 2025" and inserting "January 1, 2027"; and
15	(2) in paragraph (13), by striking "January 1,
16	2025" each place it appears and inserting "January
17	1, 2027" in each such place.
18	SEC. 204. EXTENDING INCENTIVE PAYMENTS FOR PARTICI-
19	PATION IN ELIGIBLE ALTERNATIVE PAYMENT
20	MODELS.
21	(a) IN GENERAL.—Section 1833(z) of the Social Se-
22	curity Act (42 U.S.C. 1395l(z)) is amended—
23	(1) in paragraph $(1)(A)$ —
24	(A) by striking "with 2026" and inserting
25	"with 2027"; and

1	(B) by inserting ", or, with respect to
2	2027, 3.53 percent" after "1.88 percent";
3	(2) in paragraph (2)—
4	(A) in subparagraph (B)—
5	(i) in the heading, by striking "2026"
6	and inserting "2027"; and
7	(ii) in the matter preceding clause (i),
8	by striking "2026" and inserting "2027";
9	(B) in subparagraph (C)—
10	(i) in the heading, by striking "2027"
11	and inserting "2028"; and
12	(ii) in the matter preceding clause (i),
13	by striking "2027" and inserting "2028";
14	and
15	(C) in subparagraph (D), by striking "and
16	2026" and inserting "2026, and 2027"; and
17	(3) in paragraph $(4)(B)$ , by inserting "or, with
18	respect to 2027, 3.53 percent" after "1.88 percent".
19	(b) Conforming Amendments.—Section
20	1848(q)(1)(C)(iii) of the Social Security Act (42 U.S.C.
21	1395w-4(q)(1)(C)(iii)) is amended—
22	(1) in subclause (II), by striking "2026" and
23	inserting "2027"; and
24	(2) in subclause (III), by striking "2027" and
25	inserting "2028".

1	SEC. 205. TEMPORARY PAYMENT INCREASE UNDER THE
2	MEDICARE PHYSICIAN FEE SCHEDULE TO AC-
3	COUNT FOR EXCEPTIONAL CIRCUMSTANCES.
4	(a) IN GENERAL.—Section $1848(t)(1)$ of the Social
5	Security Act (42 U.S.C. 1395w- $4(t)(1)$ ) is amended—
6	(1) in subparagraph (D), by striking "and" at
7	the end;
8	(2) in subparagraph (E), by striking the period
9	at the end and inserting "; and"; and
10	(3) by adding at the end the following new sub-
11	paragraph:
12	"(F) such services furnished on or after
13	January 1, 2025, and before January 1, 2026,
14	by 2.5 percent.".
15	(b) Conforming Amendment.—Section
16	1848(c)(2)(B)(iv)(V) is amended by striking "or 2024"
17	and inserting "2024, or 2025".
18	SEC. 206. EXTENSION OF FUNDING FOR QUALITY MEASURE
19	ENDORSEMENT, INPUT, AND SELECTION.
20	Section $1890(d)(2)$ of the Social Security Act (42
21	U.S.C. 1395aaa(d)(2)) is amended—
22	(1) in the first sentence—
23	(A) by striking "and \$9,000,000" and in-
24	serting "\$9,000,000"; and
25	(B) by inserting ", and $$5,000,000$ for the
26	period beginning on January 1, 2025, and end-
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ing on December 31, 2025" after "December
31, 2024"; and
(2) in the third sentence—
(A) by striking "and the period" and in-
serting ", the period";
(B) by inserting "and the period beginning
on January 1, 2025, and ending on December
31, 2025," after "December 31, 2024,"; and
(C) by inserting "or period" after "pre-
ceding fiscal year".
SEC. 207. EXTENSION OF FUNDING OUTREACH AND ASSIST-
ANCE FOR LOW-INCOME PROGRAMS.
(a) STATE HEALTH INSURANCE ASSISTANCE PRO-
GRAMS.—Subsection $(a)(1)(B)$ of section 119 of the Medi-
care Improvements for Patients and Providers Act of 2008
(42 U.S.C. 1395b–3 note) is amended—
(1) in clause (xiii), by striking "and" at the
end;
(2) in clause (xiv), by striking the period and
inserting "; and"; and
(3) by inserting after clause (xiv) the following
new clause:
"(xv) for the period beginning on Jan-
uary 1, 2025, and ending on December 31,
2026, \$30,000,000.".

1	(b) Area Agencies on Aging.—Subsection
2	(b)(1)(B) of such section 119 is amended—
3	(1) in clause (xiii), by striking "and" at the
4	end;
5	(2) in clause (xiv), by striking the period and
6	inserting "; and"; and
7	(3) by inserting after clause (xiv) the following
8	new clause:
9	"(xv) for the period beginning on Jan-
10	uary 1, 2025, and ending on December 31,
11	2026, \$30,000,000.''.
12	(c) Aging and Disability Resource Centers.—
13	Subsection $(c)(1)(B)$ of such section 119 is amended—
13 14	Subsection (c)(1)(B) of such section 119 is amended— (1) in clause (xiii), by striking "and" at the
14	(1) in clause (xiii), by striking "and" at the
14 15	(1) in clause (xiii), by striking "and" at the end;
14 15 16	<ul><li>(1) in clause (xiii), by striking "and" at the end;</li><li>(2) in clause (xiv), by striking the period and</li></ul>
14 15 16 17	<ul> <li>(1) in clause (xiii), by striking "and" at the end;</li> <li>(2) in clause (xiv), by striking the period and inserting "; and"; and</li> </ul>
14 15 16 17 18	<ul> <li>(1) in clause (xiii), by striking "and" at the end;</li> <li>(2) in clause (xiv), by striking the period and inserting "; and"; and</li> <li>(3) by inserting after clause (xiv) the following</li> </ul>
14 15 16 17 18 19	<ul> <li>(1) in clause (xiii), by striking "and" at the end;</li> <li>(2) in clause (xiv), by striking the period and inserting "; and"; and</li> <li>(3) by inserting after clause (xiv) the following new clause:</li> </ul>
<ol> <li>14</li> <li>15</li> <li>16</li> <li>17</li> <li>18</li> <li>19</li> <li>20</li> </ol>	<ul> <li>(1) in clause (xiii), by striking "and" at the end;</li> <li>(2) in clause (xiv), by striking the period and inserting "; and"; and</li> <li>(3) by inserting after clause (xiv) the following new clause:</li> <li>"(xv) for the period beginning on Jan-</li> </ul>
<ol> <li>14</li> <li>15</li> <li>16</li> <li>17</li> <li>18</li> <li>19</li> <li>20</li> <li>21</li> </ol>	<ul> <li>(1) in clause (xiii), by striking "and" at the end;</li> <li>(2) in clause (xiv), by striking the period and inserting "; and"; and</li> <li>(3) by inserting after clause (xiv) the following new clause:</li> <li>"(xv) for the period beginning on January 1, 2025, and ending on December 31,</li> </ul>

1	ERAL AND STATE PROGRAMS.—Subsection (d)(2) of such
2	section 119 is amended—
3	(1) in clause (xiii), by striking "and" at the
4	end;
5	(2) in clause (xiv), by striking the period and
6	inserting "; and"; and
7	(3) by inserting after clause (xiv) the following
8	new clause:
9	"(xv) for the period beginning on Jan-
10	uary 1, 2025, and ending on December 31,
11	2026, \$30,000,000.''.
12	SEC. 208. EXTENSION OF THE WORK GEOGRAPHIC INDEX
13	FLOOR.
14	Section $1848(e)(1)(E)$ of the Social Security Act (42
15	U.S.C. 1395w–4(e)(1)(E)) is amended by striking "Janu-
16	ary 1, 2025" and inserting "January 1, 2026".
17	SEC. 209. EXTENSION OF CERTAIN TELEHEALTH FLEXIBILI-
18	TIES.
19	(a) Removing Geographic Requirements and
20	Expanding Originating Sites for Telehealth
21	
	SERVICES.—Section 1834(m) of the Social Security Act
22	SERVICES.—Section 1834(m) of the Social Security Act (42 U.S.C. 1395m(m)) is amended—
22 23	
	(42 U.S.C. 1395m(m)) is amended—
23	<ul><li>(42 U.S.C. 1395m(m)) is amended—</li><li>(1) in paragraph (2)(B)(iii), by striking "end-</li></ul>

1	(2) in paragraph $(4)(C)(iii)$ , by striking "ending
2	on December 31, 2024" and inserting "ending on
3	December 31, 2026".
4	(b) Expanding Practitioners Eligible to Fur-
5	NISH TELEHEALTH SERVICES.—Section $1834(m)(4)(E)$
6	of the Social Security Act (42 U.S.C. $1395m(m)(4)(E)$ )
7	is amended by striking "ending on December 31, 2024"
8	and inserting "ending on December 31, 2026".
9	(c) Extending Telehealth Services for Fed-
10	ERALLY QUALIFIED HEALTH CENTERS AND RURAL
11	HEALTH CLINICS.—Section 1834(m)(8) of the Social Se-
12	curity Act (42 U.S.C. 1395m(m)(8)) is amended—
13	(1) in subparagraph (A), by striking "ending on
14	December 31, 2024" and inserting "ending on De-
15	cember 31, 2026'';
16	(2) in subparagraph (B)—
17	(A) in the subparagraph heading, by in-
18	serting "BEFORE 2025" after "RULE";
19	(B) in clause (i), by striking "during the
20	periods for which subparagraph (A) applies"
21	and inserting "before January 1, 2025"; and
22	(C) in clause (ii), by inserting "furnished
23	to an eligible telehealth individual before Janu-

ary 1, 2025" after "telehealth services"; and

1	(3) by adding at the end the following new sub-
2	paragraph:
3	"(C) PAYMENT RULE FOR 2025 AND
4	2026.—
5	"(i) IN GENERAL.—A telehealth serv-
6	ice furnished to an eligible telehealth indi-
7	vidual by a Federally qualified health cen-
8	ter or rural health clinic on or after Janu-
9	ary 1, 2025, and before January 1, 2027,
10	shall be paid as a Federally qualified
11	health center service or rural health clinic
12	service (as applicable) under the prospec-
13	tive payment system established under sec-
14	tion 1834(o) or the methodology for all-in-
15	clusive rates established under section
16	1833(a)(3), respectively.
17	"(ii) TREATMENT OF COSTS.—Costs
18	associated with the furnishing of telehealth
19	services by a Federally qualified health
20	center or rural health clinic on or after
21	January 1, 2025, and before January 1,
22	2027, shall be considered allowable costs
23	for purposes of the prospective payment
24	system established under section $1834(0)$
25	and the methodology for all-inclusive rates

- established under section 1833(a)(3), as
   applicable.
- "(iii) 3 REQUIRING MODIFIERS.—Not 4 later than July 1, 2025, the Secretary 5 shall establish requirements to include 1 or 6 more codes or modifiers, as determined ap-7 propriate by the Secretary, in the case of 8 claims for telehealth services furnished to 9 an eligible telehealth individual by a Feder-10 ally qualified health center or rural health 11 clinic.".

12 (d) DELAYING THE IN-PERSON REQUIREMENTS
13 UNDER MEDICARE FOR MENTAL HEALTH SERVICES
14 FURNISHED THROUGH TELEHEALTH AND TELE15 COMMUNICATIONS TECHNOLOGY.—

16 (1) DELAY IN REQUIREMENTS FOR MENTAL 17 HEALTH SERVICES FURNISHED THROUGH TELE-18 HEALTH.—Section 1834(m)(7)(B)(i) of the Social 19 Security Act (42 U.S.C. 1395m(m)(7)(B)(i)) is 20 amended, in the matter preceding subclause (I), by striking "on or after" and all that follows through 21 22 "described in section 1135(g)(1)(B)" and inserting "on or after January 1, 2027". 23

24 (2) MENTAL HEALTH VISITS FURNISHED BY
25 RURAL HEALTH CLINICS.—Section 1834(y)(2) of the

4 "January 1, 2027.".

1

2

3

5 (3) MENTAL HEALTH VISITS FURNISHED BY
6 FEDERALLY QUALIFIED HEALTH CENTERS.—Section
7 1834(o)(4)(B) of the Social Security Act (42 U.S.C.
8 1395m(o)(4)(B)) is amended by striking "January
9 1, 2025" and all that follows through the period at
10 the end and inserting "January 1, 2027.".

(e) ALLOWING FOR THE FURNISHING OF AUDIOONLY TELEHEALTH SERVICES.—Section 1834(m)(9) of
the Social Security Act (42 U.S.C. 1395m(m)(9)) is
amended by striking "ending on December 31, 2024" and
inserting "ending on December 31, 2026".

(f) EXTENDING USE OF TELEHEALTH TO CONDUCT
FACE-TO-FACE ENCOUNTER PRIOR TO RECERTIFICATION
OF ELIGIBILITY FOR HOSPICE CARE.—Section
1814(a)(7)(D)(i)(II) of the Social Security Act (42 U.S.C.
1395f(a)(7)(D)(i)(II)) is amended—

(1) by striking "ending on December 31, 2024"
and inserting "ending on December 31, 2026"; and
(2) by inserting ", except that this subclause
shall not apply in the case of such an encounter with
an individual occurring on or after January 1, 2025,

1 if such individual is located in an area that is sub-2 ject to a moratorium on the enrollment of hospice 3 programs under this title pursuant to section 4 1866(j)(7), if such individual is receiving hospice 5 care from a provider that is subject to enhanced 6 oversight under this title pursuant to section 7 1866(j)(3), or if such encounter is performed by a hospice physician or nurse practitioner who is not 8 9 enrolled under section 1866(j) and is not an opt-out 10 physician or practitioner (as defined in section 11 1802(b)(6)(D))" before the semicolon.

(g) REQUIRING MODIFIERS FOR TELEHEALTH SERV13 ICES IN CERTAIN INSTANCES.—Section 1834(m) of the
14 Social Security Act (42 U.S.C. 1395m(m)) is amended by
15 adding at the end the following new paragraph:

16 "(10) REQUIRED USE OF MODIFIERS IN CER17 TAIN INSTANCES.—Not later than January 1, 2026,
18 the Secretary shall establish requirements to include
19 1 or more codes or modifiers, as determined appro20 priate by the Secretary, in the case of—

21 "(A) claims for telehealth services under
22 this subsection that are furnished through a
23 telehealth virtual platform—

1	"(i) by a physician or practitioner
2	that contracts with an entity that owns
3	such virtual platform; or
4	"(ii) for which a physician or practi-
5	tioner has a payment arrangement with an
6	entity for use of such virtual platform; and
7	"(B) claims for telehealth services under
8	this subsection that are furnished incident to a
9	physician's or practitioner's professional serv-
10	ice.".
11	(h) Program Instruction Authority.—The Sec-
12	retary of Health and Human Services may implement the
13	amendments made by this section through program in-
14	struction or otherwise.
15	SEC. 210. REQUIRING MODIFIER FOR USE OF TELEHEALTH
16	TO CONDUCT FACE-TO-FACE ENCOUNTER
17	PRIOR TO RECERTIFICATION OF ELIGIBILITY
18	FOR HOSPICE CARE.
19	Section $1814(a)(7)(D)(i)(II)$ of the Social Security
20	
	Act (42 U.S.C. $1395f(a)(7)(D)(i)(II))$ , as amended by sec-
21	Act (42 U.S.C. 1395f(a)(7)(D)(i)(II)), as amended by sec- tion 209(f) of the Health Improvements, Extenders, and
21 22	
	tion 209(f) of the Health Improvements, Extenders, and
22	tion 209(f) of the Health Improvements, Extenders, and Reauthorizations Act, is further amended by inserting ",

1 retary) to indicate that such encounter was conducted via telehealth" after "as determined appropriate by the Sec-2 retary". 3 4 SEC. 211. EXTENDING ACUTE HOSPITAL CARE AT HOME 5 WAIVER FLEXIBILITIES. 6 Section 1866G of the Social Security Act (42 U.S.C. 7 1395cc-7) is amended— 8 (1) in the section heading, by inserting "**THE** 9 THOMAS R. CARPER, TIM SCOTT, BRAD R. WENSTRUP, D.P.M., AND EARL BLUMENAUER" 10 11 after "**EXTENSION OF**"; 12 (2) in subsection (a)— 13 (A) in paragraph (1)— 14 (i) by striking "2024" and inserting "2029"; and 15 (ii) by striking "in the Acute Hospital 16 17 Care at Home initiative of the Secretary" 18 and inserting "in the Thomas R. Carper, 19 Tim Scott, Brad R. Wenstrup, D.P.M., 20 and Earl Blumenauer Acute Hospital Care 21 at Home initiative of the Secretary (in this 22 section referred to as the 'Acute Hospital 23 Care at Home initiative')"; 24 (B) in paragraph (2), by striking "of the 25 Secretary"; and

1	(C) in paragraph (3)(E), by adding at the
2	end the following new flush sentence:
3	"The Secretary may require that such data and
4	information be submitted through a hospital's
5	cost report, through such survey instruments as
6	the Secretary may develop, through medical
7	record information, or through such other
8	means as the Secretary determines appro-
9	priate.";
10	(3) in subsection (b)—
11	(A) in the subsection heading, by striking
12	"STUDY" and inserting "INITIAL STUDY";
13	(B) in paragraph (1)(A), by striking "of
14	the Secretary"; and
15	(C) in paragraph (3), by inserting "or sub-
16	section (c)" before the period at the end;
17	(4) by redesignating subsections (c) and (d) as
18	subsections (d) and (e), respectively; and
19	(5) by inserting after subsection (b) the fol-
20	lowing new subsection:
21	"(c) Subsequent Study and Report.—
22	"(1) IN GENERAL.—Not later than September
23	30, 2028, the Secretary shall conduct a study to—
24	"(A) analyze, to the extent practicable, the
25	criteria established by hospitals under the Acute

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1	Hospital Care at Home initiative to determine
2	which individuals may be furnished services
3	under such initiative; and
4	"(B) analyze and compare (both within
5	and between hospitals participating in the ini-
6	tiative, and relative to comparable hospitals
7	that do not participate in the initiative, for rel-
8	evant parameters such as diagnosis-related
9	groups)—
10	"(i) quality of care furnished to indi-
11	viduals with similar conditions and charac-
12	teristics in the inpatient setting and
13	through the Acute Hospital Care at Home
14	initiative, including health outcomes, hos-
15	pital readmission rates (including readmis-
16	sions both within and beyond 30 days post-
17	discharge), hospital mortality rates, length
18	of stay, infection rates, composition of care
19	team (including the types of labor used,
20	such as contracted labor), the ratio of
21	nursing staff, transfers from the hospital
22	to the home, transfers from the home to
23	the hospital (including the timing, fre-
24	quency, and causes of such transfers),
25	transfers and discharges to post-acute care

1	settings (including the timing, frequency,
2	and causes of such transfers and dis-
3	charges), and patient and caregiver experi-
4	ence of care;
5	"(ii) clinical conditions treated and di-
6	agnosis-related groups of discharges from
7	inpatient settings relative to discharges
8	from the Acute Hospital Care at Home ini-
9	tiative;
10	"(iii) costs incurred by the hospital
11	for furnishing care in inpatient settings
12	relative to costs incurred by the hospital
13	for furnishing care through the Acute Hos-
14	pital Care at Home initiative, including
15	costs relating to staffing, equipment, food,
16	prescriptions, and other services, as deter-
17	mined by the Secretary;
18	"(iv) the quantity, mix, and intensity
19	of services (such as in-person visits and
20	virtual contacts with patients and the in-
21	tensity of such services) furnished in inpa-
22	tient settings relative to the Acute Hospital
23	Care at Home initiative, and, to the extent
24	practicable, the nature and extent of family
25	or caregiver involvement;

1	"(v) socioeconomic information on in-
2	dividuals treated in comparable inpatient
3	settings relative to the initiative, including
4	racial and ethnic data, income, housing,
5	geographic proximity to the brick-and-mor-
6	tar facility and whether such individuals
7	are dually eligible for benefits under this
8	title and title XIX; and
9	"(vi) the quality of care, outcomes,
10	costs, quantity and intensity of services,
11	and other relevant metrics between individ-
12	uals who entered into the Acute Hospital
13	Care at Home initiative directly from an
14	emergency department compared with indi-
15	viduals who entered into the Acute Hos-
16	pital Care at Home initiative directly from
17	an existing inpatient stay in a hospital.
18	"(2) Selection bias.—In conducting the
19	study under paragraph (1), the Secretary shall, to
20	the extent practicable, analyze and compare individ-
21	uals who participate and do not participate in the
22	initiative controlling for selection bias or other fac-
23	tors that may impact the reliability of data.
24	"(3) Report.—Not later than September 30,
25	2028, the Secretary of Health and Human Services

1	shall post on a website of the Centers for Medicare
2	& Medicaid Services a report on the study conducted
3	under paragraph (1).
4	"(4) FUNDING.—In addition to amounts other-
5	wise available, there is appropriated to the Centers
6	for Medicare & Medicaid Services Program Manage-
7	ment Account for fiscal year 2025, out of any
8	amounts in the Treasury not otherwise appropriated,
9	\$6,000,000, respectively, to remain available until
10	expended, for purposes of carrying out this section.".
11	SEC. 212. ENHANCING CERTAIN PROGRAM INTEGRITY RE-
12	QUIREMENTS FOR DME UNDER MEDICARE.
13	(a) DURABLE MEDICAL EQUIPMENT.—
14	(1) IN GENERAL.—Section 1834(a) of the So-
15	cial Security Act (42 U.S.C. 1395m(a)) is amended
15 16	cial Security Act (42 U.S.C. 1395m(a)) is amended by adding at the end the following new paragraph:
16	by adding at the end the following new paragraph:
16 17	by adding at the end the following new paragraph: "(23) MASTER LIST INCLUSION AND CLAIM RE-
16 17 18	by adding at the end the following new paragraph: "(23) MASTER LIST INCLUSION AND CLAIM RE- VIEW FOR CERTAIN ITEMS.—
16 17 18 19	by adding at the end the following new paragraph: "(23) MASTER LIST INCLUSION AND CLAIM RE- VIEW FOR CERTAIN ITEMS.— "(A) MASTER LIST INCLUSION.—Begin-
16 17 18 19 20	by adding at the end the following new paragraph: "(23) MASTER LIST INCLUSION AND CLAIM RE- VIEW FOR CERTAIN ITEMS.— "(A) MASTER LIST INCLUSION.—Begin- ning January 1, 2028, for purposes of the Mas-
<ol> <li>16</li> <li>17</li> <li>18</li> <li>19</li> <li>20</li> <li>21</li> </ol>	by adding at the end the following new paragraph: "(23) MASTER LIST INCLUSION AND CLAIM RE- VIEW FOR CERTAIN ITEMS.— "(A) MASTER LIST INCLUSION.—Begin- ning January 1, 2028, for purposes of the Mas- ter List described in section 414.234(b) of title
<ol> <li>16</li> <li>17</li> <li>18</li> <li>19</li> <li>20</li> <li>21</li> <li>22</li> </ol>	by adding at the end the following new paragraph: "(23) MASTER LIST INCLUSION AND CLAIM RE- VIEW FOR CERTAIN ITEMS.— "(A) MASTER LIST INCLUSION.—Begin- ning January 1, 2028, for purposes of the Mas- ter List described in section 414.234(b) of title 42, Code of Federal Regulations (or any suc-

1	such term is used for purposes of such section)
2	if the Secretary determines that, without ex-
3	planatory contributing factors (such as fur-
4	nishing emergent care services), a substantial
5	number of claims for such items under this sub-
6	section are for such items ordered by a physi-
7	cian or practitioner who has not previously
8	(during a period of not less than 24 months, as
9	established by the Secretary) furnished to the
10	individual involved any item or service for which
11	payment may be made under this title.
12	"(B) CLAIM REVIEW.—With respect to
13	items furnished on or after January 1, 2028.

items furnished on or after January 1, 2028,
that are included on the Master List pursuant
to subparagraph (A), if such an item is not subject to a determination of coverage in advance
pursuant to paragraph (15)(C), the Secretary
may conduct prepayment review of claims for
payment for such item.".

(2) CONFORMING AMENDMENT FOR PROSTHETIC DEVICES, ORTHOTICS, AND PROSTHETICS.—
Section 1834(h)(3) of the Social Security Act (42
U.S.C. 1395m(h)(3)) is amended by inserting ", and
paragraph (23) of subsection (a) shall apply to prosthetic devices, orthotics, and prosthetics in the same

manner as such provision applies to items for which
 payment may be made under such subsection" be fore the period at the end.

4 (b) Report on Identifying Clinical Diagnostic 5 LABORATORY TESTS AT HIGH RISK FOR FRAUD AND EF-FECTIVE MITIGATION MEASURES.—Not later than Janu-6 7 ary 1, 2026, the Inspector General of the Department of 8 Health and Human Services shall submit to Congress a 9 report assessing fraud risks relating to claims for clinical 10 diagnostic laboratory tests for which payment may be made under section 1834A of the Social Security Act (42 11 12 U.S.C. 1395m–1) and effective tools for reducing such 13 fraudulent claims. The report may include information re-14 garding-

(1) which, if any, clinical diagnostic laboratory
tests are identified as being at high risk of fraudulent claims, and an analysis of the factors that contribute to such risk;

19 (2) with respect to a clinical diagnostic labora20 tory test identified under paragraph (1) as being at
21 high risk of fraudulent claims—

22 (A) the amount payable under such section
23 1834A with respect to such test;

24 (B) the number of such tests furnished to25 individuals enrolled under part B of title XVIII

1	of the Social Security Act (42 U.S.C. 1395j et
2	seq.);
3	(C) whether an order for such a test was
4	more likely to come from a provider with whom
5	the individual involved did not have a prior re-
6	lationship, as determined on the basis of prior
7	payment experience; and
8	(D) the frequency with which a claim for
9	payment under such section 1834A included the
10	payment modifier identified by code 59 or 91;
11	and
12	(3) suggested strategies for reducing the num-
13	ber of fraudulent claims made with respect to tests
14	so identified as being at high risk, including—
15	(A) an analysis of whether the Centers for
16	Medicare & Medicaid Services can detect aber-
17	rant billing patterns with respect to such tests
18	in a timely manner;
19	(B) any strategies for identifying and mon-
20	itoring the providers who are outliers with re-
21	spect to the number of such tests that such pro-
22	viders order; and
23	(C) targeted education efforts to mitigate
24	improper billing for such tests; and

1	(4) such other information as the Inspector
2	General determines appropriate.
3	SEC. 213. GUIDANCE ON FURNISHING SERVICES VIA TELE-
4	HEALTH TO INDIVIDUALS WITH LIMITED
5	ENGLISH PROFICIENCY.
6	(a) IN GENERAL.—Not later than 1 year after the
7	date of the enactment of this section, the Secretary of
8	Health and Human Services, in consultation with 1 or
9	more entities from each of the categories described in
10	paragraphs (1) through (7) of subsection (b), shall issue
11	and disseminate, or update and revise as applicable, guid-
12	ance for the entities described in such subsection on the
13	following:
14	(1) Best practices on facilitating and inte-
15	grating use of interpreters during a telemedicine ap-
16	pointment.
17	(2) Best practices on providing accessible in-
18	structions on how to access telecommunications sys-
19	tems (as such term is used for purposes of section
20	1834(m) of the Social Security Act (42 U.S.C.
21	
	1395m(m)) for individuals with limited English pro-
22	1395m(m)) for individuals with limited English pro- ficiency.
22 23	
	ficiency.

1	(4) Best practices on integrating the use of
2	video platforms that enable multi-person video calls
3	furnished via a telecommunications system for pur-
4	poses of providing interpretation during a telemedi-
5	cine appointment for an individual with limited
6	English proficiency.
7	(5) Best practices for providing patient mate-
8	rials, communications, and instructions in multiple
9	languages, including text message appointment re-
10	minders and prescription information.
11	(b) ENTITIES DESCRIBED.—For purposes of sub-
12	section (a), an entity described in this subsection is an
13	entity in 1 or more of the following categories:
14	(1) Health information technology service pro-
15	viders, including—
16	(A) electronic medical record companies;
17	(B) remote patient monitoring companies;
18	and
19	(C) telehealth or mobile health vendors and
20	companies.
21	(2) Health care providers, including—
22	(A) physicians; and
23	(B) hospitals.
24	(3) Health insurers.
25	(4) Language service companies.

1 (5) Interpreter or translator professional asso-2 ciations. 3 (6) Health and language services quality certifi-4 cation organizations. (7) Patient and consumer advocates, including 5 6 such advocates that work with individuals with lim-7 ited English proficiency. 8 SEC. 214. IN-HOME CARDIOPULMONARY REHABILITATION 9 FLEXIBILITIES. 10 (a) IN GENERAL.—Section 1861(eee)(2) of the Social 11 Security Act (42 U.S.C. 1395x(eee)(2)) is amended— 12 (1) in subparagraph (A)(ii), by inserting "(in-13 cluding, with respect to items and services furnished 14 through audio and video real-time communications 15 technology (excluding audio-only) on or after Janu-16 ary 1, 2025, and before January 1, 2027, in the 17 home of an individual who is an outpatient of the 18 hospital)" after "outpatient basis"; and 19 (2) in subparagraph (B), by inserting "(includ-20 ing, with respect to items and services furnished 21 through audio and video real-time communications 22 technology on or after January 1, 2025, and before 23 January 1, 2027, the virtual presence of such physi-24 cian, physician assistant, nurse practitioner, or clin-25 ical nurse specialist)" after "under the program".

1 (b) PROGRAM INSTRUCTION AUTHORITY.—Notwith-2 standing any other provision of law, the Secretary of 3 Health and Human Services may implement the amend-4 ments made by this section by program instruction or oth-5 erwise.

## 6 SEC. 215. INCLUSION OF VIRTUAL DIABETES PREVENTION 7 PROGRAM SUPPLIERS IN MDPP EXPANDED 8 MODEL.

9 (a) IN GENERAL.—Not later than January 1, 2026, 10 the Secretary shall revise the regulations under parts 410 11 and 424 of title 42, Code of Federal Regulations, to pro-12 vide that, for the period beginning January 1, 2026, and 13 ending December 31, 2030—

14 (1) an entity may participate in the MDPP by 15 offering only online MDPP services via synchronous 16 or asynchronous technology or telecommunications if 17 such entity meets the conditions for enrollment as 18 MDPP supplier (as specified in an section 19 424.205(b) of title 42, Code of Federal Regulations 20 (or a successor regulation));

(2) if an entity participates in the MDPP in the
manner described in paragraph (1)—

23 (A) the administrative location of such en-24 tity shall be the address of the entity on file

1	under the Diabetes Prevention Recognition Pro-
2	gram; and
3	(B) in the case of online MDPP services
4	furnished by such entity to an MDPP bene-
5	ficiary who was not located in the same State
6	as the entity at the time such services were fur-
7	nished, the entity shall not be prohibited from
8	submitting a claim for payment for such serv-
9	ices solely by reason of the location of such ben-
10	eficiary at such time; and
11	(3) no limit is applied on the number of times
12	an individual may enroll in the MDPP.
13	(b) DEFINITIONS.—In this section:
14	(1) MDPP.—The term "MDPP" means the
15	Medicare Diabetes Prevention Program conducted
16	under section 1115A of the Social Security Act (42 $$
17	U.S.C. 1315a), as described in the final rule pub-
18	lished in the Federal Register entitled "Medicare
19	and Medicaid Programs; CY 2024 Payment Policies
20	Under the Physician Fee Schedule and Other
21	Changes to Part B Payment and Coverage Policies;
22	Medicare Shared Savings Program Requirements;
23	Medicare Advantage; Medicare and Medicaid Pro-

1	Health Program" (88 Fed. Reg. 78818 (November
2	16, 2023)) (or a successor regulation).
3	(2) Regulatory terms.—The terms "Diabe-
4	tes Prevention Recognition Program", "full CDC
5	DPRP recognition", "MDPP beneficiary", "MDPP
6	services", and "MDPP supplier" have the meanings
7	given each such term in section 410.79(b) of title
8	42, Code of Federal Regulations.
9	(3) Secretary.—The term "Secretary" means
10	the Secretary of Health and Human Services.
11	SEC. 216. MEDICATION-INDUCED MOVEMENT DISORDER
12	OUTREACH AND EDUCATION.
13	Not later than January 1, 2026, the Secretary shall
14	use existing communications mechanisms to provide edu-
15	cation and outreach to physicians and appropriate non-
16	physician practitioners participating under the Medicare
17	program under title XVIII of the Social Security Act (42
18	U.S.C. 1395 et seq.) with respect to periodic screening for
19	medication-induced movement disorders that are associ-
20	ated with the treatment of mental health disorders in at-
21	risk patients, as well as resources related to clinical guide-
22	ling and best practices for furnishing such screening some
	lines and best practices for furnishing such screening serv-
23	ices through telehealth. Such education and outreach shall
23 24	

Secretary shall, to the extent practicable, seek input from
 relevant stakeholders to inform such education and out reach. Such education and outreach may also address
 other relevant screening services furnished through tele health, as the Secretary determines appropriate.

## 6 SEC. 217. REPORT ON WEARABLE MEDICAL DEVICES.

Not later than 18 months after the date of the enactment of this Act, the Comptroller General of the United States shall conduct a technology assessment of, and submit to Congress a report on, the capabilities and limitations of wearable medical devices used to support clinical decision-making. Such report shall include a description of—

- 14 (1) the potential for such devices to accurately15 prescribe treatments;
- 16 (2) an examination of the benefits and chal17 lenges of artificial intelligence to augment such ca18 pabilities; and
- 19 (3) policy options to enhance the benefits and
  20 mitigate potential challenges of developing or using
  21 such devices.

1 SEC. 218. EXTENSION OF TEMPORARY INCLUSION OF AU-2 THORIZED ORAL ANTIVIRAL DRUGS AS COV-3 ERED PART D DRUGS. 4 Section 1860D-2(e)(1)(C) of the Social Security Act 5 (42 U.S.C. 1395w-102(e)(1)(C)) is amended by striking "December 31, 2024" and inserting "December 31, 6 7 2025". 8 SEC. 219. EXTENSION OF ADJUSTMENT TO CALCULATION 9 OF HOSPICE CAP AMOUNT. 10 Section 1814(i)(2)(B) of the Social Security Act (42) 11 U.S.C. 1395f(i)(2)(B) is amended— 12 (1) in clause (ii), by striking "2033" and inserting "2034"; and 13 (2) in clause (iii), by striking "2033" and in-14 serting "2034". 15 SEC. 220. MULTIYEAR CONTRACTING AUTHORITY FOR 16 17 **MEDPAC AND MACPAC.** 18 Section 3904 of title 41, United States Code, is 19 amended by adding at the end the following new sub-20 sections: 21 "(i) The Medicare Payment Advisory Commis-22 SION.—The Medicare Payment Advisory Commission may 23 use available funds to enter into contracts for the procure-24 ment of severable services for a period that begins in one 25 fiscal year and ends in the next fiscal year and may enter 26 into multiyear contracts for the acquisition of property •HR 10445 IH

and services to the same extent as executive agencies
 under the authority of sections 3902 and 3903 of this
 title.

4 "(j) The Medicaid and CHIP Payment and Ac-5 CESS COMMISSION.—The Medicaid and CHIP Payment and Access Commission may use available funds to enter 6 7 into contracts for the procurement of severable services 8 for a period that begins in one fiscal year and ends in 9 the next fiscal year and may enter into multiyear contracts 10 for the acquisition of property and services to the same extent as executive agencies under the authority of sec-11 tions 3902 and 3903 of this title.". 12

## 13 sec. 221. contracting parity for medpac and14macpac.

In fiscal year 2025 and thereafter, for all contracts
for goods and services to which the Medicare and Payment
Advisory Commission or the Medicaid and CHIP Payment
and Access Commission is a party, the following Federal
Acquisition Regulation (FAR) clauses will apply: FAR
52.232–39 and FAR 52.233–4 (or a successor clause).

21 SEC. 222. ADJUSTMENTS TO MEDICARE PART D COST-SHAR22 ING REDUCTIONS FOR LOW-INCOME INDIVID23 UALS.

24 Section 1860D-14(a) of the Social Security Act (42
25 U.S.C. 1395w-114(a)) is amended—

(1) in paragraph $(1)(D)(ii)$ , by striking "that
does not exceed \$1 for" and all that follows through
the period at the end and inserting "that does not
exceed—
"(I) for a plan year before
2027—
"(aa) for a generic drug or a
preferred drug that is a multiple
source drug (as defined in section
1927(k)(7)(A)(i)), \$1 or, if less,
the copayment amount applicable
to an individual under clause
(iii); and
"(bb) for any other drug, \$3
or, if less, the copayment amount
applicable to an individual under
clause (iii); and
"(II) for plan year 2027 and
each subsequent plan year—
"(aa) for a generic drug, \$0;
"(bb) for a preferred drug
that is a multiple source drug (as
defined in section
1927(k)(7)(A)(i)), the dollar
amount applied under this clause

1	for such a drug for the preceding
2	plan year, increased by the an-
3	nual percentage increase in the
4	consumer price index (all items;
5	U.S. city average) as of Sep-
6	tember of such preceding year,
7	or, if less, the copayment amount
8	applicable to an individual under
9	clause (iii); and
10	"(cc) for a drug not de-
11	scribed in either item (aa) or
12	(bb), the dollar amount applied
13	under this clause for such a drug
14	for the preceding plan year, in-
15	creased in the manner specified
16	in item (bb), or, if less, the co-
17	payment amount applicable to an
18	individual under clause (iii).
19	Any amount established under item (bb) or
20	(cc) of subclause (II), that is based on an
21	increase of \$1 or \$3, that is not a multiple
22	of 5 cents or 10 cents, respectively, shall
23	be rounded to the nearest multiple of 5
24	cents or 10 cents, respectively."; and

1	(2) in paragraph (4)(A)(ii), by inserting "(be-
2	fore 2027)" after "a subsequent year".
3	SEC. 223. REQUIRING ENHANCED AND ACCURATE LISTS OF
4	(REAL) HEALTH PROVIDERS ACT.
5	(a) IN GENERAL.—Section 1852(c) of the Social Se-
6	curity Act (42 U.S.C. 1395w–22(c)) is amended—
7	(1) in paragraph $(1)(C)$ —
8	(A) by striking "plan, and any" and insert-
9	ing "plan, any"; and
10	(B) by inserting the following before the
11	period at the end: ", and, in the case of a speci-
12	fied MA plan (as defined in paragraph (3)(C)),
13	for plan year 2027 and subsequent plan years,
14	the information described in paragraph (3)(B)";
15	and
16	(2) by adding at the end the following new
17	paragraph:
18	"(3) Provider directory accuracy.—
19	"(A) IN GENERAL.—For plan year 2027
20	and subsequent plan years, each MA organiza-
21	tion offering a specified MA plan (as defined in
22	subparagraph (C)) shall, for each such plan of-
23	fered by the organization—
24	"(i) maintain, on a publicly available
25	internet website, an accurate provider di-

rectory that includes the information described in subparagraph (B);

"(ii) not less frequently than once 3 4 every 90 days (or, in the case of a hospital or any other facility determined appro-5 6 priate by the Secretary, at a lesser fre-7 quency specified by the Secretary but in no 8 case less frequently than once every 12 9 months), verify the provider directory information of each provider listed in such 10 11 directory and, if applicable, update such 12 provider directory information;

"(iii) if the organization is unable to
verify such information with respect to a
provider, include in such directory an indication that the information of such provider may not be up to date; and

18 "(iv) remove a provider from such di19 rectory within 5 business days if the orga20 nization determines that the provider is no
21 longer a provider participating in the net22 work of such plan.

23 "(B) PROVIDER DIRECTORY INFORMA24 TION.—The information described in this sub25 paragraph is information enrollees may need to

1

1	access covered benefits from a provider with
2	which such organization offering such plan has
3	an agreement for furnishing items and services
4	covered under such plan such as name, spe-
5	cialty, contact information, primary office or fa-
6	cility address, whether the provider is accepting
7	new patients, accommodations for people with
8	disabilities, cultural and linguistic capabilities,
9	and telehealth capabilities.
10	"(C) Specified ma plan.—In this para-
11	graph, the term 'specified MA plan' means—
12	"(i) a network-based plan (as defined
13	in subsection $(d)(5)(C)$ ; or
14	"(ii) a Medicare Advantage private
15	fee-for-service plan (as defined in section
16	1859(b)(2)) that meets the access stand-
17	ards under subsection $(d)(4)$ , in whole or
18	in part, through entering into contracts or
19	agreements as provided for under subpara-
20	graph (B) of such subsection.".
21	(b) Accountability for Provider Directory
22	ACCURACY.—
23	(1) Cost sharing for services furnished
24	BASED ON RELIANCE ON INCORRECT PROVIDER DI-
25	RECTORY INFORMATION.—Section 1852(d) of the

1	Social Security Act (42 U.S.C. 1395w-22(d)) is
2	amended—
3	(A) in paragraph $(1)(C)$ —
4	(i) in clause (ii), by striking "or" at
5	the end;
6	(ii) in clause (iii), by striking the
7	semicolon at the end and inserting ", or";
8	and
9	(iii) by adding at the end the fol-
10	lowing new clause:
11	"(iv) the services are furnished by a
12	provider that is not participating in the
13	network of a specified MA plan (as defined
14	in subsection $(c)(3)(C)$ but is listed in the
15	provider directory of such plan on the date
16	on which the appointment is made, as de-
17	scribed in paragraph (7)(A);"; and
18	(B) by adding at the end the following new
19	paragraph:
20	"(7) Cost sharing for services furnished
21	BASED ON RELIANCE ON INCORRECT PROVIDER DI-
22	RECTORY INFORMATION.—
23	"(A) IN GENERAL.—For plan year 2027
24	and subsequent plan years, if an enrollee is fur-
25	nished an item or service by a provider that is

1	not participating in the network of a specified
2	MA plan (as defined in subsection $(c)(3)(C)$ )
3	but is listed in the provider directory of such
4	plan (as required to be provided to an enrollee
5	pursuant to subsection $(c)(1)(C)$ ) on the date
6	on which the appointment is made, and if such
7	item or service would otherwise be covered
8	under such plan if furnished by a provider that
9	is participating in the network of such plan, the
10	MA organization offering such plan shall ensure
11	that the enrollee is only responsible for the less-
12	er of—
13	"(i) the amount of cost sharing that
14	would apply if such provider had been par-
15	ticipating in the network of such plan; or
16	"(ii) the amount of cost sharing that
17	would otherwise apply (without regard to
18	this subparagraph).
19	"(B) NOTIFICATION REQUIREMENT.—For
20	plan year 2027 and subsequent plan years, each
21	MA organization that offers a specified MA
22	plan shall—
23	"(i) notify enrollees of their cost-shar-
24	ing protections under this paragraph and
25	make such notifications, to the extent

1	practicable, by not later than the first day
2	of an annual, coordinated election period
3	under section $1851(e)(3)$ with respect to a
4	year;
5	"(ii) include information regarding
6	such cost-sharing protections in the pro-
7	vider directory of each specified MA plan
8	offered by the MA organization.; and
9	"(iii) notify enrollees of their cost-
10	sharing protections under this paragraph
11	in an explanation of benefits.".
12	(2) REQUIRED PROVIDER DIRECTORY ACCU-
13	RACY ANALYSIS AND REPORTS.—
14	(A) IN GENERAL.—Section 1857(e) of the
15	Social Security Act (42 U.S.C. 1395w–27(e)) is
16	amended by adding at the end the following
17	new paragraph:
18	"(6) Provider directory accuracy anal-
19	YSIS AND REPORTS.—
20	"(A) IN GENERAL.—Beginning with plan
21	years beginning on or after January 1, 2027,
22	subject to subparagraph (C), a contract under
23	this section with an MA organization shall re-
24	quire the organization, for each specified MA
25	plan (as defined in section $1852(c)(3)(C)$ ) of-

1	fered by the organization to annually do the fol-
2	lowing:
3	"(i) Conduct an analysis estimating
4	the accuracy of the provider directory in-
5	formation of such plan using a random
6	sample of providers included in such pro-
7	vider directory as follows:
8	"(I) Such a random sample shall
9	include a random sample of each spe-
10	cialty of providers with a high inaccu-
11	racy rate of provider directory infor-
12	mation relative to other specialties of
13	providers, as determined by the Sec-
14	retary.
15	"(II) For purposes of subclause
16	(I), one type of specialty may be pro-
17	viders specializing in mental health or
18	substance use disorder treatment.
19	"(ii) Submit to the Secretary a report
20	containing the results of the analysis con-
21	ducted under clause (i), including an accu-
22	racy score for such provider directory in-
23	formation (as determined using a plan
24	verification method specified by the Sec-
25	retary under subparagraph (B)(i)).

1 "(B) DETERMINATION OF ACCURACY 2 SCORE.—

"(i) GENERAL.—The 3 In Secretary 4 shall specify plan verification methods, such as using telephonic verification or 5 6 other approaches using data sources main-7 tained by an MA organization or using 8 publicly available data sets, that MA orga-9 nizations may use for estimating accuracy scores of the provider directory information 10 11 of specified MA plans offered by such organizations. 12

13 "(ii) ACCURACY SCORE METHOD-14 OLOGY.—With respect to each such meth-15 od specified by the Secretary as described 16 in clause (i), the Secretary shall specify a 17 methodology for MA organizations to use 18 in estimating such accuracy scores. Each 19 such methodology shall take into account 20 the administrative burden on plans and providers and the relative importance of 21 22 certain provider directory information on 23 enrollee ability to access care.

24 "(C) EXCEPTION.—The Secretary may
25 waive the requirements of this paragraph in the

1	case of a specified MA plan with low enrollment
2	(as defined by the Secretary).
3	"(D) TRANSPARENCY.—Beginning with
4	plan years beginning on or after January 1,
5	2028, the Secretary shall post accuracy scores
6	(as reported under subparagraph (A)(ii)), in a
7	machine readable file, on the internet website of
8	the Centers for Medicare & Medicaid Services.".
9	(B) PROVISION OF INFORMATION TO
10	BENEFICIARIES.—Section 1851(d)(4) of the So-
11	cial Security Act (42 U.S.C. 1395w-21(d)(4))
12	is amended by adding at the end the following
13	new subparagraph:
14	"(F) Provider directory.—Beginning
15	with plan years beginning on or after January
16	1, 2028, the accuracy score of the plan's pro-
17	vider directory (as reported under section
18	1857(e)(6)(A)(ii)) listed prominently on the
19	plan's provider directory.".
20	(C) FUNDING.—In addition to amounts
21	otherwise available, there is appropriated to the
22	Centers for Medicare & Medicaid Services Pro-
23	gram Management Account, out of any money
24	in the Treasury not otherwise appropriated,
25	\$4,000,000 for fiscal year 2025, to remain

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1	available until expended, to carry out the
2	amendments made by this paragraph.
3	(3) GAO STUDY AND REPORT.—
4	(A) ANALYSIS.—The Comptroller General
5	of the United States (in this paragraph referred
6	to as the "Comptroller General") shall conduct
7	a study of the implementation of the amend-
8	ments made by paragraphs $(1)$ and $(2)$ . To the
9	extent data are available and reliable, such
10	study shall include an analysis of—
11	(i) the use of cost-sharing protections
12	required under section $1852(d)(7)(A)$ of
13	the Social Security Act, as added by para-
14	graph (1);
15	(ii) the trends in provider directory in-
16	formation accuracy scores under section
17	1857(e)(6)(A)(ii) of the Social Security
18	Act (as added by paragraph $(2)(A)$ ), both
19	overall and among providers specializing in
20	mental health or substance use disorder
21	treatment;
22	(iii) provider response rates by plan
23	verification methods;

1	(iv) administrative costs to providers
2	and Medicare Advantage organizations;
3	and
4	(v) other items determined appro-
5	priate by the Comptroller General.
6	(B) REPORT.—Not later than January 15,
7	2032, the Comptroller General shall submit to
8	Congress a report containing the results of the
9	study conducted under subparagraph (A), to-
10	gether with recommendations for such legisla-
11	tion and administrative action as the Comp-
12	troller General determines appropriate.
13	(c) Guidance on Maintaining Accurate Pro-
14	VIDER DIRECTORIES.—
15	(1) Stakeholder meeting.—
16	(A) IN GENERAL.—Not later than 3
17	months after the date of enactment of this Act,
18	the Secretary of Health and Human Services
18 19	
	the Secretary of Health and Human Services
19	the Secretary of Health and Human Services (referred to in this subsection as the "Sec-
19 20	the Secretary of Health and Human Services (referred to in this subsection as the "Sec- retary") shall hold a public meeting to receive
19 20 21	the Secretary of Health and Human Services (referred to in this subsection as the "Sec- retary") shall hold a public meeting to receive input on approaches for maintaining accurate
19 20 21 22	the Secretary of Health and Human Services (referred to in this subsection as the "Sec- retary") shall hold a public meeting to receive input on approaches for maintaining accurate provider directories for Medicare Advantage
<ol> <li>19</li> <li>20</li> <li>21</li> <li>22</li> <li>23</li> </ol>	the Secretary of Health and Human Services (referred to in this subsection as the "Sec- retary") shall hold a public meeting to receive input on approaches for maintaining accurate provider directories for Medicare Advantage plans under part C of title XVIII of the Social

ministrative burden, such as data standardization, and best practices to maintain accurate provider directory information.

4 (B) PARTICIPANTS.—Participants of the 5 meeting under subparagraph (A) shall include 6 representatives from the Centers for Medicare & 7 Medicaid Services and the Assistant Secretary 8 for Technology Policy and Office of the Na-9 tional Coordinator for Health Information 10 Technology. Such meeting shall be open to the 11 public. To the extent practicable, the Secretary 12 shall include health care providers, companies 13 that specialize in relevant technologies, health 14 insurers, and patient advocates.

15 (2) GUIDANCE TO MEDICARE ADVANTAGE OR-16 GANIZATIONS.—Not later than 12 months after the 17 date of enactment of this Act, the Secretary shall 18 issue guidance to Medicare Advantage organizations 19 offering Medicare Advantage plans under part C of 20 title XVIII of the Social Security Act (42 U.S.C. 21 1395w–21 et seq.) on maintaining accurate provider 22 directories for such plans, taking into consideration 23 input received during the stakeholder meeting under 24 paragraph (1). Such guidance may include the fol-25 lowing, as determined appropriate by the Secretary:

1

2

1	(A) Best practices for Medicare Advantage
2	organizations on how to work with providers to
3	maintain the accuracy of provider directories
4	and reduce provider and Medicare Advantage
5	organization burden with respect to maintaining
6	the accuracy of provider directories.
7	(B) Information on data sets and data
8	sources with information that could be used by
9	Medicare Advantage organizations to maintain
10	accurate provider directories.
11	(C) Approaches for utilizing data sources
12	maintained by Medicare Advantage organiza-
13	tions and publicly available data sets to main-
14	tain accurate provider directories.
15	(D) Information to be included in provider
16	directories that may be useful for Medicare
17	beneficiaries to assess plan networks when se-
18	lecting a plan and accessing providers partici-
19	pating in plan networks during the plan year.
20	(3) GUIDANCE TO PART B PROVIDERS.—Not
21	later than 12 months after the date of enactment of
22	this Act, the Secretary shall issue guidance to pro-
23	viders of services and suppliers who furnish items or
24	services for which benefits are available under part
25	B of title XVIII of the Social Security Act $(42)$

1	U.S.C. 1395j et seq.) on when to update the Na-
2	tional Plan and Provider Enumeration System for
3	information changes.
4	SEC. 224. MEDICARE COVERAGE OF MULTI-CANCER EARLY
5	DETECTION SCREENING TESTS.
6	(a) COVERAGE.—Section 1861 of the Social Security
7	Act (42 U.S.C. 1395x) is amended—
8	(1) in subsection $(s)(2)$ —
9	(A) by striking the semicolon at the end of
10	subparagraph (JJ) and inserting "; and"; and
11	(B) by adding at the end the following new
12	subparagraph:
13	"(KK) multi-cancer early detection screen-
14	ing tests (as defined in subsection (nnn));"; and
15	(2) by adding at the end the following new sub-
16	section:
17	"(nnn) Multi-Cancer Early Detection Screen-
18	ING TESTS.—
19	"(1) IN GENERAL.—The term 'multi-cancer
20	early detection screening test' means a test fur-
21	nished to an individual for the concurrent detection
22	of multiple cancer types across multiple organ sites
23	on or after January 1, 2029, that—
24	"(A) is cleared under section 510(k), clas-
25	sified under section $513(f)(2)$ , or approved

under section 515 of the Federal Food, Drug,
and Cosmetic Act;
"(B) is—
"(i) a genomic sequencing blood or
blood product test that includes the anal-
ysis of cell-free nucleic acids; or
"(ii) a test based on samples of bio-
logical material that provide results com-
parable to those obtained with a test de-
scribed in clause (i), as determined by the
Secretary; and
"(C) the Secretary determines is—
"(i) reasonable and necessary for the
prevention or early detection of an illness
or disability; and
"(ii) appropriate for individuals enti-
tled to benefits under part A or enrolled
under part B.
"(2) NCD PROCESS.—In making determina-
tions under paragraph $(1)(C)$ regarding the coverage
of a new test, the Secretary shall use the process for
making national coverage determinations (as defined
in section $1869(f)(1)(B)$ ) under this title.".
(b) Payment and Standards for Multi-cancer
Early Detection Screening Tests.—

1	(1) IN GENERAL.—Section 1834 of the Social
2	Security Act (42 U.S.C. 1395m) is amended by add-
3	ing at the end the following new subsection:
4	"(aa) Payment and Standards for Multi-can-
5	CER EARLY DETECTION SCREENING TESTS.—
6	"(1) PAYMENT AMOUNT.—The payment
7	amount for a multi-cancer early detection screening
8	test (as defined in section 1861(nnn)) is—
9	"(A) with respect to such a test furnished
10	before January 1, 2031, equal to the payment
11	amount in effect on the date of the enactment
12	of this subsection for a multi-target stool
13	screening DNA test covered pursuant to section
14	1861(pp)(1)(D); and
15	"(B) with respect to such a test furnished
16	on or after January 1, 2031, equal to the lesser
16 17	on or after January 1, 2031, equal to the lesser of—
17	of—
17 18	of— "(i) the amount described in subpara-
17 18 19	of— "(i) the amount described in subpara- graph (A); or
17 18 19 20	of— "(i) the amount described in subpara- graph (A); or "(ii) the payment amount determined
<ol> <li>17</li> <li>18</li> <li>19</li> <li>20</li> <li>21</li> </ol>	of— "(i) the amount described in subpara- graph (A); or "(ii) the payment amount determined for such test under section 1834A.

1	detection screening test furnished during a year
2	to an individual if—
3	"(i) such individual—
4	"(I) is under 50 years of age; or
5	"(II) as of January 1 of such
6	year, has attained the age specified in
7	subparagraph (B) for such year; or
8	"(ii) such a test was furnished to the
9	individual during the previous 11 months.
10	"(B) Age specified.—For purposes of
11	subparagraph (A)(i)(II), the age specified in
12	this subparagraph is—
13	"(i) for 2029, 65 years of age; and
14	"(ii) for a succeeding year, the age
15	specified in this subparagraph for the pre-
16	ceding year, increased by 1 year.
17	"(C) STANDARDS FOLLOWING USPSTF
18	RATING OF A OR B.—In the case of a multi-can-
19	cer early detection screening test that is rec-
20	ommended with a grade of A or B by the
21	United States Preventive Services Task Force,
22	beginning on the date on which coverage for
23	such test is provided pursuant to section
24	1861(ddd)(1), the preceding provisions of this
25	paragraph shall not apply.".

1	(2) Conforming Amendments.—
2	(A) Section 1833 of the Social Security
3	Act (42 U.S.C. 13951) is amended—
4	(i) in subsection (a)—
5	(I) in paragraph $(1)(D)(i)(I)$ , by
6	striking "section 1834(d)(1)" and in-
7	serting "subsection $(d)(1)$ or $(aa)$ of
8	section 1834"; and
9	(II) in paragraph $(2)(D)(i)(I)$ , by
10	striking "section 1834(d)(1)" and in-
11	serting "subsection $(d)(1)$ or $(aa)$ of
12	section 1834"; and
13	(ii) in subsection $(h)(1)(A)$ , by strik-
14	ing "section $1834(d)(1)$ " and inserting
15	"subsections $(d)(1)$ and $(aa)$ of section
16	1834".
17	(B) Section $1862(a)(1)(A)$ of the Social
18	Security Act (42 U.S.C. $1395y(a)(1)(A)$ ) is
19	amended—
20	(i) by striking "or additional preven-
21	tive services" and inserting ", additional
22	preventive services"; and
23	(ii) by inserting ", or multi-cancer
24	early detection screening tests (as defined

1	in	section	1861(nnn))"	after	"(as	de-
2	scr	ibed in se	ection 1861(dd	d)(1))''		

3 (c) RULE OF CONSTRUCTION RELATING TO OTHER
4 CANCER SCREENING TESTS.—Nothing in this section, in5 cluding the amendments made by this section, shall be
6 construed—

7 (1) in the case of an individual who undergoes
8 a multi-cancer early detection screening test, to af9 fect coverage under part B of title XVIII of the So10 cial Security Act for other cancer screening tests
11 covered under such title, such as screening tests for
12 breast, cervical, colorectal, lung, or prostate cancer;
13 or

(2) in the case of an individual who undergoes
another cancer screening test, to affect coverage
under such part for a multi-cancer early detection
screening test or the use of such a test as a diagnostic or confirmatory test for a result of the other
cancer screening test.

20 SEC. 225. MEDICARE COVERAGE OF EXTERNAL INFUSION
21 PUMPS AND NON-SELF-ADMINISTRABLE
22 HOME INFUSION DRUGS.

(a) IN GENERAL.—Section 1861(n) of the Social Security Act (42 U.S.C. 1395x(n)) is amended by adding
at the end the following new sentence: "Beginning with

the first calendar quarter beginning on or after the date 1 2 that is 1 year after the date of the enactment of this sen-3 tence, an external infusion pump and associated home in-4 fusion drug (as defined in subsection (iii)(3)(C)) or other 5 associated supplies that do not meet the appropriate for 6 use in the home requirement applied to the definition of 7 durable medical equipment under section 414.202 of title 8 42, Code of Federal Regulations (or any successor to such 9 regulation) shall be treated as meeting such requirement 10 if each of the following criteria is satisfied:

- 11 "(1) The prescribing information approved by 12 the Food and Drug Administration for the home in-13 fusion drug associated with the pump instructs that 14 the drug should be administered by or under the su-15 pervision of a health care professional.
- "(2) A qualified home infusion therapy supplier
  (as defined in subsection (iii)(3)(D)) administers or
  supervises the administration of the drug or biological in a safe and effective manner in the patient's
  home (as defined in subsection (iii)(3)(B)).
- 21 "(3) The prescribing information described in
  22 paragraph (1) instructs that the drug should be in23 fused at least 12 times per year—

24 "(A) intravenously or subcutaneously; or

4 (b) COST SHARING NOTIFICATION.—The Secretary
5 of Health and Human Services shall ensure that patients
6 are notified of the cost sharing for electing home infusion
7 therapy compared to other applicable settings of care for
8 the furnishing of infusion drugs under the Medicare pro9 gram.

## 10 SEC. 226. ASSURING PHARMACY ACCESS AND CHOICE FOR 11 MEDICARE BENEFICIARIES.

(a) IN GENERAL.—Section 1860D-4(b)(1) of the Social Security Act (42 U.S.C. 1395w-104(b)(1)) is amended by striking subparagraph (A) and inserting the following:

16 "(A) IN GENERAL.—

17 "(i) PARTICIPATION OF ANY WILLING
18 PHARMACY.—A PDP sponsor offering a
19 prescription drug plan shall permit any
20 pharmacy that meets the standard contract
21 terms and conditions under such plan to
22 participate as a network pharmacy of such
23 plan.

24 "(ii) Contract terms and condi-25 Tions.—

1	"(I) IN GENERAL.—Notwith-
2	standing any other provision of law,
3	for plan years beginning on or after
4	January 1, 2028, in accordance with
5	clause (i), contract terms and condi-
6	tions offered by such PDP sponsor
7	shall be reasonable and relevant ac-
8	cording to standards established by
9	the Secretary under subclause (II).
10	"(II) STANDARDS.—Not later
11	than the first Monday in April of
12	2027, the Secretary shall establish
13	standards for reasonable and relevant
14	contract terms and conditions for pur-
15	poses of this clause.
16	"(III) REQUEST FOR INFORMA-
17	TION.—Not later than April 1, 2026,
18	for purposes of establishing the stand-
19	ards under subclause (II), the Sec-
20	retary shall issue a request for infor-
21	mation to seek input on trends in pre-
22	scription drug plan and network phar-
23	macy contract terms and conditions,
24	current prescription drug plan and
25	network pharmacy contracting prac-

1	tices, whether pharmacy reimburse-
2	ment and dispensing fees paid by
3	PDP sponsors to network pharmacies
4	sufficiently cover the ingredient and
5	operational costs of such pharmacies,
6	the use and application of pharmacy
7	quality measures by PDP sponsors for
8	network pharmacies, PDP sponsor re-
9	strictions or limitations on the dis-
10	pensing of covered part D drugs by
11	network pharmacies (or any subsets of
12	such pharmacies), PDP sponsor au-
13	diting practices for network phar-
14	macies, areas in current regulations or
15	program guidance related to con-
16	tracting between prescription drug
17	plans and network pharmacies requir-
18	ing clarification or additional speci-
19	ficity, factors for consideration in de-
20	termining the reasonableness and rel-
21	evance of contract terms and condi-
22	tions between prescription drug plans
23	and network pharmacies, and other
24	issues as determined appropriate by
25	the Secretary.".

(b) ESSENTIAL RETAIL PHARMACIES.—Section
 1860D-42 of the Social Security Act (42 U.S.C. 1395w 152) is amended by adding at the end the following new
 subsection:

5 "(e) ESSENTIAL RETAIL PHARMACIES.—

6 "(1) IN GENERAL.—With respect to plan years 7 beginning on or after January 1, 2028, the Sec-8 retary shall publish reports, at least once every 2 9 years until 2034, and periodically thereafter, that 10 provide information, to the extent feasible, on—

11 "(A) trends in ingredient cost reimburse-12 ment, dispensing fees, incentive payments and 13 other fees paid by PDP sponsors offering pre-14 scription drug plans and MA organizations of-15 fering MA–PD plans under this part to essen-16 tial retail pharmacies (as defined in paragraph 17 (2)) with respect to the dispensing of covered 18 part D drugs, including a comparison of such 19 trends between essential retail pharmacies and 20 pharmacies that are not essential retail phar-21 macies:

"(B) trends in amounts paid to PDP sponsors offering prescription drug plans and MA
organizations offering MA-PD plans under this
part by essential retail pharmacies with respect

- 1 to the dispensing of covered part D drugs, in-2 cluding a comparison of such trends between essential retail pharmacies and pharmacies that 3 4 are not essential retail pharmacies; 5 "(C) trends in essential retail pharmacy participation in pharmacy networks and pre-6 7 ferred pharmacy networks for prescription drug plans offered by PDP sponsors and MA-PD 8 9 plans offered by MA organizations under this 10 part, including a comparison of such trends be-11 tween essential retail pharmacies and phar-12 macies that are not essential retail pharmacies; 13 "(D) trends in the number of essential re-14 tail pharmacies, including variation in such 15 trends by geographic region or other factors; "(E) a comparison of cost-sharing for cov-16 17 ered part D drugs dispensed by essential retail 18 pharmacies that are network pharmacies for 19 prescription drug plans offered by PDP spon-20 sors and MA–PD plans offered by MA organi-21 zations under this part and cost-sharing for 22 covered part D drugs dispensed by other net-23 work pharmacies for such plans located in simi-24 lar geographic areas that are not essential retail
- 25 pharmacies;

"(F) a comparison of the volume of cov-
ered part D drugs dispensed by essential retail
pharmacies that are network pharmacies for
prescription drug plans offered by PDP spon-
sors and MA–PD plans offered by MA organi-
zations under this part and such volume of dis-
pensing by network pharmacies for such plans
located in similar geographic areas that are not
essential retail pharmacies, including informa-
tion on any patterns or trends in such compari-
son specific to certain types of covered part D
drugs, such as generic drugs or drugs specified
as specialty drugs by a PDP sponsor under a
prescription drug plan or an MA organization
under an MA–PD plan; and
"(G) a comparison of the information de-
scribed in subparagraphs (A) through (F) be-
tween essential retail pharmacies that are net-
work pharmacies for prescription drug plans of-
fered by PDP sponsors under this part and es-
sential retail pharmacies that are network phar-
macies for MA–PD plans offered by MA organi-
zations under this part.
"(2) Definition of essential retail phar-

25 MACY.—In this subsection, the term 'essential retail

1	pharmacy' means, with respect to a plan year, a re-
2	tail pharmacy that—
3	"(A) is not a pharmacy that is an affiliate
4	as defined in paragraph (4); and
5	"(B) is located in—
6	"(i) a medically underserved area (as
7	designated pursuant to section
8	330(b)(3)(A) of the Public Health Service
9	Act);
10	"(ii) a rural area in which there is no
11	other retail pharmacy within 10 miles, as
12	determined by the Secretary;
13	"(iii) a suburban area in which there
14	is no other retail pharmacy within 2 miles,
15	as determined by the Secretary; or
16	"(iv) an urban area in which there is
17	no other retail pharmacy within 1 mile, as
18	determined by the Secretary.
19	"(3) LIST OF ESSENTIAL RETAIL PHAR-
20	MACIES.—
21	"(A) Publication of list of essential
22	RETAIL PHARMACIES.—For each plan year (be-
23	ginning with plan year 2028), the Secretary
24	shall publish, on a publicly available internet
25	website of the Centers for Medicare & Medicaid

Services, a list of pharmacies that meet the criteria described in subparagraphs (A) and (B) of paragraph (2) to be considered an essential retail pharmacy.

5 "(B) REQUIRED SUBMISSIONS FROM PDP 6 SPONSORS.—For each plan year (beginning 7 with plan year 2028), each PDP sponsor offer-8 ing a prescription drug plan and each MA orga-9 nization offering an MA–PD plan shall submit 10 to the Secretary, for the purposes of deter-11 mining retail pharmacies that meet the criterion 12 specified in subparagraph (A) of paragraph (2), 13 a list of retail pharmacies that are affiliates of 14 such sponsor or organization, or are affiliates of 15 a pharmacy benefit manager acting on behalf of 16 such sponsor or organization, at a time, and in 17 a form and manner, specified by the Secretary.

18 "(C) Reporting by PDP sponsors and 19 MA ORGANIZATIONS.—For each plan year be-20 ginning with plan year 2027, each PDP sponsor 21 offering a prescription drug plan and each MA 22 organization offering an MA-PD plan under 23 this part shall submit to the Secretary informa-24 tion on incentive payments and other fees paid 25 by such sponsor or organization to pharmacies,

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1	insofar as any such payments or fees are not
2	otherwise reported, at a time, and in a form
3	and manner, specified by the Secretary.
4	"(D) IMPLEMENTATION.—Notwithstanding
5	any other provision of law, the Secretary may
6	implement this paragraph by program instruc-
7	tion or otherwise.
8	"(E) NONAPPLICATION OF PAPERWORK
9	REDUCTION ACT.—Chapter 35 of title 44,
10	United States Code, shall not apply to the im-
11	plementation of this paragraph.
12	"(4) DEFINITION OF AFFILIATE; PHARMACY
13	BENEFIT MANAGER.—In this subsection, the terms
14	'affiliate' and 'pharmacy benefit manager' have the
15	meaning given those terms in section 1860D–
16	12(h)(7).".
17	(c) Enforcement.—
18	(1) IN GENERAL.—Section $1860D-4(b)(1)$ of
19	the Social Security Act (42 U.S.C. 1395w-
20	104(b)(1)) is amended by adding at the end the fol-
21	lowing new subparagraph:
22	((F) Enforcement of standards for
23	REASONABLE AND RELEVANT CONTRACT TERMS
24	AND CONDITIONS.—

1	"(i) Allegation submission proc-
2	ESS.—
3	"(I) IN GENERAL.—Not later
4	than January 1, 2028, the Secretary
5	shall establish a process through
6	which a pharmacy may submit to the
7	Secretary an allegation of a violation
8	by a PDP sponsor offering a prescrip-
9	tion drug plan of the standards for
10	reasonable and relevant contract
11	terms and conditions under subpara-
12	graph (A)(ii), or of subclause (VIII)
13	of this clause.
14	"(II) FREQUENCY OF SUBMIS-
15	SION.—
16	"(aa) In general.—Except
17	as provided in item (bb), the alle-
18	gation submission process under
19	this clause shall allow pharmacies
20	to submit any allegations of vio-
21	lations described in subclause (I)
22	not more frequently than once
23	per plan year per contract be-
24	tween a pharmacy and a PDP
25	sponsor.

1	"(bb) Allegations relat-
2	ING TO CONTRACT MODIFICA-
3	TIONS.—In the case where a con-
4	tract between a pharmacy and a
5	PDP sponsor is modified fol-
6	lowing the submission of allega-
7	tions by a pharmacy with respect
8	to such contract and plan year,
9	the allegation submission process
10	under this clause shall allow such
11	pharmacy to submit an additional
12	allegation related to those modi-
13	fications with respect to such
14	contract and plan year.
15	"(III) Access to relevant
16	documents and materials.—A
17	PDP sponsor subject to an allegation
18	under this clause—
19	"(aa) shall provide docu-
20	ments or materials, as specified
21	by the Secretary, including con-
22	tract offers made by such spon-
23	sor to such pharmacy or cor-
24	respondence related to such of-
25	fers, to the Secretary at a time,

1	and in a form and manner, speci-
2	fied by the Secretary; and
3	"(bb) shall not prohibit or
4	otherwise limit the ability of a
5	pharmacy to submit such docu-
6	ments or materials to the Sec-
7	retary for the purpose of submit-
8	ting an allegation or providing
9	evidence for such an allegation
10	under this clause.
11	"(IV) Standardized tem-
12	PLATE.—The Secretary shall establish
13	a standardized template for phar-
14	macies to use for the submission of al-
15	legations described in subclause (I).
16	Such template shall require that the
17	submission include a certification by
18	the pharmacy that the information in-
19	cluded is accurate, complete, and true
20	to the best of the knowledge, informa-
21	tion, and belief of such pharmacy.
22	"(V) Preventing frivolous

22 "(V) PREVENTING FRIVOLOUS
23 ALLEGATIONS.—In the case where the
24 Secretary determines that a pharmacy
25 has submitted frivolous allegations

1	under this clause on a routine basis,
2	the Secretary may temporarily pro-
3	hibit such pharmacy from using the
4	allegation submission process under
5	this clause, as determined appropriate
6	by the Secretary.
7	"(VI) EXEMPTION FROM FREE-
8	DOM OF INFORMATION ACT.—Allega-
9	tions submitted under this clause shall
10	be exempt from disclosure under sec-
11	tion 552 of title 5, United States
12	Code.
13	"(VII) RULE OF CONSTRUC-
14	TION.—Nothing in this clause shall be
15	construed as limiting the ability of a
16	pharmacy to pursue other legal ac-
17	tions or remedies, consistent with ap-
18	plicable Federal or State law, with re-
19	spect to a potential violation of a re-
20	quirement described in this subpara-
21	graph.
22	"(VIII) ANTI-RETALIATION AND
23	ANTI-COERCION.—Consistent with ap-
24	plicable Federal or State law, a PDP
25	sponsor shall not—

1	"(aa) retaliate against a
2	pharmacy for submitting any al-
3	legations under this clause; or
4	"(bb) coerce, intimidate,
5	threaten, or interfere with the
6	ability of a pharmacy to submit
7	any such allegations.
8	"(ii) Investigation.—The Secretary
9	shall investigate, as determined appro-
10	priate by the Secretary, allegations sub-
11	mitted pursuant to clause (i).
12	"(iii) Enforcement.—
13	"(I) IN GENERAL.—In the case
14	where the Secretary determines that a
15	PDP sponsor offering a prescription
16	drug plan has violated the standards
17	for reasonable and relevant contract
18	terms and conditions under subpara-
19	graph (A)(ii), the Secretary may use
20	authorities under sections 1857(g)
21	and $1860D-12(b)(3)(E)$ to impose
22	civil monetary penalties or other inter-
23	mediate sanctions.
24	"(II) Application of civil
25	MONETARY PENALTIES.—The provi-

1	sions of section 1128A (other than
2	subsections (a) and (b)) shall apply to
3	a civil monetary penalty under this
4	clause in the same manner as such
5	provisions apply to a penalty or pro-
6	ceeding under section 1128A(a).".
7	(2) Conforming Amendment.—Section
8	1857(g)(1) of the Social Security Act (42 U.S.C.
9	1395w–27(g)(1)) is amended—
10	(A) in subparagraph (J), by striking "or"
11	after the semicolon;
12	(B) by redesignating subparagraph (K) as
13	subparagraph (L);
14	(C) by inserting after subparagraph (J),
15	the following new subparagraph:
16	"(K) fails to comply with the standards for
17	reasonable and relevant contract terms and con-
18	ditions under subparagraph (A)(ii) of section
19	1860D–4(b)(1); or'';
20	(D) in subparagraph (L), as redesignated
21	by subparagraph (B), by striking "through (J)"
22	and inserting "through (K)"; and
23	(E) in the flush matter following subpara-
24	graph (L), as so redesignated, by striking "sub-

2 "subparagraphs (A) through (L)". 3 (d) Accountability of Pharmacy Benefit Man-4 AGERS FOR VIOLATIONS OF REASONABLE AND RELEVANT 5 CONTRACT TERMS AND CONDITIONS.— 6 (1) IN GENERAL.—Section 1860D–12(b) of the 7 Social Security Act (42 U.S.C. 1395w–112) is 8 amended by adding at the end the following new 9 paragraph: 10 "(9) Accountability of pharmacy benefit 11 MANAGERS FOR VIOLATIONS OF REASONABLE AND 12 RELEVANT CONTRACT TERMS AND CONDITIONS .----13 For plan years beginning on or after January 1, 14 2028, each contract entered into with a PDP spon-15 sor under this part with respect to a prescription 16 drug plan offered by such sponsor shall provide that 17 any pharmacy benefit manager acting on behalf of 18 such sponsor has a written agreement with the PDP 19 sponsor under which the pharmacy benefit manager 20 agrees to reimburse the PDP sponsor for any 21 amounts paid by such sponsor under section 1860D-22 4(b)(1)(F)(iii)(I) to the Secretary as a result of a 23 violation described in such section if such violation 24 is related to a responsibility delegated to the phar-25 macy benefit manager by such PDP sponsor.".

1

paragraphs (A) through (K)" and inserting

1	(2) MA-PD plans.—Section $1857(f)(3)$ of the
2	Social Security Act (42 U.S.C. $1395w-27(f)(3)$ ) is
3	amended by adding at the end the following new
4	subparagraph:
5	"(F) Accountability of pharmacy
6	BENEFIT MANAGERS FOR VIOLATIONS OF REA-
7	SONABLE AND RELEVANT CONTRACT TERMS.—
8	For plan years beginning on or after January
9	1, 2028, section 1860D–12(b)(9).".
10	(e) BIENNIAL REPORT ON ENFORCEMENT AND
11	OVERSIGHT OF PHARMACY ACCESS REQUIREMENTS
12	Section 1860D–42 of the Social Security Act (42 U.S.C.
13	1395w–152), as amended by subsection (b), is amended
14	by adding at the end the following new subsection:
15	"(f) BIENNIAL REPORT ON ENFORCEMENT AND
16	OVERSIGHT OF PHARMACY ACCESS REQUIREMENTS.—
17	"(1) IN GENERAL.—Not later than 2 years
18	after the date of enactment of this subsection, and
19	at least once every 2 years thereafter, the Secretary
20	shall publish a report on enforcement and oversight
21	actions and activities undertaken by the Secretary
22	with respect to the requirements under section
23	1860D-4(b)(1).
24	"(2) LIMITATION.—A report under paragraph
25	(1) shall not disclose—

1	"(A) identifiable information about individ-
2	uals or entities unless such information is oth-
3	erwise publicly available; or
4	"(B) trade secrets with respect to any enti-
5	ties.".
6	(f) FUNDING.—In addition to amounts otherwise
7	available, there is appropriated to the Centers for Medi-
8	care & Medicaid Services Program Management Account,
9	out of any money in the Treasury not otherwise appro-
10	priated, \$188,000,000 for fiscal year 2025, to remain
11	available until expended, to carry out this section.
12	SEC. 227. MODERNIZING AND ENSURING PBM ACCOUNT-
13	ABILITY.
14	(a) IN GENERAL.—
15	(1) PRESCRIPTION DRUG PLANS.—Section
16	1860D–12 of the Social Security Act (42 U.S.C.
17	1395w–112) is amended by adding at the end the
	1990 (112) is anonaca sy adding at the ona the
18	following new subsection:
18 19 20	following new subsection:
19	following new subsection: "(h) REQUIREMENTS RELATING TO PHARMACY BEN-
19 20	following new subsection: "(h) REQUIREMENTS RELATING TO PHARMACY BEN- EFIT MANAGERS.—For plan years beginning on or after
19 20 21	following new subsection: "(h) REQUIREMENTS RELATING TO PHARMACY BEN- EFIT MANAGERS.—For plan years beginning on or after January 1, 2028:
19 20 21 22	following new subsection: "(h) REQUIREMENTS RELATING TO PHARMACY BEN- EFIT MANAGERS.—For plan years beginning on or after January 1, 2028: "(1) AGREEMENTS WITH PHARMACY BENEFIT
<ol> <li>19</li> <li>20</li> <li>21</li> <li>22</li> <li>23</li> </ol>	following new subsection: "(h) REQUIREMENTS RELATING TO PHARMACY BEN- EFIT MANAGERS.—For plan years beginning on or after January 1, 2028: "(1) AGREEMENTS WITH PHARMACY BENEFIT MANAGERS.—Each contract entered into with a

1	provide that any pharmacy benefit manager acting
2	on behalf of such sponsor has a written agreement
3	with the PDP sponsor under which the pharmacy
4	benefit manager, and any affiliates of such phar-
5	macy benefit manager, as applicable, agree to meet
6	the following requirements:
7	"(A) No income other than bona fide
8	SERVICE FEES.—
9	"(i) IN GENERAL.—The pharmacy
10	benefit manager and any affiliate of such
11	pharmacy benefit manager shall not derive
12	any remuneration with respect to any serv-
13	ices provided on behalf of any entity or in-
14	dividual, in connection with the utilization
15	of covered part D drugs, from any such en-
16	tity or individual other than bona fide serv-
17	ice fees, subject to clauses (ii) and (iii).
18	"(ii) INCENTIVE PAYMENTS.—For the
19	purposes of this subsection, an incentive
20	payment (as determined by the Secretary)
21	paid by a PDP sponsor to a pharmacy
22	benefit manager that is performing serv-
23	ices on behalf of such sponsor shall be
24	deemed a 'bona fide service fee' (even if
25	such payment does not otherwise meet the

1	definition of such term under paragraph
2	(7)(B)) if such payment is a flat dollar
3	amount, is consistent with fair market
4	value (as specified by the Secretary), is re-
5	lated to services actually performed by the
6	pharmacy benefit manager or affiliate of
7	such pharmacy benefit manager, on behalf
8	of the PDP sponsor making such payment,
9	in connection with the utilization of cov-
10	ered part D drugs, and meets additional
11	requirements, if any, as determined appro-
12	priate by the Secretary.
13	"(iii) Clarification on rebates
14	AND DISCOUNTS USED TO LOWER COSTS
15	FOR COVERED PART D DRUGS.—Rebates,
16	discounts, and other price concessions re-
17	ceived by a pharmacy benefit manager or
18	an affiliate of a pharmacy benefit manager
19	from manufacturers, even if such price
20	concessions are calculated as a percentage
21	of a drug's price, shall not be considered a
22	violation of the requirements of clause (i)
23	if they are fully passed through to a PDP
24	sponsor and are compliant with all regu-
25	latory and subregulatory requirements re-

1	lated to direct and indirect remuneration
2	for manufacturer rebates under this part,
3	including in cases where a PDP sponsor is
4	acting as a pharmacy benefit manager on
5	behalf of a prescription drug plan offered
6	by such PDP sponsor.
7	"(iv) Evaluation of remuneration
8	ARRANGEMENTS.—Components of subsets
9	of remuneration arrangements (such as
10	fees or other forms of compensation paid
11	to or retained by the pharmacy benefit
12	manager or affiliate of such pharmacy ben-
13	efit manager), as determined appropriate
14	by the Secretary, between pharmacy ben-
15	efit managers or affiliates of such phar-
16	macy benefit managers, as applicable, and
17	other entities involved in the dispensing or
18	utilization of covered part D drugs (includ-
19	ing PDP sponsors, manufacturers, phar-
20	macies, and other entities as determined
21	appropriate by the Secretary) shall be sub-
22	ject to review by the Secretary, in con-
23	sultation with the Office of the Inspector
24	General of the Department of Health and
25	Human Services, as determined appro-

1	priate by the Secretary. The Secretary, in
2	consultation with the Office of the Inspec-
3	tor General, shall review whether remu-
4	neration under such arrangements is con-
5	sistent with fair market value (as specified
6	by the Secretary) through reviews and as-
7	sessments of such remuneration, as deter-
8	mined appropriate.
9	"(v) DISGORGEMENT.—The pharmacy
10	benefit manager shall disgorge any remu-
11	neration paid to such pharmacy benefit
12	manager or an affiliate of such pharmacy
13	benefit manager in violation of this sub-
14	paragraph to the PDP sponsor.
15	"(vi) Additional requirements.—
16	The pharmacy benefit manager shall—
17	"(I) enter into a written agree-
18	ment with any affiliate of such phar-
19	macy benefit manager, under which
20	the affiliate shall identify and disgorge
21	any remuneration described in clause
22	(v) to the pharmacy benefit manager;
23	and
24	"(II) attest, subject to any re-
25	quirements determined appropriate by

1	the Secretary, that the pharmacy ben-
2	efit manager has entered into a writ-
3	ten agreement described in subclause
4	(I) with any relevant affiliate of the
5	pharmacy benefit manager.
6	"(B) TRANSPARENCY REGARDING GUARAN-
7	TEES AND COST PERFORMANCE EVALUA-
8	TIONS.—The pharmacy benefit manager shall—
9	"(i) define, interpret, and apply, in a
10	fully transparent and consistent manner
11	for purposes of calculating or otherwise
12	evaluating pharmacy benefit manager per-
13	formance against pricing guarantees or
14	similar cost performance measurements re-
15	lated to rebates, discounts, price conces-
16	sions, or net costs, terms such as—
17	"(I) 'generic drug', in a manner
18	consistent with the definition of the
19	term under section 423.4 of title 42,
20	Code of Federal Regulations, or a suc-
21	cessor regulation;
22	"(II) 'brand name drug', in a
23	manner consistent with the definition
24	of the term under section 423.4 of

1	title 42, Code of Federal Regulations,
2	or a successor regulation;
3	"(III) 'specialty drug';
4	"(IV) 'rebate'; and
5	"(V) 'discount';
6	"(ii) identify any drugs, claims, or
7	price concessions excluded from any pric-
8	ing guarantee or other cost performance
9	measure in a clear and consistent manner;
10	and
11	"(iii) where a pricing guarantee or
12	other cost performance measure is based
13	on a pricing benchmark other than the
14	wholesale acquisition cost (as defined in
15	section $1847A(c)(6)(B))$ of a drug, cal-
16	culate and provide a wholesale acquisition
17	cost-based equivalent to the pricing guar-
18	antee or other cost performance measure.
19	"(C) Provision of information.—
20	"(i) IN GENERAL.—Not later than
21	July 1 of each year, beginning in 2028, the
22	pharmacy benefit manager shall submit to
23	the PDP sponsor, and to the Secretary, a
24	report, in accordance with this subpara-
25	graph, and shall make such report avail-

1	able to such sponsor at no cost to such
2	sponsor in a format specified by the Sec-
3	retary under paragraph (5). Each such re-
4	port shall include, with respect to such
5	PDP sponsor and each plan offered by
6	such sponsor, the following information
7	with respect to the previous plan year:
8	"(I) A list of all drugs covered by
9	the plan that were dispensed includ-
10	ing, with respect to each such drug—
11	"(aa) the brand name, ge-
12	neric or non-proprietary name,
13	and National Drug Code;
14	"(bb) the number of plan
15	enrollees for whom the drug was
16	dispensed, the total number of
17	prescription claims for the drug
18	(including original prescriptions
19	and refills, counted as separate
20	claims), and the total number of
21	dosage units of the drug dis-
22	pensed;
23	"(cc) the number of pre-
24	scription claims described in item
25	(bb) by each type of dispensing

1	channel through which the drug
2	was dispensed, including retail,
3	mail order, specialty pharmacy,
4	long term care pharmacy, home
5	infusion pharmacy, or other types
6	of pharmacies or providers;
7	"(dd) the average wholesale
8	acquisition cost, listed as cost per
9	day's supply, cost per dosage
10	unit, and cost per typical course

of treatment (as applicable);
"(ee) the average wholesale
price for the drug, listed as price
per day's supply, price per dosage unit, and price per typical
course of treatment (as applicable);

18 "(ff) the total out-of-pocket
19 spending by plan enrollees on
20 such drug after application of
21 any benefits under the plan, in22 cluding plan enrollee spending
23 through copayments, coinsurance,
24 and deductibles;

1 2 3	"(gg) total rebates paid by
3	the manufacturer on the drug as
	reported under the Detailed DIR
4	Report (or any successor report)
5	submitted by such sponsor to the
6	Centers for Medicare & Medicaid
7	Services;
8	"(hh) all other direct or in-
9	direct remuneration on the drug
10	as reported under the Detailed
11	DIR Report (or any successor re-
12	port) submitted by such sponsor
13	to the Centers for Medicare &
14	Medicaid Services;
15	"(ii) the average pharmacy
16	reimbursement amount paid by
17	the plan for the drug in the ag-
18	gregate and disaggregated by dis-
19	pensing channel identified in item
20	(cc);
21	"(jj) the average National
22	Average Drug Acquisition Cost
23	(NADAC); and
24	"(kk) total manufacturer-de-
25	rived revenue, inclusive of bona

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1	fide service fees, attributable to
2	the drug and retained by the
3	pharmacy benefit manager and
4	any affiliate of such pharmacy
5	benefit manager.
6	"(II) In the case of a pharmacy
7	benefit manager that has an affiliate
8	that is a retail, mail order, or spe-
9	cialty pharmacy, with respect to drugs
10	covered by such plan that were dis-
11	pensed, the following information:
12	"(aa) The percentage of
13	total prescriptions that were dis-
14	pensed by pharmacies that are an
15	affiliate of the pharmacy benefit
16	manager for each drug.
17	"(bb) The interquartile
18	range of the total combined costs
19	paid by the plan and plan enroll-
20	ees, per dosage unit, per course
21	of treatment, per 30-day supply,
22	and per 90-day supply for each
23	drug dispensed by pharmacies
24	that are not an affiliate of the
25	pharmacy benefit manager and

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that are included in the pharmacy network of such plan.

"(cc) 3 The interquartile 4 range of the total combined costs 5 paid by the plan and plan enroll-6 ees, per dosage unit, per course 7 of treatment, per 30-day supply, 8 and per 90-day supply for each 9 drug dispensed by pharmacies 10 that are an affiliate of the phar-11 macy benefit manager and that 12 are included in the pharmacy 13 network of such plan.

14 "(dd) The lowest total com-15 bined cost paid by the plan and 16 plan enrollees, per dosage unit, 17 per course of treatment, per 30-18 day supply, and per 90-day sup-19 ply, for each drug that is avail-20 able from any pharmacy included 21 in the pharmacy network of such 22 plan. "(ee) The difference between 23

the average acquisition cost ofthe affiliate, such as a pharmacy

1	or other entity that acquires pre-
2	scription drugs, that initially ac-
3	quires the drug and the amount
4	reported under subclause (I)(jj)
5	for each drug.
6	"(ff) A list inclusive of the
7	brand name, generic or non-pro-
8	prietary name, and National
9	Drug Code of covered part D
10	drugs subject to an agreement
11	with a covered entity under sec-
12	tion 340B of the Public Health
13	Service Act for which the phar-
14	macy benefit manager or an affil-
15	iate of the pharmacy benefit
16	manager had a contract or other
17	arrangement with such a covered
18	entity in the service area of such
19	plan.
20	"(III) Where a drug approved
21	under section 505(c) of the Federal
22	Food, Drug, and Cosmetic Act (re-
23	ferred to in this subclause as the 'list-
24	ed drug') is covered by the plan, the

following information:

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1	"(aa) A list of currently
2	marketed generic drugs approved
3	under section 505(j) of the Fed-
4	eral Food, Drug, and Cosmetic
5	Act pursuant to an application
6	that references such listed drug
7	that are not covered by the plan,
8	are covered on the same for-
9	mulary tier or a formulary tier
10	typically associated with higher
11	cost-sharing than the listed drug,
12	or are subject to utilization man-
13	agement that the listed drug is
14	not subject to.
15	"(bb) The estimated average
16	beneficiary cost-sharing under
17	the plan for a 30-day supply of
18	the listed drug.
19	"(cc) Where a generic drug
20	listed under item (aa) is on a for-
21	mulary tier typically associated
22	with higher cost-sharing than the
23	listed drug, the estimated aver-
24	age cost-sharing that a bene-
25	ficiary would have paid for a 30-

1	day supply of each of the generic
2	drugs described in item (aa), had
3	the plan provided coverage for
4	such drugs on the same for-
5	mulary tier as the listed drug.
6	"(dd) A written justification
7	for providing more favorable cov-
8	erage of the listed drug than the
9	generic drugs described in item
10	(aa).
11	"(ee) The number of cur-
12	rently marketed generic drugs
13	approved under section 505(j) of
14	the Federal Food, Drug, and
15	Cosmetic Act pursuant to an ap-
16	plication that references such
17	listed drug.
18	"(IV) Where a reference product
19	(as defined in section 351(i) of the
20	Public Health Service Act) is covered
21	by the plan, the following information:
22	"(aa) A list of currently
23	marketed biosimilar biological
24	products licensed under section
25	351(k) of the Public Health

1	Service Act pursuant to an appli-
2	cation that refers to such ref-
3	erence product that are not cov-
4	ered by the plan, are covered on
5	the same formulary tier or a for-
6	mulary tier typically associated
7	with higher cost-sharing than the
8	reference product, or are subject
9	to utilization management that
10	the reference product is not sub-
11	ject to.
12	"(bb) The estimated average
13	beneficiary cost-sharing under
14	the plan for a 30-day supply of
15	the reference product.
16	"(cc) Where a biosimilar bi-
17	ological product listed under item
18	(aa) is on a formulary tier typi-
19	cally associated with higher cost-
20	sharing than the reference prod-
21	uct, the estimated average cost-
22	sharing that a beneficiary would
23	have paid for a 30-day supply of
24	each of the biosimilar biological
25	products described in item (aa),

1	had the plan provided coverage
2	for such products on the same
	_
3	formulary tier as the reference
4	product.
5	"(dd) A written justification
6	for providing more favorable cov-
7	erage of the reference product
8	than the biosimilar biological
9	product described in item (aa).
10	"(ee) The number of cur-
11	rently marketed biosimilar bio-
12	logical products licensed under
13	section 351(k) of the Public
14	Health Service Act, pursuant to
15	an application that refers to such
16	reference product.
17	"(V) Total gross spending on
18	covered part D drugs by the plan, not
19	net of rebates, fees, discounts, or
20	other direct or indirect remuneration.
21	"(VI) The total amount retained
22	by the pharmacy benefit manager or
23	an affiliate of such pharmacy benefit
24	manager in revenue related to utiliza-
25	tion of covered part D drugs under

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1	that plan, inclusive of bona fide serv-
2	ice fees.
3	"(VII) The total spending on cov-
4	ered part D drugs net of rebates, fees,
5	discounts, or other direct and indirect
6	remuneration by the plan.
7	"(VIII) An explanation of any
8	benefit design parameters under such
9	plan that encourage plan enrollees to
10	fill prescriptions at pharmacies that
11	are an affiliate of such pharmacy ben-
12	efit manager, such as mail and spe-
13	cialty home delivery programs, and re-
14	tail and mail auto-refill programs.
15	"(IX) The following information:
16	"(aa) A list of all brokers,
17	consultants, advisors, and audi-
18	tors that receive compensation
19	from the pharmacy benefit man-
20	ager or an affiliate of such phar-
21	macy benefit manager for refer-
22	rals, consulting, auditing, or
23	other services offered to PDP
24	sponsors related to pharmacy
25	benefit management services.

1	"(bb) The amount of com-
2	pensation provided by such phar-
3	macy benefit manager or affiliate
4	to each such broker, consultant,
5	advisor, and auditor.
6	"(cc) The methodology for
7	calculating the amount of com-
8	pensation provided by such phar-
9	macy benefit manager or affil-
10	iate, for each such broker, con-
11	sultant, advisor, and auditor.
12	"(X) A list of all affiliates of the
13	pharmacy benefit manager.
14	"(XI) A summary document sub-
15	mitted in a standardized template de-
16	veloped by the Secretary that includes
17	such information described in sub-
18	clauses (I) through (X).
19	"(ii) Written explanation of con-
20	TRACTS OR AGREEMENTS WITH DRUG
21	MANUFACTURERS.—
22	"(I) IN GENERAL.—The phar-
23	macy benefit manager shall, not later
24	than 30 days after the finalization of
25	any contract or agreement between

1	such pharmacy benefit manager or an
2	affiliate of such pharmacy benefit
3	manager and a drug manufacturer (or
4	subsidiary, agent, or entity affiliated
5	with such drug manufacturer) that
6	makes rebates, discounts, payments,
7	or other financial incentives related to
8	one or more covered part D drugs or
9	other prescription drugs, as applica-
10	ble, of the manufacturer directly or
11	indirectly contingent upon coverage,
12	formulary placement, or utilization
13	management conditions on any other
14	covered part D drugs or other pre-
15	scription drugs, as applicable, submit
16	to the PDP sponsor a written expla-
17	nation of such contract or agreement.
18	"(II) REQUIREMENTS.—A writ-
19	ten explanation under subclause (I)
20	shall—
21	"(aa) include the manufac-
22	turer subject to the contract or
23	agreement, all covered part D
24	drugs and other prescription
25	drugs, as applicable, subject to

1	the contract or agreement and
2	the manufacturers of such drugs,
3	and a high-level description of
4	the terms of such contract or
5	agreement and how such terms
6	apply to such drugs; and
7	"(bb) be certified by the
8	Chief Executive Officer Chief Fi

Chief Executive Officer, Chief Fi-8 9 nancial Officer, or General Counsel of such pharmacy benefit 10 manager, or affiliate of such 11 pharmacy benefit manager, as 12 13 applicable, or an individual dele-14 gated with the authority to sign 15 on behalf of one of these officers, who reports directly to the offi-16 17 cer.

18 "(III) DEFINITION OF OTHER
19 PRESCRIPTION DRUGS.—For purposes
20 of this clause, the term 'other pre21 scription drugs' means prescription
22 drugs covered as supplemental bene23 fits under this part or prescription
24 drugs paid outside of this part.

25 "(D) Audit rights.—

1	"(i) IN GENERAL.—Not less than once
2	a year, at the request of the PDP sponsor,
3	the pharmacy benefit manager shall allow
4	for an audit of the pharmacy benefit man-
5	ager to ensure compliance with all terms
6	and conditions under the written agree-
7	ment described in this paragraph and the
8	accuracy of information reported under
9	subparagraph (C).
10	"(ii) Auditor.—The PDP sponsor
11	shall have the right to select an auditor.
12	The pharmacy benefit manager shall not
13	impose any limitations on the selection of
14	such auditor.
15	"(iii) Provision of information.—
16	The pharmacy benefit manager shall make
17	available to such auditor all records, data,
18	contracts, and other information necessary
19	to confirm the accuracy of information
20	provided under subparagraph (C), subject
21	to reasonable restrictions on how such in-
22	formation must be reported to prevent re-
23	disclosure of such information.
24	"(iv) TIMING.—The pharmacy benefit
25	manager must provide information under

1	clause (iii) and other information, data,
2	and records relevant to the audit to such
3	auditor within 6 months of the initiation of
4	the audit and respond to requests for addi-
5	tional information from such auditor with-
6	in 30 days after the request for additional
7	information.
8	"(v) INFORMATION FROM AFFILI-
9	ATES.—The pharmacy benefit manager
10	shall be responsible for providing to such
11	auditor information required to be reported
12	under subparagraph (C) or under clause
13	(iii) of this subparagraph that is owned or
14	held by an affiliate of such pharmacy ben-
15	efit manager.
16	"(2) Enforcement.—
17	"(A) IN GENERAL.—Each PDP sponsor
18	shall—
19	"(i) disgorge to the Secretary any
20	amounts disgorged to the PDP sponsor by
21	a pharmacy benefit manager under para-
22	graph $(1)(A)(v);$
23	"(ii) require, in a written agreement
24	with any pharmacy benefit manager acting
25	on behalf of such sponsor or affiliate of

1	such pharmacy benefit manager, that such
2	pharmacy benefit manager or affiliate re-
3	imburse the PDP sponsor for any civil
4	money penalty imposed on the PDP spon-
5	sor as a result of the failure of the phar-
6	macy benefit manager or affiliate to meet
7	the requirements of paragraph $(1)$ that are
8	applicable to the pharmacy benefit man-
9	ager or affiliate under the agreement; and
10	"(iii) require, in a written agreement
11	with any such pharmacy benefit manager
12	acting on behalf of such sponsor or affil-
13	iate of such pharmacy benefit manager,
14	that such pharmacy benefit manager or af-
15	filiate be subject to punitive remedies for
16	breach of contract for failure to comply
17	with the requirements applicable under
18	paragraph (1).
19	"(B) REPORTING OF ALLEGED VIOLA-
20	TIONS.—The Secretary shall make available and
21	maintain a mechanism for manufacturers, PDP
22	sponsors, pharmacies, and other entities that
23	have contractual relationships with pharmacy
24	benefit managers or affiliates of such pharmacy
25	benefit managers to report, on a confidential

1	basis, alleged violations of paragraph (1)(A) or
2	subparagraph (C).
3	"(C) ANTI-RETALIATION AND ANTI-COER-
4	CION.—Consistent with applicable Federal or
5	State law, a PDP sponsor shall not—
6	"(i) retaliate against an individual or
7	entity for reporting an alleged violation
8	under subparagraph (B); or
9	"(ii) coerce, intimidate, threaten, or
10	interfere with the ability of an individual
11	or entity to report any such alleged viola-
12	tions.
13	"(3) CERTIFICATION OF COMPLIANCE.—
14	"(A) IN GENERAL.—Each PDP sponsor
15	shall furnish to the Secretary (at a time and in
16	a manner specified by the Secretary) an annual
17	certification of compliance with this subsection,
18	as well as such information as the Secretary de-
19	termines necessary to carry out this subsection.
20	"(B) IMPLEMENTATION.—Notwithstanding
21	any other provision of law, the Secretary may
22	implement this paragraph by program instruc-
23	tion or otherwise.
24	"(4) RULE OF CONSTRUCTION.—Nothing in
25	this subsection shall be construed as—

1	"(A) prohibiting flat dispensing fees or re-
2	imbursement or payment for ingredient costs
3	(including customary, industry-standard dis-
4	counts directly related to drug acquisition that
5	are retained by pharmacies or wholesalers) to
6	entities that acquire or dispense prescription
7	drugs; or
8	"(B) modifying regulatory requirements or
9	sub-regulatory program instruction or guidance
10	related to pharmacy payment, reimbursement,
11	or dispensing fees.
12	"(5) Standard formats.—
13	"(A) IN GENERAL.—Not later than June
14	1, 2027, the Secretary shall specify standard,
15	machine-readable formats for pharmacy benefit
16	managers to submit annual reports required
17	under paragraph (1)(C)(i).
18	"(B) IMPLEMENTATION.—Notwithstanding
19	any other provision of law, the Secretary may
20	implement this paragraph by program instruc-
21	tion or otherwise.
22	"(6) Confidentiality.—
23	"(A) IN GENERAL.—Information disclosed
24	by a pharmacy benefit manager, an affiliate of
25	a pharmacy benefit manager, a PDP sponsor,

1	or a pharmacy under this subsection that is not
2	otherwise publicly available or available for pur-
3	chase shall not be disclosed by the Secretary or
4	a PDP sponsor receiving the information, ex-
5	cept that the Secretary may disclose the infor-
6	mation for the following purposes:
7	"(i) As the Secretary determines nec-
8	essary to carry out this part.
9	"(ii) To permit the Comptroller Gen-
10	eral to review the information provided.
11	"(iii) To permit the Director of the
12	Congressional Budget Office to review the
13	information provided.
14	"(iv) To permit the Executive Direc-
15	tor of the Medicare Payment Advisory
16	Commission to review the information pro-
17	vided.
18	"(v) To the Attorney General for the
19	purposes of conducting oversight and en-
20	forcement under this title.
21	"(vi) To the Inspector General of the
22	Department of Health and Human Serv-
23	ices in accordance with its authorities
24	under the Inspector General Act of 1978

(section 406 of title 5, United States 1 2 Code), and other applicable statutes. "(B) RESTRICTION ON USE OF INFORMA-3 4 TION.—The Secretary, the Comptroller General, 5 the Director of the Congressional Budget Of-6 fice, and the Executive Director of the Medicare 7 Payment Advisory Commission shall not report 8 on or disclose information disclosed pursuant to 9 subparagraph (A) to the public in a manner 10 that would identify— "(i) a specific pharmacy benefit man-11 12 ager, affiliate, pharmacy, manufacturer, 13 wholesaler, PDP sponsor, or plan; or 14 "(ii) contract prices, rebates, dis-15 counts, or other remuneration for specific 16 drugs in a manner that may allow the 17 identification of specific contracting parties 18 or of such specific drugs. 19 "(7) DEFINITIONS.—For purposes of this sub-20 section: "(A) AFFILIATE.—The term 'affiliate' 21 22 means, with respect to any pharmacy benefit 23 manager or PDP sponsor, any entity that, directly or indirectly— 24

1	"(i) owns or is owned by, controls or
2	is controlled by, or is otherwise related in
3	any ownership structure to such pharmacy
4	benefit manager or PDP sponsor; or
5	"(ii) acts as a contractor, principal, or
6	agent to such pharmacy benefit manager
7	or PDP sponsor, insofar as such con-
8	tractor, principal, or agent performs any of
9	the functions described under subpara-
10	graph (C).
11	"(B) Bona fide service fee.—The term
12	'bona fide service fee' means a fee that is reflec-
13	tive of the fair market value (as specified by the
14	Secretary, through notice and comment rule-
15	making) for a bona fide, itemized service actu-
16	ally performed on behalf of an entity, that the
17	entity would otherwise perform (or contract for)
18	in the absence of the service arrangement and
19	that is not passed on in whole or in part to a
20	client or customer, whether or not the entity
21	takes title to the drug. Such fee must be a flat
22	dollar amount and shall not be directly or indi-
23	rectly based on, or contingent upon—

"(i) drug price, such as wholesale ac-1 2 quisition cost or drug benchmark price 3 (such as average wholesale price); "(ii) the amount of discounts, rebates, 4 fees, or other direct or indirect remunera-5 6 tion with respect to covered part D drugs 7 dispensed to enrollees in a prescription 8 drug plan, except as permitted pursuant to 9 paragraph (1)(A)(ii); 10 "(iii) coverage or formulary placement 11 decisions or the volume or value of any re-12 ferrals or business generated between the 13 parties to the arrangement; or 14 "(iv) any other amounts or meth-15 odologies prohibited by the Secretary. "(C) PHARMACY BENEFIT MANAGER.—The 16 17 term 'pharmacy benefit manager' means any 18 person or entity that, either directly or through 19 an intermediary, acts as a price negotiator or 20 group purchaser on behalf of a PDP sponsor or prescription drug plan, or manages the pre-21 22 scription drug benefits provided by such spon-23 sor or plan, including the processing and pay-24 ment of claims for prescription drugs, the per-

formance of drug utilization review, the proc-

1	essing of drug prior authorization requests, the
2	adjudication of appeals or grievances related to
3	the prescription drug benefit, contracting with
4	network pharmacies, controlling the cost of cov-
5	ered part D drugs, or the provision of related
6	services. Such term includes any person or enti-
7	ty that carries out one or more of the activities
8	described in the preceding sentence, irrespective
9	of whether such person or entity calls itself a
10	'pharmacy benefit manager'.".
11	(2) MA–PD plans.—Section $1857(f)(3)$ of the
12	Social Security Act (42 U.S.C. $1395w-27(f)(3)$ ) is
13	amended by adding at the end the following new
14	subparagraph:
15	"(F) REQUIREMENTS RELATING TO PHAR-
16	MACY BENEFIT MANAGERS.—For plan years be-
17	ginning on or after January 1, 2028, section
18	1860D–12(h).".
19	(3) Nonapplication of paperwork reduc-
20	TION ACT.—Chapter 35 of title 44, United States
21	Code, shall not apply to the implementation of this
22	subsection.
23	(4) FUNDING.—
24	(A) Secretary.—In addition to amounts

25 otherwise available, there is appropriated to the

1	Centers for Medicare & Medicaid Services Pro-
2	gram Management Account, out of any money
3	in the Treasury not otherwise appropriated,
4	113,000,000 for fiscal year 2025, to remain
5	available until expended, to carry out this sub-
6	section.
7	(B) OIG.—In addition to amounts other-
8	wise available, there is appropriated to the In-
9	spector General of the Department of Health
10	and Human Services, out of any money in the
11	Treasury not otherwise appropriated,
12	20,000,000 for fiscal year 2025, to remain
13	available until expended, to carry out this sub-
14	section.
15	(b) GAO STUDY AND REPORT ON PRICE-RELATED
16	Compensation Across the Supply Chain.—
17	(1) Study.—The Comptroller General of the
18	United States (in this subsection referred to as the
19	"Comptroller General") shall conduct a study de-
20	scribing the use of compensation and payment struc-
21	tures related to a prescription drug's price within
22	the retail prescription drug supply chain in part D
23	of title XVIII of the Social Security Act (42 U.S.C.
24	1395w–101 et seq.). Such study shall summarize in-

perts, to the extent available, with respect to the fol lowing:

3	(A) The type, magnitude, other features
4	(such as the pricing benchmarks used), and
5	prevalence of compensation and payment struc-
6	tures related to a prescription drug's price,
7	such as calculating fee amounts as a percentage
8	of a prescription drug's price, between inter-
9	mediaries in the prescription drug supply chain,
10	including—
11	(i) pharmacy benefit managers;
12	(ii) PDP sponsors offering prescrip-
13	tion drug plans and Medicare Advantage
14	organizations offering MA–PD plans;
15	(iii) drug wholesalers;
16	(iv) pharmacies;
17	(v) manufacturers;
18	(vi) pharmacy services administrative
19	organizations;
20	(vii) brokers, auditors, consultants,
21	and other entities that—
22	(I) advise PDP sponsors offering
23	prescription drug plans and Medicare
24	Advantage organizations offering MA–

1	DD plang recording pharmager have
1	PD plans regarding pharmacy bene-
2	fits; or
3	(II) review PDP sponsor and
4	Medicare Advantage organization con-
5	tracts with pharmacy benefit man-
6	agers; and
7	(viii) other service providers that con-
8	tract with any of the entities described in
9	clauses (i) through (vii) that may use
10	price-related compensation and payment
11	structures, such as rebate aggregators (or
12	other entities that negotiate or process
13	price concessions on behalf of pharmacy
14	benefit managers, plan sponsors, or phar-
15	macies).
16	(B) The primary business models and com-
17	pensation structures for each category of inter-
18	mediary described in subparagraph (A).
19	(C) Variation in price-related compensation
20	structures between affiliated entities (such as
21	entities with common ownership, either full or
22	partial, and subsidiary relationships) and unaf-
23	filiated entities.
24	(D) Potential conflicts of interest among
25	contracting entities related to the use of pre-

1	scription drug price-related compensation struc-
2	tures, such as the potential for fees or other
3	payments set as a percentage of a prescription
4	drug's price to advantage formulary selection,
5	distribution, or purchasing of prescription drugs
6	with higher prices.
7	(E) Notable differences, if any, in the use
8	and level of price-based compensation struc-
9	tures over time and between different market
10	segments, such as under part D of title XVIII
11	of the Social Security Act (42 U.S.C. 1395w-
12	101 et seq.) and the Medicaid program under
13	title XIX of such Act (42 U.S.C. 1396 et seq.).
14	(F) The effects of drug price-related com-
15	pensation structures and alternative compensa-
16	tion structures on Federal health care programs
17	and program beneficiaries, including with re-
18	spect to cost-sharing, premiums, Federal out-
19	lays, biosimilar and generic drug adoption and
20	utilization, drug shortage risks, and the poten-
21	tial for fees set as a percentage of a drug's
22	price to advantage the formulary selection, dis-
23	tribution, or purchasing of drugs with higher
24	prices.

1	(G) Other issues determined to be relevant
2	and appropriate by the Comptroller General.
3	(2) REPORT.—Not later than 2 years after the
4	date of enactment of this section, the Comptroller
5	General shall submit to Congress a report containing
6	the results of the study conducted under paragraph
7	(1), together with recommendations for such legisla-
8	tion and administrative action as the Comptroller
9	General determines appropriate.
10	(c) MedPAC Reports on Agreements With
11	PHARMACY BENEFIT MANAGERS WITH RESPECT TO PRE-
12	SCRIPTION DRUG PLANS AND MA-PD PLANS.—
13	(1) IN GENERAL.—The Medicare Payment Ad-
14	visory Commission shall submit to Congress the fol-
15	lowing reports:
16	(A) INITIAL REPORT.—Not later than the
17	first March 15 occurring after the date that is
18	2 years after the date on which the Secretary
19	makes the data available to the Commission, a
20	report regarding agreements with pharmacy
21	benefit managers with respect to prescription
22	drug plans and MA–PD plans. Such report
23	shall include, to the extent practicable—
24	(i) a description of trends and pat-
25	terns, including relevant averages, totals,

1	and other figures for the types of informa-
2	tion submitted;
3	(ii) an analysis of any differences in
4	agreements and their effects on plan en-
5	rollee out-of-pocket spending and average
6	pharmacy reimbursement, and other im-
7	pacts; and
8	(iii) any recommendations the Com-
9	mission determines appropriate.
10	(B) FINAL REPORT.—Not later than 2
11	years after the date on which the Commission
12	submits the initial report under subparagraph
13	(A), a report describing any changes with re-
14	spect to the information described in subpara-
15	graph (A) over time, together with any rec-
16	ommendations the Commission determines ap-
17	propriate.
18	(2) FUNDING.—In addition to amounts other-
19	wise available, there is appropriated to the Medicare
20	Payment Advisory Commission, out of any money in
21	the Treasury not otherwise appropriated,
22	\$1,000,000 for fiscal year 2025, to remain available
23	until expended, to carry out this subsection.

1	SEC. 228. REQUIRING A SEPARATE IDENTIFICATION NUM-
2	BER AND AN ATTESTATION FOR EACH OFF-
3	CAMPUS OUTPATIENT DEPARTMENT OF A
4	PROVIDER.
5	(a) IN GENERAL.—Section 1833(t) of the Social Se-
6	curity Act (42 U.S.C. $1395l(t)$ ) is amended by adding at
7	the end the following new paragraph:
8	"(23) Use of unique health identifiers;
9	ATTESTATION.—
10	"(A) IN GENERAL.—No payment may be
11	made under this subsection (or under an appli-
12	cable payment system pursuant to paragraph
13	(21)) for items and services furnished on or
14	after January 1, 2026, by an off-campus out-
15	patient department of a provider (as defined in
16	subparagraph (C)) unless—
17	"(i) such department has obtained,
18	and such items and services are billed
19	under, a standard unique health identifier
20	for health care providers (as described in
21	section 1173(b)) that is separate from
22	such identifier for such provider;
23	"(ii) such provider has submitted to
24	the Secretary, during the 2-year period
25	ending on the date such items and services
26	are so furnished, an initial provider-based

1	status attestation that such department is
2	compliant with the requirements described
3	in section 413.65 of title 42, Code of Fed-
4	eral Regulations (or a successor regula-
5	tion); and
6	"(iii) after such provider has sub-
7	mitted an attestation under clause (ii),
8	such provider has submitted a subsequent
9	attestation within the timeframe specified
10	by the Secretary.
11	"(B) PROCESS FOR SUBMISSION AND RE-
12	VIEW.—Not later than 1 year after the date of
13	enactment of this paragraph, the Secretary
14	shall, through notice and comment rulemaking,
15	establish a process for each provider with an
16	off-campus outpatient department of a provider
17	to submit an initial and subsequent attestation
18	pursuant to clauses (ii) and (iii), respectively, of
19	subparagraph (A), and for the Secretary to re-
20	view each such attestation and determine,
21	through site visits, remote audits, or other
22	means (as determined appropriate by the Sec-
23	retary), whether such department is compliant
24	with the requirements described in such sub-
25	paragraph.

1	"(C) Off-campus outpatient depart-
2	MENT OF A PROVIDER DEFINED.—For purposes
3	of this paragraph, the term 'off-campus out-
4	patient department of a provider' means a de-
5	partment of a provider (as defined in section
6	413.65 of title 42, Code of Federal Regulations,
7	or any successor regulation) that is not lo-
8	cated—
9	"(i) on the campus (as defined in such
10	section) of such provider; or
11	"(ii) within the distance (described in
12	such definition of campus) from a remote
13	location of a hospital facility (as defined in
14	such section).".
15	(b) HHS OIG ANALYSIS.—Not later than January
16	1, 2030, the Inspector General of the Department of
17	Health and Human Services shall submit to Congress—
18	(1) an analysis of the process established by the
19	Secretary of Health and Human Services to conduct
20	the reviews and determinations described in section
21	1833(t)(23)(B) of the Social Security Act, as added
22	by subsection (a) of this section; and
23	(2) recommendations based on such analysis, as
24	the Inspector General determines appropriate.

#### 1 SEC. 229. MEDICARE SEQUESTRATION.

8

2 Section 251A(6) of the Balanced Budget and Emer3 gency Deficit Control Act of 1985 (2 U.S.C. 901a(6)) is
4 amended—

5 (1) in subparagraph (D), by striking "such 6 that," and all that follows and inserting "such that 7 the payment reduction shall be 2.0 percent."; and

(2) by adding at the end the following:

9 "(F) On the date on which the President sub-10 mits the budget under section 1105 of title 31, 11 United States Code, for fiscal year 2033, the Presi-12 dent shall order a sequestration of payments for the 13 Medicare programs specified in section 256(d), effec-14 tive upon issuance, such that, notwithstanding the 2 15 percent limit specified in subparagraph (A) for such 16 payments-

"(i) with respect to the first 2 months in
which such order is effective for such fiscal
year, the payment reduction shall be 2.0 percent; and

21 "(ii) with respect to the last 10 months in
22 which such order is effective for such fiscal
23 year, the payment reduction shall be 0 per24 cent.".

SEC. 230. MEDICARE IMPROVEMENT FUND.

2 Section 1898(b)(1) of the Social Security Act (42
3 U.S.C. 1395iii(b)(1)) is amended by striking
4 "\$3,197,000,000" and inserting "\$1,891,500,000".

## 5 **TITLE III—HUMAN SERVICES**

6 Subtitle A—Reauthorize Child Wel-

fare Services and Strengthen
8 State and Tribal Child Support

### 9 **Program**

1

10 SEC. 301. SHORT TITLE.

11 This subtitle may be cited as the "Supporting Amer-12 ica's Children and Families Act".

# 13 PART 1—CHILD WELFARE REAUTHORIZATION

14AND MODERNIZATION

### 15 SEC. 311. SHORT TITLE; REFERENCES.

(a) SHORT TITLE.—This part may be cited as the
"Protecting America's Children by Strengthening Families Act".

(b) REFERENCES.—Except as otherwise expressly
provided, wherever in this part an amendment or repeal
is expressed in terms of an amendment to, or repeal of,
a section or other provision, the reference shall be considered to be made to that section or other provision of the
Social Security Act.

3 (a) REAUTHORIZATION OF SUBPART 1; DISCRE4 TIONARY FUNDING.—Section 425 (42 U.S.C. 625) is
5 amended by striking "2017 through 2023" and inserting
6 "2025 through 2029".

7 (b) REAUTHORIZATION OF SUBPART 2; ENHANCED
8 SUPPORT.—Section 436(a) (42 U.S.C. 629f(a)) is amend9 ed by striking "each of fiscal years 2017 through 2023"
10 and inserting "fiscal year 2025 and \$420,000,000 for
11 each of fiscal years 2026 through 2029".

(c) REAUTHORIZATION OF SUBPART 2; DISCRETIONARY FUNDING.—Section 437(a) (42 U.S.C. 629g(a))
is amended by striking "2017 through 2023" and inserting "2025 through 2029".

16 (d) FUNDING LIMITATION.—Section 423(a)(2)(A)
17 (42 U.S.C. 623(a)(2)(A)) is amended by inserting ", not
18 to exceed \$10,000,000" before the semicolon.

# 19SEC. 313. ENHANCEMENTS TO THE COURT IMPROVEMENT20PROGRAM.

(a) INCREASE IN RESERVATION OF FUNDS.—Section
436(b)(2) (42 U.S.C. 629f(b)(2)) is amended by inserting
"for fiscal year 2025 and \$40,000,000 for fiscal year 2026
and each succeeding fiscal year" before "for grants".

25 (b) EXTENSION OF STATE MATCH REQUIREMENT.—
26 Section 438(d) (42 U.S.C. 629h(d)) is amended by strik•HR 10445 IH

ing "2017 through 2023" and inserting "2025 through 1 2 2029".

3 (c) PROGRAM IMPROVEMENTS.—Section 438(a) (42 4 U.S.C. 629h(a)) is amended—

(1) in paragraph (1), by adding at the end the 5 6 following:

7 "(F) that determine the appropriateness 8 and best practices for use of technology to con-9 duct remote hearings, subject to participant 10 consent, including to ensure maximum partici-11 pation of individuals involved in proceedings 12 and to enable courts to maintain operations in 13 times of public health or other emergencies;";

14 (2) in paragraph (2)(C), by striking "per-15 sonnel." and inserting "personnel and supporting optimal use of remote hearing technology; and"; and 16 17

(3) by adding at the end the following:

18 "(3) to ensure continuity of needed court serv-19 ices, prevent disruption of the services, and enable 20 their recovery from threats such as public health crises, natural disasters or cyberattacks, including 21 22 through-

"(A) support for technology that allows 23 24 court proceedings to occur remotely subject to

1	participant consent, including hearings and
2	legal representation;
3	"(B) the development of guidance and pro-
4	tocols for responding to the occurrences and co-
5	ordinating with other agencies; and
6	"(C) other activities carried out to ensure
7	backup systems are in place.".
8	(d) Implementation Guidance on Sharing Best
9	PRACTICES FOR TECHNOLOGICAL CHANGES NEEDED FOR
10	REMOTE COURT PROCEEDINGS FOR FOSTER CARE OR
11	ADOPTION.—Section 438 (42 U.S.C. 629h) is amended by
12	adding at the end the following:
13	"(e) GUIDANCE.—
14	"(1) IN GENERAL.—Every 5 years, the Sec-
15	retary shall issue implementation guidance for shar-
16	ing information on best practices for—
17	"(A) technological changes needed for
18	court proceedings for foster care, guardianship,
19	or adoption to be conducted remotely in a way
20	that maximizes engagement and protects the
21	privacy of participants; and
22	"(B) the manner in which the proceedings
23	should be conducted.
24	"(2) INITIAL ISSUANCE.—The Secretary shall
25	issue initial guidance required by paragraph (1) with

preliminary information on best practices not later
 than October 1, 2025.

3 "(3) Additional consultation.—The Sec-4 retary shall consult with Indian tribes on the devel-5 opment of appropriate guidelines for State court proceedings involving Indian children to maximize 6 7 engagement of Indian tribes and provide appropriate 8 guidelines on conducting State court proceedings 9 subject to the Indian Child Welfare Act of 1978 (25) 10 U.S.C. 1901 et seq.).".

SEC. 314. EXPANDING REGIONAL PARTNERSHIP GRANTS
 TO ADDRESS PARENTAL SUBSTANCE USE DIS ORDER AS CAUSE OF CHILD REMOVAL.

(a) INCREASE IN RESERVATION OF FUNDS.—Section
436(b)(5) (42 U.S.C. 629f(b)(5)) is amended by striking
"each of fiscal years 2017 through 2023" and inserting
"fiscal year 2025 and \$30,000,000 for fiscal year 2026
and each succeeding fiscal year".

19 (b) REAUTHORIZATION.—Section 437(f) (42 U.S.C.
20 629g(f)) is amended—

21 (1) in paragraph (3)(A)—

(A) by striking "In addition to amounts
authorized to be appropriated to carry out this
section, the" and inserting "The"; and

	011
1	(B) by striking "2017 through 2023" and
2	inserting "2025 through 2029"; and
3	(2) in paragraph $(10)$ , by striking "for each of
4	fiscal years 2017 through 2023".
5	(c) Authority to Waive Planning Phase.—Sec-
6	tion $437(f)(3)(B)(iii)$ (42 U.S.C. $629g(f)(3)(B)(iii))$ is
7	amended—
8	(1) by striking all that precedes "grant award-
9	ed" and inserting the following:
10	"(iii) Sufficient planning.—
11	"(I) IN GENERAL.—A"; and
12	(2) by striking "may not exceed \$250,000,
13	and"; and
14	(3) by adding after and below the end the fol-
15	lowing:
16	"(II) EXCEPTION.—The Sec-
17	retary, on a case-by-case basis, may
18	waive the planning phase for a part-
19	nership that demonstrates that the
20	partnership has engaged in sufficient
21	planning before submitting an appli-
22	cation for a grant under this sub-
23	section.".
24	(d) Expanding Availability of Evidence-based
25	SERVICES.—

1	(1) IN GENERAL.—Section 437(f)(1) (42 U.S.C.
2	629g(f)(1)) is amended by inserting ", and expand
3	the scope of the evidence-based services that may be
4	approved by the clearinghouse established under sec-
5	tion 476(d)" before the period.
6	(2) Considerations for awarding
7	GRANTS.—Section $437(f)(7)$ (42 U.S.C. $629g(f)(7)$ )
8	is amended—
9	(A) by striking "and" at the end of sub-
10	paragraph (D);
11	(B) by striking the period at the end of
12	subparagraph (E) and inserting "; and"; and
13	(C) by adding at the end the following:
14	"(F) have submitted information pursuant
15	to paragraph $(4)(\mathbf{F})$ that demonstrates the ca-
16	pability to participate in rigorous evaluation of
17	program effectiveness.".
18	(e) Technical Assistance on Using Regional
19	PARTNERSHIP GRANT FUNDS IN COORDINATION WITH
20	Other Federal Funds to Better Serve Families
21	AFFECTED BY A SUBSTANCE USE DISORDER.—Section
22	435(d) (42 U.S.C. 629e(d)) is amended—
23	(1) by striking "and" at the end of paragraph
24	(4);

1 (2) by striking the period at the end of para-2 graph (5) and inserting "; and"; and 3 (3) by adding at the end the following: "(6) use grants under section 437(f) in coordi-4 5 nation with other Federal funds to better serve fami-6 lies in the child welfare system that are affected by 7 a substance use disorder.". 8 (f)Performance INDICATORS.—Section 437(f)(8)(A) (42 U.S.C. 629g(f)(8)(A)) is amended in the 9 10 1st sentence— 11 (1) by striking "this subsection" the 1st place 12 it appears and inserting "the Protecting America's 13 Children by Strengthening Families Act"; 14 (2) by inserting "child permanency, reunification, re-entry into care," before "parental recovery"; 15 16 and (3) by inserting ", and access to services for 17 18 families with substance use disorder, including those 19 with children who are overrepresented in foster care, 20 difficult to place, or have disproportionately low per-21 manency rates" before the period. 22 (g) PERFORMANCE INDICATOR CONSULTATION RE-23 QUIRED.—Section 437(f)(8)(B)(42)U.S.C. 24 629g(f)(8)(B) is amended by redesignating clause (iii) as 25 clause (iv) and inserting after clause (ii) the following:

	000
1	"(iii) The Administrator of the Na-
2	tional Institute on Drug Abuse.".
3	(h) Reports to Congress.—Section $437(f)(9)(B)$
4	(42 U.S.C. 629g(f)(9)(B)) is amended—
5	(1) by striking "and" at the end of clause (ii);
6	(2) by striking the period at the end of clause
7	(iii) and inserting "; and"; and
8	(3) by adding at the end the following:
9	"(iv) whether any programs funded by
10	the grants were submitted to the clearing-
11	house established under section 476(d) for
12	review and the results of any such re-
13	view.".
14	(i) Priority for Statewide Service Growth.—
15	Section $437(f)(7)$ (42 U.S.C. $629g(f)(7)$ ), as amended by
16	subsection $(d)(2)$ of this section, is amended—
17	(1) by striking "and" at the end of subpara-
18	graph (E);
19	(2) by striking the period at the end of sub-
20	paragraph (F) and inserting "; and"; and
21	(3) by adding at the end the following:
22	"(G) are a State or public agency, or out-
23	line a plan to increase the availability of serv-
24	ices funded under the grant statewide.".

2 PARTNER.—Section 437(f)(2)(A)(42)U.S.C. 629g(f)(2)(A) is amended by adding at the end the fol-3 4 lowing: "(iii) The most appropriate adminis-5 trative office of the juvenile court or State 6 7 court overseeing court proceedings involv-8 ing families who come to the attention of 9 the court due to child abuse or neglect.". 10 ADDITIONAL OPTIONAL PARTNER.—Section  $(\mathbf{k})$ 11 437(f)(2)(C) (42 U.S.C. 629g(f)(2)(C)) is amended by re-12 designating clause (ix) as clause (x) and inserting after clause (viii) the following: 13 14 "(ix) State or local agencies that ad-15 minister Federal health care, housing, fam-16 ily support, or other related programs.". 17 (1) CONFORMING AMENDMENTS.— 18 (42)U.S.C. (1)Section 437(f)(2)(D)629g(f)(2)(D)) is amended— 19 (A) by adding "and" at the end of clause 20 21 (i); (B) by striking "; and" at the end of 22 23 clause (ii) and inserting a period; and 24 (C) by striking clause (iii).

(j) Addition of Juvenile Court as Required

	002
1	(2) Section $437(f)(2)$ (42 U.S.C. $629g(f)(2)$ ) is
2	amended by striking subparagraph (B) and redesig-
3	nating subparagraphs (C) and (D) as subparagraphs
4	(B) and (C), respectively
5	SEC. 315. MODERNIZATION; REDUCING ADMINISTRATIVE
6	BURDEN.
7	(a) IN GENERAL.—Section 431 (42 U.S.C. 629a) is
8	amended by adding at the end the following:
9	"(c) Use of Technology.—
10	"(1) Use of portal.—The services referred to
11	in subsection (a) may include the means of access to
12	and use of an electronic or digital portal to facilitate
13	the provision of community support to care for and
14	meet specific needs of families and children.
15	"(2) LIMITATION.—Such a portal shall not re-
16	tain or share personally identifiable information
17	about a beneficiary without consent or for any pur-
18	pose other than referral.".
19	(b) Allowing Support for Family Resource
20	CENTERS.—Section 431(a) (42 U.S.C. 629a(a)) is amend-
21	ed—
22	(1) in paragraph (2)(A), by inserting ", includ-
23	ing services provided by family resource centers,"
24	before "designed"; and
25	(2) by adding at the end the following:

1	"(10) FAMILY RESOURCE CENTER.—
2	"(A) IN GENERAL.—The term 'family re-
3	source center' means a community or school-
4	based hub of support services for families
5	that—
6	"(i) utilizes an approach that is multi-
7	generational, strengths-based, and family-
8	centered;
9	"(ii) reflects, and is responsive to,
10	community needs and interests;
11	"(iii) provides support at no or low
12	cost for participants; and
13	"(iv) builds communities of peer sup-
14	port for families, including kinship fami-
15	lies, to develop social connections that re-
16	duce isolation and stress.
17	"(B) Special rule.—For purposes of
18	this subpart, an expenditure for a service pro-
19	vided by a family resource center may be treat-
20	ed as an expenditure for any 1 or more of fam-
21	ily support services, family preservation serv-
22	ices, family reunification services, or adoption
23	promotion and support services as long as the
24	expenditure is related to serving the children
25	and families in the specified category and con-

1	sistent with the overall purpose of the cat-
2	egory.".
3	(c) UPDATING STATE PLAN REQUIREMENT.—Sec-
4	tion $422(b)(1)$ (42 U.S.C. $622(b)(1)$ ) is amended to read
5	as follows:
6	"(1) provide that a State agency will administer
7	or supervise the administration of the plan under
8	this subpart;".
9	(d) Access to Legal Representation.—Section
10	422(b)(4) (42 U.S.C. 622(b)(4)) is amended—
11	(1) by striking "and" at the end of subpara-
12	graph (A);
13	(2) by adding "and" at the end of subpara-
14	graph (B); and
15	(3) by adding at the end the following:
16	"(C) the steps that the State will take to
17	ensure that, with respect to any judicial pro-
18	ceeding involving a child and in which there is
19	an allegation of child abuse or neglect, includ-
20	ing a proceeding on dependency, adoption,
21	guardianship, or termination of parental rights,
22	information about available independent legal
23	representation is provided to—
24	"(i) the child, as appropriate; and

	000
1	"(ii) any individual who is a parent or
2	guardian, or has legal custody, of the
3	child;".
4	(e) Supporting Mental Health and Well-
5	BEING OF CHILDREN IN FOSTER CARE.—Section
6	422(b)(15)(A) (42 U.S.C. 622(b)(15) is amended—
7	(1) in the matter preceding clause (i)—
8	(A) by inserting "and, if applicable, the
9	State agency responsible for mental health serv-
10	ices," before "and in consultation"; and
11	(B) by inserting "mental health pro-
12	viders," before "other experts";
13	(2) in clause (ii), by inserting "a list of services
14	provided to support the physical and" before "emo-
15	tional";
16	(3) in clause (iv), by inserting "and mental
17	health" before "services";
18	(4) in clause (v), by inserting ", informed con-
19	sent of youth, and compliance with professional
20	practice guidelines" before the semicolon; and
21	(5) in clause (vi), by inserting ", licensed men-
22	tal health providers," before "or other".
23	(f) Reduction of Administrative Burden.—
24	(1) IN GENERAL.—Subpart 3 of part B of title
25	IV (42 U.S.C. 629m) is amended by redesignating

1	section 440 as section 443 and inserting before such
2	section the following:

## 3 "SEC. 441. REDUCTION OF ADMINISTRATIVE BURDEN.

4 "(a) IN GENERAL.—The Secretary shall reduce the
5 burden of administering this part imposed on the recipi6 ents of funds under this part, by—

"(1) reviewing and revising administrative data
collection instruments and forms to eliminate duplication and streamline reporting requirements for the
recipients while collecting all data required under
this part;

12 "(2) in coordination with activities required 13 under the Paperwork Reduction Act, conducting an 14 analysis of the total number of hours reported by 15 the recipients to comply with paperwork require-16 ments and exploring, in consultation with the recipi-17 ents, how to reduce the number of hours required 18 for the compliance by at least 15 percent;

"(3) collecting input from the recipients with
respect to fiscal and oversight requirements and
making changes to ensure consistency with standards and guidelines for other Federal formula grant
programs based on the input; and

24 "(4) respecting the sovereignty of Indian tribes25 when complying with this subsection.

1 "(b) LIMITATION ON APPLICABILITY.—Subsection 2 (a) of this section shall not apply to any reporting or data 3 collection otherwise required by law that would affect the 4 ability of the Secretary to monitor and ensure compliance 5 with State plans approved under this part or ensure that 6 funds are expended consistent with this part.

## 7 "SEC. 442. PUBLIC ACCESS TO STATE PLANS.

8 "The Secretary shall—

9 "(1) create a standardized format for State
10 plans required under sections 422 and 432 used to
11 monitor compliance with those sections;

12 "(2) produce comparisons and analyses of
13 trends in State plans to inform future technical as14 sistance and policy development;

15 "(3) make the State plans available on a public16 website; and

17 "(4) include on the website aggregated national
18 summaries of State submissions as the Secretary
19 deems appropriate.".

20 (2) IMPLEMENTATION.—Within 2 years after
21 the date of the enactment of this Act, the Secretary
22 of Health and Human Services shall—

23 (A) comply with section 441 of the Social
24 Security Act, as added by the amendment made
25 by paragraph (1); and

(B) notify each recipient of funds under part B of title IV of the Social Security Act of any change made by the Secretary pursuant to such section affecting the recipient.

(3) REPORT.—Within 3 years after the date of 5 6 the enactment of this Act, the Secretary of Health 7 and Human Services shall submit to the Committee 8 on Ways and Means of the House of Representatives 9 and the Committee on Finance of the Senate a re-10 port describing the efforts of the Secretary to com-11 ply with section 441 of the Social Security Act, as 12 added by the amendment made by paragraph (1), in-13 cluding the specific actions to comply with each 14 paragraph of such section.

(g) PRIMARY PREVENTION PARTNERS.—Section
435(a)(2)(B) (42 U.S.C. 429e(a)(2)(B)) is amended by inrserting "including community-based partners with expertise in preventing unnecessary child welfare system involvement" before the semicolon.

## 20 SEC. 316. STREAMLINING FUNDING FOR INDIAN TRIBES.

21 (a) SUBPART 1.—

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22 (1) TRIBAL SET-ASIDE; DIRECT PAYMENTS TO
23 TRIBES; EXEMPTIVE AUTHORITY.—

1	(A) IN GENERAL.—Section 428 (42 U.S.C.
2	628) is amended by striking subsections (a) and
3	(b) and inserting the following:

4 "(a) RESERVATION OF FUNDS; DIRECT PAY-5 MENTS.—Out of any amount appropriated pursuant to 6 section 425 for a fiscal year, the Secretary shall reserve 7 3 percent for grants to Indian tribes and tribal organiza-8 tions, which shall be paid directly to Indian tribes and 9 tribal organizations with a plan approved under this sub-10 part, in accordance with section 433(a).".

(B) CONFORMING AMENDMENT.—Section
423(a) (42 U.S.C. 623(a)) is amended by striking "the sum appropriated pursuant to section
425 for each fiscal year" and inserting "for
each fiscal year, the sum appropriated pursuant
to section 425 remaining after applying section
428(a)".

18 (C) TECHNICAL AMENDMENT.—Section
19 428(c) (42 U.S.C. 628(c)) is amended by strik20 ing "450b" and inserting "5304".

21 (2) IMPROVING COMPLIANCE WITH THE INDIAN
22 CHILD WELFARE ACT.—

23 (A) STATE PLAN REQUIREMENT.—Section
24 422(b)(9) (42 U.S.C. 622(b)(9)) is amended by
25 striking "Act;" and inserting "Act of 1978, in-

1	cluding how the State will ensure timely notice
2	to Indian tribes of State custody proceedings
3	involving Indian children, foster care or adop-
4	tive placements of Indian children, and case
5	recordkeeping as such matters relate to trans-
6	fers of jurisdiction, termination of parental
7	rights, and active efforts;".
8	(B) TECHNICAL ASSISTANCE.—Subpart 1
9	of part B of title IV (42 U.S.C. 621 et seq.) is
10	amended by adding at the end the following:
11	"SEC. 429B. EFFECTIVE IMPLEMENTATION OF THE INDIAN
12	CHILD WELFARE ACT OF 1978.
13	"(a) IN GENERAL.—Not later than October 1, 2025,
	"(a) IN GENERAL.—Not later than October 1, 2025, the Secretary, in consultation with Indian tribal organiza-
13	
13 14 15	the Secretary, in consultation with Indian tribal organiza-
13 14 15 16	the Secretary, in consultation with Indian tribal organiza- tions and States, shall develop a plan and provide tech-
13 14 15 16	the Secretary, in consultation with Indian tribal organiza- tions and States, shall develop a plan and provide tech- nical assistance supporting effective implementation of the
<ol> <li>13</li> <li>14</li> <li>15</li> <li>16</li> <li>17</li> <li>18</li> </ol>	the Secretary, in consultation with Indian tribal organiza- tions and States, shall develop a plan and provide tech- nical assistance supporting effective implementation of the Indian Child Welfare Act of 1978, including specific meas-
13 14 15 16 17	the Secretary, in consultation with Indian tribal organiza- tions and States, shall develop a plan and provide tech- nical assistance supporting effective implementation of the Indian Child Welfare Act of 1978, including specific meas- ures identified in State plans as required by section
<ol> <li>13</li> <li>14</li> <li>15</li> <li>16</li> <li>17</li> <li>18</li> <li>19</li> </ol>	the Secretary, in consultation with Indian tribal organiza- tions and States, shall develop a plan and provide tech- nical assistance supporting effective implementation of the Indian Child Welfare Act of 1978, including specific meas- ures identified in State plans as required by section 422(b)(9) of this Act. The technical assistance plan shall
<ol> <li>13</li> <li>14</li> <li>15</li> <li>16</li> <li>17</li> <li>18</li> <li>19</li> <li>20</li> </ol>	the Secretary, in consultation with Indian tribal organiza- tions and States, shall develop a plan and provide tech- nical assistance supporting effective implementation of the Indian Child Welfare Act of 1978, including specific meas- ures identified in State plans as required by section 422(b)(9) of this Act. The technical assistance plan shall be based on data sufficient to assess State strengths and
<ol> <li>13</li> <li>14</li> <li>15</li> <li>16</li> <li>17</li> <li>18</li> <li>19</li> <li>20</li> <li>21</li> </ol>	the Secretary, in consultation with Indian tribal organiza- tions and States, shall develop a plan and provide tech- nical assistance supporting effective implementation of the Indian Child Welfare Act of 1978, including specific meas- ures identified in State plans as required by section 422(b)(9) of this Act. The technical assistance plan shall be based on data sufficient to assess State strengths and areas for improvement in implementing Federal standards

and extended family members.

"(2) Timely tribal notice of State child custody
 proceedings involving an Indian child.

3 "(3) Reports of cases in which a transfer of ju4 risdiction (as defined under the Indian Child Wel5 fare Act of 1978) was granted or was not granted,
6 and reasons specified for denial in cases where
7 transfer was denied.

8 "(4) In cases in which a State court orders a 9 foster care placement of an Indian child, whether re-10 quirements for active efforts to prevent the breakup 11 of the Indian family, testimony of a qualified expert 12 witness, and evidentiary standards were met.

"(5) Whether an Indian child was placed in a
placement that is required to be preferred under the
Indian Child Welfare Act of 1978, and if not, the
reasons specified.

"(6) In cases in which a State court orders the
termination of parental rights to an Indian child,
whether requirements for active efforts to prevent
the breakup of the Indian family, testimony of a
qualified expert witness, and evidentiary standards
were met.

23 "(b) INTERAGENCY COORDINATION.—On request of
24 the Secretary, the Secretary of the Interior shall provide
25 the Secretary with such guidance and assistance as may

be necessary to facilitate informing States and public child
 welfare agencies on how to comply with the Indian Child
 Welfare Act of 1978, including specific measures identi fied in State plans as required by section 422(b)(9) of this
 Act.

6 "(c) BIENNIAL REPORTS TO CONGRESS.—The Sec7 retary shall biennially submit to the Committee on Ways
8 and Means of the House of Representatives and the Com9 mittee on Finance of the Senate a written report on how—

"(1) the States are complying with the Indian
Child Welfare Act of 1978 and section 422(b)(9) of
this Act, as informed by data collected under this
section; and

"(2) the Secretary is assisting States and Indian tribes to improve implementation of Federal
standards established under the Indian Child Welfare Act of 1978.".

18 (3) REPORTING REQUIREMENTS; ADMINISTRA19 TIVE COSTS.—

20 (A) IN GENERAL.—Section 428 (42 U.S.C.
21 628) is amended by redesignating subsection (c)
22 as subsection (d) and inserting before such sub23 section the following:

24 "(b) AUTHORITY TO STREAMLINE REPORTING RE-25 QUIREMENTS.—The Secretary shall, in consultation with

the affected Indian tribes, modify any reporting require-1 2 ment imposed by or under this part on an Indian tribe, 3 tribal organization, or tribal consortium if the total of the 4 amounts allotted to the Indian tribe, tribal organization, 5 or tribal consortium under this part for the fiscal year is 6 not more than \$50,000, and in a manner that limits the 7 administrative burden on any tribe to which not more than 8 \$50,000 is allotted under this subpart for the fiscal year. 9 "(c) TRIBAL AUTHORITY TO SUBSTITUTE THE FED-ERAL NEGOTIATED INDIRECT COST RATE FOR ADMINIS-10 11 COSTS CAP.—For purposes of TRATIVE sections 12 422(b)(14) and 424(e), an Indian tribal organization may 13 elect to have the weighted average of the indirect cost rates in effect under part 220 of title 2, Code of Federal 14 15 Regulations with respect to the administrative costs of the Indian tribal organization apply in lieu of the percentage 16 17 specified in each such section.".

(B) CONFORMING AMENDMENTS.—Section
431(a) (42 U.S.C. 629a(a)) is amended in each
of paragraphs (5) and (6) by striking "428(c)"
and inserting "428(d)".

22 (b) SUBPART 2.—

23 (1) TRIBAL PLAN EXEMPTION.—Section
24 432(b)(2)(B) (42 U.S.C. 629b(b)(2)(B)) is amend25 ed—

(A) by striking "section 433(a)" the 1st 1 2 place it appears and inserting "sections 433(a) 3 and 437(c)(1) combined"; and (B) by striking "section 433(a)" the 2nd 4 place it appears and inserting "such sections". 5 6 (2) Application of tribal set-aside be-7 FORE OTHER SET-ASIDES.—Section 436(b)(3) (42) 8 U.S.C. 429f(b)(3) is amended by striking "After 9 applying paragraphs (4) and (5) (but before apply-10 ing paragraphs (1) or (2)), the" and inserting "The". 11 12 (3) INCREASE IN FUNDING FOR TRIBAL COURT 13 IMPROVEMENT PROGRAM.—Section 438(c)(3) (42) 14 U.S.C. 629h(c)(3) is amended by inserting "for fis-15 cal year 2025, and \$2,000,000 for each of fiscal 16 years 2026 through 2029," before "for grants". 17 SEC. 317. ACCELERATING ACCESS TO FAMILY FIRST PRE-18 **VENTION SERVICES.** 19 (a) IN GENERAL.—Section 435 (42 U.S.C. 629e) is amended by adding at the end the following: 20 21 "(f) PREVENTION SERVICES EVALUATION PARTNER-22 SHIPS.— 23 "(1) PURPOSE.—The purpose of this subsection 24 is to authorize the Secretary to make competitive 25 grants to support the timely evaluation of—

1	"(A) services and programs described in
2	section 471(e); or
3	"(B) kinship navigator programs described
4	in section $474(a)(7)$ .
5	"(2) Grants.—In accordance with applications
6	approved under this subsection, the Secretary may
7	make grants, on a competitive basis, to eligible enti-
8	ties to carry out projects designed to evaluate a serv-
9	ice or program provided by the eligible entity, or an
10	entity in partnership with the eligible entity, with re-
11	spect to the requirements for a promising practice,
12	supported practice, or well-supported practice de-
13	scribed in section $471(e)(4)(C)$ .
14	"(3) Applications.—
15	"(A) IN GENERAL.—An eligible entity may
16	apply to the Secretary for a grant under this
17	subsection to carry out a project that meets the
18	following requirements:
19	"(i) The project is designed in accord-
20	ance with paragraph $(2)$ .
21	"(ii) The project is to be carried out
22	by the applicant in partnership with—
23	"(I) a State agency that admin-
24	isters, or supervises the administra-
25	tion of, the State plan approved under

1	part E, or an agency administering
2	the plan under the supervision of the
3	State agency; and
4	"(II) if the applicant is unable or
5	unwilling to do so, at least 1 external
6	evaluator to carry out the evaluation
7	of the service or program provided by
8	the applicant.
9	"(B) CONTENTS.—The application shall
10	contain the following:
11	"(i) A description of the project, in-
12	cluding—
13	"(I) a statement explaining why
14	a grant is necessary to carry out the
15	project; and
16	"(II) the amount of grant funds
17	that would be disbursed to each entity
18	described in subparagraph (A)(ii) in
19	partnership with the applicant.
20	"(ii) A certification from each entity
21	described in subparagraph (A)(ii) that pro-
22	vides assurances that the individual or en-
23	tity is in partnership with the applicant
24	and will fulfill the responsibilities of the
25	entity specified in the description provided

pursuant to clause (i) of this subpara-1 2 graph. "(iii) A certification from the appli-3 4 cant that provides assurances that the applicant intends to comply with subpara-5 6 graph (A)(ii)(II), if applicable. 7 "(iv) At the option of the eligible enti-8 ty, a certification from the applicant that 9 the applicant requires an external eval-10 uator secured by the Secretary pursuant to 11 paragraph (5), if applicable. "(4) PRIORITIES.—In approving applications 12 13 under this subsection, the Secretary shall prioritize 14 the following: "(A) Addressing, with respect to the clear-15 inghouse of practices described in section 16 476(d)(2), deficiencies or gaps identified by the 17 18 Secretary in consultation with— "(i) States, political subdivisions of a 19 20 State, and tribal communities carrying out, 21 or receiving the benefits of, a service or 22 program; and "(ii) child welfare experts, including 23 24 individuals with lived experience.

1	"(B) Maximizing the number of evidence-
2	based services or programs to be included in the
3	clearinghouse of practices described in section
4	476(d)(2).
5	"(C) Timely completion of evaluations and
6	the production of evidence.
7	"(D) Supporting services or programs that
8	are based on, or are adaptations to new popu-
9	lation settings of, a service or program with re-
10	liable evidence about the benefits and risks of
11	the service or program.
12	"(5) AVAILABILITY OF EXTERNAL EVAL-
13	UATORS.—
14	"(A) IN GENERAL.—Before accepting ap-
15	plications under this subsection, the Secretary
16	shall make reasonable efforts to identify at least
17	1 entity to serve as an external evaluator for
18	any eligible entity that includes a certification
19	under paragraph $(3)(B)(iv)$ with an application
20	under this subsection.
21	"(B) NO EFFECT ON CONSIDERATION OF
22	APPLICATION.—The Secretary may not consider
23	whether an eligible entity is in partnership with
24	an external evaluator described in paragraph

1	(A) in approving an application under this sub-
2	section submitted by the eligible entity.
3	"(6) Reports.—
4	"(A) BY GRANT RECIPIENTS.—Within 1
5	year after receiving a grant under this sub-
6	section, and every year thereafter for the next
7	5 years, the grant recipient shall submit to the
8	Secretary a written report on—
9	"(i) the use of grant funds;
10	"(ii) whether the program or service
11	evaluated by the project meets a require-
12	ment specified in section $471(e)(4)(C)$ , in-
13	cluding information about—
14	"(I) how the program or service
15	is being carried out in accordance
16	with standards specified in the re-
17	quirement;
18	"(II) any outcomes of the pro-
19	gram or service; and
20	"(III) any outcome with respect
21	to which the service or program com-
22	pares favorably to a comparison prac-
23	tice; and
24	"(iii) whether the Secretary has in-
25	cluded the program or service in an update

1	to the clearinghouse of practices described
2	in section $476(d)(2)$ .
3	"(B) By the secretary.—The Secretary
4	shall submit to the Committee on Ways and
5	Means of the House of Representatives and to
6	the Committee on Finance of the Senate an an-
7	nual written report on—
8	"(i) the grants awarded under this
9	subsection;
10	"(ii) the programs funded by the
11	grants;
12	"(iii) any technical assistance pro-
13	vided by the Secretary in carrying out this
14	subsection, including with respect to the
15	efforts to secure external evaluators pursu-
16	ant to paragraph (5); and
17	"(iv) any efforts by the Secretary to
18	support program evaluation and review
19	pursuant to section 471(e) and inclusion of
20	programs in the pre-approved list of serv-
21	ices and programs described in section
22	471(e)(4)(D) or the clearinghouse of prac-
23	tices described in section $476(d)(2)$ .
24	"(7) FUNDING.—

1	"(A) LIMITATIONS.—Of the amounts avail-
2	able to carry out this subsection, the Secretary
3	may use not more than 5 percent to provide
4	technical assistance.
5	"(B) CARRYOVER.—Amounts made avail-
6	able to carry out this subsection shall remain
7	available until expended.
8	"(8) DEFINITIONS.—In this subsection:
9	"(A) ELIGIBLE ENTITY.—The term 'eligi-
10	ble entity' means any of the following providing
11	a service or program or, in the sole determina-
12	tion of the Secretary, able to provide a service
13	or program if awarded a grant under this sub-
14	section:
15	"(i) A State, a political subdivision of
16	a State, or an agency or department of a
17	State or political subdivision of a State.
18	"(ii) An entity described in subpara-
19	graph (A) or (B) of section $426(a)(1)$ .
20	"(iii) An Indian tribe or tribal organi-
21	zation.
22	"(B) EXTERNAL EVALUATOR.—The term
23	'external evaluator' means an entity with the
24	ability and willingness to evaluate a service or

1	program pursuant to paragraph (2) that is not
2	provided by the entity.
3	"(C) Service or program.—The term
4	'service or program'—
5	"(i) means a service or program de-
6	scribed in section 471(e); and
7	"(ii) includes a kinship navigator pro-
8	gram described in section $474(a)(7)$ .".
9	(b) FUNDING.—Section 437(b) (42 U.S.C. 629g(b))
10	is amended by adding at the end the following:
11	"(5) PREVENTIVE SERVICES EVALUATION
12	PARTNERSHIPS.—The Secretary shall reserve
13	5,000,000 for grants under section $435(f)$ for each
14	of fiscal years 2026 through 2029.".
15	SEC. 318. STRENGTHENING SUPPORT FOR YOUTH AGING
16	OUT OF FOSTER CARE.
17	(a) CASEWORKER VISITS.—Section $422(b)(17)$ (42
18	U.S.C. $622(b)(17)$ ) is amended by inserting ", and include
19	a description of how the State may offer virtual case-
20	worker visits to youth in care who have attained the age
21	of 18 years and provided informed consent for virtual vis-
22	its" before the semicolon.
23	(b) Youth and Family Engagement in Child
24	Welfare Program Planning.—Section 432(b)(1) (42
25	

25 U.S.C. 629b(b)(1)) is amended to read as follows:

1	"(1) IN GENERAL.—The Secretary shall ap-
2	prove a plan that meets the requirements of sub-
3	section (a) only if—
4	"(A) the plan was developed jointly by the
5	Secretary and the State, and the State, in de-
6	veloping the plan, consulted with—
7	"(i) appropriate public and nonprofit
8	private agencies;
9	"(ii) community-based organizations
10	involved in providing services for children
11	and families in the areas of family preser-
12	vation, family support, family reunifica-
13	tion, foster care, kinship, and adoption
14	promotion and support;
15	"(iii) parents with child welfare expe-
16	rience, foster parents, adoptive parents,
17	and kinship caregivers; and
18	"(iv) children, youth, and young
19	adults with experience in the child welfare
20	system, including State boards and coun-
21	cils comprised of youth with lived experi-
22	ence who represent the diversity of chil-

dren in the State to whom the plan would

apply; and

1	"(B) the State has made publicly acces-
2	sible on a website of the State agency a report
3	that outlines how the State has implemented
4	the suggestions of the children and youth re-
5	ferred to in subparagraph (A)(iv).".
6	SEC. 319. RECOGNIZING THE IMPORTANCE OF RELATIVE
7	AND KINSHIP CAREGIVERS.
8	(a) IN GENERAL.—Section 431(a) (42 U.S.C.
9	629a(a)), as amended by section $316(b)(2)$ of this part,
10	is amended—
11	(1) in paragraph $(1)$ —
12	(A) in the matter preceding subparagraph
13	(A)—
14	(i) by striking "children" and insert-
15	ing "children, youth,"; and
16	(ii) by striking "adoptive and ex-
17	tended" and inserting "kinship and adop-
18	tive";
19	(B) in subparagraph (D), by striking "par-
20	ents and other caregivers (including foster par-
21	ents)" and inserting "parents, kinship care-
22	givers, and foster parents";
23	(C) by striking "and" at the end of sub-
24	paragraph (E);

<ul><li>(D) by striking the period at the end of subparagraph (F) and inserting "; and"; and</li><li>(E) by adding at the end the following:</li></ul>
(E) by adding at the end the following:
"(G)(i) peer-to-peer mentoring and support
programs with demonstrated experience fos-
tering constructive relationships between chil-
dren and families and mentors with relevant
lived experience or interactions with the child
welfare system; and
"(ii) for purposes of this subpart, an ex-
penditure for a service described in clause (i)
may be treated as an expenditure for any 1 or
more of family support services, family preser-
vation services, family reunification services, or
adoption promotion and support services, as
long as the expenditure is related to serving the
children and families in the specified category
and consistent with the overall purpose of the
category.";
(2) in paragraph $(2)(B)$ —
(A) in clause (i), by striking "children"
(A) in clause (i), by striking clinicien
and inserting "children, youth,"; and

1	(3) in paragraph $(7)(A)$ , by inserting "with kin-
2	ship caregivers or" before "in a foster family home";
3	and
4	(4) by adding at the end the following:
5	"(11) Youth.—The term 'youth' means an in-
6	dividual who has not attained 26 years of age.".
7	(b) KINSHIP NAVIGATORS.—
8	(1) IN GENERAL.—Section 427 (42 U.S.C. 627)
9	is amended—
10	(A) in the section heading, by striking
11	"FAMILY CONNECTION GRANTS" and insert-
12	ing "KINSHIP NAVIGATORS";
13	(B) in subsection (a)—
14	(i) in the matter preceding paragraph
15	(1), by striking "helping" and inserting
16	"administering programs to help";
17	(ii) by striking "of—" and all that
18	follows through "a kinship" and inserting
19	"of a kinship";
20	(iii) in paragraph (1)(C)—
21	(I) by striking "and" at the end
22	of clause (iii);
23	(II) by adding "and" at the end
24	of clause (iv); and

- (III) by adding at the end the 1 2 following: 3 "(v) connections to individualized assistance, as needed;"; 4 5 (iv) by striking paragraphs (2)6 through (4); 7 (v) by redesignating subparagraphs 8 (A) through (G) of paragraph (1) as para-9 graphs (1) through (7), respectively; 10 (vi) by redesignating clauses (i) 11 through (iv) and clause (v) (as added by clause (iii)(III) of this subparagraph) as 12 13 subparagraphs (A) through (E), respec-14 tively; 15 (vii) by moving each provision so redesignated 2 ems to the left; and 16 17 (viii) by striking "caregiving;" and in-18 serting "caregiving."; 19 (C) in subsection (b)— (i) in paragraph (1), by striking "1 or 20 21 more of"; 22 (ii) by redesignating paragraphs (3) 23 and (4) as paragraphs (4) and (5), respec-
- tively, and inserting after paragraph (2)the following:

1	"(3) a description of how the entity will directly
2	fund, or provide data to the Secretary for, an eval-
3	uation which will publish and submit information to
4	the clearinghouse described in section $476(d)(2)$ and
5	which is designed to meet the requirements of sec-
6	tion $471(e)(4)(C)$ , or a description of how the funds
7	will be used to help the State transition to a pro-
8	gram for which the State will seek reimbursement
9	under section 474(a)(7);";
10	(iii) in paragraph (4) (as so redesig-
11	nated), by striking "and" at the end;
12	(iv) in paragraph (5) (as so redesig-
13	nated), by striking the period and inserting
14	"; and"; and
15	(v) by adding at the end the following:
16	"(6) if the entity is a State, local or tribal child
17	welfare agency—
18	"(A) documentation of support from a rel-
19	evant community-based organization with expe-
20	rience serving kinship families when applicable;
21	or
22	"(B) a description of how the organization
23	plans to coordinate its services and activities
24	with those offered by the relevant community-
25	based organizations.";

1	(D) by striking subsection (d) and insert-
2	ing the following:
3	"(d) FEDERAL SHARE.—An entity to which a grant
4	is made under this section may use the grant to pay not
5	more than 75 percent of the cost of the activities to be
6	carried out by the entity pursuant to this section.";
7	(E) in subsection (g)—
8	(i) by striking all that precedes "2
9	percent" and inserting the following:
10	"(g) Reservation of Funds for Technical As-
11	SISTANCE.—The Secretary may reserve"; and
12	(ii) by striking "subsection (h)" the
13	2nd place it appears and inserting "section
14	437(b)(6)''; and
15	(F) by striking subsection (h).
16	(2) Reservation of discretionary
17	FUNDS.—Section $437(b)$ (42 U.S.C. $629g(b)$ ), as
18	amended by section 318(b) of this part, is amended
19	by adding at the end the following:
20	"(6) KINSHIP NAVIGATORS.—The Secretary
21	shall reserve $$10,000,000$ for grants under section
22	427 for each of fiscal years 2026 through 2029.".
23	(3) Conforming Amendment.—Section
24	474(a)(7) (42 U.S.C. $674(a)(7)$ ) is amended by
25	striking " $427(a)(1)$ " and inserting " $427(a)$ ".

1	SEC. 320. AVOIDING NEGLECT BY ADDRESSING POVERTY.
2	(a) FAMILY PRESERVATION SERVICES.—Section
3	431(a)(1) (42 U.S.C. $629a(a)(1)$ ), as amended by section
4	320(a)(1) of this part, is amended—
5	(1) in subparagraph (F), by striking "and"
6	after the semicolon;
7	(2) in subparagraph (G), by striking the period
8	and inserting "; and"; and
9	(3) by adding at the end the following:
10	"(H)(i) services providing nonrecurring
11	short term benefits (including supports related
12	to housing instability, utilities, transportation,
13	and food assistance, among other basic needs)
14	that address immediate needs related to a spe-
15	cific crisis, situation, or event affecting the abil-
16	ity of a child to remain in a home established
17	for the child that is not intended to meet an on-
18	going need; and
19	"(ii) for purposes of this subpart, an ex-
20	penditure for a service described in clause (i)
21	may be treated as an expenditure for any 1 or
22	more of family support services, family preser-
23	vation services, family reunification services, or
24	adoption promotion and support services as
25	long as the expenditure is related to serving the
26	children and families in the specified category

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1	and consistent with the overall purpose of the
2	category.".
3	(b) STATE PLAN REQUIREMENTS.—Section 432(a)
4	(42 U.S.C. 629b(a)) is amended—
5	(1) in paragraph $(9)$ , by striking "and" after
6	the semicolon;
7	(2) in paragraph $(10)$ , by striking the period
8	and inserting "; and"; and
9	(3) by adding at the end the following:
10	"(11) provides a description of policies in place,
11	including training for employees, to address child
12	welfare reports and investigations of neglect con-
13	cerning the living arrangements or subsistence needs
14	of a child with the goal to prevent the separation of
15	a child from a parent of the child solely due to pov-
16	erty, to ensure access to services described in section
17	431(a)(1)(H).".
18	SEC. 321. STRENGTHENING SUPPORT FOR CASEWORKERS.
19	(a) Reauthorization of, and Increase in Fund-
20	ING FOR, CASEWORKER VISITS.—Section 436(b)(4)(A)
21	(42 U.S.C. $629f(b)(4)(A)$ ) is amended by striking "each
22	of fiscal years 2017 through 2023" and inserting "fiscal
23	year 2025 and $$26,000,000$ for fiscal year 2026 and each
24	succeeding fiscal year".

(b) MINIMUM GRANT AMOUNT.—Section 433(e) (42
 U.S.C. 629c(e)) is amended by striking paragraphs (1)
 and (2) and inserting the following:

"(1) BASE ALLOTMENT.—From the amount re-4 5 served pursuant to section 436(b)(4)(A) for any fis-6 cal year, the Secretary shall first allot to each State 7 (other than an Indian tribe) that has provided to the 8 Secretary such documentation as may be necessary 9 to verify that the jurisdiction has complied with sec-10 tion 436(b)(4)(B)(ii) during the fiscal year, a base 11 allotment of \$100,000, and shall then allot to each 12 of those States an amount determined in paragraph 13 (2) or (3) of this subsection, as applicable.

14 "(2) TERRITORIES.—From the amount reserved 15 pursuant to section 436(b)(4)(A) for any fiscal year 16 that remains after applying paragraph (1) of this 17 subsection for the fiscal year, the Secretary shall 18 allot to each jurisdiction specified in subsection (b) 19 of this section to which a base allotment is made 20 under such paragraph (1) an amount determined in 21 the same manner as the allotment to each of such 22 jurisdictions is determined under section 423 (with-23 out regard to the initial allotment of \$70,000 to 24 each State).

1 "(3) OTHER STATES.—From the amount re-2 served pursuant to section 436(b)(4)(A) for any fis-3 cal year that remains after applying paragraphs (1) 4 and (2) of this subsection for the fiscal year, the 5 Secretary shall allot to each State (other than an In-6 dian tribe) not specified in subsection (b) of this sec-7 tion to which a base allotment was made under 8 paragraph (1) of this subsection an amount equal to 9 such remaining amount multiplied by the supple-10 mental nutrition assistance program benefits per-11 centage of the State (as defined in subsection (c)(2)) 12 of this section) for the fiscal year, except that in ap-13 plying subsection (c)(2)(A) of this section, 'sub-14 section (e)(3)' shall be substituted for 'such para-15 graph (1)'.".

16 (c) REQUIREMENT TO USE FUNDS TO IMPROVE
17 QUALITY OF CASEWORKER VISITS WITH FOSTER CHIL18 DREN.—Section 436(b)(4)(B)(i) (42 U.S.C.
19 629f(b)(4)(B)(i)) is amended to read as follows:

20 "(i) IN GENERAL.—A State to which
21 an amount is paid from amounts reserved
22 under subparagraph (A) shall use the
23 amount to improve the quality of monthly
24 caseworker visits with children who are in

1	foster care under the responsibility of the
2	State, with an emphasis on—
3	"(I) reducing caseload ratios and
4	the administrative burden on case-
5	workers, to improve caseworker deci-
6	sion making on the safety, perma-
7	nency, and well-being of foster chil-
8	dren and on activities designed to in-
9	crease retention, recruitment, and
10	training of caseworkers;
11	"(II) implementing technology
12	solutions to streamline caseworker du-
13	ties and modernize systems, ensuring
14	improved efficiency and effectiveness
15	in child welfare services;
16	"(III) improving caseworker safe-
17	ty;
18	"(IV) mental health resources to
19	support caseworker well-being, includ-
20	ing peer-to-peer support programs;
21	and
22	"(V) recruitment campaigns
23	aimed at attracting qualified case-
24	worker candidates.".

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1	(d) Elimination of Cost-share Penalty Tied to
2	MONTHLY CASEWORKER VISIT STANDARD.—Section
2	
_	424(f) (42 U.S.C. 624(f)) is amended—
4	(1) by striking " $(1)(A)$ "; and
5	(2) by striking paragraphs $(1)(B)$ and $(2)$ .
6	SEC. 322. DEMONSTRATION PROJECTS FOR IMPROVING RE-
7	LATIONSHIPS BETWEEN INCARCERATED
8	PARENTS AND CHILDREN IN FOSTER CARE.
9	(a) IN GENERAL.—Section 439 (42 U.S.C. 629i) is
10	amended to read as follows:
11	"SEC. 439. STATE PARTNERSHIP PLANNING AND DEM-
12	ONSTRATION GRANTS TO SUPPORT MEAN-
13	INGFUL RELATIONSHIPS BETWEEN FOSTER
14	CHILDREN AND THE INCARCERATED PAR-
15	
15	ENTS OF THE CHILDREN.
16	ents of the children. "(a) Authority.—
_	
16	"(a) AUTHORITY.—
16 17	"(a) Authority.— "(1) In general.—The Secretary may make
16 17 18	"(a) AUTHORITY.— "(1) IN GENERAL.—The Secretary may make demonstration grants to eligible State partnerships
16 17 18 19	"(a) AUTHORITY.— "(1) IN GENERAL.—The Secretary may make demonstration grants to eligible State partnerships to develop, implement, and provide support for pro-
16 17 18 19 20	"(a) AUTHORITY.— "(1) IN GENERAL.—The Secretary may make demonstration grants to eligible State partnerships to develop, implement, and provide support for pro- grams that enable and sustain meaningful relation-
16 17 18 19 20 21	"(a) AUTHORITY.— "(1) IN GENERAL.—The Secretary may make demonstration grants to eligible State partnerships to develop, implement, and provide support for pro- grams that enable and sustain meaningful relation- ships between covered foster children and the incar-
<ol> <li>16</li> <li>17</li> <li>18</li> <li>19</li> <li>20</li> <li>21</li> <li>22</li> </ol>	"(a) AUTHORITY.— "(1) IN GENERAL.—The Secretary may make demonstration grants to eligible State partnerships to develop, implement, and provide support for pro- grams that enable and sustain meaningful relation- ships between covered foster children and the incar- cerated parents of the children.
<ol> <li>16</li> <li>17</li> <li>18</li> <li>19</li> <li>20</li> <li>21</li> <li>22</li> <li>23</li> </ol>	<ul> <li>"(a) AUTHORITY.—</li> <li>"(1) IN GENERAL.—The Secretary may make demonstration grants to eligible State partnerships to develop, implement, and provide support for programs that enable and sustain meaningful relationships between covered foster children and the incarcerated parents of the children.</li> <li>"(2) PAYMENT OF ANNUAL INSTALLMENTS.—</li> </ul>

1	"(3) 1-YEAR PLANNING GRANTS.—The Sec-
2	retary may make a planning grant to a recipient of
3	a demonstration grant, to be paid to the recipient 1
4	year before payment of the 1st annual installment of
5	the demonstration grant and in an amount not
6	greater than any installment of the demonstration
7	grant, if—
8	"(A) the recipient includes a request for a
9	planning grant in the application under sub-
10	section (c); and
11	"(B) the Secretary determines that a plan-
12	ning grant would assist the recipient and im-
13	prove the effectiveness of the demonstration
14	grant.
15	"(b) Eligible State Partnership Defined.—
16	"(1) IN GENERAL.—In this section, the term
17	'eligible State partnership' means an agreement en-
18	tered into by, at a minimum, the following:
19	"(A) The State child welfare agency re-
20	sponsible for the administration of the State
21	plans under this part.
22	"(B) The State agency responsible for
23	adult corrections.
24	"(2) Additional partners.—For purposes of
25	this section, an eligible State partnership may in-

clude any entity with experience in serving incarcer ated parents and their children.

"(3) Partnerships entered into by indian 3 4 TRIBES OR TRIBAL CONSORTIA.—Notwithstanding 5 paragraph (1), if an Indian tribe or tribal consor-6 tium enters into a partnership pursuant to this section that does not consist solely of tribal child wel-7 8 fare agencies (or a consortium of the agencies), the 9 partnership shall be considered an eligible State 10 partnership for purposes of this section.

11 "(c) APPLICATION REQUIREMENTS.—An eligible 12 State partnership seeking a demonstration grant under 13 this section to carry out a program described in subsection 14 (a)(1) shall submit an application to the Secretary at such 15 time, in such manner, and containing such information as 16 the Secretary may require. The application shall include 17 the following:

18 "(1) A summary of the program, including how
19 the program will support a meaningful relationship
20 between a covered foster child and an incarcerated
21 parent of the child.

"(2) A description of the activities to be carried
out by the program, which must include all of the
activities described in subsection (d) that are in the
best interest of the covered foster child.

1	"(3) A framework for identifying—
2	"(A) each covered foster child eligible for
3	services under the program, including, to the
4	extent practicable, coordination of data between
5	relevant State child welfare agencies and court
6	systems; and
7	"(B) the roles and responsibilities of the
8	entities in the partnership.
9	"(4) Documentation that the applicant is an eli-
10	gible State partnership.
11	"(5) Assurances that the applicant will partici-
12	pate fully in the evaluation described in subsection
13	(f)(2) and shall maintain records for the program,
14	including demographic information disaggregated by
15	relevant characteristics with respect to covered foster
16	children and incarcerated parents who participate in
17	the program.
18	"(d) PROGRAM ACTIVITIES.—To the extent that the
19	activities are in the best interest of the covered foster
20	child, the activities referred to in subsection $(c)(2)$ shall
21	include the following:
22	"(1) REVISION OF POLICIES.—Through con-
23	sultation with incarcerated parents and their fami-
24	lies, grantees shall promote organizational policies of
25	participating child welfare entities and collaborating

1	correctional facilities to promote meaningful rela-
2	tionships through regular and developmentally ap-
3	propriate communication and visitation between cov-
4	ered foster children and the incarcerated parents, in-
5	cluding, when appropriate, the following:
6	"(A) For child welfare entities—
7	"(i) inclusion of parents in case plan-
8	ning and decision making for children;
9	"(ii) regular sharing of information
10	and responses to requests for information
11	between caseworkers and incarcerated par-
12	ents with respect to the case information
13	of a child, any changes to a case, perma-
14	nency plans, requirements to maintain pa-
15	rental rights, and any efforts to terminate
16	parental rights;
17	"(iii) appropriate opportunities for in-
18	carcerated parents to demonstrate their re-
19	lationship with a covered foster child given
20	their incarceration, including training and
21	courses required for a service plan; and
22	"(iv) the enhanced visitation described
23	in paragraph (2).

1	"(B) For correctional facilities, fostering
2	visitation and communication that is develop-
3	mentally appropriate in terms of—
4	"(i) the nature of communication and
5	visitation, including—
6	"(I) the ability to physically
7	touch parents;
8	"(II) engaging with parents in lo-
9	cations that are appropriate for the
10	age and development of the child;
11	"(III) exchanging items that are
12	appropriate to the age and develop-
13	ment of the child, include expectations
14	that are appropriate for the age and
15	development of the child related to be-
16	havior, attire, and wait times; and
17	"(IV) allowing appropriate adults
18	to bring children if legal guardians
19	are not available to promote regular
20	contact;
21	"(ii) reasonable inclusion of all chil-
22	dren of the parent;
23	"(iii) communication and visitation at
24	times when the children are available;

1	"(iv) security procedures to comfort
2	children and be minimally invasive; and
3	"(v) promoting parent-child relation-
4	ships regardless of the sentence imposed
5	on the parent.
6	"(2) Enhanced visitation.—
7	"(A) Grantees shall facilitate weekly com-
8	munication and, for at least 9 days each year,
9	in-person visitation between a covered foster
10	child and any incarcerated parent of the child.
11	"(B) Electronic visitation (such as live
12	video visits, phone calls, and recorded books)
13	may be used but shall not be the sole method
14	to promote a meaningful relationship for pur-
15	poses of the grant.
16	"(C) Enhanced visitation programs shall—
17	"(i) integrate best practices for visita-
18	tion programs with incarcerated parents
19	and their children;
20	"(ii) adopt developmentally appro-
21	priate visitation policies and procedures
22	such as those described in paragraph
23	(1)(B);

24 "(iii) reduce or eliminate the cost of25 developmentally appropriate communica-

1	tion and visitation for the covered foster
2	child, which may include the purchase of
3	communication technology, covering trans-
4	portation, insurance, and lodging costs,
5	costs related to providing appropriate visi-
6	tation spaces and activities, and other rel-
7	evant costs;
8	"(iv) to the extent practicable, inte-
9	grate appropriate parenting education to
10	help prepare and process visits; and
11	"(v) avoid restricting visitation and
12	communication as a punishment for the in-
13	carcerated parents.
14	"(3) TRAINING.—Grantees shall incorporate on-
15	going training for child welfare workers, correctional
16	facility staff, and other program providers to under-
17	stand the importance of promoting meaningful rela-
17 18	stand the importance of promoting meaningful rela- tionships between children and incarcerated parents.
18	tionships between children and incarcerated parents.
18 19	tionships between children and incarcerated parents. "(4) CASE MANAGEMENT.—Grantees shall pro-
18 19 20	tionships between children and incarcerated parents. "(4) CASE MANAGEMENT.—Grantees shall pro- vide case management services for the incarcerated
18 19 20 21	tionships between children and incarcerated parents. "(4) CASE MANAGEMENT.—Grantees shall pro- vide case management services for the incarcerated parents of a covered foster child to promote the rela-

"(5) LEGAL ASSISTANCE.—Grantees shall facili-1 2 tate access to necessary legal services and may use 3 grant funds for services that are not reimbursable 4 under other Federal programs. 5 "(e) FEDERAL SHARE.—The Federal share of the cost of any activity carried out using a grant made under 6 7 this section shall be not greater than 75 percent. 8 "(f) TECHNICAL ASSISTANCE, EVALUATIONS, AND 9 REPORTS.— "(1) TECHNICAL ASSISTANCE.—The Secretary 10 11 shall provide technical assistance with respect to 12 grants under this section, including by— "(A) assisting grantees in understanding 13 14 best practices in promoting meaningful relation-15 ships between incarcerated parents and their children as well as consulting with appropriate 16 17 stakeholders when developing their programs; 18 "(B) assisting grantees with establishing 19 and analyzing implementation and performance 20 indicators; and "(C) conducting an annual technical assist-21 ance and training meeting and an annual grant-22 23 ee meeting so that grantees can learn from the 24 experiences of other grantees.

"(2) EVALUATIONS.—The Secretary shall con-1 2 duct an evaluation of program outcomes, including 3 with respect to parent and child well-being, parent-4 child interactions, parental involvement, awareness 5 of child development and parenting practices, place-6 ment stability, and termination of parental rights 7 with respect to covered foster children and incarcer-8 ated parents, to measure program effectiveness, as 9 determined by the Secretary, and identify opportuni-10 ties for improved program practices and implemen-11 tation. 12 "(3) Reports to the congress.— "(A) INITIAL REPORT.—Not later than 3 13 14 vears after the date of the enactment of this 15 section, the Secretary shall submit to the Com-16 mittee on Ways and Means of the House of 17 Representatives and the Committee on Finance 18 of the Senate a report that includes— 19 "(i) the number of applications for 20 grants under this section; "(ii) the number of grants awarded, 21 22 and the amounts for each grant; and 23 "(iii) information on the grants, including-24

1	"(I) interim results of the evalua-
2	tion described in paragraph (2);
3	"(II) disaggregated data on cov-
4	ered foster children and incarcerated
5	parents;
6	"(III) information on the com-
7	position of eligible State partnerships;
8	"(IV) best practices for facili-
9	tating meaningful relationships be-
10	tween covered foster children and in-
11	carcerated parents; and
12	"(V) barriers to implementation
13	or expansion of programs funded
14	under this section.
15	"(B) FINAL REPORT.—Not later than 6
16	years after the date of the enactment of this
17	section, the Secretary shall submit to the Com-
18	mittee on Ways and Means of the House of
19	Representatives and the Committee on Finance
20	of the Senate a report that includes—
21	"(i) the final results of the evaluation
22	described in paragraph (2); and
23	"(ii) recommendations for refinements
24	to grant requirements to improve program
25	outcomes.

"(g) Authority of Secretary With Respect to
 Indian Tribes and Tribal Organizations.—

3 "(1) WAIVER OR MODIFICATION OF REQUIRE-4 MENTS.—In making a grant to an Indian tribe or 5 tribal organization under this section, the Secretary 6 may waive the matching requirement of subsection (e) or modify an application requirement imposed by 7 8 or under subsection (c) if the Secretary determines 9 that the waiver or modification is appropriate to the 10 needs, culture, and circumstances of the Indian tribe 11 or tribal organization.

12 "(2) EVALUATION.—The Secretary shall use
13 tribally relevant data in carrying out the evaluation
14 under subsection (f)(2) with respect to an Indian
15 tribe or tribal organization.

"(h) LIMITATIONS ON AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the
Secretary not more than \$35,000,000 for each of fiscal
years 2026 through 2029 to carry out this section.

20 "(i) DEFINITION OF COVERED FOSTER CHILD.—In
21 this section, the term 'covered foster child' means a child
22 that—

23 "(1) is in foster care; and

24 "(2) has at least 1 parent incarcerated in a25 Federal, State, or local correctional facility.".

#### 1 (b) CONFORMING AMENDMENTS.—

2 (1) Section 431(a)(2)(B)(vii) (42 U.S.C.
3 629a(a)(2)(B)(vii)) is amended by striking "(as de4 fined in section 439(b)(2))".

(2) Section 431(a) (42 U.S.C. 629a(a)), as 5 6 amended by sections 316(b)(2) and 320(a)(4) of this 7 part, is amended by adding at the end the following: 8 ((12))MENTORING.—The term 'mentoring' 9 means a structured, managed program in which chil-10 dren are appropriately matched with screened and 11 trained adult volunteers for one on-one relationships, 12 involving meetings and activities on a regular basis, 13 intended to meet, in part, the child's need for in-14 volvement with a caring and supportive adult who 15 provides a positive role model.".

16 SEC. 323. GUIDANCE TO STATES ON IMPROVING DATA COL-

17 LECTION AND REPORTING FOR YOUTH IN

#### **RESIDENTIAL TREATMENT PROGRAMS.**

Within 2 years after the date of the enactment of this Act, the Secretary of Health and Human Services, in consultation with the Department of Education, the Administration for Children and Families, the Centers for Medicare and Medicaid Services, the Administration for Community Living, the Department of Justice, and other relevant policy experts, as determined by the Secretary, shall

18

issue and disseminate, or update and revise, as applicable,
 guidance to State agencies in administering State plans
 approved under parts B and E of title IV of the Social
 Security Act on the following:

- 5 (1) Best practices for Federal and State agen6 cies to collect data and share information related to
  7 the well-being of youth residing in residential treat8 ment facilities, including those facilities operating in
  9 multiple States or serving out-of-state youth.
- 10 (2) Best practices on improving State collection
  11 and sharing of data related to incidences of mal12 treatment of youth residing in residential treatment
  13 facilities, including with respect to meeting the re14 quirement of section 471(a)(9)(A) of such Act for
  15 such youth in foster care.
- 16 (3) Best practices on improving oversight of
  17 youth residential programs receiving Federal fund18 ing, and research-based strategies for risk assess19 ment related to the health, safety, and well-being of
  20 youth in the facilities.

21 SEC. 324. STREAMLINING RESEARCH, TRAINING, AND22TECHNICAL ASSISTANCE FUNDING.

(a) REPURPOSING DISCRETIONARY RESEARCH SETASIDE.—Section 435(c) (42 U.S.C. 629e(c)) is amended
to read as follows:

"(c) EVALUATION, RESEARCH, AND TECHNICAL AS SISTANCE WITH RESPECT TO TARGETED PROGRAM RE SOURCES.—Of the amount reserved under section
 437(b)(1) for a fiscal year, the Secretary shall use not less
 than—

6 "(1) \$1,000,000 for technical assistance to grantees under section 437(f) and to support design 7 8 of local site evaluations with the goal of publishing 9 and submitting evaluation findings to the clearing-10 house established under section 476(d), or to award 11 grants to allow current or former grantees under 12 section 437(f) to analyze, publish, and submit to the 13 clearinghouse data collected during past grants; and 14 "(2) \$1,000,000 for technical assistance re-15 quired under section 429B of this Act to support ef-16 fective implementation of the Indian Child Welfare 17 Act of 1978 and to support development of associ-18 ated State plan measures described pursuant to sec-19 tion 422(b)(9) of this Act.".

20 (b) Elimination of Research Set-Aside From
21 Mandatory Funds.—

(1) IN GENERAL.—Section 436(b) (42 U.S.C.
629f(b)), as amended by the preceding provisions of
this Act, is amended by striking paragraph (1) and

	000
1	redesignating paragraphs $(2)$ through $(5)$ as para-
2	graphs (1) through (4), respectively.
3	(2) Conforming Amendments.—
4	(A) Section 433(a) (42 U.S.C. 629c(a)) is
5	amended by striking "436(b)(3)" and inserting
6	''436(b)(2)''.
7	(B) Section 433(e) (42 U.S.C. 629c(e)), as
8	amended by section 322(b) of this part, is
9	amended by striking "436(b)(4)(A)" and insert-
10	ing "436(b)(3)(A)" each place it appears.
11	(C) Section $434(a)(2)(A)$ (42 U.S.C.
12	629d(a)(2)(A)) is amended by striking
13	"436(b)(4)(B)" and inserting "436(b)(3)(B)".
14	(D) Section $437(b)(1)$ (42 U.S.C.
15	629g(b)(1)) is amended by striking " $436(b)(1)$ "
16	and inserting "435".
17	(E) Section $437(f)(3)$ (42 U.S.C.
18	629g(f)(3)) is amended by striking " $436(b)(5)$ "
19	and inserting " $436(b)(4)$ ".
20	(F) Section 438(c) (42 U.S.C. 629g(c)) is
21	amended in each of paragraphs $(1)$ through $(3)$
22	is amended by striking " $436(b)(2)$ " and insert-
23	ing "436(b)(1)".

# 1 SEC. 325. REPORT ON POST ADOPTION AND SUBSIDIZED 2 GUARDIANSHIP SERVICES.

3 (a) IN GENERAL.—Within 2 years after the date of the enactment of this Act, the Secretary of Health and 4 5 Human Services shall prepare and submit to the Committee on Ways and Means of the House of Representa-6 7 tives and the Committee on Finance of the Senate a report 8 on children who enter into foster care under the supervision of a State administering a plan approved under part 9 B or E of title IV of the Social Security Act after finaliza-10 tion of an adoption or legal guardianship. 11

12 (b) INFORMATION.—The Secretary shall include in 13 the report information, to the extent available through the 14 Adoption and Foster Care Analysis and Reporting System 15 and other data sources, regarding the incidence of adop-16 tion disruption and dissolution affecting children described 17 in subsection (a) and factors associated with such cir-18 cumstances, including—

- (1) whether affected individuals received pre- orpost-legal adoption services; and
- 21 (2) other relevant information, such as the age22 of the child involved.

23 (c) POST-ADOPTION SERVICES AND GUARDIAN24 SHIP.—The Secretary shall include in the report—

25 (1) a summary of post-adoption services and
26 guardianship in each State that are available to fam•HR 10445 IH

ilies that adopted children from foster care and the
 extent to which the services are evidence-based or
 evidence-informed.

4 (2) a summary of funding and funding sources
5 for the services in each State, including set-asides
6 under the Promoting Safe and Stable Families pro7 gram.

## 8 SEC. 326. EFFECTIVE DATE.

9 (a) IN GENERAL.—The amendments made by this
10 part shall take effect on October 1, 2025, and shall apply
11 to payments under part B of title IV of the Social Security
12 Act for calendar quarters beginning on or after such date.

13 (b) Delay Permitted if State Legislation Re-QUIRED.—If the Secretary of Health and Human Services 14 15 determines that State legislation (other than legislation appropriating funds) is required in order for a State plan 16 17 developed pursuant to part B of title IV of the Social Security Act to meet the additional requirements imposed 18 19 by the amendments made by this part, the plan shall not 20 be regarded as failing to meet any of the additional re-21 quirements before the 1st day of the 1st calendar quarter 22 beginning after the first regular session of the State legislature that begins after the date of the enactment of this 23 24 Act. For purposes of the preceding sentence, if the State 25 has a 2-year legislative session, each year of the session

is deemed to be a separate regular session of the State
 legislature.

3 (c) Application to Programs Operated by In-4 DIAN TRIBAL ORGANIZATIONS.—In the case of an Indian 5 tribe, tribal organization, or tribal consortium that the Secretary of Health and Human Services determines re-6 7 quires time to take action necessary to comply with the 8 additional requirements imposed by the amendments made 9 by this part (whether the tribe, organization, or tribal con-10 sortium has a plan under section 479B of the Social Secu-11 rity Act or a cooperative agreement or contract entered 12 into with a State), the Secretary shall provide the tribe, 13 organization, or tribal consortium with such additional time as the Secretary determines is necessary for the tribe, 14 15 organization, or tribal consortium to take the action to comply with the additional requirements before being re-16 garded as failing to comply with the requirements. 17

# 18 PART 2—STRENGTHENING STATE AND TRIBAL

19CHILD SUPPORT

#### 20 SEC. 331. SHORT TITLE.

This part may be cited as the "Strengthening Stateand Tribal Child Support Enforcement Act".

# 1SEC. 332. IMPROVING THE EFFECTIVENESS OF TRIBAL2CHILD SUPPORT ENFORCEMENT AGENCIES.

3 (a) IMPROVING THE COLLECTION OF PAST-DUE
4 CHILD SUPPORT THROUGH STATE AND TRIBAL PARITY
5 IN THE ALLOWABLE USE OF TAX INFORMATION.—

6 (1) AMENDMENT TO THE SOCIAL SECURITY
7 ACT.—Section 464 of the Social Security Act (42
8 U.S.C. 664) is amended by adding at the end the
9 following:

10 "(d) Applicability to Indian Tribes and Tribal ORGANIZATIONS RECEIVING A GRANT UNDER THIS 11 PART.—This section, except for the requirement to dis-12 tribute amounts in accordance with section 457, shall 13 14 apply to an Indian tribe or tribal organization receiving a grant under section 455(f) in the same manner in which 15 16 this section applies to a State with a plan approved under this part.". 17

18 (2) AMENDMENTS TO THE INTERNAL REVENUE
19 CODE.—

20 (A) Section 6103(a)(2) of the Internal
21 Revenue Code of 1986 is amended by striking
22 "any local child support enforcement agency"
23 and inserting "any tribal or local child support
24 enforcement agency".

25 (B) Section 6103(a)(3) of such Code is
26 amended by inserting ", (8)" after "(6)".

1	(C) Section 6103(l) of such Code is
2	amended—
3	(i) in paragraph (6)—
4	(I) by striking "or local" in sub-
5	paragraph (A) and inserting "tribal,
6	or local";
7	(II) by striking "AND LOCAL" in
8	the heading thereof and inserting
9	"TRIBAL, AND LOCAL";
10	(III) by striking "The following"
11	in subparagraph (B) and inserting
12	"The";
13	(IV) by striking the colon and all
14	that follows in subparagraph (B) and
15	inserting a period; and
16	(V) by adding at the end the fol-
17	lowing:
18	"(D) STATE, TRIBAL, OR LOCAL CHILD
19	SUPPORT ENFORCEMENT AGENCY.—For pur-
20	poses of this paragraph, the following shall be
21	treated as a State, tribal, or local child support
22	enforcement agency:
23	"(i) Any agency of a State or political
24	subdivision thereof operating pursuant to a
25	

25 plan described in section 454 of the Social

1	Security Act which has been approved by
2	the Secretary of Health and Human Serv-
3	ices under part D of title IV of such Act.
4	"(ii) Any child support enforcement
5	agency of an Indian tribe or tribal organi-
6	zation receiving a grant under section
7	455(f) of the Social Security Act.";
8	(ii) in paragraph (8)—
9	(I) in subparagraph (A), by strik-
10	ing "or State or local" and inserting
11	", State, tribal, or local";
12	(II) in subparagraph (B), by
13	striking "enforced pursuant to a plan
14	described" and all that follows
15	through "of such Act" and inserting
16	"enforced pursuant to the provisions
17	of part D of title IV of the Social Se-
18	curity Act";
19	(III) by adding at the end of sub-
20	paragraph (B) the following: "The in-
21	formation disclosed to any child sup-
22	port enforcement agency under sub-
23	paragraph (A) with respect to any in-
24	dividual with respect to whom child
25	support obligations are sought to be

1	established or enforced may be dis-
2	closed by such agency to any agent of
3	such agency which is under contract
4	with such agency for purposes of, and
5	to the extent necessary in, estab-
6	lishing and collecting child support
7	obligations from, and locating, individ-
8	uals owing such obligations.";
9	(IV) by striking subparagraph
10	(C) and inserting the following:
11	"(C) STATE, TRIBAL, OR LOCAL CHILD
12	SUPPORT ENFORCEMENT AGENCY.—For pur-
13	poses of this paragraph, the term 'State, tribal,
14	or local child support enforcement agency' has
15	the same meaning as when used in paragraph
16	(6)(D)."; and
17	(V) by striking "AND LOCAL" in
18	the heading thereof and inserting
19	"TRIBAL, AND LOCAL"; and
20	(iii) in paragraph (10)(B), by adding
21	at the end the following new clause:
22	"(iii) The information disclosed to any
23	child support enforcement agency under
24	subparagraph (A) with respect to any indi-
25	vidual with respect to whom child support

1	obligations are sought to be established or
2	enforced may be disclosed by such agency
3	to any agent of such agency which is under
4	contract with such agency for purposes of,
5	and to the extent necessary in, establishing
6	and collecting child support obligations
7	from, and locating, individuals owing such
8	obligations.".
9	(D) Section $6103(p)(4)$ of such Code is
10	amended—
11	(i) by striking "subsection $(l)(10)$ ,
12	(13)(A), (13)(B), (13)(C), (13)(D)(i), (16),
13	(18), (19),  or  (20),  or any entity'' in the
14	matter preceding subparagraph (A) and in-
15	serting "subsection $(l)(6)$ , $(8)$ , $(10)$ ,
16	(13)(A), (13)(B), (13)(C), (13)(D)(i), (16),
17	(18), $(19)$ , or $(20)$ , or any Indian tribe or
18	tribal organization receiving a grant under
19	section 455(f) of the Social Security Act,
20	or any entity";
21	(ii) by striking "subsection $(l)(10)$ " in
22	subparagraph $(F)(i)$ and inserting "sub-
23	section (l)(6), (8), (10)";
24	(iii) by striking "subsection $(l)(10)$ ,
25	(13)(A), (13)(B), (13)(C), (13)(D)(i), (16),

1	(18), $(19)$ , or $(20)$ or any entity" each
2	place it appears in the matter following
3	subparagraph (F)(iii) and inserting "sub-
4	section (l)(6), (8), (10), (13)(A), (13)(B),
5	(13)(C), (13)(D)(i), (16), (18), (19), or
6	(20), or any Indian tribe or tribal organi-
7	zation receiving a grant under section
8	455(f) of the Social Security Act, or any
9	entity"; and
10	(iv) by inserting ", (8)" after "para-
11	graph (6)(A)" in the matter following sub-
12	paragraph (F)(iii).
13	(E) Section $6103(p)(9)$ of such Code is
14	amended by striking "or local" and inserting
15	"tribal, or local".
16	(F) Section 6402(c) of such Code is
17	amended by adding at the end the following:
18	"For purposes of this subsection, any reference
19	to a State shall include a reference to any In-
20	dian tribe or tribal organization receiving a
21	grant under section 455(f) of the Social Secu-
22	rity Act.".
23	(b) Reimbursement for Reports.—Section
24	453(g) of the Social Security Act (42 U.S.C. 653(g)) is
25	amended—

1	(1) in the subsection heading, by striking
2	"STATE"; and
3	(2) by striking "and State" and inserting ",
4	State, and tribal".
5	(c) TECHNICAL AMENDMENTS.—Paragraphs (7) and
6	(33) of section 454 of the Social Security Act (42 U.S.C.
7	654) are each amended by striking "450b" and inserting
8	<i>"</i> 5304 <i>"</i> .
9	Subtitle B—Other Matters
10	SEC. 341. SEXUAL RISK AVOIDANCE EDUCATION EXTEN-
11	SION.
12	Section 510 of the Social Security Act (42 U.S.C.
13	710) is amended—
14	(1) in subsection (a)—
15	(A) in paragraph (1)—
16	(i) by striking "and for the period"
17	and inserting "for the period";
18	(ii) by striking "December 31, 2024"
19	and inserting "September 30, 2025";
20	(iii) by inserting "and for the period
21	beginning on October 1, 2025, and ending
22	on December 31, 2025," before "allot to
23	each State"; and

1	(iv) by striking "for fiscal year 2024
2	or 2025" and inserting "for fiscal year
3	2024, 2025, or 2026"; and
4	(B) in paragraph (2), by striking "or
5	2025" each place it appears and inserting ",
6	2025, or 2026"; and
7	(2) in subsection $(f)(1)$ —
8	(A) by striking "and for the period" and
9	inserting "for the period";
10	(B) by striking "December 31, 2024" and
11	inserting "September 30, 2025"; and
12	(C) by inserting ", and for the period be-
13	ginning on October 1, 2025, and ending on De-
14	cember 31, 2025, an amount equal to the pro
15	rata portion of the amount appropriated for the
16	corresponding period for fiscal year 2025" after
17	"corresponding period for fiscal year 2024".
18	SEC. 342. PERSONAL RESPONSIBILITY EDUCATION EXTEN-
19	SION.
20	Section 513 of the Social Security Act (42 U.S.C.
21	713) is amended—
22	(1) in subsection $(a)(1)$ —
23	(A) in subparagraph (A), in the matter
24	preceding clause (i)—

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1	(i) by striking "and for the period"
2	and inserting "for the period";
3	(ii) by striking "December 31, 2024"
4	and inserting "September 30, 2025"; and
5	(iii) by inserting "and for the period
6	beginning on October 1, 2025, and ending
7	on December 31, 2025," before "the Sec-
8	retary shall allot"; and
9	(B) in subparagraph (B)(i)—
10	(i) by striking "and for the period"
11	and inserting "for the period";
12	(ii) by striking "December 31, 2024"
13	and inserting "September 30, 2025"; and
14	(iii) by inserting ", and for the period
15	beginning on October 1, 2025, and ending
16	on December 31, 2025" before the period;
17	(2) in subsection $(c)(3)$ , by striking "fiscal year
18	2024 or 2025" and inserting "fiscal year 2024,
19	2025, or 2026"; and
20	(3) in subsection (f)—
21	(A) by striking "and for the period" and
22	inserting "for the period";
23	(B) by striking "December 31, 2024" and
24	inserting "September 30, 2025"; and

1	(C) by inserting ", and for the period be-
2	ginning on October 1, 2025, and ending on De-
3	cember 31, 2025, an amount equal to the pro
4	rata portion of the amount appropriated for the
5	corresponding period for fiscal year 2025" after
6	"corresponding period for fiscal year 2024".
7	SEC. 343. EXTENSION OF FUNDING FOR FAMILY-TO-FAMILY
8	HEALTH INFORMATION CENTERS.
9	Section 501(c)(1)(A)(viii) of the Social Security Act
10	(42 U.S.C. 701(c)(1)(A)(viii)) is amended—
11	(1) by striking "\$1,500,000" and inserting
12	"\$7,500,000"; and
13	(2) by striking "for the portion of fiscal year
14	2025 before January 1, 2025" and inserting "for
15	the period beginning on October 1, 2024, and ending
16	on December 31, 2025".
17	TITLE IV—PUBLIC HEALTH
18	EXTENDERS
19	Subtitle A—Extensions
20	SEC. 401. EXTENSION FOR COMMUNITY HEALTH CENTERS,
21	NATIONAL HEALTH SERVICE CORPS, AND
22	TEACHING HEALTH CENTERS THAT OPERATE
23	GME PROGRAMS.
24	(a) EXTENSION FOR COMMUNITY HEALTH CEN-
25	TERS.—Section 10503(b)(1) of the Patient Protection and

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Affordable Care Act (42 U.S.C. 254b–2(b)(1)) is amend-

2 ed— 3 (1) in subparagraph (E), by striking "and" at 4 the end; subparagraph (F), by striking ", 5 (2)in 6 \$4,000,000,000 for each of fiscal years 2019 through 2023" and all that follows through "and 7 8 ending on December 31, 2024; and" and inserting 9 a semicolon; and 10 (3) by adding at the end the following: 11 "(G) \$4,000,000,000 for each of fiscal 12 years 2019 through 2023; "(H) \$526,027,397 for the period begin-13 14 ning on October 1, 2023, and ending on No-15 vember 17, 2023, \$690,410,959 for the period beginning on November 18, 2023, and ending 16 17 on January 19, 2024, \$536,986,301 for the pe-18 riod beginning on January 20, 2024, and end-19 ing on March 8, 2024, and \$3,592,328,767 for 20 the period beginning on October 1, 2023, and 21 ending on December 31, 2024; 22 "(I) \$3,365,753,425 for the period begin-23 ning on January 1, 2025, and ending on Sep-24 tember 30, 2025; and

1	((J) \$4,600,000,000 for fiscal year 2026;
2	and".
3	(b) EXTENSION FOR THE NATIONAL HEALTH SERV-
4	ICE CORPS.—Section 10503(b)(2) of the Patient Protec-
5	tion and Affordable Care Act (42 U.S.C. $254b-2(b)(2)$ )
6	is amended—
7	(1) in subparagraph (H), by striking "and" at
8	the end;
9	(2) in subparagraph (I), by striking the period
10	at the end and inserting a semicolon; and
11	(3) by adding at the end the following:
12	(J) \$261,780,822 for the period begin-
13	ning on January 1, 2025, and ending on Sep-
14	tember 30, 2025; and
15	"(K) \$350,000,000 for fiscal year 2026.".
16	(c) TEACHING HEALTH CENTERS THAT OPERATE
17	GRADUATE MEDICAL EDUCATION PROGRAMS.—Section
18	340H(g)(1) of the Public Health Service Act (42 U.S.C.
19	256h(g)(1)) is amended—
20	(1) by striking "not to exceed \$230,000,000"
21	and all that follows through "and ending on Decem-
22	ber 31, 2024,"; and
23	(2) by striking the period at the end and insert-
24	ing the following: ", not to exceed—

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1	"(A) \$230,000,000, for the period of fiscal
2	years 2011 through 2015;
3	"(B) $60,000,000$ for each of fiscal years
4	2016 and 2017;
5	"(C) $$126,500,000$ for each of fiscal years
6	2018 through 2023;
7	"(D) $$16,635,616$ for the period beginning
8	on October 1, 2023, and ending on November
9	17, 2023, \$21,834,247 for the period beginning
10	on November 18, 2023, and ending on January
11	19, 2024, \$16,982,192 for the period beginning
12	on January 20, 2024, and ending on March 8,
13	2024, and $$164,136,986$ for the period begin-
14	ning on October 1, 2023, and ending on De-
15	cember 31, 2024;
16	"(E) $$156,000,000$ for the period begin-
17	ning on January 1, 2025, and ending on Sep-
18	tember 30, 2025;
19	"(F) \$225,000,000 for fiscal year 2026;
20	"(G) \$250,000,000 for fiscal year 2027;
21	"(H) \$275,000,000 for fiscal year 2028;
22	and
23	"(I) \$300,000,000 for fiscal year 2029.".
24	(d) Application of Provisions.—Amounts appro-
25	priated pursuant to the amendments made by this section

shall be subject to the requirements contained in Public
 Law 117-328 for funds for programs authorized under
 sections 330 through 340 of the Public Health Service Act
 (42 U.S.C. 254b et seq.).

5 (e) CONFORMING AMENDMENTS.—Section 3014(h)
6 of title 18, United States Code, is amended—

7 (1) in paragraph (1), by striking "under sub-8 paragraphs (E) and (F) of section 10503(b)(1) of 9 the Patient Protection and Affordable Care Act (42) U.S.C. 254b-2(b)(1)" and inserting "under section 10 11 10503(b)(1) of the Patient Protection and Afford-12 able Care Act (42 U.S.C. 254b-2(b)(1)) for fiscal 13 year 2015 and each subsequent fiscal year (or period 14 thereof)"; and

(2) in paragraph (4), by striking "and section
101(d) of the Consolidated Appropriations Act,
2024" and inserting "section 101(d) of the Consolidated Appropriations Act, 2024, and section 401 of
the Health Improvements, Extenders, and Reauthorizations Act".

## 21 SEC. 402. EXTENSION OF SPECIAL DIABETES PROGRAMS.

(a) EXTENSION OF SPECIAL DIABETES PROGRAMS
FOR TYPE I DIABETES.—Section 330B(b)(2) of the Public Health Service Act (42 U.S.C. 254c-2(b)(2)) is amended—

1	(1) in subparagraph (D), by striking "and" at
2	the end;
3	(2) in subparagraph (E), by striking the period
4	at the end and inserting a semicolon; and
5	(3) by adding at the end the following:
6	"(F) $$149,589,041$ for the period begin-
7	ning on January 1, 2025, and ending on Sep-
8	tember 30, 2025, to remain available until ex-
9	pended; and
10	"(G) \$200,000,000 for fiscal year 2026, to
11	remain available until expended.".
12	(b) Extending Funding for Special Diabetes
13	PROGRAMS FOR INDIANS.—Section $330C(c)(2)$ of the
14	Public Health Service Act (42 U.S.C. $254c-3(c)(2)$ ) is
15	amended—
16	(1) in subparagraph (D), by striking "and" at
17	the end;
18	(2) in subparagraph (E), by striking the period
19	at the end and inserting a semicolon; and
20	(3) by adding at the end the following:
21	"(F) $$149,589,041$ for the period begin-
22	ning on January 1, 2025, and ending on Sep-
23	tember 30, 2025, to remain available until ex-
24	pended; and

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1	"(G) \$200,000,000 for fiscal year 2026, to
2	remain available until expended.".
3	Subtitle B—World Trade Center
4	Health Program
5	SEC. 411. 9/11 RESPONDER AND SURVIVOR HEALTH FUND-
6	ING CORRECTIONS.
7	(a) IN GENERAL.—Section 3351(a)(2)(A) of the
8	Public Health Service Act (42 U.S.C. 300mm–
9	61(a)(2)(A)) is amended—
10	(1) in clause (x), by striking "; and" and insert-
11	ing a semicolon;
12	(2) by redesignating clause (xi) as clause (xii);
13	and
14	(3) by inserting after clause (x), the following:
15	"(xi) for each of fiscal years 2026
16	through 2040—
17	"(I) the amount determined
18	under this subparagraph for the pre-
19	vious fiscal year multiplied by 1.05;
20	multiplied by
21	"(II) the ratio of—
22	"(aa) the total number of
23	individuals enrolled in the WTC
24	Program on July 1 of such pre-
25	vious fiscal year; to

	000
1	"(bb) the total number of
2	individuals so enrolled on July 1
3	of the fiscal year prior to such
4	previous fiscal year; and".
5	(b) Report to Congress.—
6	(1) IN GENERAL.—Not later than 3 years after
7	the date of enactment of this Act, the Secretary of
8	Health and Human Services (referred to in this sub-
9	section as the "Secretary") shall conduct an assess-
10	ment of anticipated budget authority and outlays of
11	the World Trade Center Health Program (referred
12	to in this subsection as the "Program") through the
13	duration of the Program and submit a report sum-
14	marizing such assessment to—
15	(A) the Speaker and minority leader of the
16	House of Representatives;
17	(B) the majority and minority leaders of
18	the Senate;
19	(C) the Committee on Health, Education,
20	Labor, and Pensions and Committee on the
21	Budget of the Senate; and
22	(D) the Committee on Energy and Com-
23	merce and the Committee on the Budget of the
24	House of Representatives.

1	(2) INCLUSIONS.—The report required under
2	paragraph (1) shall include—
3	(A) a projection of Program budgetary
4	needs on a per-fiscal year basis through fiscal
5	year 2090;
6	(B) a review of Program modeling for each
7	of fiscal years 2017 through the fiscal year
8	prior to the fiscal year in which the report is
9	issued to assess how anticipated budgetary
10	needs compared to actual expenditures;
11	(C) an assessment of the projected budget
12	authority and expenditures of the Program
13	through fiscal year 2090 by comparing—
14	(i) such projected authority and ex-
15	penditures resulting from application of
16	section $3351(a)(2)(A)$ of the Public Health
17	Service Act (42 U.S.C. 300mm–
18	61(a)(2)(A), as amended by subsection
19	(a); and
20	(ii) such projected authority and ex-
21	penditures that would result if such section
22	were amended so that the formula under
23	clause (xi) of such section, as amended by
24	subsection (a), were to be extended
25	through fiscal year 2090; and

1	(D) any recommendations of the Secretary
2	to make changes to the formula under such sec-
3	tion $3351(a)(2)(A)$ , as so amended, to fully off-
4	set anticipated Program expenditures through
5	fiscal year 2090.
6	(c) TECHNICAL AMENDMENTS.—Title XXXIII of the
7	Public Health Service Act (42 U.S.C. 300mm et seq.) is
8	amended—
9	(1) in section 3352(d) (42 U.S.C. 300mm-
10	62(d)), by striking "Any amounts" and inserting
11	"Any unobligated amounts";
12	(2) in section 3353(d) (42 U.S.C. 300mm-
13	63(d)), by striking "Any amounts" and inserting
14	"Any unobligated amounts"; and
15	(3) in section 3354(d) (42 U.S.C. 300mm-
16	64(d)), by striking "Any amounts" and inserting
17	"Any unobligated amounts".
18	TITLE V—SUPPORT ACT
19	REAUTHORIZATION
20	SEC. 501. SHORT TITLE.
21	This title may be cited as the "SUPPORT for Pa-
22	tients and Communities Reauthorization Act of 2024".

Subtitle A—Prevention

2 SEC. 511. PRENATAL AND POSTNATAL HEALTH.

1

3 Section 317L(d) of the Public Health Service Act (42
4 U.S.C. 247b–13(d)) is amended by striking "such sums
5 as may be necessary for each of the fiscal years 2019
6 through 2023" and inserting "\$4,250,000 for each of fis7 cal years 2025 through 2029".

# 8 SEC. 512. MONITORING AND EDUCATION REGARDING IN9 FECTIONS ASSOCIATED WITH ILLICIT DRUG 10 USE AND OTHER RISK FACTORS.

Section 317N(d) of the Public Health Service Act (42
U.S.C. 247b–15(d)) is amended by striking "fiscal years
2019 through 2023" and inserting "fiscal years 2025
through 2029".

15 SEC. 513. PREVENTING OVERDOSES OF CONTROLLED SUB-

16 STANCES.

17 (a) IN GENERAL.—Section 392A of the Public
18 Health Service Act (42 U.S.C. 280b–1) is amended—

19 (1) in subsection (a)(2)—

20 (A) in subparagraph (C), by inserting "and
21 associated risks" before the period at the end;
22 and

(B) in subparagraph (D), by striking
"opioids" and inserting "substances causing
overdose"; and

(2) i	n subsection	(b)(2)			
	(A) in subp	aragra	aph (B), b	y inser	ting ",
and	associated	risk	factors,"	after	"such
over	doses";				
	(B) in subpa	aragraj	ph (C), by	striking	g "cod-

y striking "codand inserting "monitoring and identiing" fying";

8 (C) in subparagraph (E)—

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(i) by inserting a comma after "public 9 10 health laboratories"; and

11 (ii) by inserting "and other emerging substances related" after "analogues"; and 12 13 (D) in subparagraph (F), by inserting "and associated risk factors" after "overdoses". 14 (b) ADDITIONAL GRANTS.—Section 392A(a)(3) of 15 the Public Health Service Act (42 U.S.C. 280b-1(a)(3))16 17 is amended—

18 (1) in the matter preceding subparagraph (A), by striking "and Indian Tribes—" and inserting 19 "and Indian Tribes for the following purposes:"; 20

21 (2) by amending subparagraph (A) to read as 22 follows:

"(A) To carry out innovative projects for 23 24 grantees to detect, identify, and rapidly respond 25 to controlled substance misuse, abuse, and

1	overdoses, and associated risk factors, including
2	changes in patterns of such controlled sub-
3	stance use. Such projects may include the use
4	of innovative, evidence-based strategies for de-
5	tecting such patterns, such as wastewater sur-
6	veillance, if proven to support actionable pre-
7	vention strategies, in a manner consistent with
8	applicable Federal and State privacy laws.";
9	and
10	(3) in subparagraph (B), by striking "for any"
11	and inserting "For any".
12	(c) Authorization of Appropriations.—Section
13	392A(e) of the Public Health Service Act (42 U.S.C.

13 592A(e) of the Public Health Service Act (42 0.S.C.
14 280b-1(e)) is amended by striking "\$496,000,000 for
15 each of fiscal years 2019 through 2023" and inserting
16 "\$505,579,000 for each of fiscal years 2025 through
17 2029".

18 SEC. 514. SUPPORT FOR INDIVIDUALS AND FAMILIES IM-

# 19 PACTED BY FETAL ALCOHOL SPECTRUM DIS-20 ORDER.

(a) IN GENERAL.—Part O of title III of the Public
Health Service Act (42 U.S.C. 280f et seq.) is amended
to read as follows:

1	"PART O—FETAL ALCOHOL SYNDROME
2	PREVENTION AND SERVICES PROGRAM
3	"SEC. 399H. FETAL ALCOHOL SPECTRUM DISORDERS PRE-
4	VENTION, INTERVENTION, AND SERVICES DE-
5	LIVERY PROGRAM.
6	"(a) IN GENERAL.—The Secretary shall establish or
7	continue activities to support a comprehensive fetal alcohol
8	spectrum disorders (referred to in this section as 'FASD')
9	education, prevention, identification, intervention, and
10	services delivery program, which may include—
11	((1) an education and public awareness pro-
12	gram to support, conduct, and evaluate the effective-
13	ness of—
14	"(A) educational programs targeting
15	health professions schools, social and other sup-
16	portive services, educators and counselors and
17	other service providers in all phases of child-
18	hood development, and other relevant service
19	providers, concerning the prevention, identifica-
20	tion, and provision of services for infants, chil-
21	dren, adolescents and adults with FASD;
22	"(B) strategies to educate school-age chil-
23	dren, including pregnant and high-risk youth,
24	concerning FASD;
25	"(C) public and community awareness pro-
26	grams concerning FASD; and
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1	"(D) strategies to coordinate information
2	and services across affected community agen-
3	cies, including agencies providing social services
4	such as foster care, adoption, and social work,
5	agencies providing health services, and agencies
6	involved in education, vocational training and
7	civil and criminal justice;
8	((2) supporting and conducting research on
9	FASD, as appropriate, including to—
10	"(A) develop appropriate medical diag-
11	nostic methods for identifying FASD; and
12	"(B) develop effective culturally and lin-
13	guistically appropriate evidence-based or evi-
14	dence-informed interventions and appropriate
15	supports for preventing prenatal alcohol expo-
16	sure, which may co-occur with exposure to other
17	substances;
18	"(3) building State and Tribal capacity for the
19	identification, treatment, and support of individuals
20	with FASD and their families, which may include—
21	"(A) utilizing and adapting existing Fed-
22	eral, State, or Tribal programs to include
23	FASD identification and FASD-informed sup-
24	port;

1	"(B) developing and expanding screening
2	and diagnostic capacity for FASD;
3	"(C) developing, implementing, and evalu-
4	ating targeted FASD-informed intervention
5	programs for FASD;
6	"(D) providing training with respect to
7	FASD for professionals across relevant sectors;
8	and
9	"(E) disseminating information about
10	FASD and support services to affected individ-
11	uals and their families; and
12	"(4) an applied research program concerning
13	intervention and prevention to support and conduct
14	service demonstration projects, clinical studies and
15	other research models providing advocacy, edu-
16	cational and vocational training, counseling, medical
17	and mental health, and other supportive services, as
18	well as models that integrate and coordinate such
19	services, that are aimed at the unique challenges fac-
20	ing individuals with Fetal Alcohol Syndrome or
21	Fetal Alcohol Effect and their families.
22	"(b) Grants and Technical Assistance.—
23	"(1) IN GENERAL.—The Secretary may award
24	grants, cooperative agreements and contracts and

1	provide technical assistance to eligible entities to
2	carry out subsection (a).
3	"(2) ELIGIBLE ENTITIES.—To be eligible to re-
4	ceive a grant, or enter into a cooperative agreement
5	or contract, under this section, an entity shall—
6	"(A) be a State, Indian Tribe or Tribal or-
7	ganization, local government, scientific or aca-
8	demic institution, or nonprofit organization;
9	and
10	"(B) prepare and submit to the Secretary
11	an application at such time, in such manner,
12	and containing such information as the Sec-
13	retary may require, including a description of
14	the activities that the entity intends to carry
15	out using amounts received under this section.
16	"(3) Additional application contents.—
17	The Secretary may require that an eligible entity in-
18	clude in the application submitted under paragraph
19	(2)(B)—
20	"(A) a designation of an individual to
21	serve as a FASD State or Tribal coordinator of
22	activities such eligible entity proposes to carry
23	out through a grant, cooperative agreement, or
24	contract under this section; and

"(B) a description of an advisory committee the entity will establish to provide guidance for the entity on developing and implementing a statewide or Tribal strategic plan to
prevent FASD and provide for the identification, treatment, and support of individuals with
FASD and their families.

8 "(c) Definition of FASD-informed.—For pur-9 poses of this section, the term 'FASD-informed', with re-10 spect to support or an intervention program, means that such support or intervention program uses culturally and 11 12 linguistically informed evidence-based or practice-based 13 interventions and appropriate resources to support an improved quality of life for an individual with FASD and 14 15 the family of such individual.

16 "SEC. 399I. STRENGTHENING CAPACITY AND EDUCATION17FOR FETAL ALCOHOL SPECTRUM DIS-18ORDERS.

19 "(a) IN GENERAL.—The Secretary shall award 20 grants, contracts, or cooperative agreements, as the Sec-21 retary determines appropriate, to public or nonprofit pri-22 vate entities with demonstrated expertise in the field of 23 fetal alcohol spectrum disorders (referred to in this section 24 as 'FASD'). Such awards shall be for the purposes of 25 building local, Tribal, State, and nationwide capacities to prevent the occurrence of FASD by carrying out the pro grams described in subsection (b).

3 "(b) PROGRAMS.—An entity receiving an award
4 under subsection (a) may use such award for the following
5 purposes:

6 "(1) Developing and supporting public edu7 cation and outreach activities to raise public aware8 ness of the risks associated with alcohol consumption
9 during pregnancy.

10 "(2) Acting as a clearinghouse for evidence11 based resources on FASD prevention, identification,
12 and culturally and linguistically appropriate best
13 practices to help inform systems of care for individ14 uals with FASD across their lifespan.

15 "(3) Increasing awareness and understanding
16 of efficacious, evidence-based screening tools and
17 culturally and linguistically appropriate evidence18 based intervention services and best practices, which
19 may include improving the capacity for State, Trib20 al, and local affiliates.

21 "(4) Providing technical assistance to recipients
22 of grants, cooperative agreements, or contracts
23 under section 399H, as appropriate.

24 "(c) APPLICATION.—To be eligible for a grant, con-25 tract, or cooperative agreement under this section, an enti-

ty shall submit to the Secretary an application at such
 time, in such manner, and containing such information as
 the Secretary may require.

4 "(d) SUBCONTRACTING.—A public or private non-5 profit entity may carry out the following activities required 6 under this section through contracts or cooperative agree-7 ments with other public and private nonprofit entities with 8 demonstrated expertise in FASD:

9 "(1) Resource development and dissemination.

10 "(2) Intervention services.

11 "(3) Training and technical assistance.

### 12 "SEC. 399J. AUTHORIZATION OF APPROPRIATIONS.

13 "There are authorized to be appropriated to carry out
14 this part \$12,500,000 for each of fiscal years 2025
15 through 2029.".

(b) REPORT.—Not later than 4 years after the date
of enactment of this Act, and every year thereafter, the
Secretary of Health and Human Services shall prepare
and submit to the Committee on Health, Education,
Labor, and Pensions of the Senate and the Committee on
Energy and Commerce of the House of Representatives
a report containing—

(1) a review of the activities carried out pursuant to sections 399H and 399I of the Public Health
Service Act, as amended, to advance public edu-

1	cation and awareness of fetal alcohol spectrum dis-
2	orders (referred to in this section as "FASD");
3	(2) a description of—
4	(A) the activities carried out pursuant to
5	such sections 399H and 399I to identify, pre-
6	vent, and treat FASD; and
7	(B) methods used to evaluate the outcomes
8	of such activities; and
9	(3) an assessment of activities carried out pur-
10	suant to such sections 399H and 399I to support in-
11	dividuals with FASD.
12	SEC. 515. PROMOTING STATE CHOICE IN PDMP SYSTEMS.
13	Section 399O(h) of the Public Health Service Act (42
14	U.S.C. 280g–3(h)) is amended by adding at the end the
15	following:
16	"(5) PROMOTING STATE CHOICE.—Nothing in
17	this section shall be construed to authorize the Sec-
18	retary to require States to use a specific vendor or
19	a specific interoperability connection other than to
20	align with nationally recognized, consensus-based
21	open standards, such as in accordance with sections
22	3001 and 3004.".
23	SEC. 516. FIRST RESPONDER TRAINING PROGRAM.
24	Section 546 of the Public Health Service Act $(42)$
25	U.S.C. 290ee–1) is amended—

1	(1) in subsection (a), by striking "tribes and
2	tribal" and inserting "Tribes and Tribal";
3	(2) in subsections $(a)$ , $(c)$ , and $(d)$ —
4	(A) by striking "approved or cleared" each
5	place it appears and inserting "approved,
6	cleared, or otherwise legally marketed"; and
7	(B) by striking "opioid" each place it ap-
8	pears;
9	(3) in subsection (f)—
10	(A) by striking "approved or cleared" each
11	place it appears and inserting "approved,
12	cleared, or otherwise legally marketed";
13	(B) in paragraph (1), by striking "opioid";
14	(C) in paragraph (2)—
15	(i) by striking "opioid and heroin"
16	and inserting "opioid, heroin, and other
17	drug''; and
18	(ii) by striking "opioid overdose" and
19	inserting "overdose"; and
20	(D) in paragraph (3), by striking "opioid
21	and heroin''; and
22	(4) in subsection (h), by striking " $$36,000,000$
23	for each of fiscal years 2019 through 2023" and in-
24	serting "\$56,000,000 for each of fiscal years 2025
25	through 2029".

1	SEC. 517. DONALD J. COHEN NATIONAL CHILD TRAUMATIC
2	STRESS INITIATIVE.
3	(a) TECHNICAL AMENDMENT.—The second part G of
4	title V of the Public Health Service Act (42 U.S.C. 290kk
5	et seq.), as added by section 144 of the Community Re-
6	newal Tax Relief Act (Public Law 106–554), is amend-
7	ed—
8	(1) by redesignating such part as part J; and
9	(2) by redesignating sections 581 through 584
10	as sections 596 through 596C, respectively.
11	(b) IN GENERAL.—Section 582 of the Public Health
12	Service Act (42 U.S.C. 290hh–1) is amended—
13	(1) in the section heading, by striking "VIO-
14	LENCE RELATED STRESS" and inserting "TRAU-
15	MATIC EVENTS";
16	(2) in subsection (a)—
17	(A) in the matter preceding paragraph (1),
18	by striking "tribes and tribal" and inserting
19	"Tribes and Tribal"; and
20	(B) in paragraph (2), by inserting "and
21	dissemination" after "the development";
22	(3) in subsection (b), by inserting "and dissemi-
23	nation" after "the development";
24	(4) in subsection (d)—
25	(A) by striking "The NCTSI" and insert-
26	ing the following:

1	"(1) Coordinating Center.—The NCTSI";
2	and
3	(B) by adding at the end the following:
4	"(2) NCTSI GRANTEES.—In carrying out sub-
5	section (a)(2), NCTSI grantees shall develop
6	trainings and other resources, as applicable and ap-
7	propriate, to support implementation of the evi-
8	dence-based practices developed and disseminated
9	under such subsection.";
10	(5) in subsection (e)—
11	(A) by redesignating paragraphs (1) and
12	(2) as subparagraphs (A) and (B), respectively,
13	and adjusting the margins accordingly;
14	(B) in subparagraph (A), as so redesig-
15	nated, by inserting "and implementation" after
16	"the dissemination";
17	(C) by striking "The NCTSI" and insert-
18	ing the following:
19	"(1) COORDINATING CENTER.—The NCTSI";
20	and
21	(D) by adding at the end the following:
22	"(2) NCTSI GRANTEES.—NCTSI grantees shall,
23	as appropriate, collaborate with other such grantees,
24	the NCTSI coordinating center, and the Secretary in
25	carrying out subsections (a)(2) and (d)(2).";

1 (6) by amending subsection (h) to read as fol-2 lows:

3 "(h) APPLICATION AND EVALUATION.—To be eligible
4 to receive a grant, contract, or cooperative agreement
5 under subsection (a), a public or nonprofit private entity
6 or an Indian Tribe or Tribal organization shall submit to
7 the Secretary an application at such time, in such manner,
8 and containing such information and assurances as the
9 Secretary may require, including—

"(1) a plan for the evaluation of the activities
funded under the grant, contract, or agreement, including both process and outcomes evaluation, and
the submission of an evaluation at the end of the
project period; and

"(2) a description of how such entity, Indian
Tribe, or Tribal organization will support efforts led
by the Secretary or the NCTSI coordinating center,
as applicable, to evaluate activities carried out under
this section."; and

20 (7) by amending subsection (j) to read as fol-21 lows:

22 "(j) AUTHORIZATION OF APPROPRIATIONS.—There
23 is authorized to be appropriated to carry out this section—

24 "(1) \$93,887,000 for fiscal year 2025;

25 "(2) \$95,000,000 for fiscal year 2026;

"(3) \$97,000,000 for fiscal year 2027;
"(4) \$100,000,000 for fiscal year 2028; and
"(5) \$100,000,000 for fiscal year 2029.".
SEC. 518. PROTECTING SUICIDE PREVENTION LIFELINE
FROM CYBERSECURITY INCIDENTS.
(a) NATIONAL SUICIDE PREVENTION LIFELINE PRO-
GRAM.—Section 520E–3(b) of the Public Health Service
Act (42 U.S.C. 290bb–36c(b)) is amended—
(1) in paragraph (4), by striking "and" at the
end;
(2) in paragraph $(5)$ , by striking the period at
the end and inserting "; and"; and
(3) by adding at the end the following:
"(6) taking such steps as may be necessary to
ensure the suicide prevention hotline is protected
from cybersecurity incidents and eliminates known
cybersecurity vulnerabilities.".
(b) Reporting.—Section 520E–3 of the Public
Health Service Act (42 U.S.C. 290bb–36c) is amended—
(1) by redesignating subsection (f) as sub-
section (g); and
(2) by inserting after subsection (e) the fol-
lowing:
"(f) Cybersecurity Reporting.—

1	"(A) IN GENERAL.—The program's net-
2	work administrator receiving Federal funding
3	pursuant to subsection (a) shall report to the
4	Assistant Secretary, in a manner that protects
5	personal privacy, consistent with applicable
6	Federal and State privacy laws—
7	"(i) any identified cybersecurity
8	vulnerabilities to the program within a rea-
9	sonable amount of time after identification
10	of such a vulnerability; and
11	"(ii) any identified cybersecurity inci-
12	dents to the program within a reasonable
13	amount of time after identification of such
14	incident.
15	"(B) LOCAL AND REGIONAL CRISIS CEN-
16	TERS.—Local and regional crisis centers par-
17	ticipating in the program shall report to the
18	program's network administrator identified
19	under subparagraph (A), in a manner that pro-
20	tects personal privacy, consistent with applica-
21	ble Federal and State privacy laws—
22	"(i) any identified cybersecurity
23	vulnerabilities to the program within a rea-
24	sonable amount of time after identification
25	of such vulnerability; and

- "(ii) any identified cybersecurity inci-1 2 dents to the program within a reasonable amount of time after identification of such 3 4 incident. 5 "(2) NOTIFICATION.—If the program's network 6 administrator receiving funding pursuant to sub-7 section (a) discovers, or is informed by a local or re-8 gional crisis center pursuant to paragraph (1)(B) of, 9 a cybersecurity vulnerability or incident, within a 10 reasonable amount of time after such discovery or 11 receipt of information, such entity shall report the 12 vulnerability or incident to the Assistant Secretary. 13 "(3) CLARIFICATION.— 14 "(A) Oversight.— 15 "(i) LOCAL AND REGIONAL CRISIS 16 CENTERS.—Except as provided in clause 17 (ii), local and regional crisis centers par-18 ticipating in the program shall oversee all 19 technology each center employs in the pro-20 vision of services as a participant in the 21 program. "(ii) 22 NETWORK ADMINISTRATOR.— 23 The program's network administrator receiving Federal funding pursuant to sub-24
- 25 section (a) shall oversee the technology

1	each crisis center employs in the provision
2	of services as a participant in the program
3	if such oversight responsibilities are estab-
4	lished in the applicable network participa-
5	tion agreement.
6	"(B) SUPPLEMENT, NOT SUPPLANT.—The
7	cybersecurity incident reporting requirements
8	under this subsection shall supplement, and not
9	supplant, cybersecurity incident reporting re-
10	quirements under other provisions of applicable
11	Federal law that are in effect on the date of the
12	enactment of the SUPPORT for Patients and
13	Communities Reauthorization Act of 2024.".
14	(c) STUDY.—Not later than 180 days after the date
15	of the enactment of this Act, the Comptroller General of
16	the United States shall—
17	(1) conduct and complete a study that evaluates
18	cybersecurity risks and vulnerabilities associated
19	with the 9–8–8 National Suicide Prevention Lifeline;
20	and
21	(2) submit a report on the findings of such
22	study to the Committee on Health, Education,
23	Labor, and Pensions of the Senate and the Com-
24	mittee on Energy and Commerce of the House of
	Representatives.

1 SEC. 519. BRUCE'S LAW.

2 (a) YOUTH PREVENTION AND RECOVERY.—Section
3 7102(c) of the SUPPORT for Patients and Communities
4 Act (42 U.S.C. 290bb–7a(c)) is amended—

5 (1) in paragraph (3)(A)(i), by inserting ",
6 which may include strategies to increase education
7 and awareness of the potency and dangers of syn8 thetic opioids (including drugs contaminated with
9 fentanyl) and, as appropriate, other emerging drug
10 use or misuse issues" before the semicolon; and

(2) in paragraph (4)(A), by inserting "and
strategies to increase education and awareness of
the potency and dangers of synthetic opioids (including drugs contaminated with fentanyl) and, as appropriate, emerging drug use or misuse issues" before the semicolon.

17 (b) INTERDEPARTMENTAL SUBSTANCE USE DIS18 ORDERS COORDINATING COMMITTEE.—Section 7022 of
19 the SUPPORT for Patients and Communities Act (42
20 U.S.C. 290aa note) is amended—

21 (1) by striking subsection (g) and inserting the22 following:

23 "(g) WORKING GROUPS.—

24 "(1) IN GENERAL.—The Committee may estab25 lish working groups for purposes of carrying out the
26 duties described in subsection (e). Any such working
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1	group shall be composed of members of the Com-
2	mittee (or the designees of such members) and may
3	hold such meetings as are necessary to carry out the
4	duties delegated to the working group.
5	"(2) Additional federal interagency
6	WORK GROUP ON FENTANYL CONTAMINATION OF IL-
7	LEGAL DRUGS.—
8	"(A) ESTABLISHMENT.—The Secretary,
9	acting through the Committee, shall establish a
10	Federal Interagency Work Group on Fentanyl
11	Contamination of Illegal Drugs (referred to in
12	this paragraph as the 'Work Group') consisting
13	of representatives from relevant Federal depart-
14	ments and agencies on the Committee.
15	"(B) CONSULTATION.—The Work Group
16	shall consult with relevant stakeholders and
17	subject matter experts, including—
18	"(i) State, Tribal, and local subject
19	matter experts in reducing, preventing, and
20	responding to drug overdose caused by
21	fentanyl contamination of illicit drugs; and
22	"(ii) family members of both adults
23	and youth who have overdosed by fentanyl
24	contaminated illicit drugs.

1	"(i) examine Federal efforts to reduce
2	and prevent drug overdose by fentanyl-con-
3	taminated illicit drugs;
4	"(ii) identify strategies to improve
5	State, Tribal, and local responses to over-
6	dose by fentanyl-contaminated illicit drugs;
7	"(iii) coordinate with the Secretary, as
8	appropriate, in carrying out activities to
9	raise public awareness of synthetic opioids
10	and other emerging drug use and misuse
11	issues;
12	"(iv) make recommendations to Con-
13	gress for improving Federal programs, in-
14	cluding with respect to the coordination of
15	efforts across such programs; and
16	"(v) make recommendations for edu-
17	cating youth on the potency and dangers of
18	drugs contaminated by fentanyl.
19	"(D) ANNUAL REPORT TO SECRETARY
20	The Work Group shall annually prepare and
21	submit to the Secretary, the Committee on
22	Health, Education, Labor, and Pensions of the
23	Senate, and the Committee on Energy and
24	Commerce and the Committee on Education
25	and the Workforce of the House of Representa-

1	tives, a report on the activities carried out by
2	the Work Group under subparagraph (C), in-
3	cluding recommendations to reduce and prevent
4	drug overdose by fentanyl contamination of ille-
5	gal drugs, in all populations, and specifically
6	among youth at risk for substance misuse.";
7	and
8	(2) by striking subsection (i) and inserting the
9	following:
10	"(i) SUNSET.—The Committee shall
11	terminate on September 30, 2029.".
12	SEC. 520. GUIDANCE ON AT-HOME DRUG DISPOSAL SYS-
13	TEMS.
14	(a) IN GENERAL.—Not later than one year after the
15	date of enactment of this Act, the Secretary of Health and
16	Human Services, in consultation with the Administrator
17	of the Drug Enforcement Administration, shall publish
18	guidance to facilitate the use of at-home safe disposal sys-
19	tems for applicable drugs.
20	(b) CONTENTS.—The guidance under subsection (a)
21	shall include—
22	(1) recommended standards for effective at-
23	home drug disposal systems to meet applicable re-
24	quirements enforced by the Food and Drug Adminis-
25	tration;

(2) recommended information to include as in structions for use to disseminate with at-home drug
 disposal systems;

4 (3) best practices and educational tools to sup5 port the use of an at-home drug disposal system, as
6 appropriate; and

7 (4) recommended use of licensed health pro8 viders for the dissemination of education, instruc9 tion, and at-home drug disposal systems, as appro10 priate.

#### 11 SEC. 521. ASSESSMENT OF OPIOID DRUGS AND ACTIONS.

12 (a) IN GENERAL.—Not later than one year after the 13 date of enactment of this Act, the Secretary of Health and Human Services (referred to in this section as the "Sec-14 15 retary") shall publish on the website of the Food and Drug Administration (referred to in this section as the 16 17 "FDA") a report that outlines a plan for assessing opioid 18 analysic drugs that are approved under section 505 of 19 the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 20 355) that addresses the public health effects of such opioid 21 analgesic drugs as part of the benefit-risk assessment and 22 the activities of the FDA that relate to facilitating the de-23 velopment of nonaddictive medical products intended to 24 treat pain or addiction. Such report shall include—

1	(1) an update on the actions taken by the FDA
2	to consider the effectiveness, safety, benefit-risk pro-
3	file, and use of approved opioid analgesic drugs;
4	(2) a timeline for an assessment of the potential
5	need, as appropriate, for labeling changes, revised or
6	additional postmarketing requirements, enforcement
7	actions, or withdrawals for opioid analgesic drugs;
8	(3) an overview of the steps that the FDA has
9	taken to support the development and approval of
10	nonaddictive medical products intended to treat pain
11	or addiction, and actions planned to further support
12	the development and approval of such products; and
13	(4) an overview of the consideration by the
14	FDA of clinical trial methodologies for analgesic
15	drugs, including the enriched enrollment randomized
16	withdrawal methodology, and the benefits and draw-
17	backs associated with different trial methodologies
18	for such drugs, incorporating any public input re-
19	ceived under subsection (b).
20	(b) Public Input.—In carrying out subsection (a),
21	the Secretary shall provide an opportunity for public input

22 concerning the regulation by the FDA of opioid analgesic23 drugs, including scientific evidence that relates to condi-24 tions of use, safety, or benefit-risk assessment (including

consideration of the public health effects) of such opioid
 analgesic drugs.

# 3 SEC. 522. GRANT PROGRAM FOR STATE AND TRIBAL RE-4 SPONSE TO OPIOID USE DISORDERS.

5 The activities carried out pursuant to section 6 1003(b)(4)(A) of the 21st Century Cures Act (42 U.S.C. 7 290ee-3a(b)(4)(A)) may include facilitating access to 8 products used to prevent overdose deaths by detecting the 9 presence of one or more substances, such as fentanyl and 10 xylazine test strips, to the extent the purchase and posses-11 sion of such products is consistent with Federal and State 12 law.

## 13 Subtitle B—Treatment

14 SEC. 531. RESIDENTIAL TREATMENT PROGRAM FOR PREG-

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#### NANT AND POSTPARTUM WOMEN.

16 Section 508 of the Public Health Service Act (42
17 U.S.C. 290bb-1) is amended—

18 (1) in subsection (d)(11)(C), by striking "pro19 viding health services" and inserting "providing
20 health care services";

21 (2) in subsection (g)—

22 (A) by inserting "a plan describing" after23 "will provide"; and

24 (B) by adding at the end the following:25 "Such plan may include a description of how

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1	such applicant will target outreach to women
2	disproportionately impacted by maternal sub-
3	stance use disorder."; and
4	(3) in subsection (s), by striking " $$29,931,000$
5	for each of fiscal years 2019 through 2023" and in-
6	serting "\$38,931,000 for each of fiscal years 2025
7	through 2029".
8	SEC. 532. IMPROVING ACCESS TO ADDICTION MEDICINE
9	PROVIDERS.
10	Section 597 of the Public Health Service Act $(42)$
11	U.S.C. 290ll) is amended—
12	(1) in subsection $(a)(1)$ , by inserting "diag-
13	nosis," after "related to"; and
14	(2) in subsection (b), by inserting "addiction
15	medicine," after "psychiatry,".
16	SEC. 533. MENTAL AND BEHAVIORAL HEALTH EDUCATION
17	AND TRAINING GRANTS.
18	Section $756(f)$ of the Public Health Service Act (42
19	U.S.C. 294e-1(f)) is amended by striking "fiscal years
20	2023 through 2027" and inserting "fiscal years 2025
21	through 2029".
22	SEC. 534. LOAN REPAYMENT PROGRAM FOR SUBSTANCE
23	USE DISORDER TREATMENT WORKFORCE.
24	Section 781(j) of the Public Health Service Act (42
25	U.S.C. $295h(j)$ ) is amended by striking " $$25,000,000$ for

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1	mental disability service providers" before ", individ-
2	uals who are"; and
2	(3) in subsection (i), by striking "2023" and in-
4	serting "2029".
5	SEC. 537. GRANTS TO ENHANCE ACCESS TO SUBSTANCE
6	USE DISORDER TREATMENT.
7	Section 3203 of the SUPPORT for Patients and
8	Communities Act (21 U.S.C. 823 note) is amended—
9	(1) by striking subsection (b); and
10	(2) by striking "(a) IN GENERAL.—The Sec-
11	retary" and inserting the following: "The Sec-
12	retary".
13	SEC. 538. STATE GUIDANCE RELATED TO INDIVIDUALS
14	WITH SERIOUS MENTAL ILLNESS AND CHIL-
14 15	WITH SERIOUS MENTAL ILLNESS AND CHIL- DREN WITH SERIOUS EMOTIONAL DISTURB-
15	DREN WITH SERIOUS EMOTIONAL DISTURB-
15 16	DREN WITH SERIOUS EMOTIONAL DISTURB- ANCE.
15 16 17	DREN WITH SERIOUS EMOTIONAL DISTURB- ANCE. (a) REVIEW OF USE OF CERTAIN FUNDING.—Not
15 16 17 18	DREN WITH SERIOUS EMOTIONAL DISTURB- ANCE. (a) REVIEW OF USE OF CERTAIN FUNDING.—Not later than 1 year after the date of enactment of this Act,
15 16 17	DREN WITH SERIOUS EMOTIONAL DISTURB- ANCE. (a) REVIEW OF USE OF CERTAIN FUNDING.—Not
15 16 17 18	DREN WITH SERIOUS EMOTIONAL DISTURB- ANCE. (a) REVIEW OF USE OF CERTAIN FUNDING.—Not later than 1 year after the date of enactment of this Act,
15 16 17 18 19	DREN WITH SERIOUS EMOTIONAL DISTURB- ANCE. (a) REVIEW OF USE OF CERTAIN FUNDING.—Not later than 1 year after the date of enactment of this Act, the Secretary of Health and Human Services (referred to
<ol> <li>15</li> <li>16</li> <li>17</li> <li>18</li> <li>19</li> <li>20</li> </ol>	DREN WITH SERIOUS EMOTIONAL DISTURB- ANCE. (a) REVIEW OF USE OF CERTAIN FUNDING.—Not later than 1 year after the date of enactment of this Act, the Secretary of Health and Human Services (referred to in this section as the "Secretary"), acting through the As-
<ol> <li>15</li> <li>16</li> <li>17</li> <li>18</li> <li>19</li> <li>20</li> <li>21</li> </ol>	DREN WITH SERIOUS EMOTIONAL DISTURB- ANCE. (a) REVIEW OF USE OF CERTAIN FUNDING.—Not later than 1 year after the date of enactment of this Act, the Secretary of Health and Human Services (referred to in this section as the "Secretary"), acting through the As- sistant Secretary for Mental Health and Substance Use,
<ol> <li>15</li> <li>16</li> <li>17</li> <li>18</li> <li>19</li> <li>20</li> <li>21</li> <li>22</li> <li>22</li> </ol>	DREN WITH SERIOUS EMOTIONAL DISTURB- ANCE. (a) REVIEW OF USE OF CERTAIN FUNDING.—Not later than 1 year after the date of enactment of this Act, the Secretary of Health and Human Services (referred to in this section as the "Secretary"), acting through the As- sistant Secretary for Mental Health and Substance Use, shall conduct a review of State use of funds made available
<ol> <li>15</li> <li>16</li> <li>17</li> <li>18</li> <li>19</li> <li>20</li> <li>21</li> <li>22</li> <li>23</li> </ol>	DREN WITH SERIOUS EMOTIONAL DISTURB- ANCE. (a) REVIEW OF USE OF CERTAIN FUNDING.—Not later than 1 year after the date of enactment of this Act, the Secretary of Health and Human Services (referred to in this section as the "Secretary"), acting through the As- sistant Secretary for Mental Health and Substance Use, shall conduct a review of State use of funds made available under the Community Mental Health Services Block

(referred to in this section as the "block grant program")
 for first episode psychosis activities. Such review shall con sider the following:

4 (1) How States use funds for evidence-based
5 treatments and services according to the standard of
6 care for individuals with early serious mental illness
7 and children with a serious emotional disturbance.

8 (2) The percentages of the State funding under
9 the block grant program expended on early serious
10 mental illness and first episode psychosis, and the
11 number of individuals served under such funds.

12 (b) REPORT AND GUIDANCE.—

13 (1) REPORT.—Not later than 180 days after 14 the completion of the review under subsection (a), 15 the Secretary shall submit to the Committee on 16 Health, Education, Labor, and Pensions and the 17 Committee on Appropriations of the Senate and the 18 Committee on Energy and Commerce and the Com-19 mittee on Appropriations of the House of Represent-20 atives a report describing—

21 (A) the findings of the review under sub-22 section (a); and

(B) any recommendations for changes to
the block grant program that would facilitate
improved outcomes for individuals with serious

1	mental illness and children with serious emo-
2	tional disturbance.
3	(2) GUIDANCE.—Not later than 1 year after
4	the date on which the report is submitted under
5	paragraph (1), the Secretary shall update the guid-
6	ance provided to States under the block grant pro-
7	gram on coordinated specialty care and other evi-
8	dence-based mental health care services for individ-
9	uals with serious mental illness and children with a
10	serious emotional disturbance, based on the findings
11	and recommendations of such report.
11 12	sec. 539. REVIEWING THE SCHEDULING OF APPROVED
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12	SEC. 539. REVIEWING THE SCHEDULING OF APPROVED
12 13	SEC. 539. REVIEWING THE SCHEDULING OF APPROVED PRODUCTS CONTAINING A COMBINATION OF
12 13 14	SEC. 539. REVIEWING THE SCHEDULING OF APPROVED PRODUCTS CONTAINING A COMBINATION OF BUPRENORPHINE AND NALOXONE.
12 13 14 15	<ul> <li>SEC. 539. REVIEWING THE SCHEDULING OF APPROVED</li> <li>PRODUCTS CONTAINING A COMBINATION OF</li> <li>BUPRENORPHINE AND NALOXONE.</li> <li>(a) SECRETARY OF HHS.—The Secretary of Health</li> </ul>
12 13 14 15 16	<ul> <li>SEC. 539. REVIEWING THE SCHEDULING OF APPROVED</li> <li>PRODUCTS CONTAINING A COMBINATION OF</li> <li>BUPRENORPHINE AND NALOXONE.</li> <li>(a) SECRETARY OF HHS.—The Secretary of Health</li> <li>and Human Services shall, consistent with the require-</li> </ul>
12 13 14 15 16 17	<ul> <li>SEC. 539. REVIEWING THE SCHEDULING OF APPROVED</li> <li>PRODUCTS CONTAINING A COMBINATION OF</li> <li>BUPRENORPHINE AND NALOXONE.</li> <li>(a) SECRETARY OF HHS.—The Secretary of Health</li> <li>and Human Services shall, consistent with the requirements and procedures set forth in sections 201 and 202</li> </ul>
12 13 14 15 16 17 18	<ul> <li>SEC. 539. REVIEWING THE SCHEDULING OF APPROVED PRODUCTS CONTAINING A COMBINATION OF BUPRENORPHINE AND NALOXONE.</li> <li>(a) SECRETARY OF HHS.—The Secretary of Health and Human Services shall, consistent with the require- ments and procedures set forth in sections 201 and 202 of the Controlled Substances Act (21 U.S.C. 811, 812)—</li> </ul>
12 13 14 15 16 17 18 19	<ul> <li>SEC. 539. REVIEWING THE SCHEDULING OF APPROVED PRODUCTS CONTAINING A COMBINATION OF BUPRENORPHINE AND NALOXONE.</li> <li>(a) SECRETARY OF HHS.—The Secretary of Health and Human Services shall, consistent with the require- ments and procedures set forth in sections 201 and 202 of the Controlled Substances Act (21 U.S.C. 811, 812)— (1) review the relevant data pertaining to the</li> </ul>

23 Drug, and Cosmetic Act (21 U.S.C. 355); and

proved under section 505 of the Federal Food,

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1 (2) if appropriate, request that the Attorney 2 General initiate rulemaking proceedings to revise the 3 schedules accordingly with respect to such products. 4 (b) ATTORNEY GENERAL.—The Attorney General 5 shall review any request made by the Secretary of Health 6 and Human Services under subsection (a)(2) and deter-7 mine whether to initiate proceedings to revise the sched-8 ules in accordance with the criteria set forth in sections 9 201 and 202 of the Controlled Substances Act (21 U.S.C. 10 811, 812).

# 11 Subtitle C—Recovery

#### 12 SEC. 541. BUILDING COMMUNITIES OF RECOVERY.

Section 547(f) of the Public Health Service Act (42
U.S.C. 290ee–2(f)) is amended by striking "\$5,000,000
for each of fiscal years 2019 through 2023" and inserting
"\$16,000,000 for each of fiscal years 2025 through
2029".

18 SEC. 542. PEER SUPPORT TECHNICAL ASSISTANCE CEN19 TER.

20 Section 547A of the Public Health Service Act (42
21 U.S.C. 290ee–2a) is amended—

(1) in subsection (b)(4), by striking "building;
and" and inserting the following: "building, such as—

1	"(A) professional development of peer sup-
2	port specialists; and
3	"(B) making recovery support services
4	available in nonclinical settings; and";
5	(2) by redesignating subsections (d) and (e) as
6	subsections (e) and (f), respectively;
7	(3) by inserting after subsection (c) the fol-
8	lowing:
9	"(d) REGIONAL CENTERS.—
10	"(1) IN GENERAL.—The Secretary may estab-
11	lish one regional technical assistance center (referred
12	to in this subsection as the 'Regional Center'), with
13	existing resources, to assist the Center in carrying
14	out activities described in subsection (b) within the
15	geographic region of such Regional Center in a man-
16	ner that is tailored to the needs of such region.
17	"(2) EVALUATION.—Not later than 4 years
18	after the date of enactment of the SUPPORT for
19	Patients and Communities Reauthorization Act of
20	2024, the Secretary shall evaluate the activities of
21	the Regional Center and submit to the Committee
22	on Health, Education, Labor, and Pensions of the
23	Senate and the Committee on Energy and Com-
24	merce of the House of Representatives a report on
25	the findings of such evaluation, including—

1	"(A) a description of the distinct roles and
2	responsibilities of the Regional Center and the
3	Center;
4	"(B) available information relating to the
5	outcomes of the Regional Center under this
6	subsection, such as any impact on the oper-
7	ations and efficiency of the Center relating to
8	requests for technical assistance and support
9	within the region of such Regional Center;
10	"(C) a description of any gaps or areas of
11	duplication relating to the activities of the Re-
12	gional Center and the Center within such re-
13	gion; and
14	"(D) recommendations relating to the
15	modification, expansion, or termination of the
16	Regional Center under this subsection.
17	"(3) TERMINATION.—This subsection shall ter-
18	minate on September 30, 2029."; and
19	(4) in subsection (f), as so redesignated, by
20	striking '`\$1,000,000 for each of fiscal years 2019
21	through 2023" and inserting "\$2,000,000 for each
22	of fiscal years 2025 through 2029".
23	SEC. 543. COMPREHENSIVE OPIOID RECOVERY CENTERS.
24	Section 552 of the Public Health Service Act $(42)$
25	U.S.C. 290ee–7) is amended—

1	(1) in subsection $(d)(2)$ —
2	(A) in the matter preceding subparagraph
3	(A), by striking "and in such manner" and in-
4	serting ", in such manner, and containing such
5	information and assurances, including relevant
6	documentation,"; and
7	(B) in subparagraph (A), by striking "is
8	capable of coordinating with other entities to
9	carry out" and inserting "has the demonstrated
10	capability to carry out, through referral or con-
11	tractual arrangements';
12	(2) in subsection (h)—
13	(A) by redesignating paragraphs (1)
14	through (4) as subparagraphs (A) through (D),
15	respectively, and adjusting the margins accord-
16	ingly;
17	(B) by striking "With respect to" and in-
18	serting the following:
19	"(1) IN GENERAL.—With respect to"; and
20	(C) by adding at the end the following:
21	"(2) Additional reporting for certain el-
22	IGIBLE ENTITIES.—An entity carrying out activities
23	described in subsection (g) through referral or con-
24	tractual arrangements shall include in the submis-
25	sions required under paragraph (1) information re-

1	lated to the status of such referrals or contractual
2	arrangements, including an assessment of whether
3	such referrals or contractual arrangements are sup-
4	porting the ability of such entity to carry out such
5	activities."; and
6	(3) in subsection (j), by striking "2019 through
7	2023" and inserting "2025 through 2029".
8	SEC. 544. YOUTH PREVENTION AND RECOVERY.
9	Section 7102(c) of the SUPPORT for Patients and
10	Communities Act (42 U.S.C. 290bb–7a(c)) (as amended
11	by section 110(a)) is amended—
12	(1) in paragraph $(2)$ —
13	(A) in subparagraph (A)—
14	(i) in clause (i)—
15	(I) by inserting ", or a consor-
16	tium of local educational agencies,"
17	after "a local educational agency";
18	and
19	(II) by striking "high schools"
20	and inserting "secondary schools";
21	and
22	(ii) in clause (vi), by striking "tribe,
23	or tribal" and inserting "Tribe, or Tribal";
24	(B) by amending subparagraph (E) to read
25	as follows:

1	"(E) INDIAN TRIBE; TRIBAL ORGANIZA-
2	TION.—The terms 'Indian Tribe' and 'Tribal
3	organization' have the meanings given such
4	terms in section 4 of the Indian Self-Deter-
5	mination and Education Assistance Act (25
6	U.S.C. 5304).";
7	(C) by redesignating subparagraph (K) as
8	subparagraph (L); and
9	(D) by inserting after subparagraph $(J)$
10	the following:
11	"(K) Secondary school.—The term
12	'secondary school' has the meaning given such
13	term in section 8101 of the Elementary and
14	Secondary Education Act of 1965 (20 U.S.C.
15	7801).'';
16	(2) in paragraph $(3)(A)$ , in the matter pre-
17	ceding clause (i)—
18	(A) by striking "and abuse"; and
19	(B) by inserting "at increased risk for sub-
20	stance misuse" after "specific populations";
21	(3) in paragraph (4)—
22	(A) in the matter preceding subparagraph
23	(A), by striking "Indian tribes" and inserting
24	"Indian Tribes";

1	(B) in subparagraph (A), by striking "and
2	abuse"; and
3	(C) in subparagraph (B), by striking "peer
4	mentoring" and inserting "peer-to-peer sup-
5	port";
6	(4) in paragraph (5), by striking "tribal" and
7	inserting "Tribal";
8	(5) in paragraph (6)(A)—
9	(A) in clause (iv), by striking "; and" and
10	inserting a semicolon; and
11	(B) by adding at the end the following:
12	"(vi) a plan to sustain the activities
13	carried out under the grant program, after
14	the grant program has ended; and";
15	(6) in paragraph (8), by striking " $2022$ " and
16	inserting "2027"; and
17	(7) by amending paragraph $(9)$ to read as fol-
18	lows:
19	"(9) Authorization of appropriations.—
20	To carry out this subsection, there are authorized to
21	be appropriated—
22	"(A) \$10,000,000 for fiscal year 2025;
23	"(B) \$12,000,000 for fiscal year 2026;
24	"(C) \$13,000,000 for fiscal year 2027;

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1	((D) \$14,000,000 for fiscal year 2028;
2	and
3	"(E) \$15,000,000 for fiscal year 2029.".
4	SEC. 545. CAREER ACT.
5	(a) IN GENERAL.—Section 7183 of the SUPPORT
6	for Patients and Communities Act (42 U.S.C. 290ee-8)
7	is amended—
8	(1) in the section heading, by inserting ";
9	TREATMENT, RECOVERY, AND WORKFORCE
10	SUPPORT GRANTS" after "CAREER ACT";
11	(2) in subsection (b), by inserting "each" before
12	"for a period";
13	(3) in subsection (c)—
14	(A) in paragraph (1), by striking "the
15	rates described in paragraph $(2)$ " and inserting
16	"the average rates for calendar years 2018
17	through 2022 described in paragraph (2)"; and
18	(B) by amending paragraph (2) to read as
19	follows:
20	"(2) RATES.—The rates described in this para-
21	graph are the following:
22	"(A) The highest age-adjusted average
23	rates of drug overdose deaths for calendar years
24	2018 through 2022 based on data from the

1	cluding, if necessary, provisional data for cal-
2	endar year 2022.
3	"(B) The highest average rates of unem-
4	ployment for calendar years 2018 through 2022
5	based on data provided by the Bureau of Labor
6	Statistics.
7	"(C) The lowest average labor force par-
8	ticipation rates for calendar years 2018 through
9	2022 based on data provided by the Bureau of
10	Labor Statistics.";
11	(4) in subsection (g)—
12	(A) in each of paragraphs (1) and (3), by
13	redesignating subparagraphs (A) and (B) as
14	clauses (i) and (ii), respectively, and adjusting
15	the margins accordingly;
16	(B) by redesignating paragraphs (1)
17	through (3) as subparagraphs (A) through (C),
18	respectively, and adjusting the margins accord-
19	ingly;
20	(C) in the matter preceding subparagraph
21	(A) (as so redesignated), by striking "An enti-
22	ty" and inserting the following:
23	"(1) IN GENERAL.—An entity"; and
24	(D) by adding at the end the following:

1 "(2) TRANSPORTATION SERVICES.—An entity 2 receiving a grant under this section may use not 3 more than 5 percent of the funds for providing 4 transportation for individuals to participate in an ac-5 tivity supported by a grant under this section, which 6 transportation shall be to or from a place of work 7 or a place where the individual is receiving voca-8 tional education or job training services or receiving 9 services directly linked to treatment of or recovery 10 from a substance use disorder.

11 "(3) LIMITATION.—The Secretary may not re-12 quire an entity to, or give priority to an entity that 13 plans to, use the funds of a grant under this section 14 for activities that are not specified in this sub-15 section.";

(5) in subsection (i)(2), by inserting ", which 16 17 shall include employment and earnings outcomes de-18 scribed in subclauses (I) and (III) of section 19 116(b)(2)(A)(i) of the Workforce Innovation and 20 Opportunity Act (29 U.S.C. 3141(b)(2)(A)(i)) with 21 respect to the participation of such individuals with 22 a substance use disorder in programs and activities 23 funded by the grant under this section" after "sub-24 section (g)";

(6) in subsection (j)—

1	(A) in paragraph (1), by inserting "for
2	grants awarded prior to the date of enactment
3	of the SUPPORT for Patients and Commu-
4	nities Reauthorization Act of 2024" after
5	"grant period under this section"; and
6	(B) in paragraph (2)—
7	(i) in the matter preceding subpara-
8	graph (A), by striking "2 years after sub-
9	mitting the preliminary report required
10	under paragraph (1)" and inserting "Sep-
11	tember 30, 2029"; and
12	(ii) in subparagraph (A), by striking
13	" $(g)(3)$ " and inserting " $(g)(1)(C)$ "; and
14	(7) in subsection (k), by striking " $$5,000,000$
15	for each of fiscal years 2019 through 2023" and in-
16	serting "\$12,000,000 for each of fiscal years 2025
17	through 2029".
18	(b) Reauthorization of the CAREER Act; Re-
19	COVERY HOUSING PILOT PROGRAM.—
20	(1) IN GENERAL.—Section 8071 of the SUP-
21	PORT for Patients and Communities Act (42
22	U.S.C. 5301 note; Public Law 115–271) is amend-
23	ed—

1	(A) by striking the section heading and in-
2	serting "CAREER ACT; RECOVERY HOUSING
3	PILOT PROGRAM'';
4	(B) in subsection (a), by striking "through
5	2023" and inserting "through 2029";
6	(C) in subsection (b)—
7	(i) in paragraph (1), by striking "not
8	later than 60 days after the date of enact-
9	ment of this Act" and inserting "not later
10	than 60 days after the date of enactment
11	of the SUPPORT for Patients and Com-
12	munities Reauthorization Act of 2024";
13	and
14	(ii) in paragraph (2)(B)(i)—
15	(I) in subclause (I)—
16	(aa) by striking "for cal-
17	endar years 2013 through 2017";
18	and
19	(bb) by inserting "for cal-
20	endar years 2018 through 2022"
21	after "rates of unemployment";
22	(II) in subclause (II)—
23	(aa) by striking "for cal-
24	endar years 2013 through 2017";
25	and

	000
1	(bb) by inserting "for cal-
2	endar years 2018 through 2022"
3	after "participation rates"; and
4	(III) by striking subclause (III)
5	and inserting the following:
6	"(III) The highest age-adjusted
7	average rates of drug overdose deaths
8	for calendar years 2018 through 2022
9	based on data from the Centers for
10	Disease Control and Prevention, in-
11	cluding, if necessary, provisional data
12	for calendar year 2022."; and
13	(D) in subsection (f), by striking "For the
14	2-year period following the date of enactment of
15	this Act, the" and inserting "The".
16	(2) Conforming Amendment.—Subtitle F of
17	title VIII of the SUPPORT for Patients and Com-
18	munities Act (Public Law 115–271; 132 Stat. 4095)
19	is amended by striking the subtitle heading and in-
20	serting the following: "Subtitle F—CAREER
21	Act; Recovery Housing Pilot Program" .
22	(c) CLERICAL AMENDMENTS.—The table of contents
23	in section 1(b) of the SUPPORT for Patients and Com-
24	munities Act (Public Law 115–271; 132 Stat. 3894) is
25	amended—

1	(1) by striking the item relating to section 7183
2	and inserting the following:
	"Sec. 7183. CAREER Act; treatment, recovery, and workforce support grants.";
3	(2) by striking the item relating to subtitle F
4	of title VIII and inserting the following:
	"Subtitle F—CAREER Act; Recovery Housing Pilot Program"; and
5	(3) by striking the item relating to section 8071
6	and inserting the following:
	"Sec. 8071. CAREER Act; Recovery Housing Pilot Program.".
7	SEC. 546. ADDRESSING ECONOMIC AND WORKFORCE IM-
8	PACTS OF THE OPIOID CRISIS.
9	Section $8041(g)(1)$ of the SUPPORT for Patients
10	and Communities Act (29 U.S.C. 3225a(g)(1)) is amended
11	by striking "2023" and inserting "2029".
12	Subtitle D—Miscellaneous Matters
13	SEC. 551. DELIVERY OF A CONTROLLED SUBSTANCE BY A
14	PHARMACY TO A PRESCRIBING PRACTI-
15	TIONER.
16	Section 309A(a) of the Controlled Substances Act
17	(21 U.S.C. 829a(a)) is amended by striking paragraph (2)
18	and inserting the following:
19	"(2) the controlled substance is a drug in
20	schedule III, IV, or V to be administered—
-0	solution and any any or a to be wall instantion

1	"(A) by injection or implantation for the
2	purpose of maintenance or detoxification treat-
3	ment; or
4	"(B) subject to a risk evaluation and miti-
5	gation strategy pursuant to section $505-1$ of
6	the Federal Food, Drug, and Cosmetic Act (21
7	U.S.C. 355–1) that includes elements to assure
8	safe use of the drug described in subsection
9	(f)(3)(E) of such section, including a require-
10	ment for post-administration monitoring by a
11	health care provider.".
12	SEC. 552. TECHNICAL CORRECTION ON CONTROLLED SUB-
13	STANCES DISPENSING.
14	Effective as if included in the enactment of Public
15	Law 117–328—
16	(1) section 1252(a) of division FF of Public
17	Law 117–328 (136 Stat. 5681) is amended, in the
18	
	matter being inserted into section 302(e) of the Con-
19	matter being inserted into section 302(e) of the Con- trolled Substances Act, by striking "303(g)" and in-
19 20	
	trolled Substances Act, by striking "303(g)" and in-
20	trolled Substances Act, by striking "303(g)" and in- serting "303(h)";

1	(i) in the matter preceding paragraph
2	(1), by striking "303(g)" and inserting
3	''303(h)'';
4	(ii) in the matter being stricken by
5	subsection (a)(2), by striking " $(g)(1)$ " and
6	inserting "(h)(1)"; and
7	(iii) in the matter being inserted by
8	subsection (a)(2), by striking "(g) Practi-
9	tioners" and inserting "(h) Practitioners";
10	and
11	(B) in subsection (b)—
12	(i) in the matter being stricken by
13	paragraph (1), by striking " $303(g)(1)$ "
14	and inserting "303(h)(1)";
15	(ii) in the matter being inserted by
16	paragraph (1), by striking " $303(g)$ " and
17	inserting "303(h)";
18	(iii) in the matter being stricken by
19	paragraph (2)(A), by striking " $303(g)(2)$ "
20	and inserting "303(h)(2)";
21	(iv) in the matter being stricken by
22	paragraph (3), by striking " $303(g)(2)(B)$ "
23	and inserting "303(h)(2)(B)";

1	(v) in the matter being stricken by
2	paragraph (5), by striking "303(g)" and
3	inserting "303(h)"; and
4	(vi) in the matter being stricken by
5	paragraph (6), by striking " $303(g)$ " and
6	inserting "303(h)"; and
7	(3) section 1263(b) of division FF of Public
8	Law 117–328 (136 Stat. 5685) is amended—
9	(A) by striking " $303(g)(2)$ " and inserting
10	"303(h)(2)"; and
11	(B) by striking "(21 U.S.C. 823(g)(2))"
12	and inserting "(21 U.S.C. 823(h)(2))".
13	SEC. 553. REQUIRED TRAINING FOR PRESCRIBERS OF CON-
13 14	SEC. 553. REQUIRED TRAINING FOR PRESCRIBERS OF CON- TROLLED SUBSTANCES.
14 15	TROLLED SUBSTANCES.
14 15	<b>TROLLED SUBSTANCES.</b> (a) IN GENERAL.—Section 303 of the Controlled
14 15 16	TROLLED SUBSTANCES. (a) IN GENERAL.—Section 303 of the Controlled Substances Act (21 U.S.C. 823) is amended—
14 15 16 17	TROLLED SUBSTANCES. (a) IN GENERAL.—Section 303 of the Controlled Substances Act (21 U.S.C. 823) is amended— (1) by redesignating the second subsection des-
14 15 16 17 18	TROLLED SUBSTANCES. (a) IN GENERAL.—Section 303 of the Controlled Substances Act (21 U.S.C. 823) is amended— (1) by redesignating the second subsection des- ignated as subsection (1) as subsection (m); and
14 15 16 17 18 19	TROLLED SUBSTANCES. (a) IN GENERAL.—Section 303 of the Controlled Substances Act (21 U.S.C. 823) is amended— (1) by redesignating the second subsection des- ignated as subsection (1) as subsection (m); and (2) in subsection (m)(1), as so redesignated—
<ol> <li>14</li> <li>15</li> <li>16</li> <li>17</li> <li>18</li> <li>19</li> <li>20</li> </ol>	TROLLED SUBSTANCES. (a) IN GENERAL.—Section 303 of the Controlled Substances Act (21 U.S.C. 823) is amended— (1) by redesignating the second subsection des- ignated as subsection (1) as subsection (m); and (2) in subsection (m)(1), as so redesignated— (A) in subparagraph (A)—
<ol> <li>14</li> <li>15</li> <li>16</li> <li>17</li> <li>18</li> <li>19</li> <li>20</li> <li>21</li> </ol>	TROLLED SUBSTANCES. (a) IN GENERAL.—Section 303 of the Controlled Substances Act (21 U.S.C. 823) is amended— (1) by redesignating the second subsection des- ignated as subsection (1) as subsection (m); and (2) in subsection (m)(1), as so redesignated— (A) in subparagraph (A)— (i) in clause (iv)—
<ol> <li>14</li> <li>15</li> <li>16</li> <li>17</li> <li>18</li> <li>19</li> <li>20</li> <li>21</li> <li>22</li> </ol>	TROLLED SUBSTANCES. (a) IN GENERAL.—Section 303 of the Controlled Substances Act (21 U.S.C. 823) is amended— (1) by redesignating the second subsection des- ignated as subsection (1) as subsection (m); and (2) in subsection (m)(1), as so redesignated— (A) in subparagraph (A)— (i) in clause (iv)— (I) in subclause (I)—

1	Medical Association, the Acad-
2	emy of General Dentistry, the
3	American Optometric Associa-
4	tion," before "or any other orga-
5	nization";
6	(bb) by striking "or the
7	Commission" and inserting "the
8	Commission"; and
9	(cc) by inserting ", or the
10	Council on Podiatric Medical
11	Education" before the semicolon
12	at the end; and
13	(II) in subclause (III), by insert-
14	ing "or the American Academy of
15	Family Physicians'' after "Associa-
16	tion''; and
17	(ii) in clause (v), in the matter pre-
18	ceding subclause (I)—
19	(I) by striking "osteopathic medi-
20	cine, dental surgery' and inserting
21	"osteopathic medicine, podiatric medi-
22	cine, dental surgery'; and
23	(II) by striking "or dental medi-
24	cine curriculum" and inserting "or

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1	dental or podiatric medicine cur-
2	riculum"; and
3	(B) in subparagraph (B)—
4	(i) in clause (i)—
5	(I) by inserting "the American
6	Pharmacists Association, the Accredi-
7	tation Council on Pharmacy Edu-
8	cation, the American Psychiatric
9	Nurses Association, the American
10	Academy of Nursing, the American
11	Academy of Family Physicians," be-
12	fore "or any other organization"; and
13	(II) by inserting ", the American
14	Academy of Family Physicians," be-
15	fore "or the Accreditation Council";
16	and
17	(ii) in clause (ii)—
18	(I) by striking "or accredited
19	school" and inserting ", an accredited
20	school"; and
21	(II) by inserting ", or an accred-
22	ited school of pharmacy" before "in
23	the United States".

(b) EFFECTIVE DATE.—The amendment made by
 subsection (a) shall take effect as if enacted on December
 29, 2022.

## 4 SEC. 554. EXTENSION OF TEMPORARY ORDER FOR 5 FENTANYL-RELATED SUBSTANCES.

Effective as if included in the enactment of the Temporary Reauthorization and Study of the Emergency
8 Scheduling of Fentanyl Analogues Act (Public Law 116–
9 114), section 2 of such Act is amended by striking "December 31, 2024" and inserting "September 30, 2026".
11 TITLE VI—PANDEMIC AND ALL12 HAZARDS PREPAREDNESS

## 13 AND RESPONSE

14 SEC. 601. SHORT TITLE.

15 This title may be cited as the "Pandemic and All-16 Hazards Preparedness and Response Act".

## 17 Subtitle A—State and Local

## 18 **Readiness and Response**

19 SEC. 611. TEMPORARY REASSIGNMENT OF STATE AND

20 LOCAL PERSONNEL DURING A PUBLIC
21 HEALTH EMERGENCY.

22 Section 319(e) of the Public Health Service Act (42
23 U.S.C. 247d(e)) is amended—

24 (1) in paragraph (1), by striking "tribal organi25 zation or such Governor or tribal organization's des-

ignee" and inserting "Tribal organization or the des-
ignee of the Governor or Tribal organization, or the
State or Tribal health official";
(2) in paragraph $(2)(B)$ —
(A) in the matter preceding clause (i), by
striking "tribal organization" and inserting
"Tribal organization, or the State or Tribal
health official"; and
(B) in clause (v), by striking "tribal orga-
nization" and inserting "Tribal organization or
State or Tribal health official";
(3) in paragraph $(6)$ —
(A) in the matter preceding subparagraph
(A)—
(i) by striking "Reauthorization Act
of 2013" and inserting "and Response
Act''; and
(ii) by striking "appropriate commit-
tees of the Congress" and inserting "Com-
mittee on Health, Education, Labor, and
Pensions of the Senate and the Committee
on Energy and Commerce of the House of
Representatives"; and

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1	(B) in subparagraph (A), by inserting ",
2	including requests from State or Tribal health
3	officials" before the semicolon;
4	(4) in paragraph (7)(A), by striking "tribal or-
5	ganization" and inserting "Tribal organization"; and
6	(5) in paragraph (8), by striking "December
7	31, 2024" and inserting "December 31, 2026".
8	SEC. 612. PUBLIC HEALTH EMERGENCY PREPAREDNESS
9	PROGRAM.
10	Section 319C–1 of the Public Health Service Act (42 $$
11	U.S.C. 247d–3a) is amended—
12	(1) in subsection $(b)(2)$ —
13	(A) in subparagraph (A)(ii), by striking
14	"influenza" and inserting "response planning";
15	and
16	(B) in subparagraph (H), by inserting ",
17	such as community-based organizations, includ-
18	ing faith-based organizations, and other public
19	and private entities" after "stakeholders";
20	(2) in subsection $(g)$ —
21	(A) in paragraph (1), in the matter pre-
22	ceding subparagraph (A), by inserting "and the
23	ability of each entity receiving an award under
24	subsection (a) to respond to all-hazards

1	threats" before the period at the end of the
2	first sentence;
3	(B) in paragraph (2)—
4	(i) in the paragraph heading, by strik-
5	ing "INFLUENZA" and inserting "RE-
6	SPONSE"; and
7	(ii) in subparagraph (A)—
8	(I) by striking "to pandemic in-
9	fluenza" and inserting "to a pathogen
10	causing a pandemic, including pan-
11	demic influenza"; and
12	(II) by striking "such pandemic
13	influenza" and inserting "such pan-
14	demic response'';
15	(C) in paragraph (5)—
16	(i) in the paragraph heading, by strik-
17	ing "INFLUENZA" and inserting "PAN-
18	DEMIC RESPONSE";
19	(ii) in the matter preceding subpara-
20	graph (A), by striking "2019" and insert-
21	ing "2026";
22	(iii) in subparagraph (A), by striking
23	"2018" and inserting "2025"; and

- (iv) in subparagraph (B), by striking 1 2 "pandemic influenza" and inserting "a 3 pathogen causing a pandemic"; and 4 (D) in paragraph (6)— 5 (i) in subparagraph (A), in the matter preceding clause (i), by striking "The 6 7 amounts described in this paragraph are 8 the following amounts that are payable to 9 an entity for activities described in this 10 section or section 319C–2" and inserting "The Secretary shall withhold from an en-11 12 tity pursuant to paragraph (5) for non-13 compliance with the requirements of this 14 section or section 319C-2 as follows"; and 15 (ii) in subparagraph (B), by inserting "with respect to the requirements of this 16 section or section 319C-2" after "para-17 18 graph (5)"; and 19 (3)in subsection (h)(1)(A),by striking "\$685,000,000 for each of fiscal years 2019 through 20 2023" and inserting "\$735,000,000 for each of fis-21
- cal years 2025 and 2026, to remain available
  through December 31, 2026".

1	SEC. 613. HOSPITAL PREPAREDNESS PROGRAM.
2	(a) Increasing Participation by EMS in the
3	HOSPITAL PREPAREDNESS PROGRAM.—
4	(1) IN GENERAL.—Section 319C–2 of the Pub-
5	lic Health Service Act (42 U.S.C. 247d–3b) is
6	amended—
7	(A) in subsection $(b)(1)(A)$ —
8	(i) in clause (iii)(III), by striking ";
9	and" and inserting a semicolon; and
10	(ii) by striking clause (iv) and insert-
11	ing the following:
12	"(iv) one or more emergency medical
13	service organizations; and
14	"(v) to the extent practicable, one or
15	more emergency management organiza-
16	tions; and"; and
17	(B) in subsection $(g)(1)$ —
18	(i) by striking "(1) LOCAL RESPONSE
19	CAPABILITIES" and inserting:
20	"(1) Local response capabilities.—
21	"(A) Program coordination.—";
22	(ii) by striking "extent practicable,
23	ensure" and inserting the following: "ex-
24	tent practicable—
25	"(i) ensure";

1	(iii) by striking the period and insert-
2	ing "; and"; and
3	(iv) by adding at the end the fol-
4	lowing:
5	"(ii) seek to increase participation of
6	eligible entities described in subsection
7	(b)(1)(A) with lower participation rates
8	relative to other eligible entities, such as
9	emergency medical services organizations
10	and health care facilities in underserved
11	areas.".
12	(2) PREFERENCES.—Section 319C–
13	2(d)(1)(A)(iii) of the Public Health Service Act (42)
14	U.S.C. 247d–3b(d)(1)(A)(iii)) is amended by strik-
15	ing "subsection (b)(1)(A)(ii)" and inserting "clauses
16	(ii) and (iv) of subsection $(b)(1)(A)$ ".
17	(b) Improving Medical Readiness and Response
18	CAPABILITIES.—Section 319C–2 of the Public Health
19	Service Act (42 U.S.C. 247d–3b) is amended—
20	(1) in subsection $(b)(2)$ —
21	(A) in subparagraph (A), by striking
22	"and" at the end;
23	(B) in subparagraph (B), by striking the
24	period and inserting "; and"; and
25	(C) by inserting at the end the following:

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"(C) designate a lead entity to administer such
award and support coordination between entities de-
scribed in this subsection.";
(2) in subsection $(g)(1)$ , as amended by sub-
section $(a)(1)(B)$ , by adding at the end the fol-
lowing:
"(B) REGIONAL OPERATIONS.—An eligible
entity shall establish and maintain, or leverage
an existing, capability to enable coordination of
regional medical operations, which may include
systems to facilitate information sharing and
coordination, within a coalition described under
subsection $(b)(1)(A)$ and, as appropriate,
among multiple coalitions that are in close geo-
graphic proximity to each other."; and
(3) in subsection $(j)(1)$ —
(A) in subparagraph (A), by striking "for
each of fiscal years 2019 through 2023" and
inserting "for each of fiscal years 2025 and
2026, to remain available through December
31, 2026"; and
(B) in subparagraph (B)(iii), by striking
"September 30, 2023" and inserting "Decem-
ber 31, 2026".

1	SEC. 614. FACILITIES AND CAPACITIES OF THE CENTERS
2	FOR DISEASE CONTROL AND PREVENTION TO
3	COMBAT PUBLIC HEALTH SECURITY
4	THREATS.
5	Section 319D(h) of the Public Health Service Act (42 $$
6	U.S.C. 247d–4(h)) is amended—
7	(1) in paragraph (1), by striking "\$25,000,000
8	for each of fiscal years 2022 and 2023" and insert-
9	ing "\$40,000,000 for each of fiscal years 2025 and
10	2026", to remain available through December 31,
11	2026; and
12	(2) in paragraph $(2)$ , by striking "2022 and
13	2023" and inserting "2025 and 2026, to remain
14	available through December 31, 2026".
15	SEC. 615. PILOT PROGRAM TO SUPPORT STATE MEDICAL
15 16	SEC. 615. PILOT PROGRAM TO SUPPORT STATE MEDICAL STOCKPILES.
16	STOCKPILES.
16 17	<b>STOCKPILES.</b> (a) IN GENERAL.—Section 319F-2(i) of the Public
16 17 18	<b>STOCKPILES.</b> (a) IN GENERAL.—Section 319F–2(i) of the Public Health Service Act (42 U.S.C. 247d–6b(i)) is amended—
16 17 18 19	<b>STOCKPILES.</b> (a) IN GENERAL.—Section 319F–2(i) of the Public Health Service Act (42 U.S.C. 247d–6b(i)) is amended— (1) in paragraph (2)(B)(i)—
16 17 18 19 20	STOCKPILES. (a) IN GENERAL.—Section 319F–2(i) of the Public Health Service Act (42 U.S.C. 247d–6b(i)) is amended— (1) in paragraph (2)(B)(i)— (A) in subclause (I), by striking "and
<ol> <li>16</li> <li>17</li> <li>18</li> <li>19</li> <li>20</li> <li>21</li> </ol>	STOCKPILES. (a) IN GENERAL.—Section 319F–2(i) of the Public Health Service Act (42 U.S.C. 247d–6b(i)) is amended— (1) in paragraph (2)(B)(i)— (A) in subclause (I), by striking "and 2024" and inserting "through 2025"; and
<ol> <li>16</li> <li>17</li> <li>18</li> <li>19</li> <li>20</li> <li>21</li> <li>22</li> </ol>	<ul> <li>STOCKPILES.</li> <li>(a) IN GENERAL.—Section 319F-2(i) of the Public</li> <li>Health Service Act (42 U.S.C. 247d-6b(i)) is amended—</li> <li>(1) in paragraph (2)(B)(i)—</li> <li>(A) in subclause (I), by striking "and</li> <li>2024" and inserting "through 2025"; and</li> <li>(B) in subclause (II), by striking "2025"</li> </ul>
<ol> <li>16</li> <li>17</li> <li>18</li> <li>19</li> <li>20</li> <li>21</li> <li>22</li> <li>23</li> </ol>	<ul> <li>STOCKPILES.</li> <li>(a) IN GENERAL.—Section 319F-2(i) of the Public</li> <li>Health Service Act (42 U.S.C. 247d-6b(i)) is amended— <ul> <li>(1) in paragraph (2)(B)(i)—</li> <li>(A) in subclause (I), by striking "and</li> <li>2024" and inserting "through 2025"; and</li> <li>(B) in subclause (II), by striking "2025"</li> </ul> </li> </ul>

1	(B) by redesignating subparagraph (H) as
2	subparagraph (I);
3	(C) by inserting after subparagraph (G)
4	the following:
5	"(H) facilitate the sharing of best practices
6	among States within a consortia of States in re-
7	ceipt of funding related to establishing and
8	maintaining a stockpile of medical products;
9	and"; and
10	(D) in subparagraph (I), as so redesig-
11	nated, by striking "State efforts" and inserting
12	"State or regional efforts";
13	(3) by redesignating paragraphs (5) through
14	(9) as paragraphs $(6)$ through $(10)$ , respectively;
15	(4) by inserting after paragraph (4) the fol-
16	lowing:
17	"(5) COORDINATION.—An entity in receipt of
18	an award under paragraph (1), in carrying out the
19	activities under this subsection, shall coordinate with
20	appropriate health care entities, health officials, and
21	emergency management officials within the jurisdic-
22	tion of such State or States."; and
23	(5) in paragraph $(10)$ , as so redesignated, by
24	striking "\$3,500,000,000 for each of fiscal years
25	2023 and 2024" and inserting "\$3,365,000,000 for

2 2026". 3 (b) GAO REPORT.—Section 2409(b) of the PRE-4 VENT Pandemics Act (Public Law 117–328) is amended— 5 (1) in paragraph (2), by striking "; and" and 6 7 inserting a semicolon; 8 (2) in paragraph (3), by striking the period and 9 inserting "; and"; and 10 (3) by adding at the end the following: 11 "(4) the impact of any regional stockpiling ap-12 proaches carried out under subsection (i)(1) of sec-13 tion 319F-2 of the Public Health Service Act (42) 14 U.S.C. 247d-6b).". 15 SEC. 616. ENHANCING DOMESTIC WASTEWATER SURVEIL-16 LANCE FOR PATHOGEN DETECTION. 17 (a) IN GENERAL.—Title III of the Public Health 18 Service Act is amended by inserting after section 317V (42 U.S.C. 247b-24) the following: 19 20 **"SEC. 317W. WASTEWATER SURVEILLANCE FOR PATHOGEN** 21 **DETECTION.** 22 "(a) WASTEWATER SURVEILLANCE SYSTEM.—The 23 Secretary, acting through the Director of the Centers for Disease Control and Prevention and in coordination with 24 other Federal departments and agencies, shall award 25

grants, contracts, or cooperative agreements to eligible en tities to establish, maintain, or improve activities related
 to the detection and monitoring of infectious diseases
 through wastewater for public health emergency prepared ness and response purposes.

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6 "(b) ELIGIBLE ENTITIES.—To be eligible to receive
7 an award under this section, an entity shall—

8 "(1) be a State, Tribal, or local health depart-9 ment, or a partnership between such a health de-10 partment and other public and private entities; and 11 "(2) submit to the Secretary an application at 12 such time, in such manner, and containing such in-13 formation as the Secretary may reasonably require, 14 which shall include—

15 "(A) a description of activities proposed to
16 be carried out pursuant to an award under sub17 section (a);

18 "(B) factors such entity proposes to use to
19 select wastewater sampling sites;

20 "(C) factors such entity proposes to use to
21 determine whether a response to findings from
22 such wastewater sampling may be warranted,
23 and a plan for responding, as appropriate, con24 sistent with applicable plans developed by such
25 entity pursuant to section 319C-1;

1	"(D) a plan to sustain such wastewater
2	surveillance activities described in such applica-
3	tion following the conclusion of the award pe-
4	riod; and
5	"(E) any additional information the Sec-
6	retary may require.
7	"(c) Consideration.—In making awards under sub-
8	section (a), the Secretary may give priority to eligible enti-
9	ties that have submitted an application that—
10	"(1) details plans to provide public access to
11	deidentified data generated through such wastewater
12	surveillance activities in a manner that allows for
13	comparison to such data generated by other recipi-
14	ents of an award under subsection (a); and
15	"(2) provides an assessment of community
16	needs related to ongoing infectious disease moni-
17	toring, including estimates of the incidence and
18	prevalence of infectious diseases that can be detected
19	in wastewater and availability, at the time of the ap-
20	plication, of other forms of infectious disease detec-
21	tion in the jurisdiction.

"(d) USE OF FUNDS.—An eligible entity shall, as appropriate, use amounts awarded under this section to—

"(1) establish or enhance existing capacity and
 capabilities to conduct wastewater sampling, testing,
 and related analysis;

"(2) conduct wastewater surveillance, as appro-4 priate, in areas or facilities with increased risk of in-5 6 fectious disease outbreaks and limited ability to uti-7 lize other forms of infectious disease detection, such 8 as at individual facilities, institutions, and locations 9 in rural areas or areas in which wastewater is not 10 treated through the relevant local utility of the juris-11 diction; and

"(3) implement projects that use evidence-based
or innovative practices to conduct wastewater surveillance activities.

15 "(e) PARTNERSHIPS.—In carrying out activities
16 under this section, eligible entities shall identify opportuni17 ties to partner with other public or private entities to le18 verage relevant capabilities maintained by such entities,
19 as appropriate and consistent with this section.

20 "(f) TECHNICAL ASSISTANCE.—The Secretary, in 21 consultation with the heads of other applicable Federal 22 agencies and departments, as appropriate, shall provide 23 technical assistance to recipients of awards under this sec-24 tion to facilitate the planning, development, and imple-25 mentation of activities described in subsection (d).

"(g) 1 AUTHORIZATION OF APPROPRIATIONS.—To 2 carry out this section, there is authorized to be appro-3 priated \$20,000,000 for each of fiscal years 2025 and 4 2026, to remain available through December 31, 2026.". 5 (b) WASTEWATER SURVEILLANCE RESEARCH.— 6 (1) IN GENERAL.—The Secretary of Health and 7 Human Services (in this subsection referred to as 8 the "Secretary") shall continue to conduct or sup-9 port research on the use of wastewater surveillance to detect and monitor emerging infectious diseases, 10 11 which may include— 12 (A) research to improve the efficiency and 13 effectiveness of wastewater sample collection 14 and analysis and increase the sensitivity and 15 specificity of wastewater testing methods; and 16 (B) implementation and development of 17 evidence-based practices to facilitate the esti-18 mation of the incidence and prevalence of infec-19 tious disease within a community. 20 (2) NON-DUPLICATION OF EFFORT.—The Sec-21 retary shall ensure that activities carried out under 22 this subsection do not unnecessarily duplicate efforts 23 of other agencies and offices within the Department 24 of Health and Human Services related to wastewater 25 surveillance.

1	SEC. 617. REAUTHORIZATION OF MOSQUITO ABATEMENT
2	FOR SAFETY AND HEALTH PROGRAM.
3	Section 317S of the Public Health Service Act $(42)$
4	U.S.C. 247b–21) is amended—
5	(1) in subsection $(a)(3)(A)$ , by striking "sub-
6	section (b)(3)" and inserting "subsection (b)(4)";
7	(2) in subsection (b)—
8	(A) by redesignating paragraphs (3)
9	through $(6)$ as paragraphs $(4)$ through $(7)$ , re-
10	spectively; and
11	(B) by inserting after paragraph $(2)$ the
12	following:
13	"(3) Considerations.—The Secretary may
14	consider the use of innovative and novel technology
15	for mosquito prevention and control in making
16	grants under paragraph (1).";
17	(3) by amending subsection (d) to read as fol-
18	lows:
19	"(d) USES OF FUNDS.—Amounts appropriated under
20	subsection (f) may be used by the Secretary to provide
21	training and technical assistance with respect to the plan-
22	ning, development, and operation of assessments and
23	plans under subsection (a) and control programs under
24	subsection (b). The Secretary may provide such training
25	and technical assistance directly or through awards of
26	grants or contracts to public and private entities."; and
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1	(4) in subsection $(f)(1)$ , by striking "2019
2	through 2023" and inserting "2025 and 2026, to re-
3	main available through December 31, 2026".
4	Subtitle B—Federal Planning and
5	Coordination
6	SEC. 621. ALL-HAZARDS EMERGENCY PREPAREDNESS AND
7	RESPONSE.
8	Section 2811 of the Public Health Service Act $(42)$
9	U.S.C. 300hh–10) is amended—
10	(1) in subsection (b)—
11	(A) in paragraph (3)—
12	(i) by striking "Oversee advanced re-
13	search, development, and procurement"
14	and inserting the following:
15	"(A) IN GENERAL.—Oversee advanced re-
16	search, development, procurement, and replen-
17	ishment"; and
18	(ii) by adding at the end the fol-
19	lowing:
20	"(B) DEVELOPMENT OF REQUIRE-
21	MENTS.—Lead the development and approval,
22	and, on a routine basis, the review and update,
23	of requirements for such countermeasures and
24	products, including related capabilities, to in-
25	form the advanced research, development, pro-

1	curement, and replenishment decisions of the
2	Secretary.";
3	(B) in paragraph (4)—
4	(i) in subparagraph (F)—
5	(I) in the matter preceding clause
6	(i), by striking "and in consultation
7	with the Secretary of Homeland Secu-
8	rity,"; and
9	(II) in clause (i), by inserting
10	"enhance" after "capabilities and";
11	(ii) in subparagraph (G)—
12	(I) in the matter preceding clause
13	(i), by inserting "the Office of Pan-
14	demic Preparedness and Response
15	Policy," after "Veterans Affairs,";
16	(II) in clause (i), by striking
17	"based on" and inserting "based on—
18	";
19	(III) in clause (ii), by striking ";
20	and" at the end and inserting a semi-
21	colon;
22	(IV) in clause (iii), by striking
23	the period and inserting "; and"; and
24	(V) by adding at the end the fol-
25	lowing:

	· • ·
1	"(iv) that include, as appropriate, par-
2	ticipation by relevant industry, academia,
3	professional societies, and other stake-
4	holders.";
5	(iii) in subparagraph (H)—
6	(I) by inserting "and the Direc-
7	tor of the Office of Pandemic Pre-
8	paredness and Response Policy' after
9	"Security Affairs"; and
10	(II) by inserting "and medical
11	product and supply capacity planning
12	pursuant to subparagraph (J), includ-
13	ing discussion of any relevant identi-
14	fied supply chain vulnerabilities" be-
15	fore the period at the end;
16	(iv) in subparagraph (I), by inserting
17	"the Director of the Office of Pandemic
18	Preparedness and Response Policy," after
19	"Security Affairs,"; and
20	(v) in subparagraph $(J)(i)$ , in the
21	matter preceding subclause (I), by insert-
22	ing "(including ancillary medical supplies
23	and components of medical products, such
24	as active pharmaceutical ingredients, key
25	starting materials, medical device compo-

1	nents, testing kits, reagents, and other
2	testing supplies)" after "supply needs";
3	and
4	(C) in paragraph (7)—
5	(i) in the matter preceding subpara-
6	graph (A), by inserting "and the require-
7	ments developed pursuant to paragraph
8	(3)(B)" after "subsection (d)";
9	(ii) by redesignating subparagraphs
10	(E) and (F) as subparagraphs (F) and
11	(G), respectively; and
12	(iii) by inserting after subparagraph
13	(D) the following:
14	"(E) include a professional judgment of
15	anticipated budget needs for each future fiscal
16	year accounted for in such plan to account for
17	the full range of anticipated medical counter-
18	measure needs and life-cycle costs to address
19	such priorities and requirements;";
20	(2) in subsection $(d)$ —
21	(A) by amending paragraph (1) to read as
22	follows:
23	"(1) IN GENERAL.—Not later than March 15,
24	2020, and biennially thereafter, the Assistant Sec-
25	retary for Preparedness and Response shall develop

1	and submit to the Committee on Health, Education,
2	Labor, and Pensions of the Senate and the Com-
3	mittee on Energy and Commerce of the House of
4	Representatives a coordinated strategy for medical
5	countermeasures to address chemical, biological, ra-
6	diological, and nuclear threats, informed by the re-
7	quirements developed pursuant to subsection
8	(b)(3)(B). Not later than 180 days after the submis-
9	sion of such strategy to such committees, the Assist-
10	ant Secretary for Preparedness and Response shall
11	submit an accompanying implementation plan to
12	such committees. In developing such a strategy and
13	plan, the Assistant Secretary for Preparedness and
14	Response shall consult with the Public Health Emer-
15	gency Medical Countermeasures Enterprise estab-
16	lished under section 2811–1. Such strategy and plan
17	shall be known as the Public Health Emergency
18	Medical Countermeasures Enterprise Strategy and
19	Implementation Plan."; and
20	(B) in paragraph (2), in the matter pre-
21	ceding subparagraph (A), by inserting "strategy
22	and" before "plan"; and
23	(3) in subsection (f)—
24	(A) in paragraph (1), in the matter pre-
25	ceding subparagraph (A), by inserting ", includ-

1	ing such agents that are an emerging infectious
2	disease" after "become a pandemic"; and
3	(B) in paragraph (2)(A), by striking
4	" $$250,000,000$ for each of fiscal years 2019
5	through 2023" and inserting "\$335,000,000
6	for each of fiscal years 2025 and 2026, to re-
7	main available through December 31, 2026".
8	SEC. 622. NATIONAL HEALTH SECURITY STRATEGY.
9	Section 2802 of the Public Health Service Act $(42)$
10	U.S.C. 300hh–1) is amended—
11	(1) in subsection $(a)(3)$ —
12	(A) by striking "In 2022, the" and insert-
13	ing "The"; and
14	(B) by inserting ", maintaining, and sus-
15	taining" after "establishing"; and
16	(2) in subsection (b)—
17	(A) in paragraph (2)—
18	(i) in subparagraph (A), by inserting
19	"that support interagency coordination and
20	availability of information, as appropriate"
21	before the period;
22	(ii) in subparagraph (B), by inserting
23	"rapid testing," after "and supplies,";
24	(B) in paragraph (3)—

- 1 (i) in the matter preceding subpara-2 graph (A), by inserting "and blood banks" 3 after "dental health facilities"; 4 (ii) in subparagraph (C), by inserting "and current capacity of facilities within 5 6 such systems, as applicable" before the pe-7 riod; and 8 (iii) in subparagraph (D), by inserting "and other medical products and medical 9 10 supplies consistent with the activities car-11 ried out under section 2811(b)(4)(J)" be-12 fore the period; (C) in paragraph (5), by inserting "appli-13 14 cable federally funded activities and" after "(in-15 cluding"; (D) in paragraph (8)— 16 17 (i) in subparagraph (A), by inserting "public health and medical" before "activi-18 19 ties"; and 20 (ii) in subparagraph (B), by striking "familiarity with" and inserting "under-21 22 standing of, and coordination between,"; 23 (E) by redesignating paragraphs (9) and
- 24 (10) as paragraphs (10) and (12), respectively;

1	(F) by inserting after paragraph $(8)$ the
2	following:
3	"(9) OTHER SETTINGS.—Supporting Federal,
4	State, local, and Tribal coordination and planning
5	with respect to facilities in which there is an in-
6	creased risk of infectious disease outbreaks, includ-
7	ing such facilities that address the needs of at-risk
8	individuals, in the event of a public health emer-
9	gency declared under section 319.";
10	(G) by inserting after subparagraph $(10)$ ,
11	as so redesignated, the following:
12	"(11) OTHER HAZARDS.—Assessing current
13	and potential health security threats from natural
14	disasters with respect to public health and medical
15	preparedness and response.";
16	(H) by inserting after paragraph $(12)$ , as
17	so redesignated, the following:
18	"(13) Cybersecurity resiliency of health
19	CARE SYSTEMS.—Consistent with the requirements
20	of section 2218 of the Homeland Security Act of
21	2002, strengthening the ability of States, local com-
22	munities, and Tribal communities to prepare for, re-
23	spond to, and be resilient against cybersecurity
24	vulnerabilities or cybersecurity attacks that affect
25	public health and health information technology, and

1	encouraging health care facilities to use recognized
2	security practices meeting or exceeding the ap-
3	proaches established under section $405(d)$ of the Cy-
4	bersecurity Act of 2015."; and
5	(I) by striking "tribal" each place it ap-
6	pears and inserting "Tribal".
7	SEC. 623. IMPROVING DEVELOPMENT AND DISTRIBUTION
8	OF DIAGNOSTIC TESTS.
9	Section 319B of the Public Health Service Act $(42)$
10	U.S.C. 247d–2) is amended to read as follows:
11	"SEC. 319B. IMPROVING DEVELOPMENT AND DISTRIBU-
12	TION OF DIAGNOSTIC TESTS.
13	"(a) Diagnostic Testing Preparedness Plan.—
14	The Secretary shall develop, make publicly available, not
15	later than 1 year after the date of enactment of the Pan-
16	demic and All-Hazards Preparedness and Response Act,
17	and update not less frequently than every 3 years there-
18	after, a plan for the rapid development, validation, author-
19	ization, manufacture, procurement, and distribution of di-
20	agnostic tests, and for rapid scaling of testing capacity,
21	in response to chemical, biological, radiological, or nuclear
22	threats, including emerging infectious diseases, for which
23	a public health emergency is declared under section 319,
24	or that has significant potential to cause such a public
25	health emergency.

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1	"(b) PURPOSES.—The purpose of the plan under sub-
2	section (a) shall be to—
3	((1)) facilitate the development and utilization
4	of diagnostic tests;
5	((2) describe the processes for the rapid devel-
6	opment, validation, authorization, manufacture, pro-
7	curement, and distribution of diagnostic tests, and
8	for rapid scaling of testing capacity; and
9	"(3) facilitate coordination and collaboration
10	among public and private entities to improve the
11	rapid development and utilization of diagnostic test-
12	ing during a public health emergency.
13	"(c) CONSIDERATIONS.—The plan under subsection
14	(a) shall take into consideration—
15	"(1) domestic capacity, including any such ca-
16	pacity established through partnerships with public
17	and private entities pursuant to subsection (e), to
18	support the development, validation, manufacture,
19	procurement, and distribution of tests, and the rapid
20	scaling of testing capacity;
21	"(2) novel technologies and platforms that—
22	"(A) may be used to improve testing capa-
23	bilities, including—
24	"(i) high-throughput laboratory
25	diagnostics;

) point-of-care diagnostics; and i) rapid at-home diagnostics; prove the accessibility of diagnostic eilitate the development and manu- agnostic tests;
prove the accessibility of diagnostic cilitate the development and manu-
eilitate the development and manu-
agnostic tests;
supply needs related to testing, in-
e testing, equipment, supplies, and
and any potential vulnerabilities
ailability of such medical supplies
ing needs, consistent with section
es for the rapid and efficient dis-
locally, regionally, or nationwide
scaling of laboratory testing capac-
nent of such strategies through
ional exercises carried out under
)(G), as appropriate.
ION.—To inform the development
n under subsection (a), and in car-
implement such plan the Secretary
implement such plan, the Secretary
ndustry, such as device manufactur-

dian Tribes and Tribal organizations, and other relevant
 public and private entities.

3 "(e) CAPACITY BUILDING.—The Secretary may con-4 tract with public and private entities, as appropriate, to 5 increase domestic capacity in the rapid development, validation, authorization, manufacture, procurement, and dis-6 7 tribution of diagnostic tests, as appropriate, to State, 8 local, and Tribal health departments and other appro-9 priate entities for immediate public health response activities to address an infectious disease with respect to which 10 a public health emergency is declared under section 319, 11 or that has significant potential to cause such a public 12 health emergency.". 13

## 14 SEC. 624. COMBATING ANTIMICROBIAL RESISTANCE.

15 (a) IN GENERAL.—Section 319E of the Public
16 Health Service Act (42 U.S.C. 247d–5) is amended—

17 (1) in subsection (a)—

18 (A) in paragraph (1), by inserting "and ac19 tivities" after "Federal programs";

(B) in paragraph (2) -

(i) by striking "public health constituencies, manufacturers, veterinary and medical professional societies and others" and
inserting "the Advisory Council described

1	in subsection (b) and relevant public and
2	private entities"; and
3	(ii) by inserting ", pursuant to para-
4	graph (4)," after "comprehensive plan";
5	(C) by amending paragraph (3) to read as
6	follows:
7	"(3) AGENDA.—The task force described in
8	paragraph (1) shall consider factors the Secretary
9	considers appropriate, including factors to—
10	"(A) slow the emergence of resistant bac-
11	teria and fungi and prevent the spread of re-
12	sistant infections;
13	"(B) strengthen activities to combat resist-
14	ance with respect to zoonotic diseases;
15	"(C) advance development and use of rapid
16	and innovative capabilities, including diagnostic
17	tests, for identification and characterization of
18	resistant bacteria and fungi;
19	"(D) accelerate basic and applied research
20	and development for new antibiotics,
21	antifungals, and other related therapeutics and
22	vaccines; and
23	((E) support international collaboration
24	and capacities for antimicrobial-resistance pre-
25	vention, detection, and control.";

1	(D) by redesignating paragraph $(4)$ as
2	paragraph (5);
3	(E) by inserting after paragraph $(3)$ the
4	following:
5	"(4) ACTION PLAN.—Not later than October 1,
6	2026, and every 5 years thereafter, the task force
7	described in paragraph (1) shall develop and submit
8	to the Committee on Health, Education, Labor, and
9	Pensions and the Committee on Appropriations of
10	the Senate and the Committee on Energy and Com-
11	merce and the Committee on Appropriations of the
12	House of Representatives a plan regarding Federal
13	programs and activities to combat antimicrobial re-
14	sistance, including measurable outcomes, as appro-
15	priate, informed by—
16	"(A) the agenda described in paragraph
17	(3);
18	"(B) input provided by the Advisory Coun-
19	cil described in subsection (b); and
20	"(C) input from other relevant stake-
21	holders provided pursuant to paragraph (2).";
22	(2) by redesignating subsections (b) through (o)
23	as subsections (c) through (p), respectively;
24	(3) by inserting after subsection (a) the fol-
25	lowing:

1 "(b) Advisory Council.—

2 "(1) IN GENERAL.—The Secretary may con3 tinue the Presidential Advisory Council on Com4 bating Antibiotic-Resistant Bacteria, referred to in
5 this subsection as the 'Advisory Council'.

6 "(2) DUTIES.—The Advisory Council shall ad-7 vise and provide information and recommendations 8 to the Secretary, acting through the Task Force es-9 tablished under subsection (a), regarding Federal 10 programs and activities intended to reduce or com-11 bat antimicrobial-resistant bacteria or fungi that 12 may present a public health threat and improve ca-13 pabilities to prevent, diagnose, mitigate, or treat 14 such resistance. Such advice, information, and rec-15 ommendations may be related to improving Federal efforts related to factors described in subsection 16 17 (a)(3) and other topics related to antimicrobial re-18 sistance, as appropriate.

19 "(3) MEETINGS AND COORDINATION.—

20 "(A) MEETINGS.—The Advisory Council
21 shall meet not less frequently than biannually
22 and, to the extent practicable, in coordination
23 with meetings of the task force established
24 under subsection (a).

1	"(B) COORDINATION.—The Advisory
2	Council shall, to the greatest extent practicable,
3	coordinate activities carried out by the Council
4	with the task force established under subsection
5	(a).
6	"(4) FACA.—Chapter 10 of title 5, United
7	States Code, shall apply to the activities and duties
8	of the Advisory Council.
9	"(5) SUNSET.—
10	"(A) IN GENERAL.—The Advisory Council
11	under this subsection shall terminate on De-
12	cember 31, 2026.
13	"(B) EXTENSION OF ADVISORY COUN-
14	CIL.—Not later than October 1, 2026, the Sec-
15	retary shall submit to the Committee on
16	Health, Education, Labor, and Pensions of the
17	Senate and the Committee on Energy and Com-
18	merce of the House of Representatives a report
19	that includes a recommendation on whether the
20	Advisory Council should be extended, and iden-
21	tifying whether there are other committees,
22	councils, or task forces that have overlapping or
23	similar duties to that of the Advisory Council,
24	and whether such committees, councils, or task
25	forces should be combined, restructured, or

## 12 "Not later".

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## 13 SEC. 625. STRATEGIC NATIONAL STOCKPILE AND MATE14 RIAL THREATS.

15 Section 319F–2 of the Public Health Service Act (42
16 U.S.C. 247d–6b) is amended—

- 17 (1) in subsection (a)—
- 18 (A) in paragraph (2)—

(i) in subparagraph (A), by inserting
"Such review shall include a description of
how the Secretary manages and mitigates
risks associated with gaps between current
inventory levels and stockpiling goals,
prioritizes such risks, and tracks progress

1	toward mitigation of such risks." after the
2	first sentence; and
3	(ii) in subparagraph (B)(i), by amend-
4	ing subclause (IV) to read as follows:
5	"(IV) the emergency health secu-
6	rity threat or threats such counter-
7	measure procurement is intended to
8	address, including—
9	"(aa) whether such procure-
10	ment is consistent with meeting
11	emergency health security needs
12	associated with such threat or
13	threats; and
14	"(bb) in the case of a coun-
15	termeasure that addresses a bio-
16	logical agent, whether such agent
17	has an increased likelihood to be-
18	come resistant to, more resistant
19	to, or evade, such counter-
20	measure relative to other avail-
21	able medical countermeasures;";
22	(B) in paragraph (3)—
23	(i) in subparagraph (B), by striking
24	"are followed, regularly reviewed, and up-
25	dated with respect to such stockpile" and

1	inserting "with respect to such stockpile
2	are followed, regularly reviewed, and up-
3	dated to reflect best practices";
4	(ii) in subparagraph (I), by inserting
5	", through a standard operating proce-
6	dure," after "ensure";
7	(iii) by redesignating subparagraphs
8	(H) through $(K)$ as subparagraphs $(I)$
9	through (L), respectively;
10	(iv) by inserting after subparagraph
11	(G) the following:
12	"(H) utilize tools to enable the timely and
13	accurate tracking of the contents of the stock-
14	pile throughout the deployment of such con-
15	tents, including tracking of the location and ge-
16	ographic distribution and utilization of such
17	contents;";
18	(v) in subparagraph (K), as so redes-
19	ignated, by striking "; and" at the end and
20	inserting a semicolon;
21	(vi) in subparagraph (L), as so redes-
22	ignated, by striking the period and insert-
23	ing "; and"; and
24	(vii) by adding at the end the fol-
25	lowing:

1	
1	"(M) communicate to relevant vendors re-
2	garding modifications, renewals, extensions, or
3	terminations of contracts, or the intent to exer-
4	cise options for such contracts, within 30 days,
5	as practicable, of such determination, including
6	through the development of a contract notifica-
7	tion process.";
8	(C) in paragraph $(5)(B)$ , in the matter
9	preceding clause (i), by inserting ", which may
10	accompany the review required under paragraph
11	(2)," after "Representatives a report"; and
12	(D) in paragraph $(6)(A)$ —
13	(i) by redesignating clauses (viii)
14	through (x) as clauses (ix) through (xi), re-
15	spectively; and
16	(ii) by inserting after clause (vii) the
17	following:
18	"(viii) with respect to any change in
19	the Federal organizational management of
20	the stockpile, an assessment and compari-
21	son of any differences in the processes and
22	operations resulting from such change, in-
23	cluding-

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1	"(I) planning for potential coun-
2	termeasure deployment, distribution,
3	or dispensing capabilities;
4	"(II) organizational structure;
5	"(III) communication with rel-
6	evant stakeholders related to procure-
7	ment decisions;
8	"(IV) processes related to pro-
9	curement, deployment, and use of
10	stockpiled countermeasures;
11	"(V) communication and coordi-
12	nation with the Public Health Emer-
13	gency Medical Countermeasures En-
14	terprise and other related Federal en-
15	tities;
16	"(VI) inventory management;
17	and
18	"(VII) availability and use of re-
19	sources for such activities;"; and
20	(2) in subsection $(c)(2)(C)$ , by striking
21	"promptly" and inserting ", not later than 60 days
22	after each such determination,";
23	(3) in subsection $(f)(1)$ , by striking
24	"\$610,000,000 for each of fiscal years 2019 through
25	2021, and $$750,000,000$ for each of fiscal years

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1	2022 and 2023" and inserting "\$1,100,000,000 for
2	fiscal year 2025, and \$1,210,000,000 for fiscal year
3	2026''; and
4	(4) in subsection $(g)(1)$ , by striking "2019
5	through 2028" and inserting "2025 through 2034".
6	SEC. 626. MEDICAL COUNTERMEASURES FOR VIRAL
7	THREATS WITH PANDEMIC POTENTIAL.
8	Section 319L of the Public Health Service Act $(42)$
9	U.S.C. 247d–7e) is amended—
10	(1) in subsection (c)—
11	(A) in paragraph (4)—
12	(i) in subparagraph (D)—
13	(I) in clause (ii), by striking ";
14	and" and inserting a semicolon; and
15	(II) by redesignating clause (iii)
16	as clause (iv); and
17	(III) by inserting after clause (ii)
18	the following:
19	"(iii) research and development of
20	medical countermeasures for priority virus
21	families that have significant potential to
22	cause a pandemic, including such counter-
23	measures that take either pathogen-specific
24	or pathogen-agnostic approaches, and plat-
25	form technologies to improve the develop-

1	ment and manufacture of such medical
2	countermeasures; and"; and
3	(ii) in subparagraph (F)(ii), by insert-
4	ing "or priority virus families and other
5	viral pathogens that pose a threat due to
6	their significant potential to cause a pan-
7	demic," after "pandemic influenza,"; and
8	(B) in paragraph (5), by adding at the end
9	the following:
10	"(I) NOTIFICATION.—In awarding con-
11	tracts, grants, cooperative agreements, or other
12	transactions under this section, the Secretary
13	shall communicate to relevant vendors regard-
14	ing modifications, renewals, extensions, or ter-
15	minations of contracts, including through the
16	development of a contract notification process,
17	within 30 days of such determination, as prac-
18	ticable.";
19	(2) in subsection $(d)(2)$ , by striking
20	"\$611,700,000 for each of fiscal years 2019 through
21	2023" and inserting "\$950,000,000 for each of fis-
22	cal years 2025 and 2026"; and
23	(3) in subsection (e)(1), by amending subpara-
24	graph (D) to read as follows:

1	"(D) SUNSET.—This paragraph shall cease
2	to have force or effect after December 31,
3	2026.".
4	SEC. 627. PUBLIC HEALTH EMERGENCY MEDICAL COUN-
5	TERMEASURES ENTERPRISE.
6	Section 2811–1 of the Public Health Service Act (42
7	U.S.C. 300hh–10a) is amended—
8	(1) in subsection (b)—
9	(A) by redesignating paragraph $(11)$ as
10	paragraph (13);
11	(B) by inserting after paragraph (10) the
12	following:
13	"(11) The Director of the Biomedical Advanced
14	Research and Development Authority.
15	"(12) The Director of the Strategic National
16	Stockpile."; and
17	(C) in paragraph (13), as so redesignated,
18	by striking "the Director of the Biomedical Ad-
19	vanced Research and Development Authority,
20	the Director of the Strategic National Stock-
21	pile, the Director of the National Institute of
22	Allergy and Infectious Diseases," and inserting
23	"the Director of the National Institute of Al-
24	lergy and Infectious Diseases"; and
25	(2) in subsection (c)—

1	(A) in paragraph (1)—
2	(i) by redesignating subparagraph (D)
3	as subparagraph (E); and
4	(ii) by inserting after subparagraph
5	(C) the following:
6	"(D) Assist the Secretary in developing
7	strategies for appropriate and evidence-based
8	allocation and distribution of countermeasures
9	to jurisdictions, in a manner that supports the
10	availability and use of such countermeasures,
11	for public health and medical preparedness and
12	response needs.";
13	(B) in paragraph (2), by inserting "rel-
14	evant stakeholders, including industry," after
15	"consider input from"; and
16	(C) by adding at the end the following:
17	"(3) INFORMATION SHARING.—The Secretary
18	shall, as appropriate and in a manner that does not
19	compromise national security, communicate and
20	share information related to recommendations made
21	and strategies developed under paragraph $(1)$ with
22	relevant stakeholders, including industry and State,
23	local, and Tribal public health departments.".

1	SEC. 628. FELLOWSHIP AND TRAINING PROGRAMS.
2	Section 317G of the Public Health Service Act (42 $$
3	U.S.C. 247b–8) is amended—
4	(1) by striking "The Secretary," and inserting
5	the following:
6	"(a) IN GENERAL.—The Secretary,"; and
7	(2) by adding at the end the following:
8	"(b) Noncompetitive Conversion.—
9	"(1) IN GENERAL.—The Secretary may non-
10	competitively convert an individual who has com-
11	pleted an epidemiology, surveillance, or laboratory
12	fellowship or training program under subsection (a)
13	to a career-conditional appointment without regard
14	to the provisions of subchapter I of chapter 33 of
15	title 5, United States Code, provided that such indi-
16	vidual meets qualification requirements for the ap-
17	pointment.".
18	SEC. 629. REGIONAL BIOCONTAINMENT RESEARCH LAB-
19	ORATORIES.
20	(a) IN GENERAL.—The Secretary of Health and
21	Human Services (referred to in this section as the "Sec-
22	retary") shall make awards to establish or maintain, as
23	applicable, not fewer than 12 regional biocontainment lab-
24	oratories, for purposes of—
25	(1) conducting biomedical research to support
26	public health and medical preparedness for, and
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rapid response to, biological agents, including emerg ing infectious diseases;

3 (2) ensuring the availability of surge capacity
4 for purposes of responding to such biological agents;

5 (3) supporting information sharing between,
6 and the dissemination of findings to, researchers and
7 other relevant individuals to facilitate collaboration
8 between industry and academia; and

9 (4) providing, as appropriate and applicable, 10 technical assistance and training to researchers and 11 other relevant individuals to support the biomedical 12 research workforce in improving the management 13 and mitigation of safety and security risks in the 14 conduct of research involving such biological agents. 15 (b) REQUIREMENTS.—As a condition of receiving a grant under this section, a regional biocontainment labora-16 17 tory shall agree to such oversight activities as the Secretary determines appropriate, including periodic meetings 18 19 with relevant officials of the Department of Health and 20Human Services, facility inspections, and other activities 21 as necessary and appropriate to ensure compliance with 22 the terms and conditions of such award.

23 (c) WORKING GROUP.—The Secretary shall establish
24 a Working Group, consisting of a representative from each
25 entity in receipt of an award under subsection (a). The

Working Group shall make recommendations to the Sec retary in administering awards under this section, for pur poses of—

4 (1) improving the quality and consistency of ap5 plicable procedures and practices within laboratories
6 funded pursuant to subsection (a); and

7 (2) ensuring coordination, as appropriate, of
8 federally funded activities carried out at such labora9 tories.

10 (d) DEFINITION.—In this section, the term "regional 11 biocontainment laboratory" means a Biosafety or Animal 12 Biosafety Level–3 and Level–2 facility located at an insti-13 tution in the United States that is designated by the Sec-14 retary to carry out the activities described in subsection 15 (a).

(e) AUTHORIZATION OF APPROPRIATIONS.—To carry
out this section, there are authorized to be appropriated
\$52,000,000 for each of fiscal years 2025 and 2026, to
remain available through December 31, 2026.

(f) ADMINISTRATIVE EXPENSES.—Of the amount
available to carry out this section for a fiscal year, the
Secretary may use not more than 5 percent for the administrative expenses of carrying out this section, including
expenses related to carrying out subsection (c).

(g) REPORT TO CONGRESS.—Not later than 1 year 1 2 after the date of the enactment of this Act, and biannually 3 thereafter, the Secretary, in consultation with the heads 4 of applicable Federal departments and agencies shall re-5 port to the Committee on Health, Education, Labor, and 6 Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives on-7 8 (1) the activities and accomplishments of the 9 regional biocontainment laboratories; 10 (2) any published or disseminated research 11 findings based on research conducted in such labora-12 tories in the applicable year; 13 (3) oversight activities carried out by the Sec-14 retary pursuant to subsection (b): 15 (4) activities undertaken by the Secretary to 16 take into consideration the capacity and capabilities 17 of the network of regional biocontainment labora-18 tories in activities to prepare for and respond to bio-19 logical agents, which may include leveraging such ca-20 pacity and capabilities to support the Laboratory 21 Response Network, as applicable and appropriate; 22 (5) plans for the maintenance and sustainment 23 of federally funded activities conducted at the re-24 gional biocontainment laboratories, consistent with 25 the strategy required under section 2312 of the

PREVENT Pandemics Act (Public Law 117–328);
 and

3 (6) activities undertaken by the Secretary to co-4 ordinate with the heads of other relevant Federal de-5 partments and agencies to ensure that work carried 6 out by each such facility on behalf of the Secretary and such other relevant heads is prioritized, is com-7 8 plementary to the work carried out by other such fa-9 cilities and other relevant federally funded activities, 10 and avoids unnecessary duplication.

## 11SEC. 629A. LIMITATION RELATED TO COUNTRIES OF CON-12CERN CONDUCTING CERTAIN RESEARCH.

13 Section 2315(c) of the PREVENT Pandemics Act14 (42 U.S.C. 6627) is amended to read as follows:

15 "(c) LIMITATIONS ON COUNTRIES OF CONCERN CON-16 DUCTING CERTAIN RESEARCH.—

17 "(1) IN GENERAL.—The Secretary of Health 18 and Human Services (referred to in this subsection 19 as the 'Secretary') shall not fund research that may 20 reasonably be anticipated to involve the creation, 21 transfer, and use of enhanced pathogens of pan-22 demic potential or biological agents or toxins listed 23 pursuant to section 351A(a)(1) of the Public Health 24 Service Act if such research is conducted by a for-25 eign entity at a facility located in a country that is determined to be a country of concern as defined in
 paragraph (2).
 "(2) COUNTRIES OF CONCERN.—

4 "(A) DEFINITION.—For purposes of this
5 subsection, a 'country of concern' means the
6 People's Republic of China, the Democratic
7 People's Republic of Korea, the Russian Fed8 eration, the Islamic Republic of Iran, and any
9 other country as determined pursuant to sub10 paragraph (B).

11 "(B) ADDITIONAL COUNTRIES.—The Di-12 rector of National Intelligence (referred to in 13 this subsection as the 'Director') shall, in con-14 sultation with the Secretary, add additional 15 countries of concern for purposes of paragraph 16 (1), only if—

17 "(i) the Director determines that evi-18 dence exists that a country has malicious 19 intent related to the creation, enhance-20 ment, transfer, or use of pathogens of pan-21 demic potential or biological agents or tox-22 ins listed pursuant to such section 23 351A(a)(1); and

24 "(ii) in a manner that does not com-25 promise national security, the Director

- 1 provides such evidence in a report sub-2 mitted to the Committee on Health, Education, Labor, and Pensions of the Senate 3 4 and the Committee on Energy and Com-5 merce of the House of Representatives. 6 "(C) LIMITATION.—Paragraph (1) shall 7 not take effect with respect to a country of con-8 cern identified under subparagraph (B) until 9 the date that is 15 days after the date on which 10 the Director submits the report described in 11 subparagraph (B)(ii). 12 "(3) CLARIFICATION.— 13 "(A) IN GENERAL.—The requirement of 14 paragraph (1) may be waived by the President 15 for the duration of the initial response to an 16 outbreak of a novel emerging infectious disease 17 if the President determines that such require-18 ment impedes the ability of the Federal Govern-19 ment to immediately respond to such outbreak. "(B) NOTIFICATION.—The President shall 20 21 notify such committees of Congress not later than 48 hours after exercising the waiver under 22 23 subparagraph (A), and shall provide updates to
- 25 waiver every 15 days thereafter.

such committees related to the use of such

	101
1	"(4) SUNSET.—The limitation under this sub-
2	section shall expire on December 31, 2026.".
3	Subtitle C—Addressing the Needs
4	of All Individuals
5	SEC. 631. IMPROVING ACCESS TO CERTAIN PROGRAMS.
6	(a) Procedures Related to the Transition of
7	CERTAIN CLAIMS.—
8	(1) PROCEDURES FOR CORRECTING SUBMIS-
9	SIONS.—
10	(A) Requests initially submitted
11	UNDER SECTION 319F–4.—
12	(i) IN GENERAL.—In the case of a re-
13	quest for compensation submitted under
14	section 319F–4 of the Public Health Serv-
15	ice Act (42 U.S.C. 247d–6e) for an injury
16	or death related to a medical product for
17	active immunization to prevent coronavirus
18	disease 2019 that the Secretary determines
19	to be ineligible pursuant to subsection
20	(b)(4)(B) of such section 319F-4, the Sec-
21	retary shall, not later than 30 days after
22	such determination, notify the individual
23	submitting the request of such determina-
24	tion.

1(ii) SUBMISSION OF PETITION.—An2individual who receives a notification de-3scribed in clause (i) shall be eligible to sub-4mit a petition to the United States Court5of Federal Claims under section 2111 of6the Public Health Service Act (42 U.S.C.7300aa-11) with respect to the same med-8ical product administration claimed in the9request submitted under section 319F-4 of10such Act (42 U.S.C. 247d-6e), provided11such petition is submitted not later than12the later of—13(I) 1 year after receiving such14notification under clause (i); or15(II) the last date on which the16individual otherwise would be eligible17to submit a petition relating to such18injury, as specified in section 2116 of19such Act (42 U.S.C. 300aa-16).20(iii) ELIGIBILITY.—To be eligible to21submit a petition in accordance with clause22(ii), the petitioner shall have submitted the23request that was determined to be incli-24gible as described in clause (i) not later		
3scribed in clause (i) shall be eligible to sub- mit a petition to the United States Court of Federal Claims under section 2111 of 65of Federal Claims under section 2111 of 66the Public Health Service Act (42 U.S.C. 77300aa-11) with respect to the same med- ical product administration claimed in the 99request submitted under section 319F-4 of 1010such Act (42 U.S.C. 247d-6e), provided 1111such petition is submitted not later than 1212the later of—13(I) 1 year after receiving such notification under clause (i); or14notification under clause (i); or15(II) the last date on which the individual otherwise would be eligible to submit a petition relating to such 1818injury, as specified in section 2116 of 1920(iii) ELIGIBILITY.—To be eligible to 2121submit a petition in accordance with clause (ii), the petitioner shall have submitted the 23	1	(ii) SUBMISSION OF PETITION.—An
4mit a petition to the United States Court5of Federal Claims under section 2111 of6the Publie Health Service Act (42 U.S.C.7300aa-11) with respect to the same med-8ical product administration claimed in the9request submitted under section 319F-4 of10such Act (42 U.S.C. 247d-6e), provided11such petition is submitted not later than12the later of—13(I) 1 year after receiving such14notification under clause (i); or15(II) the last date on which the16individual otherwise would be eligible17to submit a petition relating to such18injury, as specified in section 2116 of19such Act (42 U.S.C. 300aa-16).20(iii) ELIGIBILITY.—To be eligible to21submit a petition in accordance with clause22(ii), the petitioner shall have submitted the23request that was determined to be ineli-	2	individual who receives a notification de-
5of Federal Claims under section 2111 of6the Public Health Service Act (42 U.S.C.7300aa-11) with respect to the same med-8ical product administration claimed in the9request submitted under section 319F-4 of10such Act (42 U.S.C. 247d-6e), provided11such petition is submitted not later than12the later of—13(I) 1 year after receiving such14notification under clause (i); or15(II) the last date on which the16individual otherwise would be eligible17to submit a petition relating to such18injury, as specified in section 2116 of19such Act (42 U.S.C. 300aa-16).20(iii) ELIGIBILITY.—To be eligible to21submit a petition in accordance with clause22(ii), the petitioner shall have submitted the23request that was determined to be ineli-	3	scribed in clause (i) shall be eligible to sub-
6the Public Health Service Act (42 U.S.C.7300aa-11) with respect to the same med-8ical product administration claimed in the9request submitted under section 319F-4 of10such Act (42 U.S.C. 247d-6e), provided11such petition is submitted not later than12the later of—13(I) 1 year after receiving such14notification under clause (i); or15(II) the last date on which the16individual otherwise would be eligible17to submit a petition relating to such18injury, as specified in section 2116 of19such Act (42 U.S.C. 300aa-16).20(iii) ELIGIBILITY.—To be eligible to21submit a petition in accordance with clause22(ii), the petitioner shall have submitted the23request that was determined to be ineli-	4	mit a petition to the United States Court
7300aa-11) with respect to the same med- ical product administration claimed in the 99request submitted under section 319F-4 of10such Act (42 U.S.C. 247d-6e), provided11such petition is submitted not later than12the later of—13(I) 1 year after receiving such14notification under clause (i); or15(II) the last date on which the16individual otherwise would be eligible17to submit a petition relating to such18injury, as specified in section 2116 of19such Act (42 U.S.C. 300aa-16).20(iii) ELIGIBILITY.—To be eligible to21submit a petition in accordance with clause22(ii), the petitioner shall have submitted the23request that was determined to be ineli-	5	of Federal Claims under section 2111 of
<ul> <li>ical product administration claimed in the</li> <li>request submitted under section 319F-4 of</li> <li>such Act (42 U.S.C. 247d-6e), provided</li> <li>such petition is submitted not later than</li> <li>the later of—</li> <li>(I) 1 year after receiving such</li> <li>notification under clause (i); or</li> <li>(II) the last date on which the</li> <li>individual otherwise would be eligible</li> <li>to submit a petition relating to such</li> <li>such Act (42 U.S.C. 300aa-16).</li> <li>(ii) ELIGIBILITY.—To be eligible to</li> <li>submit a petition in accordance with clause</li> <li>(ii), the petitioner shall have submitted the</li> <li>request that was determined to be ineli-</li> </ul>	6	the Public Health Service Act (42 U.S.C.
9request submitted under section 319F-4 of10such Act (42 U.S.C. 247d-6e), provided11such petition is submitted not later than12the later of—13(I) 1 year after receiving such14notification under clause (i); or15(II) the last date on which the16individual otherwise would be eligible17to submit a petition relating to such18injury, as specified in section 2116 of19such Act (42 U.S.C. 300aa-16).20(iii) ELIGIBILITY.—To be eligible to21submit a petition in accordance with clause22(ii), the petitioner shall have submitted the23request that was determined to be ineli-	7	300aa-11) with respect to the same med-
10such Act (42 U.S.C. 247d-6e), provided11such petition is submitted not later than12the later of—13(I) 1 year after receiving such14notification under clause (i); or15(II) the last date on which the16individual otherwise would be eligible17to submit a petition relating to such18injury, as specified in section 2116 of19such Act (42 U.S.C. 300aa-16).20(iii) ELIGIBILITY.—To be eligible to21submit a petition in accordance with clause22(ii), the petitioner shall have submitted the23request that was determined to be ineli-	8	ical product administration claimed in the
11such petition is submitted not later than12the later of—13(I) 1 year after receiving such14notification under clause (i); or15(II) the last date on which the16individual otherwise would be eligible17to submit a petition relating to such18injury, as specified in section 2116 of19such Act (42 U.S.C. 300aa–16).20(iii) ELIGIBILITY.—To be eligible to21submit a petition in accordance with clause22(ii), the petitioner shall have submitted the23request that was determined to be ineli-	9	request submitted under section 319F–4 of
12the later of—13(I) 1 year after receiving such14notification under clause (i); or15(II) the last date on which the16individual otherwise would be eligible17to submit a petition relating to such18injury, as specified in section 2116 of19such Act (42 U.S.C. 300aa–16).20(iii) ELIGIBILITY.—To be eligible to21submit a petition in accordance with clause22(ii), the petitioner shall have submitted the23request that was determined to be ineli-	10	such Act (42 U.S.C. 247d–6e), provided
<ul> <li>(I) 1 year after receiving such notification under clause (i); or</li> <li>(II) the last date on which the individual otherwise would be eligible to submit a petition relating to such injury, as specified in section 2116 of such Act (42 U.S.C. 300aa–16).</li> <li>(iii) ELIGIBILITY.—To be eligible to submit a petition in accordance with clause (ii), the petitioner shall have submitted the request that was determined to be ineli-</li> </ul>	11	such petition is submitted not later than
14notification under clause (i); or15(II) the last date on which the16individual otherwise would be eligible17to submit a petition relating to such18injury, as specified in section 2116 of19such Act (42 U.S.C. 300aa–16).20(iii) ELIGIBILITY.—To be eligible to21submit a petition in accordance with clause22(ii), the petitioner shall have submitted the23request that was determined to be ineli-	12	the later of—
<ul> <li>(II) the last date on which the</li> <li>individual otherwise would be eligible</li> <li>to submit a petition relating to such</li> <li>injury, as specified in section 2116 of</li> <li>such Act (42 U.S.C. 300aa–16).</li> <li>(iii) ELIGIBILITY.—To be eligible to</li> <li>submit a petition in accordance with clause</li> <li>(ii), the petitioner shall have submitted the</li> <li>request that was determined to be ineli-</li> </ul>	13	(I) 1 year after receiving such
<ul> <li>individual otherwise would be eligible</li> <li>to submit a petition relating to such</li> <li>injury, as specified in section 2116 of</li> <li>such Act (42 U.S.C. 300aa–16).</li> <li>(iii) ELIGIBILITY.—To be eligible to</li> <li>submit a petition in accordance with clause</li> <li>(ii), the petitioner shall have submitted the</li> <li>request that was determined to be ineli-</li> </ul>	14	notification under clause (i); or
17to submit a petition relating to such18injury, as specified in section 2116 of19such Act (42 U.S.C. 300aa–16).20(iii) ELIGIBILITY.—To be eligible to21submit a petition in accordance with clause22(ii), the petitioner shall have submitted the23request that was determined to be ineli-	15	(II) the last date on which the
<ul> <li>injury, as specified in section 2116 of</li> <li>such Act (42 U.S.C. 300aa–16).</li> <li>(iii) ELIGIBILITY.—To be eligible to</li> <li>submit a petition in accordance with clause</li> <li>(ii), the petitioner shall have submitted the</li> <li>request that was determined to be ineli-</li> </ul>	16	individual otherwise would be eligible
<ul> <li>19 such Act (42 U.S.C. 300aa–16).</li> <li>20 (iii) ELIGIBILITY.—To be eligible to</li> <li>21 submit a petition in accordance with clause</li> <li>22 (ii), the petitioner shall have submitted the</li> <li>23 request that was determined to be ineli-</li> </ul>	17	to submit a petition relating to such
<ul> <li>20 (iii) ELIGIBILITY.—To be eligible to</li> <li>21 submit a petition in accordance with clause</li> <li>22 (ii), the petitioner shall have submitted the</li> <li>23 request that was determined to be ineli-</li> </ul>	18	injury, as specified in section 2116 of
<ul> <li>21 submit a petition in accordance with clause</li> <li>22 (ii), the petitioner shall have submitted the</li> <li>23 request that was determined to be ineli-</li> </ul>	19	such Act (42 U.S.C. 300aa–16).
<ul><li>(ii), the petitioner shall have submitted the</li><li>request that was determined to be ineli-</li></ul>	20	(iii) ELIGIBILITY.—To be eligible to
23 request that was determined to be ineli-	21	submit a petition in accordance with clause
L	22	(ii), the petitioner shall have submitted the
24 gible as described in clause (i) not later	23	request that was determined to be ineli-
	24	gible as described in clause (i) not later

2tition under such section 2116.3(B) REQUESTS INITIALLY SUBMITTED4UNDER SECTION 2111.—5(i) IN GENERAL.—If a special master6determines that—7(I) a petition submitted under8section 2111 of the Public Health9Service Act (42 U.S.C. 300aa–11) re-10lated to a medical product for active11immunization to prevent coronavirus12disease 2019 that is ineligible for the13program under subtitle 2 of title XXI14of the Public Health Service Act (4215U.S.C. 300aa–10 et seq.) because it16relates to a medical product adminis-17tered at a time when the medical18product was not included in the table19under section 2114 of such Act (4220U.S.C. 300aa–14); and21(II) the medical product was ad-23countermeasure subject to a declara-24tion under section 319F–3(b) of such25Act (42 U.S.C. 247d–6d(b)),	1	than the applicable deadline for filing a pe-
4UNDER SECTION 2111.—5(i) IN GENERAL.—If a special master6determines that—7(I) a petition submitted under8section 2111 of the Public Health9Service Act (42 U.S.C. 300aa-11) re-10lated to a medical product for active11immunization to prevent coronavirus12disease 2019 that is ineligible for the13program under subtitle 2 of title XXI14of the Public Health Service Act (42)15U.S.C. 300aa-10 et seq.) because it16relates to a medical product adminis-17tered at a time when the medical18product was not included in the table19under section 2114 of such Act (42)20U.S.C. 300aa-14); and21(II) the medical product was ad-23countermeasure subject to a declara-24tion under section 319F-3(b) of such	2	tition under such section 2116.
5(i) IN GENERAL.—If a special master6determines that—7(I) a petition submitted under8section 2111 of the Public Health9Service Act (42 U.S.C. 300aa-11) re-10lated to a medical product for active11immunization to prevent coronavirus12disease 2019 that is ineligible for the13program under subtitle 2 of title XXI14of the Public Health Service Act (42)15U.S.C. 300aa-10 et seq.) because it16relates to a medical product adminis-17tered at a time when the medical18product was not included in the table19under section 2114 of such Act (42)20U.S.C. 300aa-14); and21(II) the medical product was ad-23countermeasure subject to a declara-24tion under section 319F-3(b) of such	3	(B) Requests initially submitted
6determines that—7(I) a petition submitted under8section 2111 of the Publie Health9Service Act (42 U.S.C. 300aa-11) re-10lated to a medical product for active11immunization to prevent coronavirus12disease 2019 that is ineligible for the13program under subtitle 2 of title XXI14of the Public Health Service Act (4215U.S.C. 300aa-10 et seq.) because it16relates to a medical product adminis-17tered at a time when the medical18product was not included in the table19under section 2114 of such Act (4220U.S.C. 300aa-14); and21(II) the medical product was ad-23countermeasure subject to a declara-24tion under section 319F-3(b) of such	4	UNDER SECTION 2111.—
7(I) a petition submitted under8section 2111 of the Public Health9Service Act (42 U.S.C. 300aa-11) re-10lated to a medical product for active11immunization to prevent coronavirus12disease 2019 that is ineligible for the13program under subtitle 2 of title XXI14of the Public Health Service Act (42)15U.S.C. 300aa-10 et seq.) because it16relates to a medical product adminis-17tered at a time when the medical18product was not included in the table19under section 2114 of such Act (42)20U.S.C. 300aa-14); and21(II) the medical product was ad-22ministered when it was a covered23countermeasure subject to a declara-24tion under section 319F-3(b) of such	5	(i) IN GENERAL.—If a special master
8section 2111 of the Public Health9Service Act (42 U.S.C. 300aa-11) re-10lated to a medical product for active11immunization to prevent coronavirus12disease 2019 that is ineligible for the13program under subtitle 2 of title XXI14of the Public Health Service Act (42)15U.S.C. 300aa-10 et seq.) because it16relates to a medical product adminis-17tered at a time when the medical18product was not included in the table19under section 2114 of such Act (42)20U.S.C. 300aa-14); and21(II) the medical product was ad-23countermeasure subject to a declara-24tion under section 319F-3(b) of such	6	determines that—
9Service Act (42 U.S.C. 300aa-11) re-10lated to a medical product for active11immunization to prevent coronavirus12disease 2019 that is ineligible for the13program under subtitle 2 of title XXI14of the Public Health Service Act (42)15U.S.C. 300aa-10 et seq.) because it16relates to a medical product adminis-17tered at a time when the medical18product was not included in the table19under section 2114 of such Act (42)20U.S.C. 300aa-14); and21(II) the medical product was ad-22ministered when it was a covered23countermeasure subject to a declara-24tion under section 319F-3(b) of such	7	(I) a petition submitted under
10lated to a medical product for active11immunization to prevent coronavirus12disease 2019 that is ineligible for the13program under subtitle 2 of title XXI14of the Public Health Service Act (4215U.S.C. 300aa-10 et seq.) because it16relates to a medical product adminis-17tered at a time when the medical18product was not included in the table19under section 2114 of such Act (4220U.S.C. 300aa-14); and21(II) the medical product was ad-22ministered when it was a covered23countermeasure subject to a declara-24tion under section 319F-3(b) of such	8	section 2111 of the Public Health
11immunization to prevent coronavirus12disease 2019 that is ineligible for the13program under subtitle 2 of title XXI14of the Public Health Service Act (4215U.S.C. 300aa-10 et seq.) because it16relates to a medical product adminis-17tered at a time when the medical18product was not included in the table19under section 2114 of such Act (4220U.S.C. 300aa-14); and21(II) the medical product was ad-22ministered when it was a covered23countermeasure subject to a declara-24tion under section 319F-3(b) of such	9	Service Act (42 U.S.C. 300aa–11) re-
12disease 2019 that is ineligible for the13program under subtitle 2 of title XXI14of the Public Health Service Act (4215U.S.C. 300aa-10 et seq.) because it16relates to a medical product adminis-17tered at a time when the medical18product was not included in the table19under section 2114 of such Act (4220U.S.C. 300aa-14); and21(II) the medical product was ad-22ministered when it was a covered23countermeasure subject to a declara-24tion under section 319F-3(b) of such	10	lated to a medical product for active
13program under subtitle 2 of title XXI14of the Public Health Service Act (4215U.S.C. 300aa–10 et seq.) because it16relates to a medical product adminis-17tered at a time when the medical18product was not included in the table19under section 2114 of such Act (4220U.S.C. 300aa–14); and21(II) the medical product was ad-22ministered when it was a covered23countermeasure subject to a declara-24tion under section 319F–3(b) of such	11	immunization to prevent coronavirus
14of the Public Health Service Act (4215U.S.C. 300aa-10 et seq.) because it16relates to a medical product adminis-17tered at a time when the medical18product was not included in the table19under section 2114 of such Act (4220U.S.C. 300aa-14); and21(II) the medical product was ad-22ministered when it was a covered23countermeasure subject to a declara-24tion under section 319F-3(b) of such	12	disease 2019 that is ineligible for the
15U.S.C. 300aa-10 et seq.) because it16relates to a medical product adminis-17tered at a time when the medical18product was not included in the table19under section 2114 of such Act (42)20U.S.C. 300aa-14); and21(II) the medical product was ad-22ministered when it was a covered23countermeasure subject to a declara-24tion under section 319F-3(b) of such	13	program under subtitle 2 of title XXI
16relates to a medical product adminis-17tered at a time when the medical18product was not included in the table19under section 2114 of such Act (4220U.S.C. 300aa–14); and21(II) the medical product was ad-22ministered when it was a covered23countermeasure subject to a declara-24tion under section 319F–3(b) of such	14	of the Public Health Service Act $(42)$
17tered at a time when the medical18product was not included in the table19under section 2114 of such Act (42)20U.S.C. 300aa-14); and21(II) the medical product was ad-22ministered when it was a covered23countermeasure subject to a declara-24tion under section 319F-3(b) of such	15	U.S.C. 300aa–10 et seq.) because it
18product was not included in the table19under section 2114 of such Act (42)20U.S.C. 300aa–14); and21(II) the medical product was ad-22ministered when it was a covered23countermeasure subject to a declara-24tion under section 319F–3(b) of such	16	relates to a medical product adminis-
19under section 2114 of such Act (4220U.S.C. 300aa–14); and21(II) the medical product was ad-22ministered when it was a covered23countermeasure subject to a declara-24tion under section 319F–3(b) of such	17	tered at a time when the medical
20U.S.C. 300aa-14); and21(II) the medical product was ad-22ministered when it was a covered23countermeasure subject to a declara-24tion under section 319F-3(b) of such	18	product was not included in the table
<ul> <li>21 (II) the medical product was ad-</li> <li>22 ministered when it was a covered</li> <li>23 countermeasure subject to a declara-</li> <li>24 tion under section 319F–3(b) of such</li> </ul>	19	under section $2114$ of such Act ( $42$
<ul> <li>22 ministered when it was a covered</li> <li>23 countermeasure subject to a declara-</li> <li>24 tion under section 319F-3(b) of such</li> </ul>	20	U.S.C. 300aa–14); and
<ul> <li>countermeasure subject to a declara-</li> <li>tion under section 319F-3(b) of such</li> </ul>	21	(II) the medical product was ad-
tion under section 319F–3(b) of such	22	ministered when it was a covered
	23	countermeasure subject to a declara-
25 Act (42 U.S.C. 247d–6d(b)),	24	tion under section 319F–3(b) of such
	25	Act (42 U.S.C. 247d–6d(b)),

1	the special master shall, not later than 30
2	days after such determination, notify the
3	petitioner of such determination.
4	(ii) SUBMISSION OF REQUEST.—An
5	individual who receives a notification de-
6	scribed in clause (i) shall be eligible to sub-
7	mit a request for compensation under sec-
8	tion 319F–4(b) of the Public Health Serv-
9	ice Act (42 U.S.C. 247d–6e(b)) with re-
10	spect to the same medical product adminis-
11	tration claimed in the petition submitted
12	under section 2111 of such Act (42 U.S.C.
13	300aa–11)—
14	(I) not later than 1 year after re-
15	ceiving such notification; or
16	(II) in the case that the notifica-
17	tion is issued after judicial review of
18	the petition under subsection (e) or
19	(f) of section $2112$ of such Act (42)
20	U.S.C. 300aa–12), not later than 1
21	year after the judgment of the United
22	States Court of Federal Claims or the
23	mandate is issued by the United
24	States Court of Appeals for the Fed-

2section (e) or (f).3(iii) ELIGIBILITY.—To be eligible to4submit a request for compensation in ac-5cordance with elause (ii), the individual6submitting the request shall have sub-7mitted the petition under section 2111 of8the Public Health Service Act (42 U.S.C.9300aa–11) that was determined to be ineli-10gible not later than 1 year after the date11of administration of the medical product.12(2) CHANGES TO CERTAIN PROGRAMS.—13(A) SECTION 319F-4.—Section 319F-4 of14the Public Health Service Act (42 U.S.C.15247d-6e) is amended—16(i) in subsection (b)(4)—17(I) by striking "Except as pro-18vided" and inserting the following:19"(A) IN GENERAL.—Except as provided";20and21(II) by adding at the end the fol-22lowing:23"(B) EXCLUSION OF INJURIES ELIGIBLE24FOR PETITION UNDER TITLE XXI.—Notwith-25standing any other provision of this section, no	1	eral Circuit pursuant to such sub-
4submit a request for compensation in ac- cordance with clause (ii), the individual submitting the request shall have sub- mitted the petition under section 2111 of the Public Health Service Act (42 U.S.C. 97mitted the petition under section 2111 of the Public Health Service Act (42 U.S.C. 99300aa-11) that was determined to be incli- gible not later than 1 year after the date of administration of the medical product.12(2) CHANGES TO CERTAIN PROGRAMS.—13(A) SECTION 319F-4.—Section 319F-4 of the Public Health Service Act (42 U.S.C.15247d-6e) is amended—16(i) in subsection (b)(4)—17(I) by striking "Except as pro- vided" and inserting the following:19"(A) IN GENERAL.—Except as provided"; and20and21(II) by adding at the end the fol-22lowing:23"(B) EXCLUSION OF INJURIES ELIGIBLE FOR PETITION UNDER TITLE XXI.—Notwith-	2	section (e) or (f).
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<ul> <li>15 247d-6e) is amended—</li> <li>16 (i) in subsection (b)(4)—</li> <li>17 (I) by striking "Except as pro-</li> <li>18 vided" and inserting the following:</li> <li>19 "(A) IN GENERAL.—Except as provided";</li> <li>20 and</li> <li>21 (II) by adding at the end the fol-</li> <li>22 lowing:</li> <li>23 "(B) EXCLUSION OF INJURIES ELIGIBLE</li> <li>24 FOR PETITION UNDER TITLE XXI.—Notwith-</li> </ul>	13	(A) SECTION 319F-4.—Section 319F-4 of
<ul> <li>(i) in subsection (b)(4)—</li> <li>(I) by striking "Except as provided" and inserting the following:</li> <li>"(A) IN GENERAL.—Except as provided";</li> <li>and</li> <li>(II) by adding at the end the following:</li> </ul>	14	the Public Health Service Act (42 U.S.C.
<ul> <li>(I) by striking "Except as provided" and inserting the following:</li> <li>"(A) IN GENERAL.—Except as provided";</li> <li>and</li> <li>(II) by adding at the end the following:</li> <li>(II) by adding at the end the following:</li> <li>"(B) EXCLUSION OF INJURIES ELIGIBLE</li> <li>FOR PETITION UNDER TITLE XXI.—Notwith-</li> </ul>	15	247d–6e) is amended—
<ul> <li>18 vided" and inserting the following:</li> <li>19 "(A) IN GENERAL.—Except as provided";</li> <li>20 and</li> <li>21 (II) by adding at the end the fol-</li> <li>22 lowing:</li> <li>23 "(B) EXCLUSION OF INJURIES ELIGIBLE</li> <li>24 FOR PETITION UNDER TITLE XXI.—Notwith-</li> </ul>	16	(i) in subsection $(b)(4)$ —
<ul> <li>19 "(A) IN GENERAL.—Except as provided";</li> <li>20 and</li> <li>21 (II) by adding at the end the fol-</li> <li>22 lowing:</li> <li>23 "(B) EXCLUSION OF INJURIES ELIGIBLE</li> <li>24 FOR PETITION UNDER TITLE XXI.—Notwith-</li> </ul>	17	(I) by striking "Except as pro-
20and21(II) by adding at the end the fol-22lowing:23"(B) EXCLUSION OF INJURIES ELIGIBLE24FOR PETITION UNDER TITLE XXI.—Notwith-	18	vided" and inserting the following:
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<ul> <li>22 lowing:</li> <li>23 "(B) EXCLUSION OF INJURIES ELIGIBLE</li> <li>24 FOR PETITION UNDER TITLE XXI.—Notwith-</li> </ul>	20	and
<ul> <li>23 "(B) EXCLUSION OF INJURIES ELIGIBLE</li> <li>24 FOR PETITION UNDER TITLE XXI.—Notwith-</li> </ul>	21	(II) by adding at the end the fol-
24 FOR PETITION UNDER TITLE XXI.—Notwith-	22	lowing:
	23	"(B) EXCLUSION OF INJURIES ELIGIBLE
25 standing any other provision of this section, no	24	FOR PETITION UNDER TITLE XXI.—Notwith-
	25	standing any other provision of this section, no

1	individual may be eligible for compensation
2	under this section with respect to a vaccine
3	that, at the time it was administered, was in-
4	cluded in the Vaccine Injury Table under sec-
5	tion 2114."; and
6	(ii) in subsection $(d)(3)$ —
7	(I) by striking "This section"
8	and inserting the following:
9	"(A) IN GENERAL.—This section"; and
10	(II) by adding at the end the fol-
11	lowing:
12	"(B) EXHAUSTION OF REMEDIES.—A cov-
13	ered individual shall not be considered to have
14	exhausted remedies as described in paragraph
15	(1), nor be eligible to seek remedy under section
16	319F–3(d), unless such individual has provided
17	to the Secretary all supporting documentation
18	necessary to facilitate the determinations re-
19	quired under subsection (b)(4).".
20	(B) TITLE XXI.—Title XXI of the Public
21	Health Service Act (42 U.S.C. 300aa–1 et seq.)
22	is amended—
23	(i) in section $2111(a)(2)(A)$ (42)
24	U.S.C. $300aa-11(a)(2)(A)$ , in the matter
25	preceding clause (i), by inserting "con-

1	taining the information required under
2	subsection (c)" after "unless a petition";
3	(ii) in section 2112(d) (42 U.S.C.
4	300aa–12(d))—
5	(I) by adding at the end of para-
6	graph (1) the following: "Such des-
7	ignation shall not occur until the peti-
8	tioner has filed all materials required
9	under section 2111(c)."; and
10	(II) in paragraph (3)(A)(ii), by
11	striking "the petition was filed" and
12	inserting "on which the chief special
13	master makes the designation pursu-
14	ant to paragraph (1)";
15	(iii) in section 2114(e) (42 U.S.C.
16	300aa-14(e)), by adding at the end the
17	following:
18	"(4) LICENSURE REQUIREMENT.—Notwith-
19	standing paragraphs (2) and (3), the Secretary may
20	not revise the Vaccine Injury Table to include a vac-
21	cine for which the Centers for Disease Control and
22	Prevention has issued a recommendation for routine
23	use in children or pregnant women until at least one
24	application for such vaccine has been approved
25	under section 351. Upon such revision of the Vac-

1	cine Injury Table, all vaccines in a vaccine category
2	on the Vaccine Injury Table, including vaccines au-
3	thorized under emergency use pursuant to section
4	564 of the Federal Food, Drug, and Cosmetic Act,
5	shall be considered included in the Vaccine Injury
6	Table."; and
7	(iv) in section 2116 (42 U.S.C.
8	300aa-16), by adding at the end the fol-
9	lowing:
10	"(d) CLARIFICATION.—Notwithstanding subsections
11	(a) and (b), an injury or death related to a vaccine admin-
12	istered at a time when the vaccine was a covered counter-
13	measure subject to a declaration under section 319F–3(b)
14	shall not be eligible for compensation under the Pro-
15	gram.".
16	(b) Accelerating Injury Compensation Pro-
17	GRAM ADMINISTRATION AND ENSURING PROGRAM INTEG-
18	RITY.—
19	(1) Petitions for compensation.—Section
20	2111(a)(2)(A)(i) of the Public Health Service Act
21	(42 U.S.C. 300aa–11(a)(2)(A)(i)) is amended—
22	(A) in subclause (I), by striking ", and"
23	and inserting a semicolon;
24	(B) in subclause (II)—

1	(i) by moving the margin 2 ems to the
2	right; and
3	(ii) by striking ", or" and inserting ";
4	and"; and
5	(C) by adding at the end the following:
6	"(III) the judgment described in subclause
7	(I) does not result from a petitioner's motion to
8	dismiss the case; or".
9	(2) Determination of good faith.—Section
10	2115(e)(1) of the Public Health Service Act (42)
11	U.S.C. $300aa-15(e)(1)$ ) is amended by adding at the
12	end the following: "When making a determination of
13	good faith under this paragraph, the special master
14	or court may consider whether the petitioner dem-
15	onstrated an intention to obtain compensation on
16	such petition and was not merely seeking to satisfy
17	the exhaustion requirement under section 2121(b).".
18	(c) EXTENSION OF DEADLINES TO SUBMIT RE-
19	QUESTS FOR COMPENSATION FOR CERTAIN INJURIES.—
20	(1) IN GENERAL.—With respect to claims filed
21	under section 319F–4 of the Public Health Service
22	Act (42 U.S.C. 247d–6e) alleging a covered injury
23	caused by the administration or use of a covered
24	countermeasure pursuant to a declaration under sec-
25	tion $319F-3(b)$ of such Act (42 U.S.C. 247d-6d(b))

relating to coronavirus disease 2019, the following
 shall apply:

3 (A) Notwithstanding the filing deadline ap-4 plicable under such section 319F–4, the claim 5 shall be filed within 3 years of the administra-6 tion or use of the covered countermeasure, or 1 7 year after the date of enactment of this Act, 8 whichever is later, and, if a claim filed under 9 such section 319F–4 with respect to such ad-10 ministration or use was filed before the date of 11 enactment of this Act and denied on the basis 12 of having not been filed within the time period 13 required under subsection (b)(4) of such section 14 319F-4, such claim may be refiled pursuant to 15 this subparagraph.

16 (B) With respect to a claim relating to the 17 administration of a medical product for active 18 immunization to prevent coronavirus disease 19 2019 such a claim may be filed under the such 20 section 319F–4 only if the administration of 21 such vaccine occurred prior to the addition of 22 the vaccine to the Vaccine Injury Table under 23 section 2114 of the Public Health Service Act 24 (42 U.S.C. 300aa–14).

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4 UALS AND DISASTERS.—

5 (1) IN GENERAL.—The Secretary of Health and 6 Human Services (referred to in this section as the 7 "Secretary") may provide appropriate technical as-8 sistance to States, localities, Tribes, and other appli-9 cable entities related to addressing the unique needs 10 and considerations of at-risk individuals, as defined 11 in section 2802(b)(4) of the Public Health Service 12 Act (42 U.S.C. 300hh-1(b)(4)), in the event of a 13 public health emergency declared by the Secretary 14 pursuant to section 319 of the Public Health Service 15 Act (42 U.S.C. 247d).

16 (2) TECHNICAL ASSISTANCE.—The technical
17 assistance described in paragraph (1) shall include—

18 (A) developing, identifying, evaluating, and 19 disseminating evidence-based or evidence-in-20 formed strategies to improve health and address 21 other near-term or long-term outcomes for at-22 risk individuals related to public health emer-23 gencies, including by addressing such unique 24 needs and considerations in carrying out public 25 health and medical activities to prepare for, re-

1	spond to, and recover from, such public health
2	emergencies; and
3	(B) assisting applicable entities, through
4	contracts or cooperative agreements, as appro-
5	priate, in the implementation of such evidence-
6	based strategies.
7	(3) CONSULTATION.—In carrying out activities
8	under paragraph (2), the Secretary shall take into
9	consideration relevant findings and recommendations
10	of, and, as appropriate, consult with, the National
11	Advisory Committee on Individuals with Disabilities
12	and Disasters established under section 2811C of
13	the Public Health Service Act (42 U.S.C. 300hh-
14	10d), the National Advisory Committee on Children
15	and Disasters under section 2811A of such Act (42 $$
16	U.S.C. 300hh–10b), and the National Advisory
17	Committee on Seniors and Disasters under section
18	2811B of such Act (42 U.S.C. 300hh–10c).
19	(b) CRISIS STANDARDS OF CARE.—Not later than 2
20	many often the data of exectment of this Act the Cas

20 years after the date of enactment of this Act, the Sec21 retary, acting through the Director of the Office for Civil
22 Rights of the Department of Health and Human Services,
23 shall issue guidance to States and localities on the develop24 ment or modification of State and local crisis standards
25 of care for use during the response to a public health

emergency declared by the Governor of a State or by the 1 2 Secretary under section 319 of the Public Health Service Act (42 U.S.C. 247d), or a major disaster or emergency 3 4 declared by the President under section 401 or 501, re-5 spectively, of the Robert T. Stafford Disaster Relief and 6 Emergency Assistance Act (42 U.S.C. 5170, 5191) to en-7 sure that such standards of care are consistent with the 8 nondiscrimination requirements of section 504 of the Re-9 habilitation Act of 1973 (29 U.S.C. 794), title II of the 10 Americans with Disabilities Act of 1990 (42 U.S.C. 12131 et seq.), and the Age Discrimination Act of 1975 (42) 11 12 U.S.C. 6101 et seq.).

#### 13 SEC. 633. NATIONAL ADVISORY COMMITTEES.

(a) NATIONAL ADVISORY COMMITTEE ON CHILDREN
AND DISASTERS.—Subsection (g) of section 2811A of the
Public Health Service Act (42 U.S.C. 300hh–10b) is
amended to read as follows:

18 "(g) SUNSET.—

19 "(1) IN GENERAL.—The Advisory Committee20 shall terminate on December 31, 2026.

21 "(2) EXTENSION OF ADVISORY COMMITTEE.—
22 Not later than October 1, 2025, the Secretary shall
23 submit to Congress a recommendation on whether
24 the Advisory Committee should be extended beyond
25 the date described in paragraph (1).".

1	(b) National Advisory Committee on Seniors
2	AND DISASTERS.—Section 2811B of the Public Health
3	Service Act (42 U.S.C. 300hh–10c) is amended—
4	(1) in subsection $(d)$ —
5	(A) in paragraph (1)—
6	(i) by inserting "and departments"
7	after "agencies"; and
8	(ii) by striking "17 members" and in-
9	serting "25 members"; and
10	(B) in paragraph (2)—
11	(i) by striking subparagraphs (J) and
12	$(\mathrm{K});$
13	(ii) by redesignating subparagraphs
14	(A) through (I) and (L) as clauses (i)
15	through (x), respectively, and adjusting the
16	margins accordingly;
17	(iii) by inserting before clause (i), as
18	so redesignated, the following:
19	"(B) FEDERAL MEMBERS.—The Federal
20	members shall include the following:"; and
21	(iv) by inserting before subparagraph
22	(B), as so designated, the following:
23	"(A) Non-federal members.—The Sec-
24	retary in consultation with such other heads of
25	agencies and departments as may be appro-

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1	priate, shall appoint to the Advisory Committee
2	under paragraph (1) at least 13 individuals, in-
3	cluding the following:
4	"(i) At least 3 non-Federal health
5	care providers with expertise in geriatric
6	medical disaster planning, preparedness,
7	response, or recovery.
8	"(ii) At least 3 representatives of
9	State, local, territorial, or Tribal agencies
10	with expertise in geriatric disaster plan-
11	ning, preparedness, response, or recovery.
12	"(iii) At least 2 non-Federal profes-
13	sionals with training in gerontology, such
14	as social workers, scientists, human serv-
15	ices specialists, or other non-medical pro-
16	fessionals, with experience in disaster plan-
17	ning, preparedness, response, or recovery
18	among other adults."; and
19	(2) by amending subsection (g) to read as fol-
20	lows:
21	"(g) SUNSET.—The Advisory Committee shall termi-
22	nate on December 31, 2026.".
23	(c) NATIONAL ADVISORY COMMITTEE ON INDIVID-
24	UALS WITH DISABILITIES AND DISASTERS.—Section

1	2811C of the Public Health Service Act (42 U.S.C.
2	300hh–10d) is amended—
3	(1) by redesignating subsections (c) through (g)
4	as subsections (d) through (h), respectively;
5	(2) by inserting after subsection (b) the fol-
6	lowing:
7	"(c) Additional Duties.—The Advisory Committee
8	may provide advice and recommendations to the Secretary
9	with respect to individuals with disabilities and the med-
10	ical and public health grants and cooperative agreements
11	as applicable to preparedness and response activities
12	under this title and title III.";
13	(3) in subsection (d), as so redesignated—
14	(A) in paragraph (1), by striking "17
15	members" and inserting "25 members";
16	(B) in paragraph (2)—
17	(i) by striking subparagraphs (K)
18	through (M);
19	(ii) by redesignating subparagraphs
20	(A) through (J) as clauses (i) through (x),
21	respectively, and adjusting the margins ac-
22	cordingly;
23	(iii) by inserting before clause (i), as
24	so redesignated, the following:

1	"(B) FEDERAL MEMBERS.—The Federal
2	members shall include the following:";
3	(iv) by adding at the end of subpara-
4	graph (B), as so designated, the following:
5	"(xi) Representatives of such other
6	Federal agencies as the Secretary deter-
7	mines necessary to fulfill the duties of the
8	Advisory Committee."; and
9	(v) by inserting before subparagraph
10	(B), as so designated, the following:
11	"(A) Non-federal members.—The Sec-
12	retary in consultation with such other heads of
13	agencies and departments as may be appro-
14	priate, shall appoint to the Advisory Committee
15	under paragraph (1) at least 13 individuals, in-
16	cluding the following:
17	"(i) At least 4 non-Federal health
18	care professionals with expertise in dis-
19	ability accessibility before, during, and
20	after disasters, medical and mass care dis-
21	aster planning, preparedness, response, or
22	recovery.
23	"(ii) At least 3 representatives of
24	State, local, Tribal, or territorial agencies
25	with expertise in disaster planning, pre-

1	paredness, response, or recovery for indi-
2	viduals with disabilities.
3	"(iii) At least 4 individuals with a dis-
4	ability with expertise in disaster planning,
5	preparedness, response, or recovery for in-
6	dividuals with disabilities.
7	"(iv) Other members as the Secretary
8	determines appropriate, of whom—
9	"(I) at least one such member
10	shall represent a local, State, or na-
11	tional organization with expertise in
12	individuals with disabilities;
13	"(II) at least one such member
14	shall be an individual with a dis-
15	ability; and
16	"(III) at least one such member
17	shall be an individual with expertise in
18	the needs of housing services, includ-
19	ing during the response to, and recov-
20	ery from, disasters."; and
21	(C) by adding at the end the following:
22	"(3) Consideration.—In appointing members,
23	including the Chair, to the Committee under this
24	subsection, the Secretary may give consideration to
25	disability status."; and

(4) by amending subsection (h), as so redesig nated, to read as follows:

3 "(h) SUNSET.—The Advisory Committee shall termi4 nate on December 31, 2026.".

#### 5 SEC. 634. NATIONAL ACADEMIES STUDY ON PRIZES.

6 (a) IN GENERAL.—Not later than 90 days after the 7 date of enactment of this Act, the Secretary of Health and 8 Human Services shall seek to enter into an agreement 9 with the National Academies of Sciences, Engineering, 10 and Medicine (referred to in this section as the "National 11 Academies") to conduct a study to examine—

12 (1) alternative models for directly funding, or 13 stimulating investment in, biomedical research and 14 development that delink research and development 15 costs from the prices of drugs, including the pro-16 gressive replacement of patents and regulatory 17 exclusivities on new drugs with a combination of ex-18 panded support for research and innovation prizes to 19 reward the successful development of drugs or 20 achievement of related milestones;

(2) the dollar amount of innovation prizes for
different stages of research and development of different classes or types of drugs, and total annual
funding, that would be necessary to stimulate invest-

1	ment sufficient to achieve such successful drug de-
2	velopment and related milestones;
3	(3) the relative effectiveness and efficiency of
4	such alternative models in stimulating innovation,
5	compared to the status quo that includes patents
6	and regulatory exclusivities;
7	(4) strategies to implement such alternative
8	models described in paragraph (1), including a
9	phased transition; and
10	(5) the anticipated economic and societal im-
11	pacts of such alternative models, including an as-
12	sessment of impact on—
13	(A) the number and variety of new drugs
14	that would be developed, approved, and mar-
15	keted in the United States, including such new
16	drugs intended to prevent, diagnose, or treat a
17	rare disease or condition;
18	(B) the rate at which new drugs would be
19	developed, approved, and marketed in the
20	United States;
21	(C) access to medication;
22	(D) health outcomes;
23	(E) average lifespan and disease burden in
24	the United States;

1	(F) the number of manufacturers that
2	would be seeking approval for a drug or bring-
3	ing a drug to market for the first time;
4	(G) Federal discretionary and mandatory
5	spending; and
6	(H) public and private insurance markets.
7	(b) REQUIREMENTS.—In conducting the study pursu-
8	ant to subsection (a), the National Academies shall hold
9	not fewer than 2 public listening sessions to solicit feed-
10	back from interested parties, including representatives of
11	academia, professional societies, patient advocates, public
12	health organizations, relevant Federal departments and
13	agencies, drug developers, representatives of other rel-
14	evant industries, and subject matter experts.
15	(c) REPORT.—Not later than 2 years after the agree-
16	ment under subsection (a), the National Academies shall
17	submit to the Committee on Health, Education, Labor,
18	and Pensions and the Committee on Appropriations of the
19	Senate and the Committee on Energy and Commerce and
20	the Committee on Appropriations of the House of Rep-
21	resentatives a report on the study conducted pursuant to

22 subsection (a).

### Subtitle D—Additional Reauthorizations

3 SEC. 641. MEDICAL COUNTERMEASURE PRIORITY REVIEW

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VOUCHER.

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5 Section 565A(g) of the Federal Food, Drug, and Cos6 metic Act (21 U.S.C. 360bbb-4a) is amended by striking
7 "October 1, 2023" and inserting "December 31, 2026".
8 SEC. 642. EPIDEMIC INTELLIGENCE SERVICE.

9 Section 317F(c)(2) of the Public Health Service Act
10 (42 U.S.C. 247b-7(c)(2)) is amended by striking "2019
11 through 2023" and inserting "2025 and 2026, to remain
12 available through December 31, 2026".

## 13 SEC. 643. MONITORING AND DISTRIBUTION OF CERTAIN 14 MEDICAL COUNTERMEASURES.

15 Section 319A(e) of the Public Health Service Act (42
16 U.S.C. 247d–1(e)) is amended by striking "2019 through
17 2023" and inserting "2025 and 2026, to remain available
18 through December 31, 2026".

19SEC. 644. REGIONAL HEALTH CARE EMERGENCY PRE-20PAREDNESS AND RESPONSE SYSTEMS.

21 Section 319C–3 of the Public Health Service Act (42
22 U.S.C. 247d–3c) is amended—

(1) in subsection (b)(3), by striking "under
the" and all that follows through "such Act)" and
inserting "under law"; and

1	(2) in subsection $(e)(2)$ , by striking "September
2	30, 2023" and inserting "December 31, 2026".
3	SEC. 645. EMERGENCY SYSTEM FOR ADVANCE REGISTRA-
4	TION OF VOLUNTEER HEALTH PROFES-
5	SIONALS.
6	(1) IN GENERAL.—Section 319I of the Public
7	Health Service Act (42 U.S.C. 247d–7b) is amend-
8	ed—
9	(A) in subsection (a), by striking "Not
10	later than 12 months after the date of enact-
11	ment of the Pandemic and All-Hazards Pre-
12	paredness Act, the Secretary shall link existing
13	State verification systems to maintain a single
14	national interoperable network of systems," and
15	inserting "The Secretary shall continue to
16	maintain a single national interoperable net-
17	work of verification systems," and
18	(B) in subsection (k), by striking "2019
19	through $2023$ " and inserting "2025 and 2026,
20	to remain available through December 31,
21	2026".

1 SEC. 646. ENSURING COLLABORATION AND COORDINATION 2 IN MEDICAL COUNTERMEASURE DEVELOP-3 MENT. 4 Section 319L–1(b) of the Public Health Service Act 5 (42 U.S.C. 247d–7f(b)) is amended by striking "December 31, 2024" and inserting "December 31, 2026". 6 7 SEC. 647. MILITARY AND CIVILIAN PARTNERSHIP FOR 8 TRAUMA READINESS. 9 Section 1291(g) of the Public Health Service Act (42) U.S.C. 300d–91(g)) is amended by striking "2019 10 through 2023" and inserting "2025 and 2026, to remain 11 available through December 31, 2026". 12 13 SEC. 648. NATIONAL DISASTER MEDICAL SYSTEM. 14 Section 2812 of the Public Health Service Act (42) U.S.C. 300hh–11) is amended— 15 16 (1) in subsection (c)(4)(B), by striking "December 31, 2024" and inserting "December 31, 2026"; 17 18 and 19 (2) in subsection (g), by striking "\$57,400,00020 for each of fiscal years 2019 through 2023" and in-21 serting "\$65,900,000 for each of fiscal years 2025 22 and 2026, to remain available through December 31, 23 2026". 24 SEC. 649. VOLUNTEER MEDICAL RESERVE CORPS. 25 Section 2813(i) of the Public Health Service Act (42) U.S.C. 300hh–15(i)) is amended by striking "2019 26

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1 through 2023" and inserting "2025 through 2026, to re2 main available through December 31, 2026".

#### 3 SEC. 649A. EPIDEMIOLOGY-LABORATORY CAPACITY.

Section 2821(b) of the Public Health Service Act (42
U.S.C. 300hh–31(b)) is amended, in the matter preceding
paragraph (1), by striking "2019 through 2023" and inserting "2025 and 2026, to remain available through December 31, 2026".

# 9 TITLE VII—PUBLIC HEALTH 10 PROGRAMS

#### 11 SEC. 701. ACTION FOR DENTAL HEALTH.

Section 340G(f) of the Public Health Service Act (42
U.S.C. 256g(f)) is amended by striking "\$13,903,000 for
each of fiscal years 2019 through 2023" and inserting
"\$15,000,000 for each of fiscal years 2025 through 2029,
to remain available until expended".

#### 17 SEC. 702. PREEMIE.

(a) RESEARCH RELATING TO PRETERM LABOR AND
DELIVERY AND THE CARE, TREATMENT, AND OUTCOMES
OF PRETERM AND LOW BIRTHWEIGHT INFANTS.—

(1) IN GENERAL.—Section 3(e) of the Prematurity Research Expansion and Education for
Mothers who deliver Infants Early Act (42 U.S.C.
247b-4f(e)) is amended by striking "fiscal years

2019 through 2023" and inserting "fiscal years
 2025 through 2029".

3 (2) TECHNICAL CORRECTION.—Effective as if
4 included in the enactment of the PREEMIE Reau5 thorization Act of 2018 (Public Law 115–328), sec6 tion 2 of such Act is amended, in the matter pre7 ceding paragraph (1), by striking "Section 2" and
8 inserting "Section 3".

9 (b) INTERAGENCY WORKING GROUP.—Section 5(a) 10 of the PREEMIE Reauthorization Act of 2018 (Public Law 115–328) is amended by striking "The Secretary of 11 Health and Human Services, in collaboration with other 12 departments, as appropriate, may establish" and inserting 13 14 "Not later than 18 months after the date of the enactment 15 of the Health Improvements, Extenders, and Reauthorizations Act, the Secretary of Health and Human Services, 16 17 in collaboration with other departments, as appropriate, shall establish". 18

19 (c) STUDY ON PRETERM BIRTHS.—

20 (1) IN GENERAL.—The Secretary of Health and
21 Human Services shall enter into appropriate ar22 rangements with the National Academies of
23 Sciences, Engineering, and Medicine under which
24 the National Academies shall—

1	(A) not later than 30 days after the date
2	of enactment of this Act, convene a committee
3	of experts in maternal health to study pre-
4	mature births in the United States; and
5	(B) upon completion of the study under
6	subparagraph (A)—
7	(i) approve by consensus a report on
8	the results of such study;
9	(ii) include in such report—
10	(I) an assessment of each of the
11	topics listed in paragraph (2);
12	(II) the analysis required by
13	paragraph (3); and
14	(III) the raw data used to de-
15	velop such report; and
16	(iii) not later than 24 months after
17	the date of enactment of this Act, transmit
18	such report to—
19	(I) the Secretary of Health and
20	Human Services;
21	(II) the Committee on Energy
22	and Commerce of the House of Rep-
23	resentatives; and
24	(III) the Committee on Finance
25	and the Committee on Health, Edu-

1	cation, Labor, and Pensions of the
2	Senate.
3	(2) Assessment topics.—The topics listed in
4	this subsection are each of the following:
5	(A) The financial costs of premature birth
6	to society, including—
7	(i) an analysis of stays in neonatal in-
8	tensive care units and the cost of such
9	stays;
10	(ii) long-term costs of stays in such
11	units to society and the family involved
12	post-discharge; and
13	(iii) health care costs for families
14	post-discharge from such units (such as
15	medications, therapeutic services, co-pay-
16	ments for visits, and specialty equipment).
17	(B) The factors that impact preterm birth
18	rates.
19	(C) Opportunities for earlier detection of
20	premature birth risk factors, including—
21	(i) opportunities to improve maternal
22	and infant health; and
23	(ii) opportunities for public health
24	programs to provide support and resources

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1	for parents in-hospital, in non-hospital set-
2	tings, and post-discharge.
3	(3) ANALYSIS.—The analysis required by this
4	subsection is an analysis of—
5	(A) targeted research strategies to develop
6	effective drugs, treatments, or interventions to
7	bring at-risk pregnancies to term;
8	(B) State and other programs' best prac-
9	tices with respect to reducing premature birth
10	rates; and
11	(C) precision medicine and preventative
12	care approaches starting early in the life course
13	(including during pregnancy) with a focus on
14	behavioral and biological influences on pre-
15	mature birth, child health, and the trajectory of
16	such approaches into adulthood.
17	SEC. 703. PREVENTING MATERNAL DEATHS.
18	(a) Maternal Mortality Review Committee.—
19	Section $317K(d)$ of the Public Health Service Act (42)
20	U.S.C. 247b–12(d)) is amended—
21	(1) in paragraph $(1)(A)$ , by inserting "(includ-
22	ing obstetricians and gynecologists)" after "clinical
23	specialties"; and
24	(2) in paragraph (3)(A)(i)—

1	(A) in subclause (I), by striking "as appli-
2	cable" and inserting "if available"; and
3	(B) in subclause (III), by striking ", as ap-
4	propriate" and inserting "and coordinating with
5	death certifiers to improve the collection of
6	death record reports and the quality of death
7	records, including by amending cause-of-death
8	information on a death certificate, as appro-
9	priate".
10	(b) Best Practices Relating to the Preven-
11	TION OF MATERNAL MORTALITY.—Section 317K of the
12	Public Health Service Act (42 U.S.C. 247b–12) is amend-
13	ed—
14	(1) by redesignating subsections (e) and (f) as
15	subsections (f) and (g), respectively; and
16	(2) by inserting after subsection (d) the fol-
17	lowing:
18	"(e) Best Practices Relating to the Preven-
19	tion of Maternal Mortality.—
20	"(1) IN GENERAL.—The Secretary, acting
21	through the Director of the Centers for Disease
22	Control and Prevention, shall, in consultation with
23	the Administrator of the Health Resources and Serv-
24	ices Administration, disseminate to hospitals, State
25	professional society groups, and perinatal quality

collaboratives, best practices on how to prevent ma ternal mortality and morbidity that consider and re flect best practices identified through other relevant
 Federal maternal health programs.

5 "(2) FREQUENCY.—The Secretary, acting 6 through the Director of the Centers for Disease 7 Control and Prevention, shall disseminate the best 8 practices referred to in paragraph (1) not less than 9 once per fiscal year.".

(c) EXTENSION.—Subsection (g) of section 317K of
the Public Health Service Act (42 U.S.C. 247b–12), as
redesignated by subsection (b), is amended by striking
"\$58,000,000 for each of fiscal years 2019 through 2023"
and inserting "\$100,000,000 for each of fiscal years 2025
through 2029".

16 SEC. 704. SICKLE CELL DISEASE PREVENTION AND TREAT-

17 **MENT.** 

(a) IN GENERAL.—Section 1106(b) of the Public
Health Service Act (42 U.S.C. 300b–5(b)) is amended—
(1) in paragraph (1)(A)(iii), by striking "prevention and treatment of sickle cell disease" and inserting "treatment of sickle cell disease and the prevention and treatment of complications of sickle cell
disease";

1	(2) in paragraph $(2)(D)$ , by striking "preven-
2	tion and treatment of sickle cell disease" and insert-
3	ing "treatment of sickle cell disease and the preven-
4	tion and treatment of complications of sickle cell dis-
5	ease'';
6	(3) in paragraph (3)—
7	(A) in subparagraph (A), by striking
8	"enter into a contract with" and inserting
9	"make a grant to, or enter into a contract or
10	cooperative agreement with,"; and
11	(B) in subparagraph (B), in each of
12	clauses (ii) and (iii), by striking "prevention
13	and treatment of sickle cell disease" and insert-
14	ing "treatment of sickle cell disease and the
15	prevention and treatment of complications of
16	sickle cell disease"; and
17	(4) in paragraph (6), by striking "\$4,455,000
18	for each of fiscal years 2019 through 2023" and in-
19	serting "\$8,205,000 for each of fiscal years 2025
20	through 2029".
21	(b) SENSE OF CONGRESS.—It is the sense of Con-
22	gress that further research should be undertaken to ex-
23	pand the understanding of the causes of, and to find cures
24	for, heritable blood disorders, including sickle cell disease.

1 SEC. 705. TRAUMATIC BRAIN INJURIES.

2	(a) The Bill Pascrell, Jr., National Program
3	FOR TRAUMATIC BRAIN INJURY SURVEILLANCE AND
4	Registries.—
5	(1) PREVENTION OF TRAUMATIC BRAIN IN-
6	JURY.—Section 393B of the Public Health Service
7	Act (42 U.S.C. 280b–1c) is amended—
8	(A) in subsection (a), by inserting "and
9	prevalence" after "incidence";
10	(B) in subsection (b)—
11	(i) in paragraph (1), by inserting
12	"and reduction of associated injuries and
13	fatalities" before the semicolon;
14	(ii) in paragraph (2), by inserting
15	"and related risk factors" before the semi-
16	colon; and
17	(iii) in paragraph (3)—
18	(I) in the matter preceding sub-
19	paragraph (A), by striking "2020"
20	each place it appears and inserting
21	"2030"; and
22	(II) in subparagraph (A)—
23	(aa) in clause (i), by striking
24	"; and" and inserting a semi-
25	colon;

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1	(bb) by redesignating clause
2	(ii) as clause (iv);
3	(cc) by inserting after clause
4	(i) the following:
5	"(ii) populations at higher risk of
6	traumatic brain injury, including popu-
7	lations whose increased risk is due to occu-
8	pational or circumstantial factors;
9	"(iii) causes of, and risk factors for,
10	traumatic brain injury; and"; and
11	(dd) in clause (iv), as so re-
12	designated, by striking "arising
13	from traumatic brain injury" and
14	inserting ", which may include
15	related mental health and other
16	conditions, arising from trau-
17	matic brain injury, including";
18	and
19	(C) in subsection (c), by inserting ", and
20	other relevant Federal departments and agen-
21	cies" before the period at the end.
22	(2) NATIONAL PROGRAM FOR TRAUMATIC
23	BRAIN INJURY SURVEILLANCE AND REGISTRIES.—
24	Section 393C of the Public Health Service Act (42 $$
25	U.S.C. 280b–1d) is amended—

1	(A) by amending the section heading to
2	read as follows: "THE BILL PASCRELL, JR.,
3	NATIONAL PROGRAM FOR TRAUMATIC
4	BRAIN INJURY SURVEILLANCE AND REG-
5	ISTRIES'';
6	(B) in subsection (a)—
7	(i) in the matter preceding paragraph
8	(1), by inserting "to identify populations
9	that may be at higher risk for traumatic
10	brain injuries, to collect data on the causes
11	of, and risk factors for, traumatic brain in-
12	juries," after "related disability,";
13	(ii) in paragraph (1), by inserting ",
14	including the occupation of the individual,
15	when relevant to the circumstances sur-
16	rounding the injury" before the semicolon;
17	and
18	(iii) in paragraph (4), by inserting
19	"short- and long-term" before "outcomes";
20	(C) by striking subsection (b);
21	(D) by redesignating subsection (c) as sub-
22	section (b);
23	(E) in subsection (b), as so redesignated,
24	by inserting "and evidence-based practices to

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identify and address concussion" before the pe-
riod at the end; and
(F) by adding at the end the following:
"(c) Availability of Information.—The Sec-
retary, acting through the Director of the Centers for Dis-
ease Control and Prevention, shall make publicly available
aggregated information on traumatic brain injury and
concussion described in this section, including on the
website of the Centers for Disease Control and Prevention.
Such website, to the extent feasible, shall include aggre-
gated information on populations that may be at higher
risk for traumatic brain injuries and strategies for pre-
venting or reducing risk of traumatic brain injury that are
tailored to such populations.".
(3) Authorization of appropriations.—
Section 394A of the Public Health Service Act (42 $$
U.S.C. 280b–3) is amended—
(A) in subsection (a), by striking "1994,
and" and inserting "1994,"; and
(B) in subsection (b), by striking " $2020$
through $2024$ " and inserting "2025 through
2029".
(b) STATE GRANT PROGRAMS.—
(1) STATE GRANTS FOR PROJECTS REGARDING
TRAUMATIC BRAIN INJURY.—Section 1252 of the

Public Health Service Act (42 U.S.C. 300d–52) is
amended—
(A) in subsection $(b)(2)$ —
(i) by inserting ", taking into consid-
eration populations that may be at higher
risk for traumatic brain injuries'' after
"outreach programs"; and
(ii) by inserting "Tribal," after
"State,";
(B) in subsection (c), by adding at the end
the following:
"(3) MAINTENANCE OF EFFORT.—With respect
to activities for which a grant awarded under sub-
section (a) is to be expended, a State or American
Indian consortium shall agree to maintain expendi-
tures of non-Federal amounts for such activities at
a level that is not less than the level of such expendi-
tures maintained by the State or American Indian
consortium for the fiscal year preceding the fiscal
year for which the State or American Indian consor-
tium receives such a grant.
"(4) WAIVER.—The Secretary may, upon the
request of a State or American Indian consortium,
waive not more than 50 percent of the matching
fund amount under paragraph (1), if the Secretary

1	determines that such matching fund amount would
2	result in an inability of the State or American In-
3	dian consortium to carry out the purposes under
4	subsection (a). A waiver provided by the Secretary
5	under this paragraph shall apply only to the fiscal
6	year involved.";
7	(C) in subsection $(e)(3)(B)$ —
8	(i) by striking "(such as third party
9	payers, State agencies, community-based
10	providers, schools, and educators)"; and
11	(ii) by inserting "(such as third party
12	payers, State agencies, community-based
13	providers, schools, and educators)" after
14	"professionals";
15	(D) in subsection (h), by striking para-
16	graphs $(1)$ and $(2)$ and inserting the following:
17	"(1) American Indian Consortium; state.—
18	The terms 'American Indian consortium' and 'State'
19	have the meanings given such terms in section 1253.
20	"(2) TRAUMATIC BRAIN INJURY.—
21	"(A) IN GENERAL.—Subject to subpara-
22	graph (B), the term 'traumatic brain injury'—
23	"(i) means an acquired injury to the
24	brain;
25	"(ii) may include—

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1	"(I) brain injuries caused by an-
2	oxia due to trauma; and
3	"(II) damage to the brain from
4	an internal or external source that re-
5	sults in infection, toxicity, surgery, or
6	vascular disorders not associated with
7	aging; and
8	"(iii) does not include brain dysfunc-
9	tion caused by congenital or degenerative
10	disorders, or birth trauma.
11	"(B) REVISIONS TO DEFINITION.—The
12	Secretary may revise the definition of the term
13	'traumatic brain injury' under this paragraph,
14	as the Secretary determines necessary, after
15	consultation with States and other appropriate
16	public or nonprofit private entities."; and
17	(E) in subsection (i), by striking "2020
18	through $2024$ " and inserting "2025 through
19	2029".
20	(2) STATE GRANTS FOR PROTECTION AND AD-
21	VOCACY SERVICES.—Section 1253(l) of the Public
22	Health Service Act (42 U.S.C. 300d–53(l)) is
23	amended by striking "2020 through 2024" and in-
24	serting "2025 through 2029".

(c) REPORT TO CONGRESS.—Not later than 2 years
 after the date of enactment of this Act, the Secretary of
 Health and Human Services (referred to in this Act as
 the "Secretary") shall submit to the Committee on
 Health, Education, Labor, and Pensions of the Senate and
 the Committee on Energy and Commerce of the House
 of Representatives a report that contains—

8 (1) an overview of populations who may be at 9 higher risk for traumatic brain injury, such as indi-10 viduals affected by domestic violence or sexual as-11 sault and public safety officers as defined in section 12 1204 of the Omnibus Crime Control and Safe 13 Streets Act of 1968 (34 U.S.C. 10284);

14 (2) an outline of existing surveys and activities 15 of the Centers for Disease Control and Prevention 16 on traumatic brain injuries and any steps the agency 17 has taken to address gaps in data collection related 18 to such higher risk populations, which may include 19 leveraging surveys such as the National Intimate 20 Partner and Sexual Violence Survey to collect data 21 on traumatic brain injuries;

(3) an overview of any outreach or education ef-forts to reach such higher risk populations; and

24 (4) any challenges associated with reaching25 such higher risk populations.

1	(d) Study on Long-term Symptoms or Condi-
2	TIONS RELATED TO TRAUMATIC BRAIN INJURY.—
3	(1) IN GENERAL.—The Secretary, in consulta-
4	tion with stakeholders and the heads of other rel-
5	evant Federal departments and agencies, as appro-
6	priate, shall conduct, either directly or through a
7	contract with a nonprofit private entity, a study to—
8	(A) examine the incidence and prevalence
9	of long-term or chronic symptoms or conditions
10	in individuals who have experienced a traumatic
11	brain injury;
12	(B) examine the evidence base of research
13	related to the chronic effects of traumatic brain
14	injury across the lifespan;
15	(C) examine any correlations between trau-
16	matic brain injury and increased risk of other
17	conditions, such as dementia and mental health
18	conditions;
19	(D) assess existing services available for
20	individuals with such long-term or chronic
21	symptoms or conditions; and
22	(E) identify any gaps in research related to
23	such long-term or chronic symptoms or condi-
24	tions of individuals who have experienced a
25	traumatic brain injury.

(2) PUBLIC REPORT.—Not later than 2 years
 after the date of enactment of this Act, the Sec retary shall—

4 (A) submit to the Committee on Energy 5 and Commerce of the House of Representatives 6 and the Committee on Health, Education, 7 Labor, and Pensions of the Senate a report de-8 tailing the findings, conclusions, and rec-9 ommendations of the study described in para-10 graph (1); and

(B) in the case that such study is conducted directly by the Secretary, make the report described in subparagraph (A) publicly
available on the website of the Department of
Health and Human Services.

16 SEC. 706. LIFESPAN RESPITE CARE.

17 (a) DEFINITION OF FAMILY CAREGIVER.—Section
18 2901(5) of the Public Health Service Act (42 U.S.C.
19 300ii(5)) is amended by striking "unpaid adult" and in20 serting "unpaid individual".

(b) FUNDING.—Section 2905 of the Public Health
Service Act (42 U.S.C. 300ii–4) is amended by striking
"fiscal years 2020 through fiscal year 2024" and inserting
"fiscal years 2025 through 2029".

3 (a) DISSEMINATION OF BEST PRACTICES.— Section
4 2 of the Dr. Lorna Breen Health Care Provider Protection
5 Act (Public Law 117–105) is amended by striking "2
6 years" and inserting "5 years".

7 (b) EDUCATION AND AWARENESS INITIATIVE EN8 COURAGING USE OF MENTAL HEALTH AND SUBSTANCE
9 USE DISORDER SERVICES BY HEALTH CARE PROFES10 SIONALS.—Section 3 of the Dr. Lorna Breen Health Care
11 Provider Protection Act (Public Law 117–105) is amend12 ed—

13 (1) in subsection (b), by inserting "and annu-14 ally thereafter," after "of this Act,"; and

(2) in subsection (c), by striking "2022 through
2024" and inserting "2025 through 2029".

(c) PROGRAMS TO PROMOTE MENTAL HEALTH
AMONG THE HEALTH PROFESSIONAL WORKFORCE.—The
second section 764 of the Public Health Service Act (42
U.S.C. 294t), as added by section 4 of the Dr. Lorna
Breen Health Care Provider Protection Act (Public Law
117–105), is amended—

23 (1) by redesignating such section 764 as section
24 764A;

25 (2) in subsection (a)(3)—

1	(A) by striking "to eligible entities in" and
2	inserting "to eligible entities that—
3	"(A) are in";
4	(B) by striking the period and inserting ";
5	or"; and
6	(C) by adding at the end the following:
7	"(B) have a focus on the reduction of ad-
8	ministrative burden on health care workers.";
9	(3) in subsection (c), by inserting "not less
10	than" after "period of"; and
11	(4) in subsection (f), by striking "2022 through
12	2024" and inserting "2025 through 2029".
13	SEC. 708. GABRIELLA MILLER KIDS FIRST RESEARCH.
14	(a) Funding for the Pediatric Research Ini-
15	TIATIVE.—
16	(1) IN GENERAL.—The Public Health Service
17	Act (42 U.S.C. 201 et seq.) is amended—
18	(A) in section $402A(a)(2)$ (42 U.S.C.
19	282a(a)(2))—
20	(i) in the heading—
21	(I) by striking "10-YEAR"; and
22	(II) by striking "THROUGH COM-
23	MON FUND'';
24	(ii) by striking "to the Common
25	Fund" and inserting "to the Division of

1	Program Coordination, Planning, and
2	Strategic Initiatives";
3	(iii) by striking "10-Year";
4	(iv) by striking "and reserved under
5	subsection $(c)(1)(B)(i)$ of this section";
6	and
7	(v) by striking "2014 through 2023"
8	and inserting "2025 through 2031";
9	(B) in each of paragraphs (1)(A) and
10	(2)(C) of section 402A(c) (42 U.S.C. 282a(c)),
11	by striking "section $402(b)(7)(B)$ " and insert-
12	ing "section $402(b)(7)(B)(i)$ "; and
13	(C) in section $402(b)(7)(B)(ii)$ (42 U.S.C.
14	282(b)(7)(B)(ii)), by striking "the Common
15	Fund" and inserting "the Division of Program
16	Coordination, Planning, and Strategic Initia-
17	tives".
18	(2) Conforming Amendment.—Section
19	9008(i)(2) of the Internal Revenue Code of $1986$
20	(26  U.S.C.  9008(i)(2)) is amended by striking "10-
21	Year".
22	(b) Coordination of NIH Funding for Pedi-
23	ATRIC RESEARCH.—
24	(1) SENSE OF CONGRESS.—It is the sense of
25	the Congress that the Director of the National Insti-

2

the National Institutes of Health for research on pediatric cancer and other pediatric diseases and conditions, including through the Pediatric Research
Initiative Fund.

7 (2)DUPLICATION.—Section Avoiding 8 402(b)(7)(B)(ii) of the Public Health Service Act 9 (42 U.S.C. 282(b)(7)(B)(ii)) is amended by inserting "and shall prioritize, as appropriate, such pediatric 10 11 research that does not duplicate existing research 12 activities of the National Institutes of Health" be-13 fore "; and".

(c) REPORT ON PROGRESS AND INVESTMENTS IN PEDIATRIC RESEARCH.—Not later than 5 years after the
date of the enactment of this Act, the Secretary of Health
and Human Services shall submit to the Committee on
Energy and Commerce of the House of Representatives
and the Committee on Health, Education, Labor, and
Pensions of the Senate a report that—

(1) details pediatric research projects and initiatives receiving funds allocated pursuant to section
402(b)(7)(B)(ii) of the Public Health Service Act
(42 U.S.C. 282(b)(7)(B)(ii)); and

(2) summarizes advancements made in pediatric
research with funds allocated pursuant to such sec-
tion.
SEC. 709. SCREENS FOR CANCER.
(a) NATIONAL BREAST AND CERVICAL CANCER
EARLY DETECTION PROGRAM.—Title XV of the Public
Health Service Act (42 U.S.C. 300k et seq.) is amended—
(1) in section 1501 (42 U.S.C. 300k)—
(A) in subsection (a)—
(i) in paragraph (2), by striking "the
provision of appropriate follow-up services
and support services such as case manage-
ment" and inserting "that appropriate fol-
low-up services are provided";
(ii) in paragraph (3), by striking
"programs for the detection and control"
and inserting "for the prevention, detec-
tion, and control";
(iii) in paragraph (4), by striking "the
detection and control" and inserting "the
prevention, detection, and control";
(iv) in paragraph (5)—
(I) by striking "monitor" and in-
serting "ensure"; and

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1	(II) by striking "; and" and in-
2	serting a semicolon;
3	(v) by redesignating paragraph $(6)$ as
4	paragraph (9);
5	(vi) by inserting after paragraph $(5)$
6	the following:
7	"(6) to enhance appropriate support activities
8	to increase breast and cervical cancer screenings,
9	such as navigation of health care services, implemen-
10	tation of evidence-based or evidence-informed strate-
11	gies to increase breast and cervical cancer screening
12	in health care settings, and facilitation of access to
13	health care settings;
14	((7) to reduce disparities in breast and cervical
15	cancer incidence, morbidity, and mortality, including
16	in populations with higher than average rates;
17	"(8) to improve access to breast and cervical
18	cancer screening and diagnostic services and reduce
19	related barriers, including factors that relate to neg-
20	ative health outcomes; and"; and
21	(vii) in paragraph (9), as so redesig-
22	nated, by striking "through (5)" and in-
23	serting "through (8)"; and
24	(B) by striking subsection (d);
25	(2) in section 1503 (42 U.S.C. 300m)—

1	(A) in subsection (a)—
2	(i) in paragraph (1), by striking
3	"that, initially" and all that follows
4	through the semicolon and inserting "that
5	appropriate breast and cervical cancer
6	screening and diagnostic services are pro-
7	vided consistent with relevant evidence-
8	based recommendations; and";
9	(ii) by striking paragraphs (2) and
10	(4);
11	(iii) by redesignating paragraph (3) as
12	paragraph $(2)$ ; and
13	(iv) in paragraph (2), as so redesig-
14	nated, by striking "; and" and inserting a
15	period; and
16	(B) by striking subsection (d);
17	(3) in section 1508(b) (42 U.S.C. $300n-4(b)$ )—
18	(A) by striking "1 year after the date of
19	the enactment of the National Breast and Cer-
20	vical Cancer Early Detection Program Reau-
21	thorization of 2007, and annually thereafter,"
22	and inserting "2 years after the date of enact-
23	ment of the Health Improvements, Extenders,
24	and Reauthorizations Act, and every 5 years
25	thereafter,";

1	(B) by striking "Labor and Human Re-
2	sources" and inserting "Health, Education,
3	Labor, and Pensions"; and
4	(C) by striking "preceding fiscal year" and
5	inserting "preceding 2 fiscal years in the case
6	of the first report after the date of enactment
7	of the Health Improvements, Extenders, and
8	Reauthorizations Act and preceding 5 fiscal
9	years for each report thereafter"; and
10	(4) in section 1510(a) (42 U.S.C. 300n–5(a))—
11	(A) by striking "2011, and" and inserting
12	"2011,"; and
13	(B) by inserting ", and \$235,500,000 for
14	each of fiscal years 2025 through 2029" before
15	the period at the end before the period at the
16	end.
17	(b) GAO STUDY.—Not later than September 30,
18	2027, the Comptroller General of the United States shall
19	report to the Committee on Health, Education, Labor, and
20	Pensions of the Senate and the Committee on Energy and
21	Commerce of the House of Representatives on the work
22	of the National Breast and Cervical Cancer Early Detec-
23	tion Program, including—
24	(1) an estimate of the number of individuals eli-
25	gible for services provided under such program;

(2) a summary of trends in the number of indi viduals served through such program; and

3 (3) an assessment of any factors that may be
4 driving the trends identified under paragraph (2),
5 including any barriers to accessing breast and cer6 vical cancer screenings provided by such program.

## 7 SEC. 710. DEONDRA DIXON INCLUDE PROJECT.

8 Part B of title IV of the Public Health Service Act
9 (42 U.S.C. 284 et seq.) is amended by adding at the end
10 the following:

#### 11 "SEC. 409K. DOWN SYNDROME RESEARCH.

"(a) IN GENERAL.—The Director of NIH shall carry
out a program of research, training, and investigation related to Down syndrome to be known as the 'INvestigation
of Co-occurring conditions across the Lifespan to Understand Down syndromE Project' or the 'INCLUDE
Project'.

18 "(b) PROGRAM ELEMENTS.—The program under19 subsection (a) shall include—

20 "(1) high-risk, high reward research on the ef21 fects of trisomy 21 on human development and
22 health;

23 "(2) promoting research for participants with
24 Down syndrome across the lifespan, including cohort
25 studies to facilitate improved understanding of

Down syndrome and co-occurring conditions and de velopment of new interventions;

3 "(3) expanding the number of clinical trials
4 that are inclusive of, or expressly for, participants
5 with Down syndrome, including novel biomedical and
6 pharmacological interventions and other therapies
7 designed to promote or enhance activities of daily
8 living;

9 "(4) research on the biological mechanisms in 10 individuals with Down syndrome pertaining to struc-11 tural, functional, and behavioral anomalies and dys-12 function as well as stunted growth;

"(5) supporting research to improve diagnosis
and treatment of conditions co-occurring with Down
syndrome, including the identification of biomarkers
related to risk factors, diagnosis, and clinical research and therapeutics;

"(6) research on the causes of increased prevalence, and concurrent treatment, of co-occurring conditions, such as Alzheimer's disease and related dementias and autoimmunity, in individuals with Down
syndrome; and

23 "(7) research, training, and investigation on im24 proving the quality of life of individuals with Down
25 syndrome and their families.

"(c) COORDINATION; PRIORITIZING NONDUPLICA TIVE RESEARCH.—The Director of NIH shall ensure
 that—

4 "(1) the programs and activities of the insti-5 tutes and centers of the National Institutes of 6 Health relating to Down syndrome and co-occurring 7 conditions are coordinated, including through the 8 Office of the Director of NIH and priority-setting 9 reviews conducted pursuant to section 402(b)(3); 10 and

"(2) such institutes and centers, prioritize, as
appropriate, Down syndrome research that does not
duplicate existing research activities of the National
Institutes of Health.

15 "(d) CONSULTATION WITH STAKEHOLDERS.—In 16 carrying out activities under this section, the Director of 17 NIH shall, as appropriate and to the maximum extent fea-18 sible, consult with relevant stakeholders, including patient 19 advocates, to ensure that such activities take into consid-20 eration the needs of individuals with Down syndrome.

21 "(e) BIENNIAL REPORTS TO CONGRESS.—

"(1) IN GENERAL.—The Director of NIH shall
submit, on a biennial basis, to the Committee on
Energy and Commerce and the Subcommittee on
Labor, Health and Human Services, Education, and

1	Related Agencies of the Committee on Appropria-
2	tions of the House of Representatives and the Com-
3	mittee on Health, Education, Labor, and Pensions
4	and the Subcommittee on Labor, Health and
5	Human Services, Education, and Related Agencies
6	of the Committee on Appropriations of the Senate,
7	a report that catalogs the research conducted or
8	supported under this section.
9	"(2) CONTENTS.—Each report under para-
10	graph (1) shall include—
11	"(A) identification of the institute or cen-
12	ter involved;
13	"(B) a statement of whether the research
14	is or was being carried out directly by such in-
15	stitute or center or by multiple institutes and
16	centers; and
17	"(C) identification of any resulting real-
18	world evidence that is or may be used for clin-
19	ical research and medical care for patients with
20	Down syndrome.".
21	SEC. 711. IMPROVE INITIATIVE.
22	Part B of title IV of the Public Health Service Act
23	(42 U.S.C. 284 et seq.), as amended by section 710, is

further amended by adding at the end the following:

### 1 "SEC. 409L. IMPROVE INITIATIVE.

2 "(a) IN GENERAL.—The Director of the National In3 stitutes of Health shall carry out a program of research
4 to improve health outcomes to be known as the Imple5 menting a Maternal health and PRegnancy Outcomes Vi6 sion for Everyone Initiative (referred to in this section as
7 the 'Initiative').

8 "(b) Objectives.—The Initiative shall—

9 "(1) advance research to—

10 "(A) reduce preventable causes of maternal
11 mortality and severe maternal morbidity;

"(B) reduce health disparities related to
maternal health outcomes, including such disparities associated with medically underserved
populations; and

16 "(C) improve health for pregnant and
17 postpartum women before, during, and after
18 pregnancy;

"(2) use an integrated approach to understand
the factors, including biological, behavioral, and
other factors, that affect maternal mortality and severe maternal morbidity by building an evidence
base for improved outcomes in specific regions of the
United States; and

1	"(3) target health disparities associated with
2	maternal mortality and severe maternal morbidity
3	by—
4	"(A) implementing and evaluating commu-
5	nity-based interventions for disproportionately
6	affected women; and
7	"(B) identifying risk factors and the un-
8	derlying biological mechanisms associated with
9	leading causes of maternal mortality and severe
10	maternal morbidity in the United States.
11	"(c) SUNSET.—The authority under this section shall
12	expire on September 30, 2029.".
13	SEC. 712. ORGAN PROCUREMENT AND TRANSPLANTATION
13 14	SEC. 712. ORGAN PROCUREMENT AND TRANSPLANTATION NETWORK.
14	NETWORK.
14 15	<b>NETWORK.</b> Section 372 of the Public Health Service Act (42)
14 15 16	<b>NETWORK.</b> Section 372 of the Public Health Service Act (42 U.S.C. 274) is amended—
14 15 16 17	NETWORK. Section 372 of the Public Health Service Act (42 U.S.C. 274) is amended— (1) in subsection (b)(2)—
14 15 16 17 18	NETWORK. Section 372 of the Public Health Service Act (42 U.S.C. 274) is amended— (1) in subsection (b)(2)— (A) by moving the margins of subpara-
14 15 16 17 18 19	NETWORK. Section 372 of the Public Health Service Act (42 U.S.C. 274) is amended— (1) in subsection (b)(2)— (A) by moving the margins of subpara- graphs (M) through (O) 2 ems to the left;
<ol> <li>14</li> <li>15</li> <li>16</li> <li>17</li> <li>18</li> <li>19</li> <li>20</li> </ol>	NETWORK. Section 372 of the Public Health Service Act (42 U.S.C. 274) is amended— (1) in subsection (b)(2)— (A) by moving the margins of subpara- graphs (M) through (O) 2 ems to the left; (B) in subparagraph (A)—
<ol> <li>14</li> <li>15</li> <li>16</li> <li>17</li> <li>18</li> <li>19</li> <li>20</li> <li>21</li> </ol>	NETWORK. Section 372 of the Public Health Service Act (42 U.S.C. 274) is amended— (1) in subsection (b)(2)— (A) by moving the margins of subpara- graphs (M) through (O) 2 ems to the left; (B) in subparagraph (A)— (i) in clause (i), by striking ", and"

colon; 25

1	(C) in subparagraph (C), by striking
2	"twenty-four-hour telephone service" and in-
3	serting "24-hour telephone or information tech-
4	nology service";
5	(D) in each of subparagraphs (B) through
6	(M), by striking the comma at the end and in-
7	serting a semicolon;
8	(E) in subparagraph (N), by striking
9	"transportation, and" and inserting "transpor-
10	tation;";
11	(F) in subparagraph (O), by striking the
12	period and inserting a semicolon; and
13	(G) by adding at the end the following:
14	"(P) encourage the integration of elec-
15	tronic health records systems through applica-
16	tion programming interfaces (or successor tech-
17	nologies) among hospitals, organ procurement
18	organizations, and transplant centers, including
19	the use of automated electronic hospital refer-
20	rals and the grant of remote, electronic access
21	to hospital electronic health records of potential
22	donors by organ procurement organizations, in
23	a manner that complies with the privacy regula-
24	tions promulgated under the Health Insurance
25	Portability and Accountability Act of 1996, at

1	part 160 of title 45, Code of Federal Regula-
2	tions, and subparts A, C, and E of part 164 of
3	such title (or any successor regulations); and
4	"(Q) consider establishing a dashboard to
5	display the number of transplants performed,
6	the types of transplants performed, the number
7	and types of organs that entered the Organ
8	Procurement and Transplantation Network sys-
9	tem and failed to be transplanted, and other
10	appropriate statistics, which should be updated
11	more frequently than annually."; and
12	(2) by adding at the end the following:
13	"(d) REGISTRATION FEES.—
14	"(1) IN GENERAL.—The Secretary may collect
15	registration fees from any member of the Organ
16	Procurement and Transplantation Network for each
17	transplant candidate such member places on the list
18	described in subsection $(b)(2)(A)(i)$ . Such registra-
19	tion fees shall be collected and distributed only to
20	support the operation of the Organ Procurement
21	and Transplantation Network. Such registration fees
22	are authorized to remain available until expended.
23	"(2) Collection.—The Secretary may collect
24	the registration fees under paragraph $(1)$ directly or
25	through awards made under subsection $(b)(1)(A)$ .

1	"(3) DISTRIBUTION.—Any amounts collected
2	under this subsection shall—
3	"(A) be credited to the currently applicable
4	appropriation, account, or fund of the Depart-
5	ment of Health and Human Services as discre-
6	tionary offsetting collections; and
7	"(B) be available, only to the extent and in
8	the amounts provided in advance in appropria-
9	tions Acts, to distribute such fees among
10	awardees described in subsection (b)(1)(A).
11	"(4) TRANSPARENCY.—The Secretary shall—
12	"(A) promptly post on the website of the
13	Organ Procurement and Transplantation Net-
14	work—
15	"(i) the amount of registration fees
16	collected under this subsection from each
17	member of the Organ Procurement and
18	Transplantation Network; and
19	"(ii) a list of activities such fees are
20	used to support; and
21	"(B) update the information posted pursu-
22	ant to subparagraph (A), as applicable for each
23	calendar quarter for which fees are collected
24	under paragraph (1).

1	"(5) GAO REVIEW.—Not later than 2 years
2	after the date of enactment of this subsection, the
3	Comptroller General of the United States shall, to
4	the extent data are available—
5	"(A) conduct a review concerning the ac-
6	tivities under this subsection; and
7	"(B) submit to the Committee on Health,
8	Education, Labor, and Pensions and the Com-
9	mittee on Finance of the Senate and the Com-
10	mittee on Energy and Commerce of the House
11	of Representatives, a report on such review, in-
12	cluding related recommendations, as applicable.
13	"(6) SUNSET.—The authority to collect reg-
14	istration fees under paragraph (1) shall expire on
15	the date that is 3 years after the date of enactment
16	of the Health Improvements, Extenders, and Reau-
17	thorizations Act.".
18	SEC. 713. HONOR OUR LIVING DONORS.
19	(a) No Consideration of Income of Organ Re-
20	CIPIENT.—Section 377 of the Public Health Service Act
21	(42 U.S.C. 274f) is amended—
22	(1) by redesignating subsections (c) through (f)
23	as subsections (d) through (g), respectively;
24	(2) by inserting after subsection (b) the fol-
25	lowing:

1	"(c) No Consideration of Income of Organ Re-
2	CIPIENT.—The recipient of a grant under this section, in
3	providing reimbursement to a donating individual through
4	such grant, shall not give any consideration to the income
5	of the organ recipient."; and
6	(3) in subsection (f), as so redesignated—
7	(A) in paragraph (1), by striking "sub-
8	section $(c)(1)$ " and inserting "subsection
9	(d)(1)"; and
10	(B) in paragraph (2), by striking "sub-
11	section $(c)(2)$ " and inserting "subsection
12	(d)(2)".
13	(b) Removal of Expectation of Payments by
14	Organ Recipients.—Section 377(e) of the Public
15	Health Service Act (42 U.S.C. 274f(e)), as redesignated
16	by section $2(1)$ , is amended—
17	(1) in paragraph (1), by adding "or" at the
18	end;
19	(2) in paragraph (2), by striking "; or" and in-
20	serting a period; and
21	(3) by striking paragraph (3).
22	(c) ANNUAL REPORT.—Section 377 of the Public
23	Health Service Act (42 U.S.C. 274f), as amended by sec-
24	tions 2 and 3, is amended by adding at the end the fol-
25	lowing:

"(h) ANNUAL REPORT.—Not later than December 31
 of each year, beginning in Fiscal Year 2026, the Secretary
 shall—

4 "(1) prepare, submit to the Congress, and make
5 public a report on whether grants under this section
6 provided adequate funding during the preceding fis7 cal year to reimburse all donating individuals par8 ticipating in the grant program under this section
9 for all qualifying expenses; and

10 "(2) include in each such report—

"(A) the estimated number of all donating
individuals participating in the grant program
under this section who did not receive reimbursement for all qualifying expenses during
the preceding fiscal year; and

"(B) the total amount of funding that is
estimated to be necessary to fully reimburse all
donating individuals participating in the grant
program under this section for all qualifying expenses.".

# 21 SEC. 714. PROGRAM FOR PEDIATRIC STUDIES OF DRUGS.

Section 409I(d)(1) of the Public Health Service Act
(42 U.S.C. 284m(d)(1)) is amended by striking "section,"
and all that follows through the period at the end and

inserting "section, \$25,000,000 for each of fiscal years 1 2 2025 through 2027.". TITLE VIII—FOOD AND DRUG 3 **ADMINISTRATION** 4 Subtitle A—Give Kids a Chance 5 6 SEC. 801. RESEARCH INTO PEDIATRIC USES OF DRUGS; AD-7 DITIONAL AUTHORITIES OF FOOD AND DRUG 8 **ADMINISTRATION** REGARDING **MOLECU-**9 LARLY TARGETED CANCER DRUGS. 10 (a) IN GENERAL.— 11 (1) ADDITIONAL ACTIVE INGREDIENT FOR AP-12 PLICATION DRUG; LIMITATION REGARDING NOVEL-13 DRUG.—Section COMBINATION **APPLICATION** 14 505B(a)(3) of the Federal Food, Drug, and Cos-15 metic Act (21 U.S.C. 355c(a)(3)) is amended— 16 (A) by redesignating subparagraphs (B) 17 and (C) as subparagraphs (C) and (D), respec-18 tively; and 19 (B) by striking subparagraph (A) and in-20 serting the following: 21 "(A) IN GENERAL.—For purposes of para-22 graph (1)(B), the investigation described in this 23 paragraph is a molecularly targeted pediatric 24 cancer investigation of—

1	"(i) the drug or biological product for
2	which the application referred to in such
3	paragraph is submitted; or
4	"(ii) such drug or biological product
5	used in combination with—
6	"(I) an active ingredient of a
7	drug or biological product—
8	"(aa) for which an approved
9	application under section 505(j)
10	under this Act or under section
11	351(k) of the Public Health
12	Service Act is in effect; and
13	"(bb) that is determined by
14	the Secretary, after consultation
15	with the applicant, to be part of
16	the standard of care for treating
17	a pediatric cancer; or
18	"(II) an active ingredient of a
19	drug or biological product—
20	"(aa) for which an approved
21	application under section $505(b)$
22	of this Act or section 351(a) of
23	the Public Health Service Act to
24	treat an adult cancer is in effect
25	and is held by the same person

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1	submitting the application under
2	paragraph $(1)(B)$ ; and
3	"(bb) that is directed at a
4	molecular target that the Sec-
5	retary determines to be substan-
6	tially relevant to the growth or
7	progression of a pediatric cancer.
8	"(B) Additional requirements.—
9	"(i) Design of investigation.—A
10	molecularly targeted pediatric cancer inves-
11	tigation referred to in subparagraph (A)
12	shall be designed to yield clinically mean-
13	ingful pediatric study data that is gathered
14	using appropriate formulations for each
15	age group for which the study is required,
16	regarding dosing, safety, and preliminary
17	efficacy to inform potential pediatric label-
18	ing.
19	"(ii) LIMITATION.—An investigation
20	described in subparagraph (A)(ii) may be
21	required only if the drug or biological
22	product for which the application referred
23	to in paragraph (1)(B) contains either—
24	"(I) a single new active ingre-
25	dient; or

	010
1	"(II) more than one active ingre-
2	dient, if an application for the com-
3	bination of active ingredients has not
4	previously been approved but each ac-
5	tive ingredient is in a drug product
6	that has been previously approved to
7	treat an adult cancer.
8	"(iii) Results of Already-com-
9	PLETED PRECLINICAL STUDIES OF APPLI-
10	CATION DRUG.—With respect to an inves-
11	tigation required pursuant to paragraph
12	(1)(B), the Secretary may require the re-
13	sults of any completed preclinical studies
14	relevant to the initial pediatric study plan
15	be submitted to the Secretary at the same
16	time that the initial pediatric study plan
17	required under subsection $(e)(1)$ is sub-
18	mitted.
19	"(iv) Rule of construction re-
20	GARDING INACTIVE INGREDIENTS.—With
21	respect to a combination of active ingredi-
22	ents referred to in subparagraph (A)(ii),
23	such subparagraph shall not be construed
24	as addressing the use of inactive ingredi-
25	ents with such combination.".

-	(2) DEFERMINATION OF METHOMBER REGULE
2	MENTS.—Section 505B(e)(1) of the Federal Food,
3	Drug, and Cosmetic Act (21 U.S.C. 355c(e)(1)) is
4	amended by adding at the end the following: "The
5	Secretary shall determine whether subparagraph (A)
6	or (B) of subsection (a)(1) applies with respect to an
7	application before the date on which the applicant is
8	required to submit the initial pediatric study plan
9	under paragraph (2)(A).".
10	(3) CLARIFYING APPLICABILITY.—Section
11	505B(a)(1) of the Federal Food, Drug, and Cos-
12	metic Act (21 U.S.C. $355c(a)(1)$ ) is amended by
13	adding at the end the following:
14	"(C) RULE OF CONSTRUCTION.—No appli-
15	cation that is subject to the requirements of
16	subparagraph (B) shall be subject to the re-
17	quirements of subparagraph (A), and no appli-
18	cation (or supplement to an application) that is
19	subject to the requirements of subparagraph
20	(A) shall be subject to the requirements of sub-
21	paragraph (B).".
22	(4) Conforming Amendments.—Section
23	505B(a) of the Federal Food, Drug, and Cosmetic

24 Act (21 U.S.C. 355c(a)) is amended—

1	(A) in paragraph $(3)(C)$ , as redesignated
2	by paragraph $(1)(A)$ of this subsection, by
3	striking "investigations described in this para-
4	graph" and inserting "investigations referred to
5	in subparagraph (A)"; and
6	(B) in paragraph $(3)(D)$ , as redesignated
7	by paragraph (1)(A) of this subsection, by
8	striking "the assessments under paragraph
9	(2)(B)" and inserting "the assessments re-
10	quired under paragraph (1)(A)".
11	(b) GUIDANCE.—The Secretary of Health and
12	Human Services, acting through the Commissioner of
13	Food and Drugs, shall—
14	(1) not later than 12 months after the date of
15	enactment of this Act, issue draft guidance on the
16	implementation of the amendments made by sub-
17	section (a); and
18	(2) not later than 12 months after closing the
19	comment period on such draft guidance, finalize
20	such guidance.
21	(c) APPLICABILITY.—The amendments made by this
22	section apply with respect to any application under section
23	505(b) of the Federal Food, Drug, and Cosmetic Act (21
24	U.S.C. 355(b)) and any application under section 351(a)
25	of the Public Health Service Act (42 U.S.C. 262(a)), that

1 is submitted on or after the date that is 3 years after the2 date of enactment of this Act.

3 (d) Reports to Congress.—

4 (1) SECRETARY OF HEALTH AND HUMAN SERV-5 ICES.—Not later than 6 years after the date of en-6 actment of this Act, the Secretary of Health and 7 Human Services shall submit to the Committee on 8 Energy and Commerce of the House of Representa-9 tives and the Committee on Health, Education, 10 Labor, and Pensions of the Senate a report on the 11 Secretary's efforts, in coordination with industry, to 12 ensure implementation of the amendments made by 13 subsection (a).

14 (2) GAO STUDY AND REPORT.—

(A) STUDY.—Not later than 8 years after 15 16 the date of enactment of this Act, the Comp-17 troller General of the United States shall con-18 duct a study of the effectiveness of requiring 19 assessments and investigations described in sec-20 tion 505B of the Federal Food, Drug, and Cos-21 metic Act (21 U.S.C.355c), as amended by subsection (a), in the development of drugs and bi-22 23 ological products for pediatric cancer indica-24 tions, including consideration of any benefits to,

1 or burdens on, pediatric cancer drug develop-2 ment. (B) FINDINGS.—Not later than 10 years 3 after the date of enactment of this Act, the 4 5 Comptroller General shall submit to the Com-6 mittee on Energy and Commerce of the House 7 of Representatives and the Committee on 8 Health, Education, Labor, and Pensions of the 9 Senate a report containing the findings of the 10 study conducted under subparagraph (A). 11 SEC. 802. ENSURING COMPLETION OF PEDIATRIC STUDY 12 **REQUIREMENTS.** 13 (a) Equal Accountability for Pediatric Study 14 REQUIREMENTS.—Section 505B(d) of the Federal Food, 15 Drug, and Cosmetic Act (21 U.S.C. 355c(d)) is amended— 16 (1) in paragraph (1), by striking "Beginning 17 18 270" and inserting "NONCOMPLIANCE LETTER.— 19 Beginning 270"; 20 (2) in paragraph (2)— 21 (A) by striking "The drug or" and insert-22 ing "EFFECT OF NONCOMPLIANCE.—The drug 23 or"; and 24 (B) by striking "(except that the drug or

biological product shall not be subject to action

1	under section 303)" and inserting "(except that
2	the drug or biological product shall be subject
3	to action under section 303 only if such person
4	demonstrated a lack of due diligence in satis-
5	fying the applicable requirement)"; and
6	(3) by adding at the end the following:
7	"(3) LIMITATION.—The Secretary shall not
8	issue enforcement actions under section 303 for fail-
9	ures under this subsection in the case of a drug or
10	biological product that is no longer marketed.".
11	(b) DUE DILIGENCE.—Section 505B(d) of the Fed-
12	eral Food, Drug, and Cosmetic Act (21 U.S.C. 355c(d)),
13	as amended by subsection (a), is further amended by add-
14	ing at the end the following:
15	"(4) DUE DILIGENCE.—Before the Secretary
16	may conclude that a person failed to submit or oth-
17	
17	erwise meet a requirement as described in the mat-
17	erwise meet a requirement as described in the mat- ter preceding paragraph (1), the Secretary shall—
	-
18	ter preceding paragraph (1), the Secretary shall—
18 19	ter preceding paragraph (1), the Secretary shall— "(A) issue a noncompliance letter pursuant
18 19 20	ter preceding paragraph (1), the Secretary shall— "(A) issue a noncompliance letter pursuant to paragraph (1);
18 19 20 21	ter preceding paragraph (1), the Secretary shall— "(A) issue a noncompliance letter pursuant to paragraph (1); "(B) provide such person with a 45-day

"(C) after reviewing such written response,
 determine whether the person demonstrated a
 lack of due diligence in satisfying such require ment.".

5 (c) CONFORMING AMENDMENTS.—Section
6 303(f)(4)(A) of the Federal Food, Drug, and Cosmetic Act
7 (21 U.S.C. 333(f)(4)(A)) is amended by striking "or 505–
8 1" and inserting "505–1, or 505B".

9 (d) TRANSITION RULE.—The Secretary of Health 10 and Human Services may take enforcement action under 11 section 303 of the Federal Food, Drug, and Cosmetic Act 12 (21 U.S.C. 333) only for failures described in section 13 505B(d) of such Act (21 U.S.C. 355c(d)) that occur on 14 or after the date that is 180 days after the date of enact-15 ment of this Act.

### 16 SEC. 803. FDA REPORT ON PREA ENFORCEMENT.

Section 508(b) of the Food and Drug Administration
Safety and Innovation Act (21 U.S.C. 355c-1(b)) is
amended—

20 (1) in paragraph (11), by striking the semicolon
21 at the end and inserting ", including an evaluation
22 of compliance with deadlines provided for in defer23 rals and deferral extensions;";

24 (2) in paragraph (15), by striking "and" at the25 end;

1 (3) in paragraph (16), by striking the period at 2 the end and inserting "; and"; and 3 (4) by adding at the end the following: "(17) a listing of penalties, settlements, or pay-4 5 ments under section 303 of the Federal Food, Drug, 6 and Cosmetic Act (21 U.S.C. 353) for failure to 7 comply with requirements under such section 505B. 8 including, for each penalty, settlement, or payment, 9 the name of the drug, the sponsor thereof, and the 10 amount of the penalty, settlement, or payment im-11 posed; and". 12 SEC. 804. EXTENSION OF AUTHORITY TO ISSUE PRIORITY 13 **REVIEW VOUCHERS TO ENCOURAGE TREAT-**14 MENTS FOR RARE PEDIATRIC DISEASES. 15 (a) EXTENSION.—Paragraph (5) of section 529(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 16 17 360ff(b)) is amended by striking "December 20, 2024, un-18 less" and all that follows through the period at the end 19 and inserting "September 30, 2029.". 20 (b) USER FEE PAYMENT.—Section 529(c)(4) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 21 360 ff(c)(4)) is amended by striking subparagraph (A) and 22 23 inserting the following:

24 "(A) IN GENERAL.—The priority review
25 user fee required by this subsection shall be due

upon the submission of a human drug application under section 505(b)(1) or section 351(a)
of the Public Health Service Act for which the
priority review voucher is used. All other user
fees associated with the human drug application
shall be due as required by the Secretary or
under applicable law.".

8 (c) GAO REPORT ON EFFECTIVENESS OF RARE PE9 DIATRIC DISEASE PRIORITY VOUCHER AWARDS IN
10 INCENTIVIZING RARE PEDIATRIC DISEASE DRUG DEVEL11 OPMENT.—

12 (1) GAO STUDY.—

13 (A) Study.—The Comptroller General of 14 the United States shall conduct a study of the 15 effectiveness of awarding rare pediatric disease 16 priority vouchers under section 529 of the Fed-17 eral Food, Drug, and Cosmetic Act (21 U.S.C. 18 360ff), as amended by subsection (a), in the de-19 velopment of human drug products that treat or 20 prevent rare pediatric diseases (as defined in 21 such section 529).

(B) CONTENTS OF STUDY.—In conducting
the study under subparagraph (A), the Comptroller General shall examine the following:

	040
1	(i) The indications for each drug or
2	biological product that—
3	(I) is the subject of a rare pedi-
4	atric disease product application (as
5	defined in section 529 of the Federal
6	Food, Drug, and Cosmetic Act (21
7	U.S.C. 360ff)) for which a priority re-
8	view voucher was awarded; and
9	(II) was approved under section
10	505 of the Federal Food, Drug, and
11	Cosmetic Act (42 U.S.C. 355) or li-
12	censed under section 351 of the Pub-
13	lic Health Service Act (42 U.S.C.
14	262).
15	(ii) Whether, and to what extent, an
16	unmet need related to the treatment or
17	prevention of a rare pediatric disease was
18	met through the approval or licensure of
19	such a drug or biological product.
20	(iii) The size of the company to which
21	a priority review voucher was awarded
22	under section 529 of the Federal Food,

for such a drug or biological product.

Drug, and Cosmetic Act (21 U.S.C. 360ff)

1	(iv) The value of such priority review
2	voucher if transferred.
3	(v) Identification of each drug for
4	which a priority review voucher awarded
5	under such section 529 was used.
6	(vi) The size of the company using
7	each priority review voucher awarded
8	under such section 529.
9	(vii) The length of the period of time
10	between the date on which a priority re-
11	view voucher was awarded under such sec-
12	tion 529 and the date on which it was
13	used.
14	(viii) Whether, and to what extent, an
15	unmet need related to the treatment or
16	prevention of a rare pediatric disease was
17	met through the approval under section
18	505 of the Federal Food, Drug, and Cos-
19	metic Act (42 U.S.C. 355) or licensure
20	under section 351 of the Public Health
21	Service Act (42 U.S.C. 262) of a drug for
22	which a priority review voucher was used.
23	(ix) Whether, and to what extent,
24	companies were motivated by the avail-
25	ability of priority review vouchers under

- 1 section 529 of the Federal Food, Drug, 2 and Cosmetic Act (21 U.S.C. 360ff) to at-3 tempt to develop a drug for a rare pedi-4 atric disease. 5 (x) Whether, and to what extent, pedi-6 atric review vouchers awarded under such 7 section were successful in stimulating de-8 velopment and expedited patient access to 9 drug products for treatment or prevention 10 of a rare pediatric disease that wouldn't 11 otherwise take place without the incentive 12 provided by such vouchers. 13 (xi) The impact of such priority re-14 view vouchers on the workload, review 15 process, and public health prioritization ef-16 forts of the Food and Drug Administra-17 tion. 18 (xii) Any other incentives in Federal 19 law that exist for companies developing 20 drugs or biological products described in 21 clause (i). 22 (2) REPORT ON FINDINGS.—Not later than 5 23 years after the date of the enactment of this Act, the 24 Comptroller General of the United States shall sub-
- 25 mit to the Committee on Energy and Commerce of

	020
1	the House of Representatives and the Committee on
2	Health, Education, Labor, and Pensions of the Sen-
3	ate a report containing the findings of the study
4	conducted under paragraph (1).
5	SEC. 805. LIMITATIONS ON EXCLUSIVE APPROVAL OR LI-
6	CENSURE OF ORPHAN DRUGS.
7	(a) IN GENERAL.—Section 527 of the Federal Food,
8	Drug, and Cosmetic Act (21 U.S.C. 360cc) is amended—
9	(1) in subsection (a), in the matter following
10	paragraph (2), by striking "same disease or condi-
11	tion" and inserting "same approved use or indica-
12	tion within such rare disease or condition";
13	(2) in subsection (b)—
14	(A) in the matter preceding paragraph (1),
15	by striking "same rare disease or condition"
16	and inserting "same approved use or indication
17	for which such 7-year period applies to such al-
18	ready approved or licensed drug''; and
19	(B) in paragraph (1), by inserting ", relat-
20	ing to the approved use or indication," after
21	"the needs";
22	(3) in subsection (c)(1), by striking "same rare
23	disease or condition as the already approved drug"
24	and inserting "same use or indication for which the

already approved or licensed drug was approved or
 licensed"; and

3 (4) by adding at the end the following:

4 "(f) APPROVED USE OR INDICATION DEFINED.—In
5 this section, the term 'approved use or indication' means
6 the use or indication approved under section 505 of this
7 Act or licensed under section 351 of the Public Health
8 Service Act for a drug designated under section 526 for
9 a rare disease or condition.".

10 (b) APPLICATION OF AMENDMENTS.—The amendments made by subsection (a) shall apply with respect to 11 12 any drug designated under section 526 of the Federal 13 Food, Drug, and Cosmetic Act (21 U.S.C. 360bb), regardless of the date on which the drug was so designated, and 14 15 regardless of the date on which the drug was approved under section 505 of such Act (21 U.S.C. 355) or licensed 16 under section 351 of the Public Health Service Act (42) 17 U.S.C. 262). 18

## 19 Subtitle B—United States-Abraham

## 20 Accords Cooperation and Security

## 21 SEC. 811. ESTABLISHMENT OF ABRAHAM ACCORDS OFFICE

22 WITHIN FOOD AND DRUG ADMINISTRATION.

(a) IN GENERAL.—Chapter X of the Federal Food,
Drug, and Cosmetic Act (21 U.S.C. 391 et seq.) is amended by adding at the end the following:

## 1 "SEC. 1015. ABRAHAM ACCORDS OFFICE.

2 "(a) IN GENERAL.—The Secretary, acting through
3 the Commissioner of Food and Drugs, shall establish with4 in the Food and Drug Administration an office, to be
5 known as the Abraham Accords Office, to be headed by
6 a director.

7 "(b) OFFICE.—Not later than 2 years after the date8 of enactment of this section, the Secretary shall—

9 "(1) in consultation with the governments of
10 Abraham Accords countries, as well as appropriate
11 United States Government diplomatic and security
12 personnel—

13 "(A) select the location of the Abraham
14 Accords Office in an Abraham Accords country;
15 and

16

"(B) establish such office; and

"(2) assign to such office such personnel of the
Food and Drug Administration as the Secretary determines necessary to carry out the functions of
such office.

21 "(c) DUTIES.—The Secretary, acting through the Di22 rector of the Abraham Accords Office, shall—

23 "(1) after the Abraham Accords Office is estab24 lished—

25 "(A) as part of the Food and Drug Admin26 istration's work to strengthen the international
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1	oversight of regulated commodities, provide
2	technical assistance to regulatory partners in
3	Abraham Accords countries on strengthening
4	regulatory oversight and converging regulatory
5	requirements for the oversight of regulated
6	products, including good manufacturing prac-
7	tices and other issues relevant to manufacturing
8	medical products that are regulated by the
9	Food and Drug Administration; and

"(B) facilitate interactions between the 10 11 Food and Drug Administration and interested parties in Abraham Accords countries, including 12 13 by sharing relevant information regarding 14 United States regulatory pathways with such 15 parties, and facilitate feedback on the research, development, and manufacturing of products 16 17 regulated in accordance with this Act; and 18 "(2) carry out other functions and activities as 19 the Secretary determines to be necessary to carry 20 out this section.

21 "(d) ABRAHAM ACCORDS COUNTRY DEFINED.—In
22 this section, the term 'Abraham Accords country' means
23 a country identified by the Department of State as having
24 signed the Abraham Accords Declaration.

"(e) NATIONAL SECURITY.—Nothing in this section
 shall be construed to require any action inconsistent with
 a national security recommendation provided by the Fed 4 eral Government.".

5 (b) REPORT TO CONGRESS.—

6 (1) IN GENERAL.—Not later than 3 years after 7 the date of enactment of this Act, the Secretary of 8 Health and Human Services shall submit to the 9 Congress a report on the Abraham Accords Office, 10 including—

(A) an evaluation of how the Office has advanced progress toward conformance with Food
and Drug Administration regulatory requirements by manufacturers in the Abraham Accords countries;

16 (B) a numerical count of parties that the
17 Office has helped facilitate interactions or feed18 back pursuant to section 1015(c)(1)(B) of the
19 Federal Food, Drug, and Cosmetic Act (as
20 added by subsection (a));

21 (C) a summary of technical assistance pro22 vided to regulatory partners in Abraham Ac23 cords countries pursuant to subparagraph (A)
24 of such section 1015(c)(1); and

1	(D) recommendations for increasing and
2	improving coordination between the Food and
3	Drug Administration and entities in Abraham
4	Accords countries.
5	(2) Abraham accords country defined.—
6	In this subsection, the term "Abraham Accords
7	country" has the meaning given such term in section
8	1015(d) of the Federal Food, Drug, and Cosmetic
9	Act (as added by subsection (a)).
10	TITLE IX—LOWERING
11	PRESCRIPTION DRUG COSTS
12	SEC. 901. OVERSIGHT OF PHARMACY BENEFIT MANAGE-
13	MENT SERVICES.
14	(a) Public Health Service Act.—Title XXVII of
15	the Public Health Service Act (42 U.S.C. 300gg et seq.)
16	is amended—
17	(1) in part D (42 U.S.C. 300gg-111 et seq.),
18	by adding at the end the following new section:
19	"SEC. 2799A-11. OVERSIGHT OF ENTITIES THAT PROVIDE
20	PHARMACY BENEFIT MANAGEMENT SERV-
21	ICES.
22	"(a) IN GENERAL.—For plan years beginning on or
23	after the date that is 30 months after the date of enact-
24	ment of this section (referred to in this subsection and
25	subsection (b) as the 'effective date'), a group health plan

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1 or a health insurance issuer offering group health insur2 ance coverage, or an entity providing pharmacy benefit
3 management services on behalf of such a plan or issuer,
4 shall not enter into a contract, including an extension or
5 renewal of a contract, entered into on or after the effective
6 date, with an applicable entity unless such applicable enti7 ty agrees to—

"(1) not limit or delay the disclosure of infor-8 9 mation to the group health plan (including such a 10 plan offered through a health insurance issuer) in 11 such a manner that prevents an entity providing 12 pharmacy benefit management services on behalf of 13 a group health plan or health insurance issuer offer-14 ing group health insurance coverage from making 15 the reports described in subsection (b); and

"(2) provide the entity providing pharmacy benefit management services on behalf of a group health
plan or health insurance issuer relevant information
necessary to make the reports described in subsection (b).

21 "(b) REPORTS.—

"(1) IN GENERAL.—For plan years beginning
on or after the effective date, in the case of any contract between a group health plan or a health insurance issuer offering group health insurance coverage

1 offered in connection with such a plan and an entity 2 providing pharmacy benefit management services on 3 behalf of such plan or issuer, including an extension 4 or renewal of such a contract, entered into on or 5 after the effective date, the entity providing phar-6 macy benefit management services on behalf of such 7 a group health plan or health insurance issuer, not 8 less frequently than every 6 months (or, at the re-9 quest of a group health plan, not less frequently 10 than quarterly, and under the same conditions, 11 terms, and cost of the semiannual report under this 12 subsection), shall submit to the group health plan a 13 report in accordance with this section. Each such re-14 port shall be made available to such group health 15 plan in plain language, in a machine-readable for-16 mat, and as the Secretary may determine, other for-17 mats. Each such report shall include the information 18 described in paragraph (2).

"(2) INFORMATION DESCRIBED.—For purposes
of paragraph (1), the information described in this
paragraph is, with respect to drugs covered by a
group health plan or group health insurance coverage offered by a health insurance issuer in connection with a group health plan during each reporting
period—

1	"(A) in the case of a group health plan
2	that is offered by a specified large employer or
3	that is a specified large plan, and is not offered
4	as health insurance coverage, or in the case of
5	health insurance coverage for which the election
6	under paragraph (3) is made for the applicable
7	reporting period—
8	"(i) a list of drugs for which a claim
9	was filed and, with respect to each such
10	drug on such list—
11	"(I) the contracted compensation
12	paid by the group health plan or
13	health insurance issuer for each cov-
14	ered drug (identified by the National
15	Drug Code) to the entity providing
16	pharmacy benefit management serv-
17	ices or other applicable entity on be-
18	half of the group health plan or health
19	insurance issuer;
20	"(II) the contracted compensa-
21	tion paid to the pharmacy, by any en-
22	tity providing pharmacy benefit man-
23	agement services or other applicable
24	entity on behalf of the group health
25	plan or health insurance issuer, for

1	each covered drug (identified by the
2	National Drug Code);
3	"(III) for each such claim, the
4	difference between the amount paid
5	under subclause (I) and the amount
6	paid under subclause (II);
7	"(IV) the proprietary name, es-
8	tablished name or proper name, and
9	National Drug Code;
10	"(V) for each claim for the drug
11	(including original prescriptions and
12	refills) and for each dosage unit of the
13	drug for which a claim was filed, the
14	type of dispensing channel used to
15	furnish the drug, including retail, mail
16	order, or specialty pharmacy;
17	"(VI) with respect to each drug
18	dispensed, for each type of dispensing
19	channel (including retail, mail order,
20	or specialty pharmacy)—
21	"(aa) whether such drug is a
22	brand name drug or a generic
23	drug, and—
24	"(AA) in the case of a
25	brand name drug, the whole-

1	\$	sale acquisition cost, listed
2	:	as cost per days supply and
3		cost per dosage unit, on the
4		date such drug was dis-
5	J	pensed; and
6		"(BB) in the case of a
7	\$	generic drug, the average
8		wholesale price, listed as
9		cost per days supply and
10		cost per dosage unit, on the
11		date such drug was dis-
12	]	pensed; and
13		"(bb) the total number of—
14		"(AA) prescription
15		claims (including original
16	]	prescriptions and refills);
17		"(BB) participants and
18	Į	beneficiaries for whom a
19		claim for such drug was
20	1	filed through the applicable
21		dispensing channel;
22		"(CC) dosage units and
23		dosage units per fill of such
24		drug; and

"(DD) days supply of
such drug per fill;
"(VII) the net price per course of
treatment or single fill, such as a 30-
day supply or 90-day supply to the
plan or coverage after rebates, fees,
alternative discounts, or other remu-
neration received from applicable enti-
ties;
"(VIII) the total amount of out-
of-pocket spending by participants
and beneficiaries on such drug, in-
cluding spending through copayments,
coinsurance, and deductibles, but not
including any amounts spent by par-
ticipants and beneficiaries on drugs
not covered under the plan or cov-
erage, or for which no claim is sub-
mitted under the plan or coverage;
"(IX) the total net spending on
the drug;
"(X) the total amount received,
or expected to be received, by the plan
or issuer from any applicable entity in

1	rebates, fees, alternative discounts, or
2	other remuneration;
3	"(XI) the total amount received,
4	or expected to be received, by the enti-
5	ty providing pharmacy benefit man-
6	agement services, from applicable en-
7	tities, in rebates, fees, alternative dis-
8	counts, or other remuneration from
9	such entities—
10	"(aa) for claims incurred
11	during the reporting period; and
12	"(bb) that is related to utili-
13	zation of such drug or spending
14	on such drug; and
15	"(XII) to the extent feasible, in-
16	formation on the total amount of re-
17	muneration for such drug, including
18	copayment assistance dollars paid, co-
19	payment cards applied, or other dis-
20	counts provided by each drug manu-
21	facturer (or entity administering co-
22	payment assistance on behalf of such
23	drug manufacturer), to the partici-
24	pants and beneficiaries enrolled in
25	such plan or coverage;

1	"(ii) a list of each therapeutic class
2	(as defined by the Secretary) for which a
3	claim was filed under the group health
4	plan or health insurance coverage during
5	the reporting period, and, with respect to
6	each such the rapeutic class—
7	"(I) the total gross spending on
8	drugs in such class before rebates,
9	price concessions, alternative dis-
10	counts, or other remuneration from
11	applicable entities;
12	"(II) the net spending in such
13	class after such rebates, price conces-
14	sions, alternative discounts, or other
15	remuneration from applicable entities;
16	"(III) the total amount received,
17	or expected to be received, by the enti-
18	ty providing pharmacy benefit man-
19	agement services, from applicable en-
20	tities, in rebates, fees, alternative dis-
21	counts, or other remuneration from
22	such entities—
23	"(aa) for claims incurred
24	during the reporting period; and

	01
1	"(bb) that is related to utili-
2	zation of drugs or drug spending;
3	"(IV) the average net spending
4	per 30-day supply and per 90-day
5	supply by the plan or by the issuer
6	with respect to such coverage and its
7	participants and beneficiaries, among
8	all drugs within the therapeutic class
9	for which a claim was filed during the
10	reporting period;
11	"(V) the number of participants
12	and beneficiaries who filled a prescrip-
13	tion for a drug in such class, includ-
14	ing the National Drug Code for each
15	such drug;
16	"(VI) if applicable, a description
17	of the formulary tiers and utilization
18	mechanisms (such as prior authoriza-
19	tion or step therapy) employed for
20	drugs in that class; and
21	"(VII) the total out-of-pocket
22	spending under the plan or coverage
23	by participants and beneficiaries, in-
24	cluding spending through copayments,
25	coinsurance, and deductibles, but not

1	including any amounts spent by par-
2	ticipants and beneficiaries on drugs
3	not covered under the plan or cov-
4	erage or for which no claim is sub-
5	mitted under the plan or coverage;
6	"(iii) with respect to any drug for
7	which gross spending under the group
8	health plan or health insurance coverage
9	exceeded \$10,000 during the reporting pe-
10	riod or, in the case that gross spending
11	under the group health plan or coverage
12	exceeded \$10,000 during the reporting pe-
13	riod with respect to fewer than 50 drugs,
14	with respect to the 50 prescription drugs
15	with the highest spending during the re-
16	porting period—
17	"(I) a list of all other drugs in
18	the same therapeutic class as such
19	drug;
20	"(II) if applicable, the rationale
21	for the formulary placement of such
22	drug in that the rapeutic category or
23	class, selected from a list of standard
24	rationales established by the Sec-

1	retary, in consultation with stake-
2	holders; and
3	"(III) any change in formulary
4	placement compared to the prior plan
5	year; and
6	"(iv) in the case that such plan or
7	issuer (or an entity providing pharmacy
8	benefit management services on behalf of
9	such plan or issuer) has an affiliated phar-
10	macy or pharmacy under common owner-
11	ship, including mandatory mail and spe-
12	cialty home delivery programs, retail and
13	mail auto-refill programs, and cost sharing
14	assistance incentives funded by an entity
15	providing pharmacy benefit services—
16	"(I) an explanation of any ben-
17	efit design parameters that encourage
18	or require participants and bene-
19	ficiaries in the plan or coverage to fill
20	prescriptions at mail order, specialty,
21	or retail pharmacies;
22	"(II) the percentage of total pre-
23	scriptions dispensed by such phar-
24	macies to participants or beneficiaries
25	in such plan or coverage; and

1	"(III) a list of all drugs dis-
2	pensed by such pharmacies to partici-
3	pants or beneficiaries enrolled in such
4	plan or coverage, and, with respect to
5	each drug dispensed—
6	"(aa) the amount charged,
7	per dosage unit, per 30-day sup-
8	ply, or per 90-day supply (as ap-
9	plicable) to the plan or issuer,
10	and to participants and bene-
11	ficiaries;
12	"(bb) the median amount
13	charged to such plan or issuer,
14	and the interquartile range of the
15	costs, per dosage unit, per 30-
16	day supply, and per 90-day sup-
17	ply, including amounts paid by
18	the participants and bene-
19	ficiaries, when the same drug is
20	dispensed by other pharmacies
21	that are not affiliated with or
22	under common ownership with
23	the entity and that are included
24	in the pharmacy network of such
25	plan or coverage;

1	"(cc) the lowest cost per
2	dosage unit, per 30-day supply
3	and per 90-day supply, for each
4	such drug, including amounts
5	charged to the plan or coverage
6	and to participants and bene-
7	ficiaries, that is available from
8	any pharmacy included in the
9	network of such plan or coverage;
10	and
11	"(dd) the net acquisition
12	cost per dosage unit, per 30-day
13	supply, and per 90-day supply, if
14	such drug is subject to a max-
15	imum price discount; and
16	"(B) with respect to any group health
17	plan, including group health insurance coverage
18	offered in connection with such a plan, regard-
19	less of whether the plan or coverage is offered
20	by a specified large employer or whether it is a
21	specified large plan—
22	"(i) a summary document for the
23	group health plan that includes such infor-
24	mation described in clauses (i) through (iv)
25	of subparagraph (A), as specified by the

1 Secretary through guidance, program in-2 struction, or otherwise (with no requirement of notice and comment rulemaking), 3 4 that the Secretary determines useful to 5 group health plans for purposes of select-6 ing pharmacy benefit management serv-7 ices, such as an estimated net price to 8 group health plan and participant or bene-9 ficiary, a cost per claim, the fee structure 10 or reimbursement model, and estimated

12 "(ii) a summary document for plans 13 and issuers to provide to participants and 14 beneficiaries, which shall be made available 15 to participants or beneficiaries upon re-16 quest to their group health plan (including 17 in the case of group health insurance cov-18 erage offered in connection with such a 19 plan), that—

cost per participant or beneficiary;

20 "(I) contains such information
21 described in clauses (iii), (iv), (v), and
22 (vi), as applicable, as specified by the
23 Secretary through guidance, program
24 instruction, or otherwise (with no re25 quirement of notice and comment

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-	rulemaking) that the Secretary deter-
2	mines useful to participants or bene-
3	ficiaries in better understanding the
4	plan or coverage or benefits under
5	such plan or coverage;
6	"(II) contains only aggregate in-
7	formation; and
8	"(III) states that participants
9	and beneficiaries may request specific,
10	claims-level information required to be
11	furnished under subsection (c) from
12	the group health plan or health insur-
13	ance issuer; and
14	"(iii) with respect to drugs covered by
15	such plan or coverage during such report-
16	ing period—
17	"(I) the total net spending by the
18	plan or coverage for all such drugs;
19	"(II) the total amount received,
20	or expected to be received, by the plan
21	or issuer from any applicable entity in
22	rebates, fees, alternative discounts, or
23	other remuneration; and
24	"(III) to the extent feasible, in-
25	formation on the total amount of re-

1	muneration for such drugs, including
2	copayment assistance dollars paid, co-
3	payment cards applied, or other dis-
4	counts provided by each drug manu-
5	facturer (or entity administering co-
6	payment assistance on behalf of such
7	drug manufacturer) to participants
8	and beneficiaries;
9	"(iv) amounts paid directly or indi-
10	rectly in rebates, fees, or any other type of
11	compensation (as defined in section
12	408(b)(2)(B)(ii)(dd)(AA) of the Employee
13	Retirement Income Security Act) to bro-
14	kerage firms, brokers, consultants, advi-
15	sors, or any other individual or firm, for-
16	"(I) the referral of the group
17	health plan's or health insurance
18	issuer's business to an entity pro-
19	viding pharmacy benefit management
20	services, including the identity of the
21	recipient of such amounts;
22	"(II) consideration of the entity
23	providing pharmacy benefit manage-
24	ment services by the group health
25	plan or health insurance issuer; or

1	"(III) the retention of the entity
2	by the group health plan or health in-
3	surance issuer;

4 "(v) an explanation of any benefit de-5 sign parameters that encourage or require 6 participants and beneficiaries in such plan 7 or coverage to fill prescriptions at mail order, specialty, or retail pharmacies that 8 9 are affiliated with or under common own-10 ership with the entity providing pharmacy 11 benefit management services under such 12 plan or coverage, including mandatory mail 13 and specialty home delivery programs, re-14 tail and mail auto-refill programs, and 15 cost-sharing assistance incentives directly 16 or indirectly funded by such entity; and

17 "(vi) total gross spending on all drugs
18 under the plan or coverage during the re19 porting period.

20 "(3) OPT-IN FOR GROUP HEALTH INSURANCE
21 COVERAGE OFFERED BY A SPECIFIED LARGE EM22 PLOYER OR THAT IS A SPECIFIED LARGE PLAN.—In
23 the case of group health insurance coverage offered
24 in connection with a group health plan that is of25 fered by a specified large employer or is a specified

1	large plan, such group health plan may, on an an-
2	nual basis, for plan years beginning on or after the
3	date that is 30 months after the date of enactment
4	of this section, elect to require an entity providing
5	pharmacy benefit management services on behalf of
6	the health insurance issuer to submit to such group
7	health plan a report that includes all of the informa-
8	tion described in paragraph (2)(A), in addition to
9	the information described in paragraph (2)(B).
10	"(4) PRIVACY REQUIREMENTS.—
11	"(A) IN GENERAL.—An entity providing
12	pharmacy benefit management services on be-
13	half of a group health plan or a health insur-
14	ance issuer offering group health insurance cov-
15	erage shall report information under paragraph
16	(1) in a manner consistent with the privacy reg-
17	ulations promulgated under section 13402(a) of
18	the Health Information Technology for Eco-
19	nomic and Clinical Health Act and consistent
20	with the privacy regulations promulgated under
21	the Health Insurance Portability and Account-
22	ability Act of 1996 in part 160 and subparts A
23	and E of part 164 of title 45, Code of Federal
24	Regulations (or successor regulations) (referred
25	to in this paragraph as the 'HIPAA privacy

1	regulations') and shall restrict the use and dis-
2	closure of such information according to such
3	privacy regulations and such HIPAA privacy
4	regulations.
5	"(B) Additional requirements.—
6	"(i) IN GENERAL.—An entity pro-
7	viding pharmacy benefit management serv-
8	ices on behalf of a group health plan or
9	health insurance issuer offering group
10	health insurance coverage that submits a
11	report under paragraph (1) shall ensure
12	that such report contains only summary
13	health information, as defined in section
14	164.504(a) of title 45, Code of Federal
15	Regulations (or successor regulations).
16	"(ii) RESTRICTIONS.—In carrying out
17	this subsection, a group health plan shall
18	comply with section 164.504(f) of title 45,
19	Code of Federal Regulations (or a suc-
20	cessor regulation), and a plan sponsor shall
21	act in accordance with the terms of the
22	agreement described in such section.
23	"(C) RULE OF CONSTRUCTION.—
24	"(i) Nothing in this section shall be
25	construed to modify the requirements for

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1	the creation, receipt, maintenance, or
2	transmission of protected health informa-
3	tion under the HIPAA privacy regulations.
4	"(ii) Nothing in this section shall be
5	construed to affect the application of any
6	Federal or State privacy or civil rights law,
7	including the HIPAA privacy regulations,
8	the Genetic Information Nondiscrimination
9	Act of 2008 (Public Law 110-233) (in-
10	cluding the amendments made by such
11	Act), the Americans with Disabilities Act
12	of 1990 (42 U.S.C. 12101 et sec), section
13	$504$ of the Rehabilitation Act of $1973\ (29$
14	U.S.C. 794), section 1557 of the Patient
15	Protection and Affordable Care Act (42
16	U.S.C. 18116), title VI of the Civil Rights
17	Act of 1964 (42 U.S.C. 2000d), and title
18	VII of the Civil Rights Act of 1964 (42
19	U.S.C. 2000e).
20	"(D) WRITTEN NOTICE.—Each plan year,
21	group health plans, including with respect to
22	group health insurance coverage offered in con-
23	nection with a group health plan, shall provide
24	to each participant or beneficiary written notice
25	informing the participant or beneficiary of the

requirement for entities providing pharmacy benefit management services on behalf of the group health plan or health insurance issuer offering group health insurance coverage to submit reports to group health plans under paragraph (1), as applicable, which may include in-

corporating such notification in plan documents provided to the participant or beneficiary, or providing individual notification.

10 "(E) LIMITATION TO BUSINESS ASSOCI-11 ATES.—A group health plan receiving a report 12 under paragraph (1) may disclose such informa-13 tion only to the entity from which the report 14 was received or to that entity's business associ-15 ates as defined in section 160.103 of title 45, 16 Code of Federal Regulations (or successor regu-17 lations) or as permitted by the HIPAA privacy 18 regulations.

"(F) CLARIFICATION REGARDING PUBLIC
DISCLOSURE OF INFORMATION.—Nothing in
this section shall prevent an entity providing
pharmacy benefit management services on behalf of a group health plan or health insurance
issuer offering group health insurance coverage,
from placing reasonable restrictions on the pub-

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1	lic disclosure of the information contained in a
2	report described in paragraph (1), except that
3	such plan, issuer, or entity may not—
4	"(i) restrict disclosure of such report
5	to the Department of Health and Human
6	Services, the Department of Labor, or the
7	Department of the Treasury; or
8	"(ii) prevent disclosure for the pur-
9	poses of subsection (c), or any other public
10	disclosure requirement under this section.
11	"(G) LIMITED FORM OF REPORT.—The
12	Secretary shall define through rulemaking a
13	limited form of the report under paragraph $(1)$
14	required with respect to any group health plan
15	established by a plan sponsor that is, or is af-
16	filiated with, a drug manufacturer, drug whole-
17	saler, or other direct participant in the drug
18	supply chain, in order to prevent anti-competi-
19	tive behavior.
20	"(5) Standard format and regulations.—
21	"(A) IN GENERAL.—Not later than 18
22	months after the date of enactment of this sec-
23	tion, the Secretary shall specify through rule-
24	making a standard format for entities providing
25	pharmacy benefit management services on be-

half of group health plans and health insurance issuers offering group health insurance coverage, to submit reports required under paragraph (1).

5 "(B) **REGULATIONS.**—Not Additional 6 later than 18 months after the date of enact-7 ment of this section, the Secretary shall, 8 through rulemaking, promulgate any other final 9 regulations necessary to implement the require-10 ments of this section. In promulgating such 11 regulations, the Secretary shall, to the extent 12 practicable, align the reporting requirements 13 under this section with the reporting require-14 ments under section 2799A–10.

15 "(c) REQUIREMENT TO PROVIDE INFORMATION TO
16 PARTICIPANTS OR BENEFICIARIES.—A group health plan,
17 including with respect to group health insurance coverage
18 offered in connection with a group health plan, upon re19 quest of a participant or beneficiary, shall provide to such
20 participant or beneficiary—

21 "(1) the summary document described in sub22 section (b)(2)(B)(ii); and

23 "(2) the information described in subsection
24 (b)(2)(A)(i)(III) with respect to a claim made by or
25 on behalf of such participant or beneficiary.

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"(d) Enforcement.—

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2 "(1) IN GENERAL.—The Secretary shall enforce 3 this section. The enforcement authority under this 4 subsection shall apply only with respect to group 5 health plans (including group health insurance cov-6 erage offered in connection with such a plan) to 7 which the requirements of subparts I and II of part 8 A and part D apply in accordance with section 2722, 9 and with respect to entities providing pharmacy ben-10 efit management services on behalf of such plans 11 and applicable entities providing services on behalf 12 of such plans.

13 "(2) FAILURE TO PROVIDE INFORMATION.—A 14 group health plan, a health insurance issuer offering 15 group health insurance coverage, an entity providing 16 pharmacy benefit management services on behalf of 17 such a plan or issuer, or an applicable entity pro-18 viding services on behalf of such a plan or issuer 19 that violates subsection (a); an entity providing 20 pharmacy benefit management services on behalf of 21 such a plan or issuer that fails to provide the infor-22 mation required under subsection (b); or a group 23 health plan that fails to provide the information re-24 quired under subsection (c), shall be subject to a 25 civil monetary penalty in the amount of \$10,000 for

1	each day during which such violation continues or
2	such information is not disclosed or reported.
3	"(3) False information.—A health insurance
4	issuer, an entity providing pharmacy benefit man-
5	agement services, or a third party administrator pro-
6	viding services on behalf of such issuer offered by a
7	health insurance issuer that knowingly provides false
8	information under this section shall be subject to a
9	civil monetary penalty in an amount not to exceed
10	\$100,000 for each item of false information. Such
11	civil monetary penalty shall be in addition to other
12	penalties as may be prescribed by law.

13 "(4) PROCEDURE.—The provisions of section 14 1128A of the Social Security Act, other than sub-15 sections (a) and (b) and the first sentence of sub-16 section (c)(1) of such section shall apply to civil 17 monetary penalties under this subsection in the 18 same manner as such provisions apply to a penalty 19 or proceeding under such section.

"(5) WAIVERS.—The Secretary may waive penalties under paragraph (2), or extend the period of
time for compliance with a requirement of this section, for an entity in violation of this section that
has made a good-faith effort to comply with the requirements in this section.

each day during which such violation continues or

"(e) RULE OF CONSTRUCTION.—Nothing in this sec-1 tion shall be construed to permit a health insurance issuer, 2 group health plan, entity providing pharmacy benefit man-3 4 agement services on behalf of a group health plan or 5 health insurance issuer, or other entity to restrict disclosure to, or otherwise limit the access of, the Secretary to 6 7 a report described in subsection (b)(1) or information re-8 lated to compliance with subsections (a), (b), (c), or (d) 9 by such issuer, plan, or entity. "(f) DEFINITIONS.—In this section: 10 "(1) APPLICABLE ENTITY.—The term 'applica-11 12 ble entity' means— "(A) an applicable group purchasing orga-13 14 nization, drug manufacturer, distributor, whole-15 saler, rebate aggregator (or other purchasing 16 entity designed to aggregate rebates), or associ-17 ated third party; 18 "(B) any subsidiary, parent, affiliate, or 19 subcontractor of a group health plan, health in-20 surance issuer, entity that provides pharmacy 21 benefit management services on behalf of such 22 a plan or issuer, or any entity described in sub-23 paragraph (A); or

24 "(C) such other entity as the Secretary25 may specify through rulemaking.

"(2) APPLICABLE GROUP PURCHASING ORGANI ZATION.—The term 'applicable group purchasing or ganization' means a group purchasing organization
 that is affiliated with or under common ownership
 with an entity providing pharmacy benefit manage ment services.

"(3) CONTRACTED COMPENSATION.—The term
"contracted compensation' means the sum of any ingredient cost and dispensing fee for a drug (inclusive
of the out-of-pocket costs to the participant or beneficiary), or another analogous compensation structure that the Secretary may specify through regulations.

**(**(4) 14 SPENDING.—The GROSS  $\operatorname{term}$ 'gross 15 spending', with respect to prescription drug benefits 16 under a group health plan or health insurance cov-17 erage, means the amount spent by a group health 18 plan or health insurance issuer on prescription drug 19 benefits, calculated before the application of rebates, 20 fees, alternative discounts, or other remuneration.

21 "(5) NET SPENDING.—The term 'net spending',
22 with respect to prescription drug benefits under a
23 group health plan or health insurance coverage,
24 means the amount spent by a group health plan or
25 health insurance issuer on prescription drug bene-

1	fits, calculated after the application of rebates, fees,
2	alternative discounts, or other remuneration.
3	"(6) PLAN SPONSOR.—The term 'plan sponsor'
4	has the meaning given such term in section $3(16)(B)$
5	of the Employee Retirement Income Security Act of
6	1974.
7	"(7) REMUNERATION.—The term 'remunera-
8	tion' has the meaning given such term by the Sec-
9	retary through rulemaking, which shall be reevalu-
10	ated by the Secretary every 5 years.
11	"(8) Specified large employer.—The term
12	'specified large employer' means, in connection with
13	a group health plan (including group health insur-

1 14 ance coverage offered in connection with such a 15 plan) established or maintained by a single em-16 ployer, with respect to a calendar year or a plan 17 year, as applicable, an employer who employed an 18 average of at least 100 employees on business days 19 during the preceding calendar year or plan year and 20 who employs at least 1 employee on the first day of 21 the calendar year or plan year.

"(9) SPECIFIED LARGE PLAN.—The term 'specified large plan' means a group health plan (including group health insurance coverage offered in connection with such a plan) established or maintained

1	by a plan sponsor described in clause (ii) or (iii) of
2	section $3(16)(B)$ of the Employee Retirement In-
3	come Security Act of 1974 that had an average of
4	at least 100 participants on business days during
5	the preceding calendar year or plan year, as applica-
6	ble.
7	"(10) WHOLESALE ACQUISITION COST.—The
8	term 'wholesale acquisition cost' has the meaning
9	given such term in section $1847A(c)(6)(B)$ of the
10	Social Security Act."; and
11	(2) in section 2723 (42 U.S.C. 300gg–22)—
12	(A) in subsection (a)—
13	(i) in paragraph (1), by inserting
14	"(other than section 2799A–11)" after
15	"part D"; and
16	(ii) in paragraph (2), by inserting
17	"(other than section 2799A–11)" after
18	"part D"; and
19	(B) in subsection (b)—
20	(i) in paragraph (1), by inserting
21	"(other than section 2799A–11)" after
22	"part D";
23	(ii) in paragraph (2)(A), by inserting
24	"(other than section 2799A–11)" after
25	"part D"; and

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1	(iii) in paragraph (2)(C)(ii), by insert-
2	ing "(other than section 2799A–11)" after
3	"part D".
4	(b) Employee Retirement Income Security Act
5	of 1974.—
6	(1) IN GENERAL.—Subtitle B of title I of the
7	Employee Retirement Income Security Act of 1974
8	(29 U.S.C. 1021 et seq.) is amended—
9	(A) in subpart B of part 7 (29 U.S.C.
10	1185 et seq.), by adding at the end the fol-
11	lowing:
12	"SEC. 726. OVERSIGHT OF ENTITIES THAT PROVIDE PHAR-
12	
13	MACY BENEFIT MANAGEMENT SERVICES.
13	MACY BENEFIT MANAGEMENT SERVICES.
13 14	<b>MACY BENEFIT MANAGEMENT SERVICES.</b> "(a) IN GENERAL.—For plan years beginning on or
13 14 15	MACY BENEFIT MANAGEMENT SERVICES. "(a) IN GENERAL.—For plan years beginning on or after the date that is 30 months after the date of enact-
13 14 15 16	MACY BENEFIT MANAGEMENT SERVICES. "(a) IN GENERAL.—For plan years beginning on or after the date that is 30 months after the date of enact- ment of this section (referred to in this subsection and
<ol> <li>13</li> <li>14</li> <li>15</li> <li>16</li> <li>17</li> </ol>	MACY BENEFIT MANAGEMENT SERVICES. "(a) IN GENERAL.—For plan years beginning on or after the date that is 30 months after the date of enact- ment of this section (referred to in this subsection and subsection (b) as the 'effective date'), a group health plan
<ol> <li>13</li> <li>14</li> <li>15</li> <li>16</li> <li>17</li> <li>18</li> </ol>	MACY BENEFIT MANAGEMENT SERVICES. "(a) IN GENERAL.—For plan years beginning on or after the date that is 30 months after the date of enact- ment of this section (referred to in this subsection and subsection (b) as the 'effective date'), a group health plan or a health insurance issuer offering group health insur-
<ol> <li>13</li> <li>14</li> <li>15</li> <li>16</li> <li>17</li> <li>18</li> <li>19</li> </ol>	MACY BENEFIT MANAGEMENT SERVICES. "(a) IN GENERAL.—For plan years beginning on or after the date that is 30 months after the date of enact- ment of this section (referred to in this subsection and subsection (b) as the 'effective date'), a group health plan or a health insurance issuer offering group health insur- ance coverage, or an entity providing pharmacy benefit
<ol> <li>13</li> <li>14</li> <li>15</li> <li>16</li> <li>17</li> <li>18</li> <li>19</li> <li>20</li> </ol>	MACY BENEFIT MANAGEMENT SERVICES. "(a) IN GENERAL.—For plan years beginning on or after the date that is 30 months after the date of enact- ment of this section (referred to in this subsection and subsection (b) as the 'effective date'), a group health plan or a health insurance issuer offering group health insur- ance coverage, or an entity providing pharmacy benefit management services on behalf of such a plan or issuer,
<ol> <li>13</li> <li>14</li> <li>15</li> <li>16</li> <li>17</li> <li>18</li> <li>19</li> <li>20</li> <li>21</li> </ol>	MACY BENEFIT MANAGEMENT SERVICES. "(a) IN GENERAL.—For plan years beginning on or after the date that is 30 months after the date of enact- ment of this section (referred to in this subsection and subsection (b) as the 'effective date'), a group health plan or a health insurance issuer offering group health insur- ance coverage, or an entity providing pharmacy benefit management services on behalf of such a plan or issuer, shall not enter into a contract, including an extension or

"(1) not limit or delay the disclosure of infor-1 2 mation to the group health plan (including such a 3 plan offered through a health insurance issuer) in 4 such a manner that prevents an entity providing 5 pharmacy benefit management services on behalf of 6 a group health plan or health insurance issuer offer-7 ing group health insurance coverage from making 8 the reports described in subsection (b); and

9 "(2) provide the entity providing pharmacy ben-10 efit management services on behalf of a group health 11 plan or health insurance issuer relevant information 12 necessary to make the reports described in sub-13 section (b).

14 "(b) Reports.—

15 "(1) IN GENERAL.—For plan years beginning 16 on or after the effective date, in the case of any con-17 tract between a group health plan or a health insur-18 ance issuer offering group health insurance coverage 19 offered in connection with such a plan and an entity 20 providing pharmacy benefit management services on 21 behalf of such plan or issuer, including an extension 22 or renewal of such a contract, entered into on or 23 after the effective date, the entity providing phar-24 macy benefit management services on behalf of such 25 a group health plan or health insurance issuer, not

1 less frequently than every 6 months (or, at the re-2 quest of a group health plan, not less frequently than quarterly, and under the same conditions, 3 4 terms, and cost of the semiannual report under this 5 subsection), shall submit to the group health plan a 6 report in accordance with this section. Each such report shall be made available to such group health 7 8 plan in plain language, in a machine-readable for-9 mat, and as the Secretary may determine, other for-10 mats. Each such report shall include the information 11 described in paragraph (2).

12 "(2) INFORMATION DESCRIBED.—For purposes 13 of paragraph (1), the information described in this 14 paragraph is, with respect to drugs covered by a 15 group health plan or group health insurance cov-16 erage offered by a health insurance issuer in connec-17 tion with a group health plan during each reporting 18 period—

"(A) in the case of a group health plan
that is offered by a specified large employer or
that is a specified large plan, and is not offered
as health insurance coverage, or in the case of
health insurance coverage for which the election
under paragraph (3) is made for the applicable
reporting period—

"(i) a list of drugs for which a claim 1 2 was filed and, with respect to each such 3 drug on such list— "(I) the contracted compensation 4 paid by the group health plan or 5 6 health insurance issuer for each cov-7 ered drug (identified by the National 8 Drug Code) to the entity providing 9 pharmacy benefit management serv-10 ices or other applicable entity on be-11 half of the group health plan or health 12 insurance issuer; 13 "(II) the contracted compensa-14 tion paid to the pharmacy, by any en-15 tity providing pharmacy benefit man-16 agement services or other applicable 17 entity on behalf of the group health 18 plan or health insurance issuer, for 19 each covered drug (identified by the 20 National Drug Code); "(III) for each such claim, the 21

21 "(III) for each such claim, the 22 difference between the amount paid 23 under subclause (I) and the amount 24 paid under subclause (II);

- "(IV) the proprietary name, es-1 2 tablished name or proper name, and 3 National Drug Code; "(V) for each claim for the drug 4 5 (including original prescriptions and 6 refills) and for each dosage unit of the 7 drug for which a claim was filed, the type of dispensing channel used to 8 9 furnish the drug, including retail, mail 10 order, or specialty pharmacy; "(VI) with respect to each drug 11 12 dispensed, for each type of dispensing 13 channel (including retail, mail order, 14 or specialty pharmacy)— "(aa) whether such drug is a 15 brand name drug or a generic 16 17 drug, and-"(AA) in the case of a 18 brand name drug, the whole-19 20 sale acquisition cost, listed as cost per days supply and 21 22 cost per dosage unit, on the 23 date such drug was dis
  - pensed; and

1	"(BB) in the case of a
2	generic drug, the average
3	wholesale price, listed as
4	cost per days supply and
5	cost per dosage unit, on the
6	date such drug was dis-
7	pensed; and
8	"(bb) the total number of—
9	"(AA) prescription
10	claims (including original
11	prescriptions and refills);
12	"(BB) participants and
13	beneficiaries for whom a
14	claim for such drug was
15	filed through the applicable
16	dispensing channel;
17	"(CC) dosage units and
18	dosage units per fill of such
19	drug; and
20	"(DD) days supply of
21	such drug per fill;
22	"(VII) the net price per course of
23	treatment or single fill, such as a 30-
24	day supply or 90-day supply to the
25	plan or coverage after rebates, fees,

1	alternative discounts, or other remu-
2	neration received from applicable enti-
3	ties;

4	"(VIII) the total amount of out-
5	of-pocket spending by participants
6	and beneficiaries on such drug, in-
7	cluding spending through copayments,
8	coinsurance, and deductibles, but not
9	including any amounts spent by par-
10	ticipants and beneficiaries on drugs
11	not covered under the plan or cov-
12	erage, or for which no claim is sub-
13	mitted under the plan or coverage;

14 "(IX) the total net spending on15 the drug;

"(X) the total amount received, or expected to be received, by the plan or issuer from any applicable entity in rebates, fees, alternative discounts, or other remuneration;

21 "(XI) the total amount received,
22 or expected to be received, by the enti23 ty providing pharmacy benefit man24 agement services, from applicable en25 titles, in rebates, fees, alternative dis-

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1	counts, or other remuneration from
2	such entities—
3	"(aa) for claims incurred
4	during the reporting period; and
5	"(bb) that is related to utili-
6	zation of such drug or spending
7	on such drug; and
8	"(XII) to the extent feasible, in-
9	formation on the total amount of re-
10	muneration for such drug, including
11	copayment assistance dollars paid, co-
12	payment cards applied, or other dis-
13	counts provided by each drug manu-
14	facturer (or entity administering co-
15	payment assistance on behalf of such
16	drug manufacturer), to the partici-
17	pants and beneficiaries enrolled in
18	such plan or coverage;
19	"(ii) a list of each therapeutic class
20	(as defined by the Secretary) for which a
21	claim was filed under the group health
22	plan or health insurance coverage during
23	the reporting period, and, with respect to
24	each such the rapeutic class—

1	"(I) the total gross spending on
2	drugs in such class before rebates,
3	price concessions, alternative dis-
4	counts, or other remuneration from
5	applicable entities;
6	"(II) the net spending in such
7	class after such rebates, price conces-
8	sions, alternative discounts, or other
9	remuneration from applicable entities;
10	"(III) the total amount received,
11	or expected to be received, by the enti-
12	ty providing pharmacy benefit man-
13	agement services, from applicable en-
14	tities, in rebates, fees, alternative dis-
15	counts, or other remuneration from
16	such entities—
17	"(aa) for claims incurred
18	during the reporting period; and
19	"(bb) that is related to utili-
20	zation of drugs or drug spending;
21	"(IV) the average net spending
22	per 30-day supply and per 90-day
23	supply by the plan or by the issuer
24	with respect to such coverage and its
25	participants and beneficiaries, among

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1	all drugs within the therapeutic class
2	for which a claim was filed during the
3	reporting period;
4	"(V) the number of participants
5	and beneficiaries who filled a prescrip-
6	tion for a drug in such class, includ-
7	ing the National Drug Code for each
8	such drug;
9	"(VI) if applicable, a description
10	of the formulary tiers and utilization
11	mechanisms (such as prior authoriza-
12	tion or step therapy) employed for
13	drugs in that class; and
14	"(VII) the total out-of-pocket
15	spending under the plan or coverage
16	by participants and beneficiaries, in-
17	cluding spending through copayments,
18	coinsurance, and deductibles, but not
19	including any amounts spent by par-
20	ticipants and beneficiaries on drugs
21	not covered under the plan or cov-
22	erage or for which no claim is sub-
23	mitted under the plan or coverage;
24	"(iii) with respect to any drug for
25	which gross spending under the group

1	health plan or health insurance coverage
2	exceeded \$10,000 during the reporting pe-
3	riod or, in the case that gross spending
4	under the group health plan or coverage
5	exceeded \$10,000 during the reporting pe-
6	riod with respect to fewer than 50 drugs,
7	with respect to the 50 prescription drugs
8	with the highest spending during the re-
9	porting period—
10	"(I) a list of all other drugs in
11	the same therapeutic class as such
12	drug;
13	$((\Pi)$ if applicable, the rationale
14	for the formulary placement of such
15	drug in that therapeutic category or
16	class, selected from a list of standard
17	rationales established by the Sec-
18	retary, in consultation with stake-
19	holders; and
20	"(III) any change in formulary
21	placement compared to the prior plan
22	year; and
23	"(iv) in the case that such plan or
24	issuer (or an entity providing pharmacy
25	benefit management services on behalf of

3ship, including mandatory mail and specialty home delivery programs, retail and mail auto-refill programs, and cost sharin assistance incentives funded by an entity providing pharmacy benefit services— 86assistance incentives funded by an entity providing pharmacy benefit services—8"(I) an explanation of any benefit efit design parameters that encourage or require participants and benefit ficiaries in the plan or coverage to fit prescriptions at mail order, specialty or retail pharmacies;14"(II) the percentage of total pre- scriptions dispensed by such pharmacies in such plan or coverage; and "(III) a list of all drugs dispensed by such pharmacies to participants or beneficiaries pants or beneficiaries enrolled in such plan or coverage, and, with respect to each drug dispensed— 23	1	such plan or issuer) has an affiliated phar-
4cialty home delivery programs, retail and mail auto-refill programs, and cost sharin assistance incentives funded by an entit providing pharmacy benefit services— 87providing pharmacy benefit services— 88"(I) an explanation of any ben 99efit design parameters that encourag 1010or require participants and bene ficiaries in the plan or coverage to fi prescriptions at mail order, specialty 1313or retail pharmacies;14"(II) the percentage of total pro- scriptions dispensed by such phar nacies to participants or beneficiarie in such plan or coverage; and18"(III) a list of all drugs dis- pensed by such pharmacies to participants or beneficiarie in such plan or coverage, and, with respect to pants or beneficiaries enrolled in suc- 2122each drug dispensed—23"(aa) the amount charged	2	macy or pharmacy under common owner-
5mail auto-refill programs, and cost sharin6assistance incentives funded by an entit7providing pharmacy benefit services—8"(I) an explanation of any ben9efit design parameters that encourag10or require participants and bene11ficiaries in the plan or coverage to fi12prescriptions at mail order, specialty13or retail pharmacies;14"(II) the percentage of total pre-15scriptions dispensed by such phar16macies to participants or beneficiarie17in such plan or coverage; and18"(III) a list of all drugs dis19pensed by such pharmacies to participants or beneficiaries20pants or beneficiaries enrolled in such21plan or coverage, and, with respect the22each drug dispensed—23"(aa) the amount charged	3	ship, including mandatory mail and spe-
6assistance incentives funded by an entity7providing pharmacy benefit services—8"(I) an explanation of any benefit design parameters that encourage9efit design parameters that encourage10or require participants and benefit11ficiaries in the plan or coverage to fit12prescriptions at mail order, speciality13or retail pharmacies;14"(II) the percentage of total prodimension dispensed by such pharmacies15scriptions dispensed by such pharmacies to participants or beneficiaries17in such plan or coverage; and18"(III) a list of all drugs dispensed by such pharmacies to participants or beneficiaries20pants or beneficiaries enrolled in such21plan or coverage, and, with respect the each drug dispensed—23"(aa) the amount charged	4	cialty home delivery programs, retail and
7providing pharmacy benefit services—8"(I) an explanation of any benefit9efit design parameters that encourage10or require participants and benefit11ficiaries in the plan or coverage to fit12prescriptions at mail order, specialty13or retail pharmacies;14"(II) the percentage of total prescriptions dispensed by such pharmacies to participants or beneficiaries16macies to participants or beneficiaries17in such plan or coverage; and18"(III) a list of all drugs dis19pensed by such pharmacies to participants or beneficiaries20pants or beneficiaries enrolled in such21plan or coverage, and, with respect the22each drug dispensed—23"(aa) the amount charged	5	mail auto-refill programs, and cost sharing
8"(I) an explanation of any ben9efit design parameters that encourag10or require participants and bene11ficiaries in the plan or coverage to fi12prescriptions at mail order, specialty13or retail pharmacies;14"(II) the percentage of total pre15scriptions dispensed by such phar16macies to participants or beneficiarie17in such plan or coverage; and18"(III) a list of all drugs dis19pensed by such pharmacies to participants or beneficiaries20pants or beneficiaries enrolled in such21plan or coverage, and, with respect the22each drug dispensed—23"(aa) the amount charged	6	assistance incentives funded by an entity
9efit design parameters that encourag10or require participants and bence11ficiaries in the plan or coverage to fi12prescriptions at mail order, specialty13or retail pharmacies;14"(II) the percentage of total prescriptions dispensed by such pharmacies15scriptions dispensed by such pharmacies to participants or beneficiarie16macies to participants or beneficiarie17in such plan or coverage; and18"(III) a list of all drugs dis19pensed by such pharmacies to participants or beneficiaries20pants or beneficiaries enrolled in such21plan or coverage, and, with respect the22each drug dispensed—23"(aa) the amount charged	7	providing pharmacy benefit services—
10or require participants and bence11ficiaries in the plan or coverage to fi12prescriptions at mail order, specialty13or retail pharmacies;14"(II) the percentage of total prescriptions dispensed by such phane15scriptions dispensed by such phane16macies to participants or beneficiaries17in such plan or coverage; and18"(III) a list of all drugs distensed by such pharmacies to participants or beneficiaries20pants or beneficiaries enrolled in such21plan or coverage, and, with respect the each drug dispensed—23"(aa) the amount charged	8	"(I) an explanation of any ben-
11ficiaries in the plan or coverage to fi12prescriptions at mail order, specialty13or retail pharmacies;14"(II) the percentage of total prescriptions dispensed by such pharmacies15scriptions dispensed by such pharmacies to participants or beneficiaries16macies to participants or beneficiaries17in such plan or coverage; and18"(III) a list of all drugs dispensed by such pharmacies to participants or beneficiaries20pants or beneficiaries enrolled in such21plan or coverage, and, with respect the each drug dispensed—23"(aa) the amount charged	9	efit design parameters that encourage
12prescriptions at mail order, specialty13or retail pharmacies;14"(II) the percentage of total presses15scriptions dispensed by such pharmacies16macies to participants or beneficiaries17in such plan or coverage; and18"(III) a list of all drugs disses19pensed by such pharmacies to participants or beneficiaries20pants or beneficiaries enrolled in such21plan or coverage, and, with respect the22each drug dispensed—23"(aa) the amount charged	10	or require participants and bene-
13or retail pharmacies;14"(II) the percentage of total pressed15scriptions dispensed by such pharmacies16macies to participants or beneficiaries17in such plan or coverage; and18"(III) a list of all drugs distriction19pensed by such pharmacies to participants or beneficiaries20pants or beneficiaries enrolled in such21plan or coverage, and, with respect the22each drug dispensed—23"(aa) the amount charged	11	ficiaries in the plan or coverage to fill
14"(II) the percentage of total press15scriptions dispensed by such phane16macies to participants or beneficiaries17in such plan or coverage; and18"(III) a list of all drugs dist19pensed by such pharmacies to participants or beneficiaries20pants or beneficiaries enrolled in such21plan or coverage, and, with respect the22each drug dispensed—23"(aa) the amount charged	12	prescriptions at mail order, specialty,
15scriptions dispensed by such phan16macies to participants or beneficiaries17in such plan or coverage; and18"(III) a list of all drugs dis19pensed by such pharmacies to participants or beneficiaries enrolled in such20pants or beneficiaries enrolled in such21plan or coverage, and, with respect the22each drug dispensed—23"(aa) the amount charged	13	or retail pharmacies;
16macies to participants or beneficiarie17in such plan or coverage; and18"(III) a list of all drugs dis19pensed by such pharmacies to participants or beneficiaries enrolled in such20pants or beneficiaries enrolled in such21plan or coverage, and, with respect the22each drug dispensed—23"(aa) the amount charged	14	"(II) the percentage of total pre-
<ul> <li>in such plan or coverage; and</li> <li>"(III) a list of all drugs dis</li> <li>pensed by such pharmacies to particle</li> <li>pants or beneficiaries enrolled in such</li> <li>plan or coverage, and, with respect the</li> <li>each drug dispensed—</li> <li>"(aa) the amount charged</li> </ul>	15	scriptions dispensed by such phar-
<ul> <li>18 "(III) a list of all drugs dis</li> <li>19 pensed by such pharmacies to participants or beneficiaries enrolled in such plan or coverage, and, with respect the each drug dispensed—</li> <li>23 "(aa) the amount charged</li> </ul>	16	macies to participants or beneficiaries
19pensed by such pharmacies to particle20pants or beneficiaries enrolled in such21plan or coverage, and, with respect the22each drug dispensed—23"(aa) the amount charged	17	in such plan or coverage; and
20pants or beneficiaries enrolled in such21plan or coverage, and, with respect the22each drug dispensed—23"(aa) the amount charged	18	"(III) a list of all drugs dis-
<ul> <li>21 plan or coverage, and, with respect t</li> <li>22 each drug dispensed—</li> <li>23 "(aa) the amount charged</li> </ul>	19	pensed by such pharmacies to partici-
<ul> <li>22 each drug dispensed—</li> <li>23 "(aa) the amount charged</li> </ul>	20	pants or beneficiaries enrolled in such
23 "(aa) the amount charged	21	plan or coverage, and, with respect to
	22	each drug dispensed—
24 per dosage unit, per 30-day sup	23	"(aa) the amount charged,
	24	per dosage unit, per 30-day sup-
25 ply, or per 90-day supply (as ap	25	ply, or per 90-day supply (as ap-

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plicable) to the plan or issuer, and to participants and beneficiaries;

"(bb) the median amount 4 5 charged to such plan or issuer, 6 and the interquartile range of the 7 costs, per dosage unit, per 30-8 day supply, and per 90-day sup-9 ply, including amounts paid by 10 the participants and bene-11 ficiaries, when the same drug is dispensed by other pharmacies 12 13 that are not affiliated with or 14 under common ownership with 15 the entity and that are included 16 in the pharmacy network of such 17 plan or coverage; 18 "(cc) the lowest cost per

19dosage unit, per 30-day supply20and per 90-day supply, for each21such drug, including amounts22charged to the plan or coverage23and to participants and bene-24ficiaries, that is available from25any pharmacy included in the

1	network of such plan or coverage;
2	and
3	"(dd) the net acquisition
4	cost per dosage unit, per 30-day
5	supply, and per 90-day supply, if
6	such drug is subject to a max-
7	imum price discount; and
8	"(B) with respect to any group health
9	plan, including group health insurance coverage
10	offered in connection with such a plan, regard-
11	less of whether the plan or coverage is offered
12	by a specified large employer or whether it is a
13	specified large plan—
14	"(i) a summary document for the
15	group health plan that includes such infor-
16	mation described in clauses (i) through (iv)
17	of subparagraph (A), as specified by the
18	Secretary through guidance, program in-
19	struction, or otherwise (with no require-
20	ment of notice and comment rulemaking),
21	that the Secretary determines useful to
22	group health plans for purposes of select-
23	ing pharmacy benefit management serv-
24	ices, such as an estimated net price to
25	group health plan and participant or bene-

- 1 ficiary, a cost per claim, the fee structure 2 or reimbursement model, and estimated 3 cost per participant or beneficiary; "(ii) a summary document for plans 4 5 and issuers to provide to participants and 6 beneficiaries, which shall be made available 7 to participants or beneficiaries upon re-8 quest to their group health plan (including 9 in the case of group health insurance cov-10 erage offered in connection with such a 11 plan), that— 12 "(I) contains such information 13 described in clauses (iii), (iv), (v), and 14 (vi), as applicable, as specified by the 15 Secretary through guidance, program instruction, or otherwise (with no re-16 17 quirement of notice and comment 18 rulemaking) that the Secretary deter-19 mines useful to participants or bene-20 ficiaries in better understanding the plan or coverage or benefits under 21
- such plan or coverage;
  "(II) contains only aggregate information; and

1	"(III) states that participants
2	and beneficiaries may request specific,
3	claims-level information required to be
4	furnished under subsection (c) from
5	the group health plan or health insur-
6	ance issuer; and
7	"(iii) with respect to drugs covered by
8	such plan or coverage during such report-
9	ing period—
10	"(I) the total net spending by the
11	plan or coverage for all such drugs;
12	"(II) the total amount received,
13	or expected to be received, by the plan
14	or issuer from any applicable entity in
15	rebates, fees, alternative discounts, or
16	other remuneration; and
17	"(III) to the extent feasible, in-
18	formation on the total amount of re-
19	muneration for such drugs, including
20	copayment assistance dollars paid, co-
21	payment cards applied, or other dis-
22	counts provided by each drug manu-
23	facturer (or entity administering co-
24	payment assistance on behalf of such

- 1 drug manufacturer) to participants 2 and beneficiaries; "(iv) amounts paid directly or indi-3 rectly in rebates, fees, or any other type of 4 (as defined 5 compensation in section 6 408(b)(2)(B)(ii)(dd)(AA))to brokerage 7 firms, brokers, consultants, advisors, or 8 any other individual or firm, for-9 "(I) the referral of the group 10 health plan's or health insurance 11 issuer's business to an entity pro-12 viding pharmacy benefit management 13 services, including the identity of the 14 recipient of such amounts; "(II) consideration of the entity 15 16 providing pharmacy benefit manage-17 ment services by the group health 18 plan or health insurance issuer; or "(III) the retention of the entity 19 20 by the group health plan or health in-21 surance issuer; 22 "(v) an explanation of any benefit de-23 sign parameters that encourage or require
  - participants and beneficiaries in such plan or coverage to fill prescriptions at mail

1 order, specialty, or retail pharmacies that 2 are affiliated with or under common ownership with the entity providing pharmacy 3 4 benefit management services under such 5 plan or coverage, including mandatory mail 6 and specialty home delivery programs, retail and mail auto-refill programs, and 7 8 cost-sharing assistance incentives directly 9 or indirectly funded by such entity; and 10 "(vi) total gross spending on all drugs 11 under the plan or coverage during the re-12 porting period. "(3) Opt-in for group health insurance 13 14 COVERAGE OFFERED BY A SPECIFIED LARGE EM-15 PLOYER OR THAT IS A SPECIFIED LARGE PLAN.-In 16 the case of group health insurance coverage offered 17 in connection with a group health plan that is of-18 fered by a specified large employer or is a specified 19 large plan, such group health plan may, on an an-20 nual basis, for plan years beginning on or after the 21 date that is 30 months after the date of enactment 22 of this section, elect to require an entity providing 23 pharmacy benefit management services on behalf of

the health insurance issuer to submit to such grouphealth plan a report that includes all of the informa-

1	tion described in paragraph (2)(A), in addition to
2	the information described in paragraph (2)(B).
3	"(4) PRIVACY REQUIREMENTS.—
4	"(A) IN GENERAL.—An entity providing
5	pharmacy benefit management services on be-
6	half of a group health plan or a health insur-
7	ance issuer offering group health insurance cov-
8	erage shall report information under paragraph
9	(1) in a manner consistent with the privacy reg-
10	ulations promulgated under section 13402(a) of
11	the Health Information Technology for Eco-
12	nomic and Clinical Health Act (42 U.S.C.
13	17932(a)) and consistent with the privacy regu-
14	lations promulgated under the Health Insur-
15	ance Portability and Accountability Act of 1996
16	in part 160 and subparts A and E of part 164
17	of title 45, Code of Federal Regulations (or suc-
18	cessor regulations) (referred to in this para-
19	graph as the 'HIPAA privacy regulations') and
20	shall restrict the use and disclosure of such in-
21	formation according to such privacy regulations
22	and such HIPAA privacy regulations.
23	"(B) Additional requirements.—
24	"(i) IN GENERAL.—An entity pro-
25	viding pharmacy benefit management serv-

1	ices on behalf of a group health plan or
2	health insurance issuer offering group
3	health insurance coverage that submits a
4	report under paragraph (1) shall ensure
5	that such report contains only summary
6	health information, as defined in section
7	164.504(a) of title 45, Code of Federal
8	Regulations (or successor regulations).
9	"(ii) RESTRICTIONS.—In carrying out
10	this subsection, a group health plan shall
11	comply with section 164.504(f) of title 45,
12	Code of Federal Regulations (or a suc-
13	cessor regulation), and a plan sponsor shall
14	act in accordance with the terms of the
15	agreement described in such section.
16	"(C) Rule of construction.—
17	"(i) Nothing in this section shall be
18	construed to modify the requirements for
19	the creation, receipt, maintenance, or
20	transmission of protected health informa-
21	tion under the HIPAA privacy regulations.
22	"(ii) Nothing in this section shall be
23	construed to affect the application of any
24	Federal or State privacy or civil rights law,
25	including the HIPAA privacy regulations,

the Genetic Information Nondiscrimination
Act of 2008 (Public Law 110–233) (in-
cluding the amendments made by such
Act), the Americans with Disabilities Act
of 1990 (42 U.S.C. 12101 et sec), section
504 of the Rehabilitation Act of $1973$ (29)
U.S.C. 794), section 1557 of the Patient
Protection and Affordable Care Act (42
U.S.C. 18116), title VI of the Civil Rights
Act of 1964 (42 U.S.C. 2000d), and title
VII of the Civil Rights Act of 1964 (42
U.S.C. 2000e).
"(D) WRITTEN NOTICE.—Each plan year,
group health plans, including with respect to
group health insurance coverage offered in con-
nection with a group health plan, shall provide
to each participant or beneficiary written notice
informing the participant or beneficiary of the
requirement for entities providing pharmacy
benefit management services on behalf of the
group health plan or health insurance issuer of-
fering group health insurance coverage to sub-
mit reports to group health plans under para-
graph (1), as applicable, which may include in-
corporating such notification in plan documents

1	provided to the participant or beneficiary, or
2	providing individual notification.
3	"(E) LIMITATION TO BUSINESS ASSOCI-
4	ATES.—A group health plan receiving a report
5	under paragraph (1) may disclose such informa-
6	tion only to the entity from which the report
7	was received or to that entity's business associ-
8	ates as defined in section 160.103 of title 45,
9	Code of Federal Regulations (or successor regu-
10	lations) or as permitted by the HIPAA privacy
11	regulations.
12	"(F) CLARIFICATION REGARDING PUBLIC
13	DISCLOSURE OF INFORMATION.—Nothing in
14	this section shall prevent an entity providing
15	pharmacy benefit management services on be-
16	half of a group health plan or health insurance
17	issuer offering group health insurance coverage,
18	from placing reasonable restrictions on the pub-
19	lic disclosure of the information contained in a
20	report described in paragraph (1), except that
21	such plan, issuer, or entity may not—
22	"(i) restrict disclosure of such report
23	to the Department of Health and Human
24	Services, the Department of Labor, or the
25	Department of the Treasury; or

1	"(ii) prevent disclosure for the pur-
2	poses of subsection (c), or any other public
3	disclosure requirement under this section.
4	"(G) LIMITED FORM OF REPORT.—The
5	Secretary shall define through rulemaking a
6	limited form of the report under paragraph $(1)$
7	required with respect to any group health plan
8	established by a plan sponsor that is, or is af-
9	filiated with, a drug manufacturer, drug whole-
10	saler, or other direct participant in the drug
11	supply chain, in order to prevent anti-competi-
12	tive behavior.
13	"(5) Standard format and regulations.—
14	"(A) IN GENERAL.—Not later than 18
15	months after the date of enactment of this sec-

months after the date of enactment of this section, the Secretary shall specify through rulemaking a standard format for entities providing
pharmacy benefit management services on behalf of group health plans and health insurance
issuers offering group health insurance coverage, to submit reports required under paragraph (1).

23 "(B) ADDITIONAL REGULATIONS.—Not
24 later than 18 months after the date of enact25 ment of this section, the Secretary shall,

1 through rulemaking, promulgate any other final 2 regulations necessary to implement the requirements of this section. In promulgating such 3 4 regulations, the Secretary shall, to the extent 5 practicable, align the reporting requirements 6 under this section with the reporting require-7 ments under section 725. "(c) REQUIREMENT TO PROVIDE INFORMATION TO 8 9 PARTICIPANTS OR BENEFICIARIES.—A group health plan, including with respect to group health insurance coverage 10 11 offered in connection with a group health plan, upon re-12 quest of a participant or beneficiary, shall provide to such 13 participant or beneficiary— 14 "(1) the summary document described in sub-15 section (b)(2)(B)(ii); and "(2) the information described in subsection 16 17 (b)(2)(A)(i)(III) with respect to a claim made by or 18 on behalf of such participant or beneficiary. 19 "(d) RULE OF CONSTRUCTION.—Nothing in this sec-20 tion shall be construed to permit a health insurance issuer, 21 group health plan, entity providing pharmacy benefit man-22 agement services on behalf of a group health plan or 23 health insurance issuer, or other entity to restrict disclo-24 sure to, or otherwise limit the access of, the Secretary to 25 a report described in subsection (b)(1) or information re-

1	
1	lated to compliance with subsections (a), (b), or (c) of this
2	section or section $502(c)(13)$ by such issuer, plan, or enti-
3	ty.
4	"(e) DEFINITIONS.—In this section:
5	"(1) Applicable entity.—The term 'applica-
6	ble entity' means—
7	"(A) an applicable group purchasing orga-
8	nization, drug manufacturer, distributor, whole-
9	saler, rebate aggregator (or other purchasing
10	entity designed to aggregate rebates), or associ-
11	ated third party;
12	"(B) any subsidiary, parent, affiliate, or
13	subcontractor of a group health plan, health in-
14	surance issuer, entity that provides pharmacy
15	benefit management services on behalf of such
16	a plan or issuer, or any entity described in sub-
17	paragraph (A); or
18	"(C) such other entity as the Secretary
19	may specify through rulemaking.
20	"(2) Applicable group purchasing organi-
21	ZATION.—The term 'applicable group purchasing or-
22	ganization' means a group purchasing organization
23	that is affiliated with or under common ownership
24	with an entity providing pharmacy benefit manage-
25	ment services.

"(3) CONTRACTED COMPENSATION.—The term
"contracted compensation' means the sum of any ingredient cost and dispensing fee for a drug (inclusive
of the out-of-pocket costs to the participant or beneficiary), or another analogous compensation structure that the Secretary may specify through regulations.

(4)GROSS SPENDING.—The 8 term 'gross 9 spending', with respect to prescription drug benefits 10 under a group health plan or health insurance cov-11 erage, means the amount spent by a group health 12 plan or health insurance issuer on prescription drug 13 benefits, calculated before the application of rebates, 14 fees, alternative discounts, or other remuneration.

15 "(5) NET SPENDING.—The term 'net spending',
16 with respect to prescription drug benefits under a
17 group health plan or health insurance coverage,
18 means the amount spent by a group health plan or
19 health insurance issuer on prescription drug bene20 fits, calculated after the application of rebates, fees,
21 alternative discounts, or other remuneration.

22 "(6) PLAN SPONSOR.—The term 'plan sponsor'
23 has the meaning given such term in section
24 3(16)(B).

"(7) REMUNERATION.—The term 'remunera tion' has the meaning given such term by the Sec retary through rulemaking, which shall be reevalu ated by the Secretary every 5 years.

5 "(8) SPECIFIED LARGE EMPLOYER.—The term 6 'specified large employer' means, in connection with 7 a group health plan (including group health insur-8 ance coverage offered in connection with such a 9 plan) established or maintained by a single em-10 ployer, with respect to a calendar year or a plan 11 year, as applicable, an employer who employed an 12 average of at least 100 employees on business days 13 during the preceding calendar year or plan year and 14 who employs at least 1 employee on the first day of 15 the calendar year or plan year.

"(9) Specified large plan.—The term 'spec-16 17 ified large plan' means a group health plan (includ-18 ing group health insurance coverage offered in con-19 nection with such a plan) established or maintained 20 by a plan sponsor described in clause (ii) or (iii) of 21 section 3(16)(B) that had an average of at least 100 22 participants on business days during the preceding 23 calendar year or plan year, as applicable.

24 "(10) WHOLESALE ACQUISITION COST.—The
25 term 'wholesale acquisition cost' has the meaning

1	given such term in section $1847A(c)(6)(B)$ of the
2	Social Security Act (42 U.S.C. 1395w-
3	3a(c)(6)(B)).";
4	(B) in section 502 (29 U.S.C. 1132)—
5	(i) in subsection $(a)(6)$ , by striking
6	"or (9)" and inserting "(9), or (13)";
7	(ii) in subsection $(b)(3)$ , by striking
8	"under subsection $(c)(9)$ " and inserting
9	"under paragraphs $(9)$ and $(13)$ of sub-
10	section (c)"; and
11	(iii) in subsection (c), by adding at
12	the end the following:
13	"(13) Secretarial enforcement authority
14	RELATING TO OVERSIGHT OF PHARMACY BENEFIT
15	MANAGEMENT SERVICES.—
16	"(A) FAILURE TO PROVIDE INFORMA-
17	TION.—The Secretary may impose a penalty
18	against a plan administrator of a group health
19	plan, a health insurance issuer offering group
20	health insurance coverage, or an entity pro-
21	viding pharmacy benefit management services
22	on behalf of such a plan or issuer, or an appli-
23	cable entity (as defined in section $726(f)$ ) that
24	violates section 726(a); an entity providing
25	pharmacy benefit management services on be-

1	half of such a plan or issuer that fails to pro-
2	vide the information required under section
3	726(b); or any person who causes a group
4	health plan to fail to provide the information
5	required under section 726(c), in the amount of
6	\$10,000 for each day during which such viola-
7	tion continues or such information is not dis-
8	closed or reported.
9	"(B) False information.—The Sec-
10	retary may impose a penalty against a plan ad-
11	ministrator of a group health plan a health in-

1( 11 ministrator of a group health plan, a health in-12 surance issuer offering group health insurance coverage, an entity providing pharmacy benefit 13 14 management services, or an applicable entity 15 (as defined in section 726(f)) that knowingly provides false information under section 726, in 16 17 an amount not to exceed \$100,000 for each 18 item of false information. Such penalty shall be 19 in addition to other penalties as may be pre-20 scribed by law.

21 "(C) WAIVERS.—The Secretary may waive
22 penalties under subparagraph (A), or extend
23 the period of time for compliance with a re24 quirement of this section, for an entity in viola25 tion of section 726 that has made a good-faith

1	effort to comply with the requirements of sec-
2	tion 726."; and
3	(C) in section 732(a) (29 U.S.C.
4	1191a(a)), by striking "section 711" and in-
5	serting "sections 711 and 726".
6	(2) CLERICAL AMENDMENT.—The table of con-
7	tents in section 1 of the Employee Retirement In-
8	come Security Act of 1974 (29 U.S.C. 1001 et seq.)
9	is amended by inserting after the item relating to
10	section 725 the following new item:
	"Sec. 726. Oversight of entities that provide pharmacy benefit management services.".
11	(c) INTERNAL REVENUE CODE OF 1986.—
12	(1) IN GENERAL.—Chapter 100 of the Internal
13	Revenue Code of 1986 is amended—
14	(A) by adding at the end of subchapter B
15	the following:
16	"SEC. 9826. OVERSIGHT OF ENTITIES THAT PROVIDE PHAR-
17	MACY BENEFIT MANAGEMENT SERVICES.
18	"(a) IN GENERAL.—For plan years beginning on or
19	after the date that is 30 months after the date of enact-
20	ment of this section (referred to in this subsection and
21	subsection (b) as the 'effective date'), a group health plan,
22	or an entity providing pharmacy benefit management serv-
23	ices on behalf of such a plan, shall not enter into a con-
24	tract, including an extension or renewal of a contract, en-

tered into on or after the effective date, with an applicable
 entity unless such applicable entity agrees to—

"(1) not limit or delay the disclosure of information to the group health plan in such a manner
that prevents an entity providing pharmacy benefit
management services on behalf of a group health
plan from making the reports described in subsection (b); and

9 "(2) provide the entity providing pharmacy ben-10 efit management services on behalf of a group health 11 plan relevant information necessary to make the re-12 ports described in subsection (b).

13 "(b) Reports.—

14 "(1) IN GENERAL.—For plan years beginning 15 on or after the effective date, in the case of any con-16 tract between a group health plan and an entity pro-17 viding pharmacy benefit management services on be-18 half of such plan, including an extension or renewal 19 of such a contract, entered into on or after the effec-20 tive date, the entity providing pharmacy benefit 21 management services on behalf of such a group 22 health plan, not less frequently than every 6 months 23 (or, at the request of a group health plan, not less 24 frequently than quarterly, and under the same con-25 ditions, terms, and cost of the semiannual report

1	under this subsection), shall submit to the group
2	health plan a report in accordance with this section.
3	Each such report shall be made available to such
4	group health plan in plain language, in a machine-
5	readable format, and as the Secretary may deter-
6	mine, other formats. Each such report shall include
7	the information described in paragraph (2).
8	"(2) INFORMATION DESCRIBED.—For purposes
9	of paragraph (1), the information described in this
10	paragraph is, with respect to drugs covered by a
11	group health plan during each reporting period—
12	"(A) in the case of a group health plan
13	that is offered by a specified large employer or
14	that is a specified large plan, and is not offered
15	as health insurance coverage, or in the case of
16	health insurance coverage for which the election
17	under paragraph (3) is made for the applicable
18	reporting period—
19	"(i) a list of drugs for which a claim
20	was filed and, with respect to each such
21	drug on such list—
22	"(I) the contracted compensation
23	paid by the group health plan for each
24	covered drug (identified by the Na-
25	tional Drug Code) to the entity pro-

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1	viding pharmacy benefit management
2	services or other applicable entity on
3	behalf of the group health plan;
4	((II) the contracted compensa-
5	tion paid to the pharmacy, by any en-
6	tity providing pharmacy benefit man-
7	agement services or other applicable
8	entity on behalf of the group health
9	plan, for each covered drug (identified
10	by the National Drug Code);
11	"(III) for each such claim, the
12	difference between the amount paid
13	under subclause (I) and the amount
14	paid under subclause (II);
15	"(IV) the proprietary name, es-
16	tablished name or proper name, and
17	National Drug Code;
18	"(V) for each claim for the drug
19	(including original prescriptions and
20	refills) and for each dosage unit of the
21	drug for which a claim was filed, the
22	type of dispensing channel used to
23	furnish the drug, including retail, mail
24	order, or specialty pharmacy;

1	"(VI) with respect to each drug
2	dispensed, for each type of dispensing
3	channel (including retail, mail order,
4	or specialty pharmacy)—
5	"(aa) whether such drug is a
6	brand name drug or a generic
7	drug, and—
8	"(AA) in the case of a
9	brand name drug, the whole-
10	sale acquisition cost, listed
11	as cost per days supply and
12	cost per dosage unit, on the
13	date such drug was dis-
14	pensed; and
15	"(BB) in the case of a
16	generic drug, the average
17	wholesale price, listed as
18	cost per days supply and
19	cost per dosage unit, on the
20	date such drug was dis-
21	pensed; and
22	"(bb) the total number of—
23	"(AA) prescription
24	claims (including original
25	prescriptions and refills);

1	"(BB) participants and
2	beneficiaries for whom a
3	claim for such drug was
4	filed through the applicable
5	dispensing channel;
6	"(CC) dosage units and
7	dosage units per fill of such
8	drug; and
9	"(DD) days supply of
10	such drug per fill;
11	"(VII) the net price per course of
12	treatment or single fill, such as a 30-
13	day supply or 90-day supply to the
14	plan after rebates, fees, alternative
15	discounts, or other remuneration re-
16	ceived from applicable entities;
17	"(VIII) the total amount of out-
18	of-pocket spending by participants
19	and beneficiaries on such drug, in-
20	cluding spending through copayments,
21	coinsurance, and deductibles, but not
22	including any amounts spent by par-
23	ticipants and beneficiaries on drugs
24	not covered under the plan, or for

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1	which no claim is submitted under the
2	plan;
3	"(IX) the total net spending on
4	the drug;
5	"(X) the total amount received,
6	or expected to be received, by the plan
7	from any applicable entity in rebates,
8	fees, alternative discounts, or other
9	remuneration;
10	"(XI) the total amount received,
11	or expected to be received, by the enti-
12	ty providing pharmacy benefit man-
13	agement services, from applicable en-
14	tities, in rebates, fees, alternative dis-
15	counts, or other remuneration from
16	such entities—
17	"(aa) for claims incurred
18	during the reporting period; and
19	"(bb) that is related to utili-
20	zation of such drug or spending
21	on such drug; and
22	"(XII) to the extent feasible, in-
23	formation on the total amount of re-
24	muneration for such drug, including
25	copayment assistance dollars paid, co-

1	payment cards applied, or other dis-
2	counts provided by each drug manu-
3	facturer (or entity administering co-
4	payment assistance on behalf of such
5	drug manufacturer), to the partici-
6	pants and beneficiaries enrolled in
7	such plan;
8	"(ii) a list of each therapeutic class
9	(as defined by the Secretary) for which a
10	claim was filed under the group health
11	plan during the reporting period, and, with
12	respect to each such the rapeutic class—
13	"(I) the total gross spending on
14	drugs in such class before rebates,
15	price concessions, alternative dis-
16	counts, or other remuneration from
17	applicable entities;
18	"(II) the net spending in such
19	class after such rebates, price conces-
20	sions, alternative discounts, or other
21	remuneration from applicable entities;
22	"(III) the total amount received,
23	or expected to be received, by the enti-
24	ty providing pharmacy benefit man-
25	agement services, from applicable en-

1	tities, in rebates, fees, alternative dis-
2	counts, or other remuneration from
3	such entities—
4	"(aa) for claims incurred
5	during the reporting period; and
6	"(bb) that is related to utili-
7	zation of drugs or drug spending;
8	"(IV) the average net spending
9	per 30-day supply and per 90-day
10	supply by the plan and its partici-
11	pants and beneficiaries, among all
12	drugs within the therapeutic class for
13	which a claim was filed during the re-
14	porting period;
15	"(V) the number of participants
16	and beneficiaries who filled a prescrip-
17	tion for a drug in such class, includ-
18	ing the National Drug Code for each
19	such drug;
20	"(VI) if applicable, a description
21	of the formulary tiers and utilization
22	mechanisms (such as prior authoriza-
23	tion or step therapy) employed for
24	drugs in that class; and

1	"(VII) the total out-of-pocket
2	spending under the plan by partici-
3	pants and beneficiaries, including
4	spending through copayments, coin-
5	surance, and deductibles, but not in-
6	cluding any amounts spent by partici-
7	pants and beneficiaries on drugs not
8	covered under the plan or for which
9	no claim is submitted under the plan;
10	"(iii) with respect to any drug for
11	which gross spending under the group
12	health plan exceeded \$10,000 during the
13	reporting period or, in the case that gross
14	spending under the group health plan ex-
15	ceeded \$10,000 during the reporting pe-
16	riod with respect to fewer than 50 drugs,
17	with respect to the 50 prescription drugs
18	with the highest spending during the re-
19	porting period—
20	"(I) a list of all other drugs in
21	the same therapeutic class as such
22	drug;
23	"(II) if applicable, the rationale
24	for the formulary placement of such
25	drug in that therapeutic category or

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1	class, selected from a list of standard
2	rationales established by the Sec-
3	retary, in consultation with stake-
4	holders; and
5	"(III) any change in formulary
6	placement compared to the prior plan
7	year; and
8	"(iv) in the case that such plan (or an
9	entity providing pharmacy benefit manage-
10	ment services on behalf of such plan) has
11	an affiliated pharmacy or pharmacy under
12	common ownership, including mandatory
13	mail and specialty home delivery programs,
14	retail and mail auto-refill programs, and
15	cost sharing assistance incentives funded
16	by an entity providing pharmacy benefit
17	services—
18	"(I) an explanation of any ben-
19	efit design parameters that encourage
20	or require participants and bene-
21	ficiaries in the plan to fill prescrip-
22	tions at mail order, specialty, or retail
23	pharmacies;
24	"(II) the percentage of total pre-
25	scriptions dispensed by such phar-

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1	macies to participants or beneficiaries
2	in such plan; and
3	"(III) a list of all drugs dis-
4	pensed by such pharmacies to partici-
5	pants or beneficiaries enrolled in such
6	plan, and, with respect to each drug
7	dispensed—
8	"(aa) the amount charged,
9	per dosage unit, per 30-day sup-
10	ply, or per 90-day supply (as ap-
11	plicable) to the plan, and to par-
12	ticipants and beneficiaries;
13	"(bb) the median amount
14	charged to such plan, and the
15	interquartile range of the costs,
16	per dosage unit, per 30-day sup-
17	ply, and per 90-day supply, in-
18	cluding amounts paid by the par-
19	ticipants and beneficiaries, when
20	the same drug is dispensed by
21	other pharmacies that are not af-
22	filiated with or under common
23	ownership with the entity and
24	that are included in the phar-
25	macy network of such plan;

1	"(cc) the lowest cost per
2	dosage unit, per 30-day supply
3	and per 90-day supply, for each
4	such drug, including amounts
5	charged to the plan and to par-
6	ticipants and beneficiaries, that
7	is available from any pharmacy
8	included in the network of such
9	plan; and
10	"(dd) the net acquisition
11	cost per dosage unit, per 30-day
12	supply, and per 90-day supply, if
13	such drug is subject to a max-
14	imum price discount; and
15	"(B) with respect to any group health
16	plan, regardless of whether the plan is offered
17	by a specified large employer or whether it is a
18	specified large plan—
19	"(i) a summary document for the
20	group health plan that includes such infor-
21	mation described in clauses (i) through (iv)
22	of subparagraph (A), as specified by the
23	Secretary through guidance, program in-
24	struction, or otherwise (with no require-
25	ment of notice and comment rulemaking),

1	that the Secretary determines useful to
2	group health plans for purposes of select-
3	ing pharmacy benefit management serv-
4	ices, such as an estimated net price to
5	group health plan and participant or bene-
6	ficiary, a cost per claim, the fee structure
7	or reimbursement model, and estimated
8	cost per participant or beneficiary;
9	"(ii) a summary document for plans
10	to provide to participants and beneficiaries,
11	which shall be made available to partici-
12	pants or beneficiaries upon request to their
13	group health plan, that—
14	((I) contains such information
15	described in clauses (iii), (iv), (v), and
16	(vi), as applicable, as specified by the
17	Secretary through guidance, program
18	instruction, or otherwise (with no re-
19	quirement of notice and comment
20	rulemaking) that the Secretary deter-
21	mines useful to participants or bene-
22	ficiaries in better understanding the
23	plan or benefits under such plan;
24	"(II) contains only aggregate in-
25	formation; and

1	"(III) states that participants
2	and beneficiaries may request specific,
3	claims-level information required to be
4	furnished under subsection (c) from
5	the group health plan; and
6	"(iii) with respect to drugs covered by
7	such plan during such reporting period—
8	"(I) the total net spending by the
9	plan for all such drugs;
10	"(II) the total amount received,
11	or expected to be received, by the plan
12	from any applicable entity in rebates,
13	fees, alternative discounts, or other
14	remuneration; and
15	"(III) to the extent feasible, in-
16	formation on the total amount of re-
17	muneration for such drugs, including
18	copayment assistance dollars paid, co-
19	payment cards applied, or other dis-
20	counts provided by each drug manu-
21	facturer (or entity administering co-
22	payment assistance on behalf of such
23	drug manufacturer) to participants
24	and beneficiaries;

1	"(iv) amounts paid directly or indi-
2	rectly in rebates, fees, or any other type of
3	compensation (as defined in section
4	408(b)(2)(B)(ii)(dd)(AA) of the Employee
5	Retirement Income Security Act (29
6	U.S.C. 1108(b)(2)(B)(ii)(dd)(AA))) to bro-
7	kerage firms, brokers, consultants, advi-
8	sors, or any other individual or firm, for-
9	"(I) the referral of the group
10	health plan's business to an entity
11	providing pharmacy benefit manage-
12	ment services, including the identity
13	of the recipient of such amounts;
14	"(II) consideration of the entity
15	providing pharmacy benefit manage-
16	ment services by the group health
17	plan; or
18	"(III) the retention of the entity
19	by the group health plan;
20	"(v) an explanation of any benefit de-
21	sign parameters that encourage or require
22	participants and beneficiaries in such plan
23	to fill prescriptions at mail order, specialty,
24	or retail pharmacies that are affiliated with
25	or under common ownership with the enti-

1	ty providing pharmacy benefit management
2	services under such plan, including manda-
3	tory mail and specialty home delivery pro-
4	grams, retail and mail auto-refill pro-
5	grams, and cost-sharing assistance incen-
6	tives directly or indirectly funded by such
7	entity; and
8	"(vi) total gross spending on all drugs
9	under the plan during the reporting period.
10	"(3) Opt-in for group health insurance
11	COVERAGE OFFERED BY A SPECIFIED LARGE EM-
12	PLOYER OR THAT IS A SPECIFIED LARGE PLAN.—In
13	the case of group health insurance coverage offered
14	in connection with a group health plan that is of-
15	fered by a specified large employer or is a specified
16	large plan, such group health plan may, on an an-
17	nual basis, for plan years beginning on or after the
18	date that is 30 months after the date of enactment
19	of this section, elect to require an entity providing
20	pharmacy benefit management services on behalf of
21	the health insurance issuer to submit to such group
22	health plan a report that includes all of the informa-
23	tion described in paragraph $(2)(A)$ , in addition to
24	the information described in paragraph (2)(B).
25	"(4) Privacy requirements.—

1	"(A) IN GENERAL.—An entity providing
2	pharmacy benefit management services on be-
3	half of a group health plan shall report infor-
4	mation under paragraph (1) in a manner con-
5	sistent with the privacy regulations promul-
6	gated under section 13402(a) of the Health In-
7	formation Technology for Economic and Clin-
8	ical Health Act (42 U.S.C. 17932(a)) and con-
9	sistent with the privacy regulations promul-
10	gated under the Health Insurance Portability
11	and Accountability Act of 1996 in part 160 and
12	subparts A and E of part 164 of title 45, Code
13	of Federal Regulations (or successor regula-
14	tions) (referred to in this paragraph as the
15	'HIPAA privacy regulations') and shall restrict
16	the use and disclosure of such information ac-
17	cording to such privacy regulations and such
18	HIPAA privacy regulations.
19	"(B) Additional requirements.—
20	"(i) IN GENERAL.—An entity pro-
21	viding pharmacy benefit management serv-
22	ices on behalf of a group health plan that
23	submits a report under paragraph (1) shall
24	ensure that such report contains only sum-
25	mary health information, as defined in sec-

1	tion 164.504(a) of title 45, Code of Fed-
2	
	eral Regulations (or successor regulations).
3	"(ii) RESTRICTIONS.—In carrying out
4	this subsection, a group health plan shall
5	comply with section 164.504(f) of title 45,
6	Code of Federal Regulations (or a suc-
7	cessor regulation), and a plan sponsor shall
8	act in accordance with the terms of the
9	agreement described in such section.
10	"(C) Rule of construction.—
11	"(i) Nothing in this section shall be
12	construed to modify the requirements for
13	the creation, receipt, maintenance, or
14	transmission of protected health informa-
15	tion under the HIPAA privacy regulations.
16	"(ii) Nothing in this section shall be
17	construed to affect the application of any
18	Federal or State privacy or civil rights law,
19	including the HIPAA privacy regulations,
20	the Genetic Information Nondiscrimination
21	Act of 2008 (Public Law 110-233) (in-
22	cluding the amendments made by such
23	Act), the Americans with Disabilities Act
24	of 1990 (42 U.S.C. 12101 et sec), section
25	504 of the Rehabilitation Act of 1973 (29

1	U.S.C. 794), section 1557 of the Patient
2	Protection and Affordable Care Act $(42)$
3	U.S.C. 18116), title VI of the Civil Rights
4	Act of 1964 (42 U.S.C. 2000d), and title
5	VII of the Civil Rights Act of 1964 (42
6	U.S.C. 2000e).
7	"(D) WRITTEN NOTICE.—Each plan year,
8	group health plans shall provide to each partici-
9	pant or beneficiary written notice informing the
10	participant or beneficiary of the requirement for
11	entities providing pharmacy benefit manage-
12	ment services on behalf of the group health
13	plan to submit reports to group health plans
14	under paragraph (1), as applicable, which may
15	include incorporating such notification in plan
16	documents provided to the participant or bene-
17	ficiary, or providing individual notification.
18	"(E) LIMITATION TO BUSINESS ASSOCI-
19	ATES.—A group health plan receiving a report
20	under paragraph (1) may disclose such informa-
21	tion only to the entity from which the report
22	was received or to that entity's business associ-
23	ates as defined in section 160.103 of title 45,
24	Code of Federal Regulations (or successor regu-

1 lations) or as permitted by the HIPAA privacy 2 regulations. 3 "(F) CLARIFICATION REGARDING PUBLIC 4 DISCLOSURE OF INFORMATION.—Nothing in 5 this section shall prevent an entity providing 6 pharmacy benefit management services on be-7 half of a group health plan, from placing rea-8 sonable restrictions on the public disclosure of 9 the information contained in a report described 10 in paragraph (1), except that such plan or enti-11 ty may not— 12 "(i) restrict disclosure of such report 13 to the Department of Health and Human 14 Services, the Department of Labor, or the 15 Department of the Treasury; or "(ii) prevent disclosure for the pur-16 17 poses of subsection (c), or any other public 18 disclosure requirement under this section. 19 "(G) LIMITED FORM OF REPORT.—The 20 Secretary shall define through rulemaking a 21 limited form of the report under paragraph (1) 22 required with respect to any group health plan 23 established by a plan sponsor that is, or is af-24 filiated with, a drug manufacturer, drug whole-

saler, or other direct participant in the drug

supply chain, in order to prevent anti-competitive behavior.

"(5) Standard format and regulations.—

4 "(A) IN GENERAL.—Not later than 18 5 months after the date of enactment of this sec-6 tion, the Secretary shall specify through rule-7 making a standard format for entities providing 8 pharmacy benefit management services on be-9 half of group health plans, to submit reports re-10 quired under paragraph (1).

11 "(B) ADDITIONAL REGULATIONS.—Not 12 later than 18 months after the date of enact-13 ment of this section, the Secretary shall, 14 through rulemaking, promulgate any other final 15 regulations necessary to implement the requirements of this section. In promulgating such 16 17 regulations, the Secretary shall, to the extent 18 practicable, align the reporting requirements 19 under this section with the reporting require-20 ments under section 9825.

21 "(c) REQUIREMENT TO PROVIDE INFORMATION TO
22 PARTICIPANTS OR BENEFICIARIES.—A group health plan,
23 upon request of a participant or beneficiary, shall provide
24 to such participant or beneficiary—

1

2

"(1) the summary document described in sub section (b)(2)(B)(ii); and

3 "(2) the information described in subsection
4 (b)(2)(A)(i)(III) with respect to a claim made by or
5 on behalf of such participant or beneficiary.

"(d) RULE OF CONSTRUCTION.—Nothing in this sec-6 7 tion shall be construed to permit a health insurance issuer, 8 group health plan, entity providing pharmacy benefit man-9 agement services on behalf of a group health plan or health insurance issuer, or other entity to restrict disclo-10 11 sure to, or otherwise limit the access of, the Secretary to 12 a report described in subsection (b)(1) or information related to compliance with subsections (a), (b), or (c) of this 13 section or section 4980D(g) by such issuer, plan, or entity. 14 15 "(e) DEFINITIONS.—In this section:

16 "(1) APPLICABLE ENTITY.—The term 'applica17 ble entity' means—

"(A) an applicable group purchasing organization, drug manufacturer, distributor, wholesaler, rebate aggregator (or other purchasing
entity designed to aggregate rebates), or associated third party;

23 "(B) any subsidiary, parent, affiliate, or
24 subcontractor of a group health plan, health in25 surance issuer, entity that provides pharmacy

1	benefit management services on behalf of such
2	a plan or issuer, or any entity described in sub-
3	paragraph (A); or
4	"(C) such other entity as the Secretary
5	may specify through rulemaking.
6	"(2) Applicable group purchasing organi-
7	ZATION.—The term 'applicable group purchasing or-
8	ganization' means a group purchasing organization
9	that is affiliated with or under common ownership
10	with an entity providing pharmacy benefit manage-
11	ment services.
12	"(3) Contracted compensation.—The term
13	'contracted compensation' means the sum of any in-
14	gredient cost and dispensing fee for a drug (inclusive
15	of the out-of-pocket costs to the participant or bene-
16	ficiary), or another analogous compensation struc-
17	ture that the Secretary may specify through regula-
18	tions.
19	"(4) GROSS SPENDING.—The term 'gross
20	spending', with respect to prescription drug benefits
21	under a group health plan, means the amount spent
22	by a group health plan on prescription drug benefits,
23	calculated before the application of rebates, fees, al-
24	ternative discounts, or other remuneration.

1	"(5) Net spending.—The term 'net spending',
2	with respect to prescription drug benefits under a
3	group health plan, means the amount spent by a
4	group health plan on prescription drug benefits, cal-
5	culated after the application of rebates, fees, alter-
6	native discounts, or other remuneration.
7	"(6) PLAN SPONSOR.—The term 'plan sponsor'
8	has the meaning given such term in section $3(16)(B)$
9	of the Employee Retirement Income Security Act of
10	1974 (29 U.S.C. 1002(16)(B)).
11	"(7) REMUNERATION.—The term 'remunera-
12	tion' has the meaning given such term by the Sec-
13	retary, through rulemaking, which shall be reevalu-
14	ated by the Secretary every 5 years.
15	"(8) Specified large employer.—The term
16	'specified large employer' means, in connection with
17	a group health plan established or maintained by a
18	single employer, with respect to a calendar year or
19	a plan year, as applicable, an employer who em-
20	ployed an average of at least 100 employees on busi-
21	ness days during the preceding calendar year or plan
22	year and who employs at least 1 employee on the
23	first day of the calendar year or plan year.
24	"(9) Specified large plan.—The term 'spec-
25	ified large plan' means a group health plan estab-

1 lished or maintained by a plan sponsor described in 2 clause (ii) or (iii) of section 3(16)(B) of the Employee Retirement Income Security Act of 1974 (29 3 4 U.S.C. 1002(16)(B)) that had an average of at least 5 100 participants on business days during the pre-6 ceding calendar year or plan year, as applicable. 7 "(10) WHOLESALE ACQUISITION COST.—The 8 term 'wholesale acquisition cost' has the meaning 9 given such term in section 1847A(c)(6)(B) of the 10 (42)U.S.C. Social Security Act 1395w-11 3a(c)(6)(B))."; 12 (2) EXCEPTION FOR CERTAIN GROUP HEALTH 13 PLANS.—Section 9831(a)(2) of the Internal Revenue 14 Code of 1986 is amended by inserting "other than with respect to section 9826," before "any group 15 16 health plan". 17 (3) ENFORCEMENT.—Section 4980D of the In-18 ternal Revenue Code of 1986 is amended by adding 19 at the end the following new subsection: 20 "(g) Application to Requirements Imposed on 21 CERTAIN ENTITIES PROVIDING PHARMACY BENEFIT 22 MANAGEMENT SERVICES.—In the case of any requirement 23 under section 9826 that applies with respect to an entity

24 providing pharmacy benefit management services on be-25 half of a group health plan, any reference in this section

1	to such group health plan (and the reference in subsection
2	(e)(1) to the employer) shall be treated as including a ref-
3	erence to such entity.".
4	(4) CLERICAL AMENDMENT.—The table of sec-
5	tions for subchapter B of chapter 100 of the Inter-
6	nal Revenue Code of 1986 is amended by adding at
7	the end the following new item:
	"Sec. 9826. Oversight of entities that provide pharmacy benefit management services.".
8	SEC. 902. FULL REBATE PASS THROUGH TO PLAN; EXCEP-
9	TION FOR INNOCENT PLAN FIDUCIARIES.
10	(a) IN GENERAL.—Section 408(b)(2) of the Em-
11	ployee Retirement Income Security Act of 1974 (29
12	U.S.C. 1108(b)(2)) is amended—
13	(1) in subparagraph (B)(viii)—
14	(A) by redesignating subclauses $(\Pi)$
15	through (IV) as subclauses (III) through (V),
16	respectively;
17	(B) in subclause (I)—
18	(i) by striking "subclause (II)" and
19	inserting "subclause (III)"; and
20	(ii) by striking "subclauses (II) and
21	(III)" and inserting "subclauses (III) and
22	(IV)"; and
23	(C) by inserting after subclause (I) the fol-
24	lowing:

1	"(II) Pursuant to subsection (a), subpara-
2	graphs (C) and (D) of section $406(a)(1)$ shall not
3	apply to a responsible plan fiduciary, notwith-
4	standing any failure to remit required amounts
5	under subparagraph (C)(i), if the following condi-
6	tions are met:
7	"(aa) The responsible plan fiduciary did
8	not know that the covered service provider
9	failed or would fail to make required remit-
10	tances and reasonably believed that the covered
11	service provider remitted such required
12	amounts.
13	"(bb) The responsible plan fiduciary, upon
14	discovering that the covered service provider
15	failed to remit the required amounts, requests
16	in writing that the covered service provider
17	remit such amounts.
18	"(cc) If the covered service provider fails
19	to comply with a written request described in
20	subclause (III) within 90 days of the request,
21	the responsible plan fiduciary notifies the Sec-
22	retary of the covered service provider's failure,
23	in accordance with subclauses (III) and (IV).";
24	and
25	(2) by adding at the end the following:

"(C)(i)(I) For plan years beginning on or after 1 2 the date that is 30 months after the date of enact-3 ment of this subparagraph (referred to in this clause 4 as the 'effective date'), no contract or arrangement 5 or renewal or extension of a contract or arrange-6 ment, entered into on or after the effective date, for 7 services between a covered plan and a covered serv-8 ice provider, through a health insurance issuer offer-9 ing group health insurance coverage, a third party 10 administrator, an entity providing pharmacy benefit 11 management services, or other entity, for pharmacy 12 benefit management services, is reasonable within 13 the meaning of this paragraph unless such entity 14 providing pharmacy benefit management services—

"(aa) remits 100 percent of rebates, fees, 15 16 alternative discounts, and other remuneration 17 received from any applicable entity that are re-18 lated to utilization of drugs or drug spending 19 under such health plan or health insurance cov-20 erage, to the group health plan or health insur-21 ance issuer offering group health insurance cov-22 erage; and

23 "(bb) does not enter into any contract for
24 pharmacy benefit management services on be25 half of such a plan or coverage, with an applica-

1	ble entity unless 100 percent of rebates, fees,
2	alternative discounts, and other remuneration
3	received under such contract that are related to
4	the utilization of drugs or drug spending under
5	such group health plan or health insurance cov-
6	erage are remitted to the group health plan or
7	health insurance issuer by the entity providing
8	pharmacy benefit management services.
9	"(II) Nothing in subclause (I) shall be con-
10	strued to affect the term of a contract or arrange-
11	ment, as in effect on the effective date (as described
12	in such subclause), except that such subclause shall
13	apply to any renewal or extension of such a contract
14	or arrangement entered into on or after such effec-
15	tive date, as so described.
16	"(ii) With respect to such rebates, fees, alter-
17	native discounts, and other remuneration—
18	"(I) the rebates, fees, alternative dis-
19	counts, and other remuneration under clause
20	(i)(I) shall be—
21	"(aa) remitted—
22	"(AA) on a quarterly basis, to
23	the group health plan or the group
24	health insurance issuer, not later than

1	90 days after the end of each quarter;
2	OF
3	"(BB) in the case of an under-
4	payment in a remittance for a prior
5	quarter, as soon as practicable, but
6	not later than 90 days after notice of
7	the underpayment is first given;
8	"(bb) fully disclosed and enumerated
9	to the group health plan or health insur-
10	ance issuer; and
11	"(cc) returned to the covered service
12	provider for pharmacy benefit management
13	services on behalf of the group health plan
14	if any audit by a plan sponsor, issuer or a
15	third party designated by a plan sponsor,
16	indicates that the amounts received are in-
17	correct after such amounts have been paid
18	to the group health plan or health insur-
19	ance issuer;
20	"(II) the Secretary may establish proce-
21	dures for the remittance of rebates fees, alter-
22	native discounts, and other remuneration under
23	subclause (I)(aa) and the disclosure of rebates,
24	fees, alternative discounts, and other remunera-
25	tion under subclause (I)(bb); and

"(III) the records of such rebates, fees, al ternative discounts, and other remuneration
 shall be available for audit by the plan sponsor,
 issuer, or a third party designated by a plan
 sponsor, not less than once per plan year.

6 "(iii) To ensure that an entity providing phar-7 macy benefit management services is able to meet 8 the requirements of clause (ii)(I), a rebate 9 aggregator (or other purchasing entity designed to 10 aggregate rebates) and an applicable group pur-11 chasing organization shall remit such rebates to the 12 entity providing pharmacy benefit management serv-13 ices not later than 45 days after the end of each 14 quarter.

15 "(iv) A third-party administrator of a group 16 health plan, a health insurance issuer offering group 17 health insurance coverage, or a covered service pro-18 vider for pharmacy benefit management services 19 under such health plan or health insurance coverage 20 shall make rebate contracts with rebate aggregators 21 or drug manufacturers available for audit by such 22 plan sponsor or designated third party, subject to 23 reasonable restrictions (as determined by the Sec-24 retary) on confidentiality to prevent re-disclosure of

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1	such contracts or use of such information in audits
2	for purposes unrelated to this section.
3	"(v) Audits carried out under clauses (ii)(III)
4	and (iv) shall be performed by an auditor selected by
5	the responsible plan fiduciary. Payment for such au-
6	dits shall not be made, whether directly or indirectly,
7	by the entity providing pharmacy benefit manage-
8	ment services.
9	"(vi) Nothing in this subparagraph shall be
10	construed to—
11	"(I) prohibit reasonable payments to enti-
12	ties offering pharmacy benefit management
13	services for bona fide services using a fee struc-
14	ture not described in this subparagraph, pro-
15	vided that such fees are transparent and quan-
16	tifiable to group health plans and health insur-
17	ance issuers;
18	"(II) require a third-party administrator of
19	a group health plan or covered service provider
20	for pharmacy benefit management services
21	under such health plan or health insurance cov-
22	erage to remit bona fide service fees to the
23	group health plan;
24	"(III) limit the ability of a group health
25	plan or health insurance issuer to pass through

1	rebates, fees, alternative discounts, and other
2	remuneration to the participant or beneficiary;
3	0ľ
4	"(IV) modify the requirements for the cre-
5	ation, receipt, maintenance, or transmission of

protected health information under the privacy regulations promulgated under the Health Insurance Portability and Accountability Act of 1996 in part 160 and subparts A and E of part 164 of title 45, Code of Federal Regulations (or successor regulations).

12 "(vii) For purposes of this subparagraph—

13 "(I) the terms 'applicable entity' and 'ap14 plicable group purchasing organization' have
15 the meanings given such terms in section
16 726(e);

17 "(II) the terms 'covered plan', 'covered
18 service provider', and 'responsible plan fidu19 ciary' have the meanings given such terms in
20 subparagraph (B); and

21 "(III) the terms 'group health insurance
22 coverage', 'health insurance coverage', and
23 'health insurance issuer' have the meanings
24 given such terms in section 733.".

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1 (b) RULE OF CONSTRUCTION.—Subclause (II)(aa) of 2 section 408(b)(2)(B)(viii) of the Employee Retirement Inof1974 (29)3 come Security Act U.S.C. 4 1108(b)(2)(B)(viii)), as amended by subsection (a), shall 5 not be construed to relieve or limit a responsible plan fiduciary from the duty to monitor the practices of any covered 6 7 service provider that contracts with the applicable covered 8 plan, including for the purposes of ensuring the reason-9 ableness of compensation. For purposes of this subsection, the terms "covered plan", "covered service provider", and 10 11 "responsible plan fiduciary" have the meanings given such 12 terms in section 408(b)(2)(B)(ii) of the Employee Retire-Security Act of 1974 13 Income (29)U.S.C. ment 1108(b)(2)(B)(ii)). 14

15 (c) CLARIFICATION OF COVERED SERVICE PRO-16 VIDER.—

17 (1) SERVICES.—

18  $(\mathbf{A})$ IN GENERAL.—Section 19 408(b)(2)(B)(ii)(I)(bb) of the Employee Retire-20 ment Income Security Act of 1974 (29 U.S.C. 21 1108(b)(2)(B)(ii)(I)(bb)) is amended— 22 (i) in subitem (AA) by striking "Bro-23 kerage services," and inserting "Services 24 (including brokerage services),"; and

25 (ii) in subitem (BB)—

1	(I) by striking "Consulting," and
2	inserting "Other services,"; and
3	(II) by striking "related to the
4	development or implementation of
5	plan design' and all that follows
6	through the period at the end and in-
7	serting "including any of the fol-
8	lowing: plan design, insurance or in-
9	surance product selection (including
10	vision and dental), recordkeeping,
11	medical management, benefits admin-
12	istration selection (including vision
13	and dental), stop-loss insurance, phar-
14	macy benefit management services,
15	wellness design and management serv-
16	ices, transparency tools, group pur-
17	chasing organization agreements and
18	services, participation in and services
19	from preferred vendor panels, disease
20	management, compliance services, em-
21	ployee assistance programs, or third
22	party administration services, or con-
23	sulting services related to any such
24	services.".

1	(B) SENSE OF CONGRESS.—It is the sense
2	of Congress that the amendment made by sub-
3	paragraph (A) clarifies the existing requirement
4	of covered service providers with respect to
5	services described in section
6	408(b)(2)(B)(ii)(I)(bb)(BB) of the Employee
7	Retirement Income Security Act of 1974 (29
8	U.S.C. $1108(b)(2)(B)(ii)(I)(bb)(BB))$ that were
9	in effect since the application date described in
10	section 202(e) of the No Surprises Act (Public
11	Law 116–260; 29 U.S.C. 1108 note), and does
12	not impose any additional requirement under
13	section $408(b)(2)(B)$ of such Act.
14	(2) CERTAIN ARRANGEMENTS FOR PHARMACY
15	BENEFIT MANAGEMENT SERVICES CONSIDERED AS
16	INDIRECT.—
17	(A) IN GENERAL.—Section $408(b)(2)(B)(i)$
18	of the Employee Retirement Income Security
19	Act of 1974 (29 U.S.C. $1108(b)(2)(B)(i)$ ) is
20	amended—
21	(i) by striking "requirements of this
22	clause" and inserting "requirements of this
23	subparagraph"; and
24	(ii) by adding at the end the fol-
25	lowing: "For purposes of applying section

1	406(a)(1)(C) with respect to a transaction
2	described under this subparagraph or sub-
3	paragraph (C), a contract or arrangement
4	for services between a covered plan and an
5	entity providing services to the plan, in-
6	cluding a health insurance issuer providing
7	health insurance coverage in connection
8	with the covered plan, in which such entity
9	contracts, in connection with such plan,
10	with a service provider for pharmacy ben-
11	efit management services, shall be consid-
12	ered an indirect furnishing of goods, serv-
13	ices, or facilities between the covered plan
14	and the service provider for pharmacy ben-
15	efit management services acting as the
16	party in interest.".
17	(B) HEALTH INSURANCE ISSUER AND
18	HEALTH INSURANCE COVERAGE DEFINED.—
19	Section $408(b)(2)(B)(ii)(I)(aa)$ of such Act (29
20	U.S.C. $1108(b)(2)(B)(ii)(I)(aa))$ is amended by
21	inserting before the period at the end "and the
22	terms 'health insurance coverage' and 'health
23	insurance issuer' have the meanings given such
24	terms in section 733(b)".

(C) TECHNICAL AMENDMENT.—Section
 408(b)(2)(B)(ii)(I)(aa) of the Employee Retire ment Income Security Act of 1974 (29 U.S.C.
 1108(b)(2)(B)(ii)(I)(aa)) is amended by insert ing "in" after "defined".

## 6 SEC. 903. INCREASING TRANSPARENCY IN GENERIC DRUG 7 APPLICATIONS.

8 (a) IN GENERAL.—Section 505(j)(3) of the Federal
9 Food, Drug, and Cosmetic Act (21 U.S.C. 355(j)(3)) is
10 amended by adding at the end the following:

11 "(H)(i) Upon request (in controlled correspondence 12 or an analogous process) by a person that has submitted 13 or intends to submit an abbreviated application under this subsection for a drug that is required by regulation to con-14 15 tain one or more of the same inactive ingredients in the same concentrations as the listed drug referred to, or for 16 17 which the Secretary determines there is a scientific justification for an approach that is in vitro, in whole or in 18 19 part, to be used to demonstrate bioequivalence for a drug 20 if such a drug contains one or more of the same inactive 21 ingredients in the same concentrations as the listed drug 22 referred to, the Secretary shall inform the person whether 23 such drug is qualitatively and quantitatively the same as 24 the listed drug. The Secretary may also provide such infor-25 mation to such a person on the Secretary's own initiative

during the review of an abbreviated application under this
 subsection for such drug.

3 "(ii) Notwithstanding section 301(j), if the Secretary
4 determines that such drug is not qualitatively or quan5 titatively the same as the listed drug, the Secretary shall
6 identify and disclose to the person—

7 "(I) the ingredient or ingredients that cause
8 such drug not to be qualitatively or quantitatively
9 the same as the listed drug; and

"(II) for any ingredient for which there is an
identified quantitative deviation, the amount of such
deviation.

13 "(iii) If the Secretary determines that such drug is 14 qualitatively and quantitatively the same as the listed 15 drug, the Secretary shall not change or rescind such deter-16 mination after the submission of an abbreviated applica-17 tion for such drug under this subsection unless—

"(I) the formulation of the listed drug has been
changed and the Secretary has determined that the
prior listed drug formulation was withdrawn for reasons of safety or effectiveness; or

"(II) the Secretary makes a written determination that the prior determination must be changed
because an error has been identified.

"(iv) If the Secretary makes a written determination
 described in clause (iii)(II), the Secretary shall provide no tice and a copy of the written determination to the person
 making the request under clause (i).

5 "(v) The disclosures authorized under clauses (i) and (ii) are disclosures authorized by law, including for pur-6 7 poses of section 1905 of title 18, United States Code. This 8 subparagraph shall not otherwise be construed to author-9 ize the disclosure of nonpublic qualitative or quantitative 10 information about the ingredients in a listed drug, or to affect the status, if any, of such information as trade se-11 cret or confidential commercial information for purposes 12 13 of section 301(j) of this Act, section 552 of title 5, United States Code, or section 1905 of title 18, United States 14 15 Code.".

16 (b) GUIDANCE.—

17 (1) IN GENERAL.—Not later than one year 18 after the date of enactment of this Act, the Sec-19 retary of Health and Human Services shall issue 20 draft guidance, or update guidance, describing how 21 the Secretary will determine whether a drug is quali-22 tatively and quantitatively the same as the listed 23 drug (as such terms are used in section 24 505(j)(3)(H) of the Federal Food, Drug, and Cos-

1	metic Act, as added by subsection (a)), including
2	with respect to assessing pH adjusters.
3	(2) PROCESS.—In issuing guidance under this
4	subsection, the Secretary of Health and Human
5	Services shall—
6	(A) publish draft guidance;
7	(B) provide a period of at least 60 days for
8	comment on the draft guidance; and
9	(C) after considering any comments re-
10	ceived and not later than one year after the
11	close of the comment period on the draft guid-
12	ance, publish final guidance.
13	(c) Applicability.—Section $505(j)(3)(H)$ of the
14	Federal Food, Drug, and Cosmetic Act, as added by sub-
15	section (a), applies beginning on the date of enactment
16	of this Act, irrespective of the date on which the guidance
17	required by subsection (b) is finalized.
18	SEC. 904. TITLE 35 AMENDMENTS.
19	(a) IN GENERAL.—Section 271(e) of title 35, United
20	States Code, is amended—
21	(1) in paragraph $(2)(C)$ , in the flush text fol-
22	lowing clause (ii), by adding at the end the fol-
23	lowing: "With respect to a submission described in
24	clause (ii), the act of infringement shall extend to
25	any patent that claims the biological product, a

method of using the biological product, or a method
 or product used to manufacture the biological prod uct."; and

(2) by adding at the end the following:

4

5 "(7)(A) Subject to subparagraphs (C), (D), and (E), if the sponsor of an approved application for a reference 6 7 product, as defined in section 351(i) of the Public Health 8 Service Act (42 U.S.C. 262(i)) (referred to in this para-9 graph as the 'reference product sponsor'), brings an action 10 for infringement under this section against an applicant for approval of a biological product under section 351(k) 11 12 of such Act that references that reference product (re-13 ferred to in this paragraph as the 'subsection (k) appli-14 cant'), the reference product sponsor may assert in the 15 action a total of not more than 20 patents of the type described in subparagraph (B), not more than 10 of which 16 17 shall have issued after the date specified in section 18 351(l)(7)(A) of such Act.

19 "(B) The patents described in this subparagraph are20 patents that satisfy each of the following requirements:

"(i) Patents that claim the biological product
that is the subject of an application under section
351(k) of the Public Health Service Act (42 U.S.C.
262(k)) (or a use of that product) or a method or

1	product used in the manufacture of such biological
2	product.
3	"(ii) Patents that are included on the list of
4	patents described in paragraph (3)(A) of section
5	351(l) of the Public Health Service Act (42 U.S.C.
6	262(1), including as provided under paragraph (7)
7	of such section 351(l).
8	"(iii) Patents that—
9	"(I) have an actual filing date of more
10	than 4 years after the date on which the ref-
11	erence product is approved; or
12	"(II) include a claim to a method in a
13	manufacturing process that is not used by the
14	reference product sponsor.
15	"(C) The court in which an action described in sub-
16	paragraph (A) is brought may increase the number of pat-
17	ents limited under that subparagraph—
18	"(i) if the request to increase that number is
19	made without undue delay; and
20	"(ii)(I) if the interest of justice so requires; or
21	"(II) for good cause shown, which—
22	"(aa) shall be established if the subsection
23	(k) applicant fails to provide information re-
24	quired section $351(k)(2)(A)$ of the Public
25	Health Service Act $(42 \text{ U.S.C. } 262(k)(2)(A))$

1	that would enable the reference product sponsor
2	to form a reasonable belief with respect to
3	whether a claim of infringement under this sec-
4	tion could reasonably be asserted; and
5	"(bb) may be established—
6	"(AA) if there is a material change to
7	the biological product (or process with re-
8	spect to the biological product) of the sub-
9	section (k) applicant that is the subject of
10	the application;
11	"(BB) if, with respect to a patent on
12	the supplemental list described in section
13	351(l)(7)(A) of Public Health Service Act
14	(42  U.S.C.  262(1)(7)(A)), the patent would
15	have issued before the date specified in
16	such section $351(l)(7)(A)$ but for the fail-
17	ure of the Office to issue the patent or a
18	delay in the issuance of the patent, as de-
19	scribed in paragraph $(1)$ of section $154(b)$
20	and subject to the limitations under para-
21	graph $(2)$ of such section $154(b)$ ; or
22	"(CC) for another reason that shows
23	good cause, as determined appropriate by
24	the court.

1 "(D) In determining whether good cause has been 2 shown for the purposes of subparagraph (C)(ii)(II), a 3 court may consider whether the reference product sponsor 4 has provided a reasonable description of the identity and 5 relevance of any information beyond the subsection (k) application that the court believes is necessary to enable the 6 7 court to form a belief with respect to whether a claim of 8 infringement under this section could reasonably be as-9 serted.

10 "(E) The limitation imposed under subparagraph11 (A)—

"(i) shall apply only if the subsection (k) applicant completes all actions required under paragraphs
(2)(A), (3)(B)(ii), (5), (6)(C)(i), (7), and (8)(A) of
section 351(l) of the Public Health Service Act (42
U.S.C. 262(l)); and

"(ii) shall not apply with respect to any patent
that claims, with respect to a biological product, a
method for using that product in therapy, diagnosis,
or prophylaxis, such as an indication or method of
treatment or other condition of use.".

(b) APPLICABILITY.—The amendments made by subsection (a) shall apply with respect to an application submitted under section 351(k) of the Public Health Service

Act (42 U.S.C. 262(k)) on or after the date of enactment
 of this Act.

# 3 TITLE X—MISCELLANEOUS

4 SEC. 1001. TWO-YEAR EXTENSION OF SAFE HARBOR FOR

ABSENCE OF DEDUCTIBLE FOR TELEHEALTH.

6 (a) IN GENERAL.—Section 223(c)(2)(E)(ii) of the In7 ternal Revenue Code of 1986 is amended by striking "Jan8 uary 1, 2025" and inserting "January 1, 2027".

9 (b) EFFECTIVE DATE.—The amendments made by
10 this section shall apply to plan years beginning after De11 cember 31, 2024.

# 12 SEC. 1002. ELIGIBILITY FOR FEHBP ENROLLMENT FOR 13 MEMBERS OF CONGRESS.

14 (a) PPACA.—Subparagraph (D) of section
15 1312(d)(3) of the Patient Protection and Affordable Care
16 Act (Public Law 111–148) is amended—

17 (1) in the subparagraph heading, by striking
18 "MEMBERS OF CONGRESS" and inserting "CON19 GRESSIONAL STAFF"; and

20 (2) in clause (i)—

5

21 (A) by striking "Members of Congress22 and"; and

23 (B) by striking "a Member of Congress24 or".

3 "(h)(1) Any Member of Congress may elect to enroll
4 in a health benefits plan offered through the D.C. Small
5 Business Health Options Program created under the Pa6 tient Protection and Affordable Care Act (Public Law
7 111–148) (or an amendment made by such Act) and, if
8 so enrolled, shall receive Government contributions under
9 this section.

10 "(2) Contributions under this section—

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2

"(A) except as provided in paragraph (1), may
not be provided with respect to any health benefits
plan—

14 "(i) created under such Act or an amend-15 ment made by such Act; or

16 "(ii) offered through an exchange estab17 lished under such Act or an amendment made
18 by such Act; and

"(B) may be provided with respect to either enrollment in such a health plan described under paragraph (1) or to enrollment in a health benefits plan
offered under this chapter, but not both.".

23 (c) EFFECTIVE DATE.—This section and the amend-24 ments made by this section—

2 ning on or after January 1, 2026; or

3 (2) in the case that the Office of Personnel
4 Management establishes an open enrollment period
5 during plan year 2025 for individuals to enroll in a
6 plan approved or contracted for under chapter 89 of
7 title 5, United States Code, for coverage that begins
8 during such plan year, shall apply beginning on the
9 first day that such coverage is effective.

# 10 DIVISION F—A STRONGER

# 11 WORKFORCE FOR AMERICA ACT

# 12 SEC. 1. SHORT TITLE; TABLE OF CONTENTS.

- 13 (a) SHORT TITLE.—This division may be cited as the
- 14 "A Stronger Workforce for America Act".
- 15 (b) TABLE OF CONTENTS.—The table of contents for
- 16 this division is as follows:
  - Sec. 1. Short title; table of contents.

# TITLE I—WORKFORCE DEVELOPMENT ACTIVITIES

## Subtitle A—General Provisions

Sec. 101. Purposes.

1

- Sec. 102. Definitions.
- Sec. 103. Table of contents amendments.

Subtitle B—System Alignment

CHAPTER 1—STATE PROVISIONS

- Sec. 111. State workforce development board.
- Sec. 112. Unified State plan.

# Chapter 2—Local Provisions

- Sec. 115. Workforce development areas.
- Sec. 116. Local workforce development boards.
- Sec. 117. Local plan.

#### Chapter 3—Performance Accountability

Sec. 119. Performance accountability system.

Subtitle C-Workforce Investment Activities and Providers

#### CHAPTER 1—WORKFORCE INVESTMENT ACTIVITIES AND PROVIDERS

- Sec. 121. Establishment of one-stop delivery systems.
- Sec. 122. Identification of eligible providers of training services.
- Sec. 123. Eligible providers of youth workforce investment activities.

#### Chapter 2—Youth Workforce Investment Activities

- Sec. 131. Reservations; Reallocation.
- Sec. 132. Use of funds for youth workforce investment activities.

# Chapter 3—Adult and Dislocated Worker Employment and Training Activities

- Sec. 141. State allotments.
- Sec. 142. Reservations for State activities; within State allocations; Reallocation.
- Sec. 143. Use of funds for employment and training activities.

CHAPTER 4—GENERAL WORKFORCE INVESTMENT PROVISIONS

Sec. 145. Authorization of appropriations.

#### Subtitle D—Job Corps

- Sec. 151. Purposes.
- Sec. 152. Definitions.
- Sec. 153. Individuals eligible for the Job Corps.
- Sec. 154. Recruitment, screening, selection, and assignment of enrollees.
- Sec. 155. Job Corps Campuses.
- Sec. 156. Program activities.
- Sec. 157. Counseling and job placement.
- Sec. 158. Support.
- Sec. 159. Operations.
- Sec. 160. Standards of conduct.
- Sec. 161. Community participation.
- Sec. 162. Workforce councils.
- Sec. 163. Advisory committees.
- Sec. 164. Experimental projects and technical assistance.
- Sec. 165. Special provisions.
- Sec. 166. Management information.
- Sec. 167. Job Corps oversight and reporting.
- Sec. 168. Authorization of appropriations.
- Sec. 169. Conforming amendments.

#### Subtitle E—National Programs

- Sec. 171. Native American programs.
- Sec. 172. Migrant and seasonal farmworker programs.
- Sec. 173. Technical assistance.
- Sec. 174. Evaluations and research.
- Sec. 175. National dislocated worker grants.

- Sec. 176. YouthBuild Program.
- Sec. 177. Reentry employment opportunities.
- Sec. 178. Youth apprenticeship readiness grant program.
- Sec. 179. Strengthening community colleges grant program.
- Sec. 180. Authorization of appropriations.

## Subtitle F—Administration

- Sec. 191. Requirements and restrictions.
- Sec. 192. Monitoring.
- Sec. 193. Fiscal controls; sanctions.
- Sec. 194. Administrative adjudication.
- Sec. 195. Judicial review.
- Sec. 196. General waivers of statutory or regulatory requirements.
- Sec. 197. State flexibility pilot authority.
- Sec. 198. General program requirements.

## TITLE II—ADULT EDUCATION AND LITERACY

- Sec. 201. Purpose.
- Sec. 202. Definitions.
- Sec. 203. Authorization of appropriations.
- Sec. 204. Special rule.
- Sec. 205. Performance accountability system.
- Sec. 206. Matching requirement.
- Sec. 207. State leadership activities.
- Sec. 208. Programs for corrections education and other institutionalized individuals.
- Sec. 209. Grants and contracts for eligible providers.
- Sec. 210. Local application.
- Sec. 211. Local administrative cost limits.
- Sec. 212. National leadership activities.
- Sec. 213. Integrated English literacy and civics education.

#### TITLE III—AMENDMENTS TO OTHER LAWS

- Sec. 301. Amendments to the Wagner-Peyser Act.
- Sec. 302. Job training grants.
- Sec. 303. Access to National Directory of New Hires.
- Sec. 304. References to other laws.

# TITLE IV—DEPARTMENT OF LABOR TECHNICAL ASSISTANCE

Sec. 401. Technical assistance for transforming to competitive integrated employment.

#### TITLE V—GENERAL PROVISIONS

- Sec. 501. Report on data capability and interoperability of Federal and State databases and data exchange agreements.
- Sec. 502. Effective dates; transition authority.

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1	TITLE I—WORKFORCE
2	DEVELOPMENT ACTIVITIES
3	Subtitle A—General Provisions
4	SEC. 101. PURPOSES.
5	Section 2 of the Workforce Innovation and Oppor-
6	tunity Act (29 U.S.C. 3101) is amended—
7	(1) in paragraph (1), by striking "support serv-
8	ices" and inserting "supportive services";
9	(2) in paragraph (2), by inserting ", for youth
10	and adults," after "economic development systems";
11	(3) in paragraph (6), by striking "of the work-
12	force, reduce welfare dependency," and inserting "of
13	the workforce, provide economic mobility, reduce de-
14	pendency on public assistance programs,"; and
15	(4) by adding at the end the following:
16	"(7) To prepare a globally competitive work-
17	force by developing robust education and skills devel-
18	opment programs for youth to access career path-
19	ways that will lead such youth into in-demand indus-
20	try sectors and occupations.".
21	SEC. 102. DEFINITIONS.
22	(a) Foundational Skill Needs.—Section 3(5) of
23	the Workforce Innovation and Opportunity Act (29 U.S.C.
24	3102(5)) is amended to read as follows:

1	"(5) Foundational skill needs.—The term
2	'foundational skill needs' means, with respect to an
3	individual who is a youth or adult, that the indi-
4	vidual—
5	"(A) has English reading, writing, or com-
6	puting skills at or below the 8th grade level on
7	a generally accepted standardized test; or
8	"(B) is unable to compute or solve prob-
9	lems, is unable to read, write, or speak English,
10	or does not possess digital literacy skills, at a
11	level necessary to function in the individual's
12	education or occupation, in the individual's
13	family, or in society.".
14	(b) CAREER PATHWAY.—Section $3(7)(F)$ of the
15	Workforce Innovation and Opportunity Act (29 U.S.C.
16	3102(7)(F)) is amended by striking "secondary school di-
17	ploma" and inserting "regular high school diploma".
18	(c) Employer-Directed Skills Development.—
19	Section 3(14) of the Workforce Innovation and Oppor-
20	tunity Act (29 U.S.C. 3102(14)) is amended to read as
21	follows:
22	"(14) Employer-directed skills develop-
23	MENT.—The term 'employer-directed skills develop-
24	ment' means skills development provided through a
25	program—

1	"(A) that is selected or designed to meet
2	the specific skill demands of an employer (in-
3	cluding a group of employers);
4	"(B) that is conducted pursuant to the
5	terms and conditions established under an em-
6	ployer-directed skills agreement described in
7	section $134(c)(3)(I)$ , including a commitment
8	by the employer to employ an individual upon
9	successful completion of the program; and
10	"(C) for which the employer pays a portion
11	of the cost of the program, as determined by
12	the local board involved, which shall not be less
13	than—
14	"(i) 10 percent of the cost, in the case
15	of an employer with 50 or fewer employees;
16	"(ii) 25 percent of the cost, in the
17	case of an employer with more than 50 but
18	not more than 100 employees; and
19	"(iii) 50 percent of the cost, in the
20	case of an employer with more than 100
21	employees.".
22	(d) DISLOCATED WORKER.—Section 3(15)(B) of the
23	Workforce Innovation and Opportunity Act (29 U.S.C.
24	3102(15)(B)) is amended—

(1) in clause (i), by inserting ", including such
 a closure or layoff due to advances in automation
 technology" before the semicolon; and

4 (2) in clause (iii), by striking "section
5 134(c)(2)(A)(xii)" and inserting "section
6 134(c)(2)(B)(vii)".

7 (e) DISPLACED HOMEMAKER.—Section 3(16) of the
8 Workforce Innovation and Opportunity Act (29 U.S.C.
9 3102(16)) is amended, in the matter preceding subpara10 graph (A), by striking "family members" and inserting "a
11 family member".

(f) ELIGIBLE YOUTH.—Section 3(18) of the Workforce Innovation and Opportunity Act (29 U.S.C.
3102(18)) is amended by striking "out-of-school" and inserting "opportunity".

16 (g) ENGLISH LEARNER.—Section 3 of the Workforce
17 Innovation and Opportunity Act (29 U.S.C. 3102) is fur18 ther amended—

19 (1) in paragraph (21)—

20 (A) in the heading, by striking "LAN21 GUAGE"; and

(B) by striking "language"; and

23 (2) in paragraph (24)(I), by striking "lan24 guage".

1	(h) Individual With a Barrier to Employ-
2	MENT.—Section 3(24) of the Workforce Innovation and
3	Opportunity Act (29 U.S.C. 3102(24)) is amended—
4	(1) by amending subparagraph (F) to read as
5	follows:
6	"(F) Justice-involved individuals.";
7	(2) in subparagraph (G)—
8	(A) by striking "Homeless individuals (as"
9	and inserting "Individuals experiencing home-
10	lessness (meaning homeless individuals";
11	(B) by striking "(42 U.S.C. 14043e-
12	2(6)))" and inserting "(34 U.S.C. 12473(6)))";
13	and
14	(C) by striking "homeless children" and all
15	that follows through "defined" and inserting
16	"youth experiencing homelessness (meaning
17	homeless children or youths, as defined";
18	(3) by redesignating subparagraphs (I) through
19	(N) as subparagraphs (J) through (O), respectively;
20	(4) by inserting after subparagraph (H) the fol-
21	lowing:
22	"(I) Opportunity youth."; and
23	(5) in subparagraph (K), as so redesignated, by
24	striking "section 167(i)" and inserting "167(j)".

1	(i) Industry or Sector Partnership.—Section
2	3(26) of the Workforce Innovation and Opportunity Act
3	(29 U.S.C. 3102(26)) is amended—
4	(1) in subparagraph (A)(ii), by striking "or an-
5	other labor representative, as appropriate;" and in-
6	serting "and, to the extent practicable, another labor
7	representative;"; and
8	(2) in subparagraph (B)—
9	(A) by redesignating clauses (vi) through
10	(xi) as clauses (viii) through (xiii), respectively;
11	and
12	(B) by striking clause (v) and inserting the
13	following:
14	"(v) State educational agencies or
15	local educational agencies;
16	"(vi) State higher education agencies,
17	as defined in section 103 of the Higher
18	Education Act of 1965 (20 U.S.C. 1003),
19	or State systems of higher education;
20	"(vii) other State or local agencies;".
21	(j) LOCAL AREA.—Section 3(32) of the Workforce
22	Innovation and Opportunity Act (29 U.S.C. 3102(32)) is
23	amended by striking "sections $106(c)(3)(A)$ " and insert-
24	ing "sections 106(c)(4)(A)".

(k) EDUCATIONAL AGENCIES.—Section 3(34) of the
 Workforce Innovation and Opportunity Act (29 U.S.C.
 3102(34)) is amended to read as follows:

4 "(1) LOCAL EDUCATIONAL AGENCY; STATE 5 EDUCATIONAL AGENCY.—The terms 'local edu-6 cational agency' and 'State educational agency' have 7 the meanings given the terms in section 8101 of the 8 Elementary and Secondary Education Act of 1965.". 9 (1) LOCAL PLAN.—Section 3(35) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102(32)) is 10 11 amended by striking "section 106(c)(3)(B)" and inserting "section 106(c)(4)(B)". 12

13 (m) LOW-INCOME INDIVIDUAL.—Section
14 3(36)(A)(iii) of the Workforce Innovation and Oppor15 tunity Act (29 U.S.C. 3102(36)(A)(iii)) is amended—

16 (1) by striking "is a homeless individual (as"
17 and inserting "is an individual experiencing home18 lessness (meaning a homeless individual as";

19 (2) by striking "(42 U.S.C. 14043e-2(6)))" and
20 inserting "(34 U.S.C. 12473(6)))"; and

(3) by striking "homeless child" and all that
follows through "defined" and inserting "youth experiencing homelessness (meaning a homeless child
or youth, as defined".

1 (n) JUSTICE-INVOLVED INDIVIDUAL.—Section 3(38) 2 of the Workforce Innovation and Opportunity Act (29) U.S.C. 3102(38)) is amended— 3 (1) in the heading, by striking "OFFENDER" 4 5 and inserting "JUSTICE-INVOLVED INDIVIDUAL"; 6 and 7 (2) in the matter preceding subparagraph (A), by striking "offender" and inserting "justice-in-8 9 volved individual". 10 (o) OPPORTUNITY YOUTH.—Section 3(46) of the 11 Workforce Innovation and Opportunity Act (29 U.S.C. 3102(46)) is amended— 12 (1) in the heading, by striking "OUT-OF-13 14 SCHOOL" and inserting "OPPORTUNITY"; and (2) by striking "out-of-school" and inserting 15 "opportunity". 16 17 (p) PAY-FOR-PERFORMANCE CONTRACT STRAT-EGY.—Section 3(47) of the Workforce Innovation and Op-18 portunity Act (29 U.S.C. 3102(47)) is amended to read 19 20 as follows: **(**47) Pay-for-performance 21 CONTRACT 22 STRATEGY.—The term 'pay-for-performance contract 23 strategy' means a performance-based contract strat-24 egy that uses pay-for-performance contracts in the 25 provision of services described in paragraph (2) or

1	(3) of section 134(c) or activities described in sec-
2	tion $129(c)(2)$ , and includes—
3	"(A) contracts, each of which—
4	"(i) shall specify a fixed amount that
5	will be paid to an eligible service provider
6	(which may include a local or national
7	community-based organization or inter-
8	mediary, community college, or other pro-
9	vider) based on the achievement of speci-
10	fied levels of performance on the primary
11	indicators of performance described in sec-
12	tion $116(b)(2)(A)$ for target populations as
13	identified by the local board and which
14	shall identify a specific target for the num-
15	ber or percentage of individuals to be
16	served that will be individuals with barriers
17	to employment, within a defined timetable;
18	and
19	"(ii) may provide for bonus payments
20	to such service provider to expand capacity
21	to provide effective training and other serv-
22	ices, including bonus payments for exceed-
23	ing the identified target for serving individ-
24	uals with barriers to employment;

1	"(B) a strategy for validating the achieve-
2	ment of the performance described in subpara-
3	graph (A); and
4	"(C) a description of how the State or
5	local area will reallocate funds not paid to a
6	provider because the achievement of the per-
7	formance described in subparagraph (A) did not
8	occur, for further activities related to such a
9	contract strategy, subject to section
10	189(g)(2)(D).".
11	(q) RAPID RESPONSE ACTIVITY.—Section 3(51) of
12	the Workforce Innovation and Opportunity Act (29 U.S.C.
13	3102(51)) is amended—
14	(1) in the matter preceding subparagraph (A),
15	by inserting ", through a rapid response unit" after
16	"designated by a State";
17	(2) in subparagraph (B), by inserting before
18	the semicolon at the end the following: ", including
19	access through individual training accounts for eligi-
20	ble dislocated workers under section 414(c) of the
21	American Competitiveness and Workforce Improve-
22	ment Act of 1998 (29 U.S.C. 3224a)";
23	(3) in subparagraph (D), by striking "and" at
24	the end;

1	(4) by redesignating subparagraph (E) as sub-
2	paragraph (F);
3	(5) by inserting after subparagraph (D) the fol-
4	lowing new subparagraph:
5	"(E) assistance in identifying workers eli-
6	gible for assistance, including workers who work
7	a majority of their time offsite or remotely;";
8	(6) in subparagraph (F), as so redesignated, by
9	striking the period at the end and inserting "; and";
10	and
11	(7) by adding at the end the following:
12	"(G) the provision of business engagement
13	or layoff aversion strategies and other activities
14	designed to prevent or minimize the duration of
15	unemployment, such as—
16	"(i) connecting employers to short-
17	term compensation or other programs de-
18	signed to prevent layoffs;
19	"(ii) conducting worker skill assess-
20	ment, and programs to match workers to
21	different occupations;
22	"(iii) establishing incumbent worker
23	training or other upskilling approaches, in-
24	cluding through incumbent worker

1	upskilling accounts described in section
2	134(d)(4)(E);
3	"(iv) facilitating business support ac-
4	tivities, such as connecting employers to
5	programs that offer access to credit, finan-
6	cial support, and business consulting; and
7	"(v) partnering or contracting with
8	business-focused organizations to assess
9	risks to companies, and to propose, imple-
10	ment, and measure the impact of strategies
11	and services to address such risks.".
12	(r) School Dropout.—Section 3(54) of the Work-
13	force Innovation and Opportunity Act (29 U.S.C.
13 14	force Innovation and Opportunity Act (29 U.S.C. 3102(54)) is amended by striking "secondary school di-
14	3102(54)) is amended by striking "secondary school di-
14 15 16	3102(54)) is amended by striking "secondary school di- ploma" and inserting "regular high school diploma".
14 15 16	<ul> <li>3102(54)) is amended by striking "secondary school diploma" and inserting "regular high school diploma".</li> <li>(s) SUPPORTIVE SERVICES.—Section 3(59) of the</li> </ul>
14 15 16 17	<ul> <li>3102(54)) is amended by striking "secondary school diploma" and inserting "regular high school diploma".</li> <li>(s) SUPPORTIVE SERVICES.—Section 3(59) of the Workforce Innovation and Opportunity Act (29 U.S.C.</li> </ul>
14 15 16 17 18	<ul> <li>3102(54)) is amended by striking "secondary school diploma" and inserting "regular high school diploma".</li> <li>(s) SUPPORTIVE SERVICES.—Section 3(59) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102(59)) is amended by striking "housing," and insert-</li> </ul>
14 15 16 17 18 19	<ul> <li>3102(54)) is amended by striking "secondary school diploma" and inserting "regular high school diploma".</li> <li>(s) SUPPORTIVE SERVICES.—Section 3(59) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102(59)) is amended by striking "housing," and inserting "assistive technology, housing, food assistance,".</li> </ul>
<ol> <li>14</li> <li>15</li> <li>16</li> <li>17</li> <li>18</li> <li>19</li> <li>20</li> </ol>	<ul> <li>3102(54)) is amended by striking "secondary school diploma" and inserting "regular high school diploma".</li> <li>(s) SUPPORTIVE SERVICES.—Section 3(59) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102(59)) is amended by striking "housing," and inserting "assistive technology, housing, food assistance,".</li> <li>(t) NEW DEFINITIONS.—Section 3 of the Workforce</li> </ul>
<ol> <li>14</li> <li>15</li> <li>16</li> <li>17</li> <li>18</li> <li>19</li> <li>20</li> <li>21</li> </ol>	<ul> <li>3102(54)) is amended by striking "secondary school diploma" and inserting "regular high school diploma".</li> <li>(s) SUPPORTIVE SERVICES.—Section 3(59) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102(59)) is amended by striking "housing," and inserting "assistive technology, housing, food assistance,".</li> <li>(t) NEW DEFINITIONS.—Section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102) is fur-</li> </ul>

1	one of the programs or activities carried out by a
2	one-stop partner specified in section 121(b)(1)(B).
3	"(73) DIGITAL LITERACY SKILLS.—The term
4	'digital literacy skills' has the meaning given the
5	term in section 203.
6	"(74) EVIDENCE-BASED.—The term 'evidence-
7	based', when used with respect to an activity, serv-
8	ice, strategy, or intervention, or content of materials,
9	means an activity, service, strategy, or intervention,
10	or content of materials that—
11	"(A) demonstrates a statistically signifi-
12	cant effect on improving participant outcomes
13	or other relevant outcomes based on—
14	"(i) strong evidence from at least 1
15	well-designed and well-implemented experi-
16	mental study;
17	"(ii) moderate evidence from at least
18	1 well-designed and well-implemented
19	quasi-experimental study; or
20	"(iii) promising evidence from at least
21	1 well-designed and well-implemented cor-
22	relational study with statistical controls for
23	selection bias; or
24	"(B)(i) demonstrates a rationale based on

1	uation that such activity, service, strategy, or
2	intervention is likely to improve student out-
3	comes or other relevant outcomes; and
4	"(ii) includes ongoing efforts to examine the ef-
5	fects of such activity, service, strategy, or interven-
6	tion.
7	"(75) LABOR ORGANIZATION.—The term 'labor
8	organization' means a labor organization, as defined
9	in section $2(5)$ of the National Labor Relations Act
10	(29 U.S.C. $152(5))$ , and an organization rep-
11	resenting public sector employees.
12	"(76) Regular high school diploma.—The
13	term 'regular high school diploma' has the meaning
14	given the term in section 8101 of the Elementary
15	and Secondary Education Act of 1965 (20 U.S.C.
16	7801).
17	"(77) Universal design for learning.—
18	The term 'universal design for learning' has the
19	meaning given the term in section 103 of the Higher
20	Education Act of 1965 (20 U.S.C. 1003).
21	"(78) Work-based learning.—The term
22	'work-based learning' has the meaning given the
23	term in section 3 of the Carl D. Perkins Career and
24	Technical Education Act of 2006 (20 U.S.C.
25	2302).".

1 (u) REDESIGNATIONS.—Section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102) is fur-2 ther amended by redesignating paragraphs (5), (6), (7), 3 4 (8), (9), (14), (19), (20), (21), (22), (23), (24), (25), (26),5 (27), (28), (29), (30), (31), (32), (33), (34), (35), (36),(37), (38), (39), (40), (41), (42), (43), (44), (45), (46),6 7 (47), (48), (49), (50), (51), (52), (53), (54), (55), (56),8 (57), (58), (59), (60), (61), (62), (63), (64), (65), (66),9 (67), (68), (69), (70), (71), (72), (73), (74), (75), (76),10 (77), and (78), as paragraphs (24), (5), (6), (7), (8), (19), 11 (20), (21), (22), (25), (26), (27), (28), (29), (30), (31),12 (32), (34), (36), (37), (38), (39), (40), (41), (42), (33),13 (43), (44), (45), (46), (47), (48), (50), (49), (51), (52),(53), (54), (55), (56), (57), (59), (60), (61), (62), (63),14 15 (64), (65), (66), (67), (69), (70), (72), (73), (74), (75),(76), (77), (78), (9), (14), (23), (35), (58), (68), and (71), 16 17 respectively.

- 18 SEC. 103. TABLE OF CONTENTS AMENDMENTS.
- 19 The table of contents in section 1(b) of the Workforce20 Innovation and Opportunity Act is amended—
- 21 (1) by redesignating the item relating to section
  22 172 as section 175;
- 23 (2) by inserting after the item relating to sec-
- tion 171, the following:

"Sec. 172. Reentry employment opportunities.

<sup>&</sup>quot;Sec. 173. Youth apprenticeship readiness grant program.

	000
	"Sec. 174. Strengthening community colleges workforce development grants program."; and
1	(3) by striking the item relating to section 190
2	and inserting the following:
	"Sec. 190. State flexibility pilot authority.".
3	Subtitle B—System Alignment
4	CHAPTER 1—STATE PROVISIONS
5	SEC. 111. STATE WORKFORCE DEVELOPMENT BOARD.
6	Section 101 of the Workforce Innovation and Oppor-
7	tunity Act (29 U.S.C. 3112) is amended—
8	(1) in subsection $(b)(1)(C)(ii)(IV)$ , by striking
9	"out-of-school youth" and inserting "opportunity
10	youth"; and
11	(2) in subsection $(d)$ —
12	(A) in paragraph (3)(B), by striking "low-
13	skilled adults" and inserting "adults with
14	foundational skill needs"; and
15	(B) in paragraph $(5)(A)$ , by inserting after
16	"including strategies" the following: "(such as
17	the principles of universal design for learning)".
18	SEC. 112. UNIFIED STATE PLAN.
19	Section 102 of the Workforce Innovation and Oppor-
20	tunity Act (29 U.S.C. 3112) is amended—
21	(1) in subsection (b)—
22	(A) in paragraph (1)—

1	(i) by redesignating subparagraphs
2	(C) through $(E)$ as subparagraphs $(D)$
3	through (F), respectively;
4	(ii) by inserting the following after
5	subparagraph (B):
6	"(C) a description of—
7	"(i) how the State will use real-time
8	labor market information to continually as-
9	sess the economic conditions and workforce
10	trends described in subparagraphs (A) and
11	(B); and
12	"(ii) how the State will communicate
13	changes in such conditions or trends to the
14	workforce system in the State;";
15	(iii) in subparagraph (D), as so redes-
16	ignated, by inserting "the extent to which
17	such activities are evidence-based," after
18	"of such activities,";
19	(iv) in subparagraph (E), as so redes-
20	ignated—
21	(I) by striking "and for meeting
22	the skilled workforce needs of employ-
23	ers" and inserting "and for preparing
24	workers to meet the skilled workforce
25	needs of employers and to enter and

1	remain in unsubsidized employment";
2	and
3	(II) by striking "and" at the end;
4	(v) in subparagraph (F), as so redes-
5	ignated, by striking the period at the end
6	and inserting a semicolon; and
7	(vi) by adding at the end the fol-
8	lowing:
9	"(G) a description of any activities the
10	State is conducting to expand economic oppor-
11	tunity for individuals and reduce barriers to
12	labor market entry by—
13	"(i) developing, in cooperation with
14	employers, education and training pro-
15	viders, and other stakeholders, statewide
16	skills-based initiatives that promote the use
17	of demonstrated skills and competencies as
18	an alternative to the exclusive use of de-
19	gree attainment as a requirement for em-
20	ployment or advancement in a career; and
21	"(ii) evaluating the existing occupa-
22	tional licensing policies in the State and
23	identifying potential changes to recommend
24	to the appropriate State entity to—

	001
1	"(I) remove or streamline licens-
2	ing requirements, as appropriate; and
3	"(II) improve the reciprocity of
4	licensing, including through partici-
5	pating in interstate licensing com-
6	pacts;
7	"(H) an analysis of the opportunity youth
8	population in the State, including the estimated
9	number of opportunity youth and any gaps in
10	services provided to such population by other
11	existing workforce development activities, as
12	identified under subparagraph (D);
13	"(I) a description of the availability of ap-
14	prenticeship and pre-apprenticeship programs
15	in the State and the providers of such pro-
16	grams, including any that serve youth; and
17	"(J) a description of any strategies the
18	State will use to prioritize the funding of evi-
19	dence-based programs through the funds avail-
20	able for statewide workforce development activi-
21	ties described in section 128(a)."; and
22	(B) in paragraph (2)—
23	(i) in subparagraph (B), by striking
24	"including a description" and inserting
25	"which may include a description";

	00
1	(ii) in subparagraph (C)—
2	(I) in clause (ii)(I), by inserting
3	"utilizing a continuous quality im-
4	provement approach," after "year,";
5	and
6	(II) in clause (viii), by striking
7	"necessary for effective State oper-
8	ating systems and policies" and in-
9	serting "useful to States to be in-
10	cluded in the State plan, on an op-
11	tional basis";
12	(iii) in subparagraph (D)(i)—
13	(I) in subclause (II), by striking
14	"any"; and
15	(II) in subclause (IV), by striking
16	"section $121(h)(2)(E)$ " and inserting
17	"section $121(h)(1)(E)$ "; and
18	(iv) in subparagraph (E)—
19	(I) in clause (iv), by striking
20	"116(i)" and inserting "116(j)"; and
21	(II) in clause (x), by striking
22	"necessary for the administration of
23	the core programs" and inserting
24	"useful to States to be included in the
25	State plan, on an optional basis"; and

1	(2) in subsection $(c)(3)$ —
2	(A) in subparagraph (A), by striking
3	"shall" the second place it appears and insert-
4	ing "may"; and
5	(B) in subparagraph (B)—
6	(i) by striking "required"; and
7	(ii) by inserting ", except that com-
8	municating changes in economic conditions
9	and workforce trends to the workforce sys-
10	tem in the State as described in subsection
11	(b)(1)(C) shall not be considered modifica-
12	tions subject to approval under this para-
13	graph" before the period at the end.
14	CHAPTER 2—LOCAL PROVISIONS
15	SEC. 115. WORKFORCE DEVELOPMENT AREAS.
16	(a) Regions.—Section 106(a) of the Workforce In-
17	novation and Opportunity Act (29 U.S.C. 3121(a)) is
18	amended by adding at the end the following:
19	"(3) REVIEW.—Before the second full program
20	year after the date of enactment of the A Stronger
21	Workforce for America Act, in order for a State to
22	receive an allot ment under section $127(b)$ or $132(b)$
23	
	and as part of the process for developing the State
24	and as part of the process for developing the State plan, a State shall—

1	"(A) review each region in the State iden-
2	tified under this subsection (as such subsection
3	was in effect on the day before the date of en-
4	actment of the A Stronger Workforce for Amer-
5	ica Act); and
6	"(B) after consultation with the local
7	boards and chief elected officials in the local
8	areas and consistent with the considerations de-
9	scribed in subsection $(b)(1)(B)$ —
10	"(i) revise such region and any other
11	region impacted by such revision; or
12	"(ii) make a determination to main-
13	tain such region with no revision.".
14	(b) LOCAL AREAS.—Section 106(b) of the Workforce
15	Innovation and Opportunity Act (29 U.S.C. 3121(b)) is
16	amended—
17	(1) in paragraph $(1)$ —
18	(A) in subparagraph (A), by striking "sub-
19	section (d), and consistent with paragraphs (2)
20	and (3)," and inserting "subsection (d)"; and
21	(B) in subparagraph (B), by striking "(ex-
22	cept for those local areas described in para-
23	graphs $(2)$ and $(3)$ )"; and
24	(2) by striking paragraphs $(2)$ through $(7)$ , and
25	inserting the following:

1	"(2) Continuation period.—Except as pro-
2	vided in paragraph (5) of this subsection and sub-
3	section (d), in order to receive an allotment under
4	section 127(b) or 132(b), the Governor shall main-
5	tain the designations of local areas in the State
6	under this subsection (as in effect on the day before
7	the date of enactment of the A Stronger Workforce
8	for America Act) until the end of the third full pro-
9	gram year after the date of enactment of the A
10	Stronger Workforce for America Act.
11	"(3) INITIAL ALIGNMENT REVIEW.—
12	"(A) IN GENERAL.—Prior to the third full
13	program year after the date of enactment of the
14	A Stronger Workforce for America Act, the
15	Governor shall—
16	"(i) review the designations of local
17	areas in the State (as in effect on the day
18	before the date of enactment of the A
19	Stronger Workforce for America Act); and
20	"(ii)(I) based on the considerations
21	described in paragraph (1)(B), issue pro-
22	posed redesignations of local areas in the
23	State through the process described in
24	paragraph $(1)(A)$ , which shall—

1	"(aa) include an explanation
2	of the strategic goals and objec-
3	tives that the State intends to
4	achieve through such redesigna-
5	tions; and
6	"(bb) be subject to the ap-
7	proval of the chief elected offi-
8	cials of the local areas in the
9	State in accordance with the
10	process described in subpara-
11	graph (C); or
12	"(II) with respect to a State de-
13	scribed in subsection $(d)(2)(B)$ , if the
14	Governor determines that such State
15	should be designated as a single State
16	local area, conduct a process in ac-
17	cordance with the requirements of
18	subsection $(d)(2)$ .
19	"(B) DESIGNATION OF LOCAL AREAS.—A
20	redesignation of local areas in a State that is
21	approved by a majority of the chief elected offi-
22	cials of the local areas in the State through the
23	process described in subparagraph (C) shall
24	take effect on the first day of the 4th full pro-

1	gram year after the date of enactment of the A
2	Stronger Workforce for America Act.
3	"(C) PROCESS TO REACH MAJORITY AP-
4	PROVAL.—To approve a designation of local
5	areas in the State, the chief elected officials of
6	the local areas in the State shall comply with
7	the following:
8	"(i) INITIAL VOTE.—Not later than
9	60 days after the Governor issues proposed
10	redesignations under subparagraph (A),
11	the chief elected official of each local area
12	shall review the proposed redesignations
13	and submit a vote to the Governor either
14	approving or rejecting the proposed redes-
15	ignations.
16	"(ii) Results of initial vote.—If
17	a majority of the chief elected officials of
18	the local areas in the State vote under
19	clause (i)—
20	"(I) to approve such proposed re-
21	designations, such redesignations shall
22	take effect in accordance with sub-
23	paragraph (B); or
24	"(II) to disapprove such proposed
25	redesignations, the chief elected offi-

1 cials of the local areas in the State 2 shall comply with the requirements of 3 clause (iii). "(iii) 4 ALTERNATE **REDESIGNA-**TIONS.—In the case of the disapproval de-5 6 scribed in clause (ii)(II), not later than 7 120 days after the Governor issues pro-8 posed redesignations under subparagraph 9 (A), the chief elected officials of the local 10 areas in the State shall— "(I) select 2 alternate redesigna-11 12 tions of local areas— "(aa) one of which aligns 13 14 with the regional economic devel-15 opment areas in the State; and "(bb) one of which aligns 16 17 with the regions described in sub-18 paragraph (A) or (B) of sub-19 section (a)(2); and "(II) conduct a vote to approve, 20 by majority vote, 1 of the 2 alternate 21 22 redesignations described in subclause 23 (I). 24 "(iv) Effective date of alter-

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25 NATE DESIGNATIONS.—The alternate re-

1	designations approved pursuant to clause
2	(iii)(II) shall take effect in accordance with
3	subparagraph (B).
4	"(4) Subsequent alignment reviews.—On
5	the date that is the first day of the 12th full pro-
6	gram year after the date of enactment of the A
7	Stronger Workforce for America Act, and every 8
8	years thereafter, the Governor shall—
9	"(A) review the designation of local areas;
10	and
11	"(B) carry out the requirements of para-
12	graph $(3)(A)(ii)$ , except that any redesignation
13	of local areas in a State that is approved by a
14	majority of the chief elected officials of the local
15	areas in the State through the process de-
16	scribed in paragraph $(3)(C)$ shall take effect on
17	the first day of the next full program year after
18	the Governor's review pursuant to this para-
19	graph.
20	"(5) INTERIM REVISIONS.—
21	"(A) APPROVAL OF CERTAIN REDESIGNA-
22	TION REQUESTS.—
23	"(i) IN GENERAL.—At any time, and
24	notwithstanding the requirements of para-
25	graphs $(2)$ , $(3)$ , and $(4)$ , the Governor,

1 upon receipt of a request for a redesigna-2 tion of a local area described in clause (ii), 3 may approve such request. "(ii) REQUESTS.—The following re-4 quests may be approved pursuant to clause 5 6 (i) upon request: 7 "(I) A request from multiple 8 local areas to be redesignated as a 9 single local area. "(II) A request from multiple 10 11 local areas for a revision to the designations of such local areas, which 12 13 would not impact the designations of 14 local areas that have not made such 15 request. "(III) A request for designation 16 17 as a local area from an area described 18 in section 107(c)(1)(C). 19 "(B) OTHER REDESIGNATIONS.—Other 20 than the redesignations described in subpara-21 graph (A), the Governor may only redesignate 22 a local area outside of the process described in 23 paragraphs (3) and (4), if the local area that 24 will be subject to such redesignation has not— "(i) performed successfully; 25

1	"(ii) sustained fiscal integrity; or
2	"(iii) in the case of a local area in any
3	planning region described in subparagraph
4	(B) or (C) of subsection (a)(2), met the re-
5	quirements described in subsection $(c)(1)$ .
6	"(C) Effective date.—Any redesigna-
7	tion of a local area approved by the Governor
8	under subparagraph (A) or (B) shall take effect
9	on the first date of the first full program year
10	after such date of approval.
11	"(6) Appeals.—
12	"(A) IN GENERAL.—The local board of a
13	local area that is subject to a redesignation of
14	such local area under paragraph $(3)$ , $(4)$ , or $(5)$
15	may submit an appeal to maintain its existing
16	designation to the State board under an appeal
17	process established in the State plan as speci-
18	fied in section $102(b)(2)(D)(i)(III)$ .
19	"(B) STATE BOARD REQUIREMENTS.—The
20	State board shall grant an appeal to maintain
21	an existing designation of a local area described
22	in subparagraph (A) only if the local board of
23	the local area can demonstrate that the process
24	for redesignation of such local area under para-

1	graph $(3)$ , $(4)$ , or $(5)$ , as applicable, has not
2	been followed.

"(C) SECRETARIAL REQUIREMENTS.—If a 3 4 request to maintain an existing designation as 5 a local area is not granted as a result of such 6 appeal, the Secretary, after receiving a request 7 for review from the local board of such local area and determining that the local board was 8 9 not accorded procedural rights under the ap-10 peals process referred to in subparagraph (A), 11 shall-

12 "(i) review the process for the redesig-13 nation of the local area under paragraph

14 (3), (4), or (5), as applicable; and

15 "(ii) upon determining that the appli16 cable process has not been followed, re17 quire that the local area's existing designa18 tion be maintained.

"(7) REDESIGNATION INCENTIVE.—The State
may provide funding from funds made available
under sections 128(a)(1) and 133(a)(1) to provide
payments to incentivize—

23 "(A) groups of local areas to request to be
24 redesignated as a single local area under para25 graph (5)(A);

1	"(B) multiple local boards in a planning
2	region to develop an agreement to operate as a
3	regional consortium under subsection $(c)(3)$ ; or
4	"(C) effective provision of services to indi-
5	viduals served by a local area, including individ-
6	uals with barriers to employment, during the
7	first program year that begins after the redesig-
8	nation of a local area.".
9	(c) REGIONAL COORDINATION.—Section 106(c) of
10	the Workforce Innovation and Opportunity Act (29 U.S.C.
11	3121(c)) is amended—
12	(1) in paragraph $(1)$ —
13	(A) by redesignating subparagraphs (F)
14	through (H) as subparagraphs (G) through (I),
15	respectively; and
16	(B) by inserting the following after sub-
17	paragraph (E):
18	"(F) the establishment of cost arrange-
19	ments for services described in subsections (c)
20	and (d) of section 134, including the pooling of
21	funds for such services, as appropriate, for the
22	region;";
23	(2) in paragraph (2), by inserting ", including
24	to assist with establishing administrative costs ar-
25	rangements or cost arrangements for services under

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1	subparagraphs (F) and (G) of such paragraph"
2	after "delivery efforts";
3	(3) by redesignating paragraph $(3)$ as para-
4	graph $(4)$ ; and
5	(4) by inserting after paragraph $(2)$ , as so
6	amended, the following:
7	"(3) Regional consortiums.—
8	"(A) IN GENERAL.—The local boards and
9	chief elected officials of any local area in any
10	planning region described in subparagraph (B)
11	or (C) of subsection $(a)(2)$ may develop an
12	agreement to receive funding under section
13	128(b) and section $133(b)$ as a single consor-
14	tium for the planning region.
15	"(B) FISCAL AGENT.—If the local boards
16	and chief elected officials develop such an
17	agreement—
18	"(i) one of the chief elected officials in
19	the planning region shall designate the fis-
20	cal agent for the consortium;
21	"(ii) the local boards shall develop a
22	memorandum of understanding to jointly
23	administer the activities for the consor-
24	tium; and

"(iii) the required activities for local
areas under this Act (including the re-
quired functions of the local boards de-
scribed in section 107(d)) shall apply to
such a consortium as a whole and may not
be applied separately or differently to the
local areas or local boards within such con-
sortium.".
(d) SINGLE STATE LOCAL AREAS.—Section 106(d)
of the Workforce Innovation and Opportunity Act (29
U.S.C. 3121(d)) is amended—
(1) by redesignating paragraph $(2)$ as para-
graph (3); and
(2) by inserting after paragraph $(1)$ , the fol-
lowing:
"(2) New designation.—
"(A) PROCESS.—If, upon a review de-
scribed in paragraph $(3)(A)$ or $(4)(B)$ of sub-
section (b) of a State described in subparagraph
(B) of this paragraph, the Governor of such
State determines, after consultation with the
State board, that such State should be des-
ignated as a single State local area—

1"(i) the Governor shall pro-2legislature of the State to desi3State as a single State local area4"(ii) in a case in which the5of the legislature of the State of6the Governor's proposed designal7"(I) such designation8effect in accordance with9graph (C); and10"(II) the Governor shall11the State as a local area in	gnate such a; ne majority consents to tion— shall take n subpara-
<ul> <li>3 State as a single State local area</li> <li>4 "(ii) in a case in which the</li> <li>5 of the legislature of the State of</li> <li>6 the Governor's proposed designation</li> <li>7 "(I) such designation</li> <li>8 effect in accordance with</li> <li>9 graph (C); and</li> <li>10 "(II) the Governor shows</li> </ul>	a; ne majority consents to tion— shall take n subpara-
<ul> <li>4 "(ii) in a case in which the</li> <li>5 of the legislature of the State of</li> <li>6 the Governor's proposed designal</li> <li>7 "(I) such designation</li> <li>8 effect in accordance with</li> <li>9 graph (C); and</li> <li>10 "(II) the Governor shows</li> </ul>	ne majority consents to tion— shall take n subpara-
<ul> <li>5 of the legislature of the State of</li> <li>6 the Governor's proposed designa</li> <li>7 "(I) such designation</li> <li>8 effect in accordance with</li> <li>9 graph (C); and</li> <li>10 "(II) the Governor shows a state of the st</li></ul>	consents to tion— shall take n subpara-
<ul> <li>6 the Governor's proposed designa</li> <li>7 "(I) such designation</li> <li>8 effect in accordance with</li> <li>9 graph (C); and</li> <li>10 "(II) the Governor shows a second second</li></ul>	tion— shall take 1 subpara-
<ul> <li>7 (I) such designation</li> <li>8 effect in accordance with</li> <li>9 graph (C); and</li> <li>10 "(II) the Governor shows</li> </ul>	shall take 1 subpara-
<ul> <li>8 effect in accordance with</li> <li>9 graph (C); and</li> <li>10 "(II) the Governor shorts</li> </ul>	1 subpara-
<ul> <li>9 graph (C); and</li> <li>10 "(II) the Governor sh</li> </ul>	
10 "(II) the Governor sh	
	11 . 1
11 the State as a local area in	all identify
	n the State
12 plan; and	
13 "(iii) in a case in which in	which the
14 majority of the legislature of	the State
15 does not so consent to the Gove	ernor's pro-
16 posed designation, the designat	ions of the
17 local areas in the State shall be	maintained
18 and shall be subject to the requi	irements of
19 subsection (b)(4).	
20 "(B) STATE DESCRIBED.—A	State de-
21 scribed in this subparagraph is a St	tate that—
22 "(i) has not been designate	ed as a sin-
	agraph (1);
23 gle State local area under para	

1	"(ii)(I) has a population of less than
2	5,100,000, as determined by the last de-
3	cennial census preceding such designation;
4	or
5	"(II) contains 5 or fewer local areas.
6	"(C) Effective date.—Notwithstanding
7	subsection $(b)(2)$ , a designation described in
8	paragraph (A) shall take effect on the later
9	of—
10	"(i) the first day of the third full pro-
11	gram year after the date of enactment of
12	the A Stronger Workforce for America Act;
13	01
14	"(ii) the first day of the first full pro-
15	gram year following the date on which the
16	Governor so designates the State as a sin-
17	gle State local area.
18	"(D) REESTABLISHMENT OF LOCAL
19	AREAS.—
20	"(i) IN GENERAL.—At the end of the
21	5-year period beginning on the date on
22	which a State is designated as a single
23	State local area under subparagraph (A),
24	the Secretary shall notify the Governor of
25	such State if, during such 5-year period,

1	the average of the overall State program
2	scores (as referred to in section $116(f)(2)$ )
3	across the adult and dislocated worker pro-
4	grams and youth programs authorized
5	under chapters 2 and 3 of subtitle B are
6	lower than the average of the State overall
7	program scores across such programs dur-
8	ing the 5-year period ending on the date
9	prior the date on which such State was so
10	designated.
11	"(ii) Determination after no-
12	TICE.—
13	"(I) IN GENERAL.—If, after re-
14	ceiving the notice described in clause
15	(i) with respect to a State, the Gov-
16	ernor determines—
17	"(aa) that the designation of
18	the State as a single State local
19	area should be maintained, the
20	Governor shall comply with sub-
21	clause (II) or (III), as appro-
22	priate; or
23	"(bb) that such designation
24	should not be so maintained, the
25	Governor shall reestablish the

1	local areas that comprised the	
2	State prior to the designation of	
3	the State as a single State local	
4	area under subparagraph (A),	
5	and such reestablishment shall	
6	take effect on the first day of the	
7	first full program year after the	
8	Governor receives such notice.	
9	"(II) REQUIREMENTS FOR MAIN-	
10	TAINING DESIGNATION.—A designa-	
11	tion described in subclause (I)(aa)	
12	with respect to a State may only be so	
13	maintained if the Governor—	
14	"(aa) not later than 180	
15	days after the date on which	
16	Governor receives the notice de-	
17	scribed in clause (i), issues a	
18	public notice of the determination	
19	by the Governor that the designa-	
20	tion of such State as a single	
21	State local area should be main-	
22	tained; and	
23	"(bb) not later than 1 year	
24	after the date on which the Gov-	
25	ernor issues such public notice,	

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1	the Governor receives the consent
2	of a majority of the legislature of
3	the State to so maintain the des-
4	ignation.
5	"(III) FAILURE TO MEET RE-
6	QUIREMENTS.—If the Governor fails
7	to comply with each of the require-
8	ments of subclause (II) with respect
9	to a State—
10	"(aa) a designation de-
11	scribed in subclause (I)(aa) for
12	such State may not be so main-
13	tained; and
14	"(bb) the Governor shall re-
15	establish the local areas that
16	comprised the State prior to the
17	designation of the State as a sin-
18	gle State local area under sub-
19	paragraph (A), and such reestab-
20	lishment shall take effect on the
21	first full program year after the
22	date that is 1 year after the date
23	on which the Governor issues the
24	public notice described in sub-

1	clause	(II)(aa)	with	respect	to
2	the Sta	nte.".			

3 (e) DEFINITION OF "PERFORMED SUCCESS4 FULLY".—Section 106(e)(1) of the Workforce Innovation
5 and Opportunity Act (29 U.S.C. 3121(e)) is amended to
6 read as follows:

7 "(1) PERFORMED SUCCESSFULLY.—The term 'performed successfully', used with respect to a local 8 9 area, means the local area is not subject to correc-10 tive action as described in section 116(g)(2) on the 11 local performance accountability measures for the 12 most recent year for which data are available pre-13 ceding the determination of performance under this 14 paragraph.".

## 15 SEC. 116. LOCAL WORKFORCE DEVELOPMENT BOARDS.

16 (a) MEMBERSHIP.—Section 107(b) of the Workforce
17 Innovation and Opportunity Act (29 U.S.C. 3122(b)) is
18 amended—

(1) in paragraph (2) -

20 (A) in subparagraph (B)—

21 (i) by striking "20" and inserting
22 "30"; and

23 (ii) in clause (iv), by striking "out-of24 school youth" and inserting "opportunity
25 youth"; and

1	(B) in subparagraph (C)—
2	(i) in clause (i), by inserting after
3	"title II" the following: "(including activi-
4	ties through corrections education pro-
5	grams under such title)";
6	(ii) in clause (ii), by inserting after
7	"community colleges" the following: "and,
8	as applicable, historically Black colleges
9	and universities (meaning part B institu-
10	tions as defined in section 322 of the
11	Higher Education Act of 1965 (20 U.S.C.
12	1061)), minority-serving institutions
13	(meaning institutions defined in any of
14	paragraphs $(1)$ through $(7)$ of section
15	371(a) of such Act (20 U.S.C.1067q(a)),
16	and Tribal colleges or universities (as such
17	term is defined in section 316(b) of such
18	Act (20 U.S.C. 1059c(b))) and comprehen-
19	sive transition and postsecondary programs
20	for students with intellectual disabilities
21	(as such term is defined in section 760 of
22	the Higher Education Act of 1965 (20
23	U.S.C. 1140)));"; and
24	(iii) by adding at the end the fol-
25	lowing:

1	"(iv) may include faculty and staff
2	members working directly with students in
3	providing workforce investment activities
4	through education or training programs
5	that support an industry cluster."; and
6	(2) in paragraph $(4)(A)$ —
7	(A) in clause (ii), by striking "include"
8	and all that follows through the period at the
9	end and inserting the following: "include—
10	"(I) representatives from commu-
11	nity-based organizations and other
12	representatives with professional ex-
13	pertise in youth workforce develop-
14	ment programs and with a dem-
15	onstrated record of success in serving
16	eligible youth;
17	"(II) opportunity youth, includ-
18	ing youth who are individuals with
19	disabilities;
20	"(III) at least one representative
21	of a public or nonprofit agency that
22	serves youth, including juvenile justice
23	and child welfare agencies, and at
24	least one representative of a local pub-
25	lic housing authority;

1	"(IV) for a local area in which a
2	Job Corps campus (as such term is
3	defined in section 142) is located, at
4	least one representative of that cam-
5	pus; and
6	"(V) for a local area in which a
7	center for a YouthBuild program (as
8	such term is defined in section
9	171(b)) is located, at least one rep-
10	resentative of that center."; and
11	(B) by adding at the end the following:
12	"(iv) A standing committee to provide
13	information and to assist with planning,
14	operational, and other issues relating to
15	the engagement of representatives of the
16	workforce in the local area, which—
17	"(I) shall include at least one
18	representative of local labor organiza-
19	tions or joint labor-management orga-
20	nizations, including at least one rep-
21	resentative of either of such organiza-
22	tions with special interest or expertise
23	in youth workforce readiness or ap-
24	prenticeship and pre-apprenticeship
25	programs that serve youth; and

1	"(II) may include, in a local area
2	with a significant number of dis-
3	located workers (as determined by the
4	local board), at least one representa-
5	tive with special interest or expertise
6	in providing supports for finding edu-
7	cation, training, and employment op-
8	portunities for dislocated workers.
9	"(v) A standing committee to provide
10	information and to assist with planning,
11	operational, and other issues relating to
12	the engagement of educational entities in
13	the local area, which shall include, at a
14	minimum—
15	"(I) at least one representative of
16	a local educational agency that serves
17	students residing in such local area;
18	"(II) at least one representative
19	of institutions of higher education in
20	the local area, including community
21	colleges; and
22	"(III) at least one representative
23	of entities administering education
24	and training activities, including ca-
25	reer and technical education programs

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1	or after- school and summer learning
2	programs, in the local area.
3	"(vi) A standing committee to provide
4	information and to assist with planning,
5	operational, and other issues relating to
6	the provision of services to justice- involved
7	individuals, including pre-release edu-
8	cation, training, and career services for
9	such individuals, which shall include—
10	"(I) at least one justice-involved
11	individual; and
12	"(II) representatives from com-
13	munity-based organizations with spe-
14	cial interest or expertise in reentry
15	services for incarcerated and justice-
16	involved individuals, including at least
17	one representative of an organization
18	that is a recipient of a grant under
19	section 172.".
20	(b) Functions of Local Board.—Section 107(d)
21	of the Workforce Innovation and Opportunity Act (29
22	U.S.C. 3122(d)) is amended—
23	(1) in paragraph $(2)(A)$ , by striking "section
24	108(b)(1)(D)" and inserting " $108(b)(1)(E)$ ";

1	(2) in paragraph $(3)$ , by inserting ", including,
2	to the extent practicable, local representatives of the
3	core programs and the programs described in section
4	121(b)(1)(B)," after "system stakeholders";
5	(3) in paragraph (4)—
6	(A) in subparagraph (B), by inserting
7	"and industry and sector partnerships" after
8	"intermediaries";
9	(B) in subparagraph (C), by inserting ",
10	local educational agencies, community colleges
11	and other institutions of higher education"
12	after "economic development entities"; and
13	(C) in subparagraph (D)—
14	(i) by striking "proven" and inserting
15	"evidence-based";
16	(ii) by inserting "individual" after
17	"needs of"; and
18	(iii) by inserting "from a variety of in-
19	dustries and occupations" after "and em-
20	ployers'';
21	(4) in paragraph (5), by inserting "and which,
22	to the extent practicable, shall be aligned with career
23	and technical education programs of study (as de-
24	fined in section 3 of the Carl D. Perkins Career and
25	Technical Education Act of 2006 (20 U.S.C.

1	2302(3)) offered within the local area" before the
2	period at the end;
3	(5) in paragraph $(6)$ —
4	(A) in the heading, by striking "PROVEN"
5	and inserting "EVIDENCE-BASED";
6	(B) in subparagraph (A)—
7	(i) by striking "proven" and inserting
8	"evidence-based";
9	(ii) by inserting "and covered veterans
10	(as defined in section $4212(a)(3)(A)$ of
11	title 38, United States Code)" after "em-
12	ployment"; and
13	(iii) by inserting ", and give priority
14	to covered persons in accordance with sec-
15	tion 4215 of title 38, United States Code"
16	after "delivery system"; and
17	(C) in subparagraph (B), by striking
18	"proven" and inserting "evidence-based";
19	(6) in paragraph $(10)(C)$ —
20	(A) by inserting ", on the State eligible
21	training provider list," after "identify"; and
22	(B) by inserting "that operate in or are ac-
23	cessible to individuals" after "training serv-
24	ices"; and

1	(7) in paragraph (12)(A), by striking "activi-
2	ties" and inserting "funds allocated to the local area
3	under section $128(b)$ and section $133(b)$ for the
4	youth workforce development activities described in
5	section 129 and local employment and training ac-
6	tivities described in section 134(b), and the activi-
7	ties".
8	(c) LIMITATIONS.—Section $107(g)(1)(D)$ of the
9	Workforce Innovation and Opportunity Act (29 U.S.C.
10	3122(g)(1)(D)) is amended by striking "needed or" and
11	inserting the following: ", that the local board is failing
12	to meet the requirements for eligible providers of training
13	services under section 122, or".
14	SEC. 117. LOCAL PLAN.
15	Section 108 of the Workforce Innovation and Oppor-
16	tunity Act (29 U.S.C. 3123) is amended—
17	(1) in subsection (a)—
18	(A) by striking "section $102(b)(1)(E)$ " and
19	inserting "section $102(b)(1)(F)$ ; and
20	(B) by striking "shall prepare" and insert-
	• // • •

- 21 ing "may prepare"; and
- 22 (2) in subsection (b)—
- 23 (A) in paragraph (1)—

1	(i) by redesignating subparagraphs
2	(D), (E), and (F) as subparagraphs (E),
3	(F), and (H), respectively;
4	(ii) by inserting the following after
5	subparagraph (C):
6	"(D) a description of—
7	"(i) how the local area will use real-
8	time labor market information to contin-
9	ually assess the economic conditions and
10	workforce trends described in subpara-
11	graphs (A), (B), and (C); and
12	"(ii) how changes in such conditions
13	or trends will be communicated to job-
14	seekers, education and training providers,
15	and employers in the local area;";
16	(iii) in subparagraph (F), as so redes-
17	ignated, by striking "and" at the end; and
18	(iv) by inserting after subparagraph
19	(F), as so redesignated, the following:
20	"(G) an analysis, which may be conducted
21	in coordination with the State, of the oppor-
22	tunity youth population in the local area includ-
23	ing the estimated number of such youth and
24	any gaps in services for such population from
25	other existing workforce development activities,

1	as identified under paragraph (9), and a de-
2	scription of how the local board will address any
3	such gaps in services identified in such analysis;
4	and";
5	(B) in paragraph (2), by striking "section
6	102(b)(1)(E)" and inserting "section
7	102(b)(1)(F);
8	(C) in paragraph (4)—
9	(i) in subparagraph (A)—
10	(I) by striking "and" at the end
11	of clause (iii); and
12	(II) by adding at the end the fol-
13	lowing:
14	"(v) carry out any statewide skills-
15	based initiatives identified in the State
16	plan that promote the use of demonstrated
17	skills and competencies as an alternative to
18	the exclusive use of degree attainment as a
19	requirement for employment or advance-
20	ment in a career; and"; and
21	(ii) in subparagraph (B), by striking
22	"customized training" and inserting "em-
23	ployer-directed skills development";

1	(D) in paragraph (6)(B), by inserting ",
2	such as the use of affiliated sites" after
3	"means";
4	(E) in paragraph (9)—
5	(i) by striking "including activities"
6	and inserting the following: "including-
7	"(A) the availability of community based
8	organizations that serve youth primarily during
9	nonschool time hours to carry out activities
10	under section 129;
11	"(B) activities";
12	(ii) in subparagraph (B), as so redes-
13	ignated—
14	(I) by inserting "or evidence-
15	based" after "successful"; and
16	(II) by adding "and" at the end;
17	and
18	(iii) by adding at the end the fol-
19	lowing:
20	"(C) the availability of preapprenticeship
21	and apprenticeship programs serving youth;";
22	(F) in paragraph (12), by inserting "in-
23	cluding as described in section $134(c)(2)$ ," after
24	"system,"; and

1	(G) in paragraph (13), by inserting before
2	the semicolon at the end the following: ", and
3	encourage eligible youth who are enrolled in
4	adult education and literacy activities under
5	title II to co-enroll in youth workforce invest-
6	ment activities carried out by the local board,
7	as appropriate".
8	CHAPTER 3—PERFORMANCE
9	ACCOUNTABILITY
10	SEC. 119. PERFORMANCE ACCOUNTABILITY SYSTEM.
11	(a) STATE PERFORMANCE ACCOUNTABILITY MEAS-
12	URES.—
13	(1) PRIMARY INDICATORS OF PERFORMANCE.—
14	Section $116(b)(2)(A)$ of the Workforce Innovation
15	and Opportunity Act $(29 \text{ U.S.C. } 3141(b)(2)(A))$ is
16	amended—
17	(A) in clause (i)—
18	(i) in subclause (II)—
19	(I) by striking "fourth" and in-
20	serting "second"; and
21	(II) by inserting "and remain in
22	unsubsidized employment during the
23	fourth quarter after exit from the pro-
24	gram" after "the program";

1	(ii) in subclause (IV), by striking
2	"secondary school diploma" and inserting
3	"regular high school diploma";
4	(iii) in subclause (V)—
5	(I) by striking ", during a pro-
6	gram year,";
7	(II) by striking "are in" and in-
8	serting "enter into"; and
9	(III) by inserting before the
10	semicolon at the end the following:
11	"within 12 months after the quarter
12	in which the participant enters into
13	the education and training program";
14	and
15	(iv) by amending subclause (VI) to
16	read as follows:
17	"(VI) of the program partici-
18	pants who received training services
19	during a program year, the percentage
20	of such program participants who par-
21	ticipated in on-the-job training, em-
22	ployer-directed skills development, in-
23	cumbent worker training, or an ap-
24	prenticeship.";
25	(B) in clause (ii)—

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1	(i) in subclause (II)—
2	(I) by striking "fourth" and in-
3	serting "second";
4	(II) by inserting ", and who re-
5	main either in such activities or un-
6	subsidized employment during the
7	fourth quarter after exit from the pro-
8	gram" after "the program"; and
9	(III) by striking "and" at the
10	end;
11	(ii) in subclause (III)—
12	(I) by striking "(VI)" and insert-
13	ing "(V)"; and
14	(II) by striking the period at the
15	end and inserting "; and"; and
16	(iii) by adding at the end the fol-
17	lowing:
18	"(IV) of the program partici-
19	pants who exited the program during
20	a program year, the percentage of
21	such program participants who com-
22	pleted, prior to such exit, a work ex-
23	perience as described in section
24	129(c)(2)(C)."; and

1	(C) in clause (iii), by striking "secondary
2	school diploma" and inserting "regular high
3	school diploma"; and
4	(D) by striking clause (iv).
5	(2) Levels of performance.—Section
6	116(b)(3)(A) of the Workforce Innovation and Op-
7	portunity Act (29 U.S.C. 3141(b)(3)(A)) is amend-
8	ed—
9	(A) by amending clause (iii) to read as fol-
10	lows:
11	"(iii) Identification in state
12	PLAN.—
13	"(I) Secretaries.—For each
14	State submitting a State plan, the
15	Secretary of Labor and the Secretary
16	of Education shall, not later than
17	January 15 of the year in which such
18	State plan is submitted, for the first
19	2 program years covered by the State
20	plan, and not later than January 15
21	of the second program year covered by
22	the State plan, for the third and
23	fourth program years covered by the
24	State plan—

1	"(aa) propose to the State
2	expected levels of performance,
3	for each of the corresponding pri-
4	mary indicators of performance
5	for each of the programs de-
6	scribed in clause (ii) for such
7	State, which shall—
8	"(AA) be consistent
9	with the factors listed in
10	clause (v); and
11	"(BB) be proposed in a
12	manner that ensures suffi-
13	cient time is provided for
14	the State to evaluate and re-
15	spond to such proposals; and
16	"(bb) publish, on a public
17	website of the Department of
18	Labor, the statistical model de-
19	veloped under clause (viii) and
20	the methodology used to develop
21	each such expected level of per-
22	formance.
23	"(II) STATES.—Each State
24	shall—

1	"(aa) evaluate each of the
2	expected levels of performance
3	proposed under subclause (I)
4	with respect to such State;
5	"(bb) based on such evalua-
6	tion of each such expected level
7	of performance—
8	"(AA) accept the ex-
9	pected level of performance
10	as so proposed; or
11	"(BB) provide a coun-
12	terproposal for such ex-
13	pected level of performance,
14	including an analysis of how
15	the counterproposal address-
16	es factors or circumstances
17	unique to the State that
18	may not have been ac-
19	counted for in the expected
20	level of performance; and
21	"(cc) include in the State
22	plan, with respect to each of the
23	corresponding primary indicators
24	of performance for each of the

1	programs described in clause (ii)
2	for such State—
3	"(AA) the expected
4	level of performance pro-
5	posed under subclause (I);
6	"(BB) the counter-
7	proposal for such proposed
8	level, if any; and
9	"(CC) the level of per-
10	formance that is agreed to
11	under clause (iv).";
12	(B) in clause (iv)—
13	(i) in subclause (I)—
14	(I) in the second sentence, by
15	striking "the levels identified in the
16	State plan under clause (iii) and the
17	factors described in clause (v)" and
18	inserting "the factors described in
19	clause (v) and any counterproposal,
20	and the analysis provided by the State
21	with such counterproposal, described
22	in clause (iii)(II)(bb)(BB)"; and
23	(II) in the third sentence, by
24	striking "incorporated into the State
25	plan" and inserting "included in the

1	State plan, as described in clause
2	(iii)(II)(cc),"; and
3	(ii) in subclause (II)—
4	(I) in the second sentence, by
5	striking "the factors described in
6	clause (v)" and inserting "the factors
7	described in clause (v) and any coun-
8	terproposal, and the analysis provided
9	by the State with such counter-
10	proposal, described in clause
11	(iii)(II)(bb)(BB)"; and
12	(II) in the third sentence, by
13	striking "incorporated into the State
14	plan" and inserting "included in the
15	State plan, as described in clause
16	(iii)(II)(cc),"; and
17	(C) in clause (v)(II)—
18	(i) in the matter preceding item (aa),
19	by striking "based on" and inserting
20	"based on each consideration that is found
21	to be predictive of performance on an indi-
22	cator for a program and consists of"; and
23	(ii) in item (bb), by striking "ex-of-
24	fender status, and welfare dependency"
25	and inserting "justice-involved individual

1	status, foster care status, school status,
2	education level, highest grade level com-
3	pleted, low-income status, and receipt of
4	public assistance".
5	(b) PERFORMANCE REPORTS.—Section 116(d) of the
6	Workforce Innovation and Opportunity Act (29 U.S.C.
7	3141(d)) is amended—
8	(1) by amending paragraph $(1)$ to read as fol-
9	lows:
10	"(1) IN GENERAL.—
11	"(A) TEMPLATES FOR PERFORMANCE RE-
12	PORTS.—Not later than 12 months after the
13	date of enactment of the A Stronger Workforce
14	for America Act, the Secretary of Labor, in
15	conjunction with the Secretary of Education,
16	shall develop, or review and modify, as appro-
17	priate, to comply with the requirements of this
18	subsection, the templates for performance re-
19	ports that shall be used by States (including by
20	States on behalf of eligible providers of training
21	services under section 122) and local areas to
22	produce a report on outcomes achieved by the
23	core programs. In developing, or reviewing and
24	modifying, such templates, the Secretary of
25	Labor, in conjunction with the Secretary of

1	Education, shall take into account the need to
2	maximize the value of the templates for work-
3	ers, jobseekers, employers, local elected officials,
4	State officials, Federal policymakers, and other
5	key stakeholders.
6	"(B) STANDARDIZED REPORTING.—In de-
7	veloping, or reviewing and modifying, the tem-
8	plates under subparagraph (A), the Secretary of
9	Labor, in conjunction with the Secretary of
10	Education, shall ensure that States and local
11	areas, in producing performance reports for
12	core programs and eligible providers of training
13	services, collect and report information on com-
14	mon data elements—
15	"(i) in a comparable and uniform for-
16	mat; and
17	"(ii) using terms that are assigned
18	identical meanings across all such reports.
19	"(C) Additional reporting.—The Sec-
20	retary of Labor, in conjunction with the Sec-
21	retary of Education—
22	"(i) in addition to the information on
23	the common data elements, may require
24	additional information with respect to any

1	core program as necessary for effective re-	
2	porting; and	
3	"(ii) shall periodically review any such	
4	requirement for additional information to	
5	ensure the requirement is necessary and	
6	does not impose an undue reporting bur-	
7	den.	
8	"(D) PRIVACY.—The Secretary of Labor,	
9	in conjunction with the Secretary of Education,	
10	shall ensure subparagraph (B) is carried out in	
11	a manner that protects and promotes individual	
12	privacy and data security, in accordance with	
13	applicable Federal privacy laws.	
14	"(E) Access to wage records.—	
15	"(i) ACCESS.—A State may facilitate	
16	for a local area that meets the require-	
17	ments of clause (ii), for the sole purpose of	
18	fulfilling the reporting requirements under	
19	this subsection, access to the quarterly	
20	wage records (excluding such records made	
21	available by any other State) of program	
22	participants in the local area.	
23	"(ii) PRIVACY PROTECTIONS.—To re-	
24	ceive access to such quarterly wage	
25	records, the local area shall have dem-	

1	onstrated to the State the ability to com-
2	ply, and agree to comply, with all applica-
3	ble Federal and State requirements relat-
4	ing to the access and use of such quarterly
5	wage records, including requirements relat-
6	ing to data privacy and cybersecurity.";
7	(2) in paragraph (2)—
8	(A) in subparagraph (B), by inserting ",
9	and aggregated to compare those levels of per-
10	formance for all individuals with barriers to em-
11	ployment with those levels of performance for
12	all other individuals" before the semicolon at
13	the end;
14	(B) in subparagraphs (D) and (F), by
15	striking "career and training services, respec-
16	tively" and inserting "career services, training
17	services, and supportive services, respectively";
18	(C) by redesignating subparagraphs $(J)$
19	through (L) as subparagraphs (K) through (M),
20	respectively and inserting after subparagraph
21	(I) the following:
22	"(J) the median earnings gain of partici-
23	pants who received training services, calculated
24	as the median value of the difference between—

<ul> <li>sidized employment during the 4 quarters</li> <li>after program exit; and</li> <li>"(ii) participant earnings in the 4</li> <li>quarters prior to entering the program;";</li> <li>and</li> <li>(D) in subparagraph (L), as so redesignated—</li> <li>(i) by striking clause (ii); and</li> <li>(ii) by striking "strategies for programs" and all that follows through "the</li> <li>performance", and inserting "strategies for</li> <li>programs, the performance";</li> <li>(3) in paragraph (3)—</li> <li>(A) in subparagraph (A), by striking "(L)"</li> <li>and inserting "(M)";</li> <li>(B) in subparagraph (B), by striking</li> <li>"and" at the end;</li> <li>(C) by redesignating subparagraph (C) as</li> <li>subparagraph (F); and</li> <li>(D) by inserting after subparagraph (B)</li> <li>the following:</li> <li>"(C) the percentage of the local area's allocation under section 133(b) that the local area</li> <li>spent on services paid for through an individual</li> </ul>	1	"(i) participant earnings in unsub-
<ul> <li>4 "(ii) participant earnings in the 4</li> <li>f quarters prior to entering the program;";</li> <li>6 and</li> <li>7 (D) in subparagraph (L), as so redesignated—</li> <li>9 (i) by striking clause (ii); and</li> <li>10 (ii) by striking "strategies for programs" and all that follows through "the</li> <li>12 performance", and inserting "strategies for</li> <li>13 programs, the performance";</li> <li>14 (3) in paragraph (3)—</li> <li>15 (A) in subparagraph (A), by striking "(L)"</li> <li>16 and inserting "(M)";</li> <li>17 (B) in subparagraph (B), by striking</li> <li>18 "and" at the end;</li> <li>19 (C) by redesignating subparagraph (C) as</li> <li>20 subparagraph (F); and</li> <li>21 (D) by inserting after subparagraph (B)</li> <li>22 the following:</li> <li>23 "(C) the percentage of the local area's allocation under section 133(b) that the local area</li> </ul>	2	sidized employment during the 4 quarters
5quarters prior to entering the program;";6and7(D) in subparagraph (L), as so redesig-8nated—9(i) by striking clause (ii); and10(ii) by striking "strategies for pro-11grams" and all that follows through "the12performance", and inserting "strategies for13programs, the performance";14(3) in paragraph (3)—15(A) in subparagraph (A), by striking "(L)"16and inserting "(M)";17(B) in subparagraph (B), by striking18"and" at the end;19(C) by redesignating subparagraph (C) as20subparagraph (F); and21(D) by inserting after subparagraph (B)22the following:23"(C) the percentage of the local area's allo-24cation under section 133(b) that the local area	3	after program exit; and
6and7(D) in subparagraph (L), as so redesignated—9(i) by striking elause (ii); and10(ii) by striking "strategies for programs" and all that follows through "the12performance", and inserting "strategies for13programs, the performance";14(3) in paragraph (3)—15(A) in subparagraph (A), by striking "(L)"16and inserting "(M)";17(B) in subparagraph (B), by striking18"and" at the end;19(C) by redesignating subparagraph (C) as20subparagraph (F); and21(D) by inserting after subparagraph (B)22the following:23"(C) the percentage of the local area's allocation under section 133(b) that the local area	4	"(ii) participant earnings in the 4
<ul> <li>(D) in subparagraph (L), as so redesignated—</li> <li>(i) by striking clause (ii); and</li> <li>(ii) by striking "strategies for programs" and all that follows through "the performance", and inserting "strategies for programs, the performance";</li> <li>(3) in paragraph (3)—</li> <li>(A) in subparagraph (A), by striking "(L)"</li> <li>and inserting "(M)";</li> <li>(B) in subparagraph (B), by striking</li> <li>"and" at the end;</li> <li>(C) by redesignating subparagraph (C) as</li> <li>subparagraph (F); and</li> <li>(D) by inserting after subparagraph (B)</li> <li>the following:</li> <li>"(C) the percentage of the local area's allocation under section 133(b) that the local area</li> </ul>	5	quarters prior to entering the program;";
8nated—9(i) by striking clause (ii); and10(ii) by striking "strategies for pro-11grams" and all that follows through "the12performance", and inserting "strategies for13programs, the performance";14(3) in paragraph (3)—15(A) in subparagraph (A), by striking "(L)"16and inserting "(M)";17(B) in subparagraph (B), by striking18"and" at the end;19(C) by redesignating subparagraph (C) as20subparagraph (F); and21(D) by inserting after subparagraph (B)22the following:23"(C) the percentage of the local area's allo-24cation under section 133(b) that the local area	6	and
<ul> <li>9 (i) by striking clause (ii); and</li> <li>10 (ii) by striking "strategies for pro-</li> <li>11 grams" and all that follows through "the</li> <li>12 performance", and inserting "strategies for</li> <li>13 programs, the performance";</li> <li>14 (3) in paragraph (3)—</li> <li>15 (A) in subparagraph (A), by striking "(L)"</li> <li>16 and inserting "(M)";</li> <li>17 (B) in subparagraph (B), by striking</li> <li>18 "and" at the end;</li> <li>19 (C) by redesignating subparagraph (C) as</li> <li>20 subparagraph (F); and</li> <li>21 (D) by inserting after subparagraph (B)</li> <li>22 the following:</li> <li>23 "(C) the percentage of the local area's allo-</li> <li>24 cation under section 133(b) that the local area</li> </ul>	7	(D) in subparagraph (L), as so redesig-
10(ii) by striking "strategies for pro-11grams" and all that follows through "the12performance", and inserting "strategies for13programs, the performance";14(3) in paragraph (3)—15(A) in subparagraph (A), by striking "(L)"16and inserting "(M)";17(B) in subparagraph (B), by striking18"and" at the end;19(C) by redesignating subparagraph (C) as20subparagraph (F); and21(D) by inserting after subparagraph (B)22the following:23"(C) the percentage of the local area's allo-24cation under section 133(b) that the local area	8	nated—
11grams" and all that follows through "the12performance", and inserting "strategies for13programs, the performance";14(3) in paragraph (3)—15(A) in subparagraph (A), by striking "(L)"16and inserting "(M)";17(B) in subparagraph (B), by striking18"and" at the end;19(C) by redesignating subparagraph (C) as20subparagraph (F); and21(D) by inserting after subparagraph (B)22the following:23"(C) the percentage of the local area's allo-24cation under section 133(b) that the local area	9	(i) by striking clause (ii); and
12performance", and inserting "strategies for13programs, the performance";14(3) in paragraph (3)—15(A) in subparagraph (A), by striking "(L)"16and inserting "(M)";17(B) in subparagraph (B), by striking18"and" at the end;19(C) by redesignating subparagraph (C) as20subparagraph (F); and21(D) by inserting after subparagraph (B)22the following:23"(C) the percentage of the local area's allo-24cation under section 133(b) that the local area	10	(ii) by striking "strategies for pro-
<ul> <li>programs, the performance";</li> <li>(3) in paragraph (3)—</li> <li>(A) in subparagraph (A), by striking "(L)"</li> <li>and inserting "(M)";</li> <li>(B) in subparagraph (B), by striking</li> <li>"and" at the end;</li> <li>(C) by redesignating subparagraph (C) as</li> <li>subparagraph (F); and</li> <li>(D) by inserting after subparagraph (B)</li> <li>the following:</li> <li>"(C) the percentage of the local area's allo-</li> <li>cation under section 133(b) that the local area</li> </ul>	11	grams" and all that follows through "the
<ul> <li>(3) in paragraph (3)—</li> <li>(A) in subparagraph (A), by striking "(L)"</li> <li>and inserting "(M)";</li> <li>(B) in subparagraph (B), by striking</li> <li>"and" at the end;</li> <li>(C) by redesignating subparagraph (C) as</li> <li>subparagraph (F); and</li> <li>(D) by inserting after subparagraph (B)</li> <li>the following:</li> <li>"(C) the percentage of the local area's allocation under section 133(b) that the local area</li> </ul>	12	performance", and inserting "strategies for
<ul> <li>(A) in subparagraph (A), by striking "(L)"</li> <li>and inserting "(M)";</li> <li>(B) in subparagraph (B), by striking</li> <li>"and" at the end;</li> <li>(C) by redesignating subparagraph (C) as</li> <li>subparagraph (F); and</li> <li>(D) by inserting after subparagraph (B)</li> <li>the following:</li> <li>"(C) the percentage of the local area's allocation under section 133(b) that the local area</li> </ul>	13	programs, the performance";
<ul> <li>and inserting "(M)";</li> <li>(B) in subparagraph (B), by striking</li> <li>"and" at the end;</li> <li>(C) by redesignating subparagraph (C) as</li> <li>subparagraph (F); and</li> <li>(D) by inserting after subparagraph (B)</li> <li>the following:</li> <li>"(C) the percentage of the local area's allocation under section 133(b) that the local area</li> </ul>	14	(3) in paragraph $(3)$ —
<ul> <li>(B) in subparagraph (B), by striking</li> <li>"and" at the end;</li> <li>(C) by redesignating subparagraph (C) as</li> <li>subparagraph (F); and</li> <li>(D) by inserting after subparagraph (B)</li> <li>the following:</li> <li>"(C) the percentage of the local area's allocation under section 133(b) that the local area</li> </ul>	15	(A) in subparagraph (A), by striking "(L)"
<ul> <li>18 "and" at the end;</li> <li>19 (C) by redesignating subparagraph (C) as</li> <li>20 subparagraph (F); and</li> <li>21 (D) by inserting after subparagraph (B)</li> <li>22 the following:</li> <li>23 "(C) the percentage of the local area's allo-</li> <li>24 cation under section 133(b) that the local area</li> </ul>	16	and inserting "(M)";
<ul> <li>19 (C) by redesignating subparagraph (C) as</li> <li>20 subparagraph (F); and</li> <li>21 (D) by inserting after subparagraph (B)</li> <li>22 the following:</li> <li>23 "(C) the percentage of the local area's allo-</li> <li>24 cation under section 133(b) that the local area</li> </ul>	17	(B) in subparagraph (B), by striking
<ul> <li>20 subparagraph (F); and</li> <li>21 (D) by inserting after subparagraph (B)</li> <li>22 the following:</li> <li>23 "(C) the percentage of the local area's allo-</li> <li>24 cation under section 133(b) that the local area</li> </ul>	18	"and" at the end;
<ul> <li>(D) by inserting after subparagraph (B)</li> <li>the following:</li> <li>"(C) the percentage of the local area's allo-</li> <li>cation under section 133(b) that the local area</li> </ul>	19	(C) by redesignating subparagraph (C) as
<ul> <li>the following:</li> <li>"(C) the percentage of the local area's allocation under section 133(b) that the local area</li> </ul>	20	subparagraph (F); and
<ul> <li>23 "(C) the percentage of the local area's allo-</li> <li>24 cation under section 133(b) that the local area</li> </ul>	21	(D) by inserting after subparagraph (B)
24 cation under section 133(b) that the local area	22	the following:
	23	"(C) the percentage of the local area's allo-
25 spent on services paid for through an individual	24	cation under section 133(b) that the local area
	25	spent on services paid for through an individual

1	training account described in section
2	134(c)(3)(F)(iii) or a training contract de-
3	scribed in section 134(c)(3)(G)(ii);
4	"(D) the percentage of the local area's al-
5	location under section 133(b) that the local
6	area spent on supportive services;
7	"(E) the percentage of the local area's al-
8	location under section 133(b), if any, that is
9	spent on incumbent worker training,
10	disaggregated by whether the amount so spent
11	was spent on the provision of incumbent worker
12	training through contracts or through incum-
13	bent worker upskilling accounts described in
14	section $134(d)(4)(E)$ ; and";
15	(4) by amending paragraph (4) to read as fol-
16	lows:
17	"(4) CONTENTS OF ELIGIBLE TRAINING PRO-
18	VIDERS PERFORMANCE REPORT.—
19	"(A) IN GENERAL.—The State shall use
20	the information submitted by the eligible pro-
21	viders of training services under section 122
22	and administrative records, including quarterly
23	wage records, of the participants of the pro-
24	grams offered by the providers to produce a
25	performance report on the eligible providers of

1	training services in the State, which shall in-
2	clude, subject to paragraph (6)(C)—
3	"(i) with respect to each program of
4	study (or the equivalent) of a provider on
5	the list described in section $122(d)$ —
6	"(I) information specifying the
7	levels of performance achieved with
8	respect to the primary indicators of
9	performance described in subclauses
10	(I) through $(IV)$ of subsection
11	(b)(2)(A)(i) with respect to all individ-
12	uals engaging in the program of study
13	(or the equivalent); and
14	"(II) the total number of individ-
15	uals exiting from the program of
16	study (or the equivalent),
17	disaggregated by whether such indi-
18	viduals completed the program of
19	study (or equivalent); and
20	"(ii) with respect to all eligible pro-
21	viders of training services under section
22	122—
23	"(I) the total number of partici-
24	pants who received training services
25	through each adult and dislocated

1	worker program authorized under
2	chapter 3 of subtitle B, disaggregated
3	by the type of entity that provided the
4	training services, during the most re-
5	cent program year and the 3 pre-
6	ceding program years;
7	"(II) the total number of partici-
8	pants who exited from training serv-
9	ices, disaggregated by the type of en-
10	tity that provided the training serv-
11	ices, and by whether such participants
12	completed the training services, dur-
13	ing the most recent program year and
14	the 3 preceding program years;
15	"(III) the average cost per par-
16	ticipant for the participants who re-
17	ceived training services, disaggregated
18	by the type of entity that provided the
19	training, during the most recent pro-
20	gram year and the 3 preceding pro-
21	gram years;
22	"(IV) the average of the per-pro-
23	gram ratios of median earnings in-
24	crease for a participant to the total
25	cost of the provider's program, as de-

1	scribed in section $122(b)(5)(B)(i)(III)$
2	for the participant; and
3	"(V) the number of individuals
4	with barriers to employment served by
5	each adult and dislocated worker pro-
6	gram authorized under chapter 3 of
7	subtitle B, disaggregated by each sub-
8	population of such individuals, and by
9	race, ethnicity, sex, and age; and
10	"(iii) to the extent practicable, with
11	respect to each recognized postsecondary
12	credential on the list of credentials award-
13	ed by eligible providers in the State de-
14	scribed in section $122(d)(2)$ —
15	"(I) information specifying the
16	levels of performance achieved with
17	respect to the primary indicators of
18	performance described in subclauses
19	(I) through $(IV)$ of subsection
20	(b)(2)(A)(i) for all participants in the
21	State receiving such credential; and
22	"(II) information specifying the
23	levels of performance achieved with
24	respect to the primary indicators of
25	performance described in subclauses

1	(I) through (IV) of subsection
2	(b)(2)(A)(i) for participants in the
3	State receiving such credential who
4	are individuals with barriers to em-
5	ployment, disaggregated by each sub-
6	population of such individuals, and by
7	race, ethnicity, sex, and age."; and
8	(5) in paragraph $(6)$ —
9	(A) by amending subparagraph (A) to read
10	as follows:
11	"(A) STATE PERFORMANCE REPORTS.—
12	The Secretary of Labor and the Secretary of
13	Education shall annually make available the
14	performance reports for States containing the
15	information described in paragraph $(2)$ , which
16	shall include making such reports available—
17	"(i) digitally using transparent,
18	linked, open, and interoperable data for-
19	mats that are human readable and ma-
20	chine actionable such that the data from
21	these reports—
22	"(I) are easily understandable;
23	and
24	"(II) can be easily included in
25	web-based tools and services sup-

1	porting search, discovery, comparison,
2	analysis, navigation, and guidance;
3	"(ii) in a printable format; and
4	"(iii) in multiple languages, to the ex-
5	tent practicable.";
6	(B) in subparagraph (B)—
7	(i) by striking "(including by elec-
8	tronic means), in an easily understandable
9	format,"; and
10	(ii) by adding at the end the fol-
11	lowing: "The Secretary of Labor and the
12	Secretary of Education shall include, on
13	the website where the State performance
14	reports are required under subparagraph
15	(A) to be made available, a link to local
16	area performance reports and the eligible
17	provider of training services report for
18	each State. Such reports shall be made
19	available in each of the formats described
20	in subparagraph (A)."; and
21	(C) by adding at the end the following:
22	"(E) RULE OF CONSTRUCTION.—Nothing
23	in this subsection shall be construed to require
24	the retroactive collection of information, from
25	program years prior to the effective date de-

1	scribed in section $502(a)(1)$ of the A Stronger
2	Workforce for America Act, that was not re-
3	quired under this subsection prior to that effec-
4	tive date.".
5	(c) EVALUATION OF STATE PROGRAMS.—Section
6	116(e) of the Workforce Innovation and Opportunity Act
7	(29 U.S.C. 3141(e)) is amended—
8	(1) in paragraph $(1)$ —
9	(A) in the first sentence, by striking "shall
10	conduct ongoing" and inserting "shall use data
11	to conduct analyses and ongoing"; and
12	(B) in the second sentence, by striking
13	"conduct the" and inserting "conduct such
14	analyses and"; and
15	(2) in paragraph (2), by adding "A State may
16	use various forms of analysis, such as machine
17	learning or other advanced analytics, to improve pro-
18	gram operations and outcomes and to identify areas
19	for further evaluation." at the end.
20	(d) SANCTIONS FOR STATE FAILURE TO MEET
21	STATE PERFORMANCE ACCOUNTABILITY MEASURES.—
22	Section 116(f) of the Workforce Innovation and Oppor-
23	tunity Act (29 U.S.C. 3141(f)) is amended to read as fol-
24	lows:

1	"(f) Sanctions for State Failure To Meet
2	STATE PERFORMANCE ACCOUNTABILITY MEASURES.—
3	"(1) TARGETED SUPPORT AND ASSISTANCE.—
4	"(A) IN GENERAL.—If a State fails to
5	meet 80 percent of the State adjusted level of
6	performance for an indicator described in sub-
7	section $(b)(2)(A)$ (referred to in the regulations
8	carrying out this section as an 'individual indi-
9	cator score') for a core program for any pro-
10	gram year, the Secretary of Labor and the Sec-
11	retary of Education shall provide technical as-
12	sistance.
13	"(B) SANCTIONS.—
14	"(i) IN GENERAL.—If the State fails
15	in the manner described in subclause (I) or
16	(II) of clause (ii) with respect to the pro-
17	gram year specified in that subclause, the
18	percentage of each amount that could (in
19	the absence of this subsection) be reserved
20	by the Governor under section $128(a)(1)$
21	for the immediately succeeding program
22	year shall be reduced by 5 percent and an
23	amount equivalent to the amount reduced
24	shall be returned to the Secretary of Labor
25	until such date as the Secretary of Labor

1	or the Secretary of Education, as appro-
2	priate, determines that the State meets the
3	State adjusted level of performance, in the
4	case of a failure described in clause (ii)(II),
5	or has submitted the reports for the appro-
6	priate program years, in the case of a fail-
7	ure described in clause (ii)(I).
8	"(ii) FAILURES.—A State shall be
9	subject to clause (i)—
10	"(I) if (except in the case of ex-
11	ceptional circumstances as determined
12	by the Secretary of Labor or the Sec-
13	retary of Education, as appropriate),
14	such State fails to submit a report
15	under subsection (d) for any program
16	year; or
17	"(II) for a failure under subpara-
18	graph (A) that has continued for a
19	second consecutive program year.
20	"(2) Comprehensive support and assist-
21	ANCE.—
22	"(A) IN GENERAL.—If a State fails to
23	meet an average of 90 percent of the State ad-
24	justed levels of performance for a single core
25	program across all indicators of performance

(referred to in the regulations carrying out this
section as an 'overall State program score') for
any program year, or if a State fails to meet an
average of 90 percent of the State adjusted lev-
els of performance for a single indicator of per-
formance across all core programs (referred to
in the regulations carrying out this section as
an 'overall State indicator score') for any pro-
gram year, the Secretary of Labor and the Sec-
retary of Education shall provide technical as-
sistance, as described and authorized under sec-
tion 168(b), including assistance in the develop-
ment of a comprehensive performance improve-
ment plan.
"(B) SECOND CONSECUTIVE YEAR FAIL-
URE.—If such failure under subparagraph (A)
continues for a second consecutive program
year, the percentage of each amount that could
(in the absence of this subsection) be reserved
by the Governor under section $128(a)(1)$ for the
immediately succeeding program year shall be
reduced by 8 percent and an amount equivalent

to the amount reduced shall be returned to the

Secretary of Labor until such date as the Sec-

retary of Labor or the Secretary of Education,

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1	as appropriate, determines that the State meets
2	such State adjusted levels of performance.
3	"(3) LIMITATION.—The total reduction under
4	this subsection to the percentage of each amount
5	that could (in the absence of this subsection) be re-
6	served by the Governor under section $128(a)(1)$ may
7	not exceed 10 percent for a program year.
8	"(4) Reallotment of reductions.—
9	"(A) IN GENERAL.—The amounts available
10	for reallotment for a program year shall be re-
11	allotted to a State (in this paragraph referred
12	to as an 'eligible State') that—
13	"(i) was not subject to a reduction of
14	funds under paragraph $(1)(B)$ or para-
15	graph $(2)(B)$ of this subsection for such
16	program year;
17	"(ii) in the case of amounts available
18	under section $127(b)(1)(C)$ , was 1 of the 5
19	States that achieved, in the most recent
20	program year, the greatest increase from
21	the prior year to the average of the State's
22	adjusted levels of performance across all
23	indicators of performance for the youth
24	program under chapter 2 of subtitle B;

1	"(iii) in the case of amounts available
2	under section $132(b)(1)(B)$ , was 1 of the 5
3	States that achieved, in the most recent
4	program year, the greatest increase from
5	the prior year to the average of the State's
6	adjusted levels of performance across all
7	indicators of performance for the adult
8	program under chapter 3 of subtitle B;
9	and
10	"(iv) in the case of amounts available
11	under section $132(b)(2)(B)$ , was 1 of the 5
12	States that achieved, in the most recent
13	program year, the greatest increase from
14	the prior year to the average of the State's
15	adjusted levels of performance across all
16	indicators of performance for the dis-
17	located worker program under chapter 3 of
18	subtitle B.
19	"(B) Amounts available for reallot-
20	MENT.—In this paragraph, the term 'amounts
21	available for reallotment for a program year'
22	means the amounts available under section
23	127(b)(1)(C) and paragraphs $(1)(B)$ and $(2)(B)$
24	of section 132(b) for such program year which
25	could (in the absence of the requirements to re-

1 turn funds of paragraph (1)(B) or paragraph 2 (2)(B) of this subsection) have otherwise been 3 reserved under section 128(a)(1) by a Governor 4 of a State for such program year. "(C) REALLOTMENT AMOUNTS .- In mak-5 6 ing reallotments under subparagraph (A) for a 7 program year to eligible States, the Secretary 8 shall allot to each eligible State— 9 "(i) in the case of amounts available 10 under section 127(b)(1)(C), an amount 11 based on the relative amount of the allot-12 ment made (before the reallotments under 13 this paragraph are made) to such eligible 14 State under section 127(b)(1)(C) for such 15 program year, compared to the total allot-16 ments made (before the reallotments under 17 this paragraph are made) to all eligible 18 States under section 127(b)(1)(C) for such 19 program year; 20 "(ii) in the case of amounts available 21

"(ii) in the case of amounts available under paragraph (1)(B) of section 132(b), an amount based on the relative amount of the allotment made (before the reallotments under this paragraph are made) to

such eligible State under paragraph (1)(B)

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1	of section 132(b) for such program year,
2	compared to the total allotments made (be-
3	fore the reallotments under this paragraph
4	are made) to all eligible States under para-
5	graph $(1)(B)$ of section 132(b) for such
6	program year; and
7	"(iii) in the case of amounts available
8	under paragraph $(2)(B)$ of section $132(b)$ ,
9	an amount based on the relative amount of
10	the allotment made (before the reallot-
11	ments under this paragraph are made) to
12	such eligible State under paragraph $(2)(B)$
13	of section 132(b) for such program year,
14	compared to the total allotments made (be-
15	fore the reallotments under this paragraph
16	are made) to all eligible States under para-
17	graph $(2)(B)$ of section $132(b)$ for such
18	program year.".
19	(e) SANCTIONS FOR LOCAL AREA FAILURE TO MEET
20	LOCAL PERFORMANCE ACCOUNTABILITY MEASURES.—
21	Section 116(g) of the Workforce Innovation and Oppor-
22	tunity Act (29 U.S.C. 3141(g)) is amended—
23	(1) in paragraph $(1)$ —
24	(A) by inserting "80 percent of the" before
25	"local performance"; and

1	(B) by striking "local performance ac-
2	countability measures established under sub-
3	section (c)" and inserting "local level of per-
4	formance established under subsection (c) for
5	an indicator of performance described in sub-
6	section $(b)(2)(A)$ for a single program, an aver-
7	age of 90 percent of the local levels of perform-
8	ance across all such indicators for a single pro-
9	gram, or an average of 90 percent of the local
10	levels of performance for a single such indicator
11	across all programs,"; and
12	(2) in paragraph $(2)$ —
13	(A) by amending subparagraph (A) to read
14	as follows:
15	"(A) IN GENERAL.—If such failure con-
16	tinues, the Governor shall take corrective ac-
17	tions, which shall include—
18	"(i) in the case of such failure, as de-
19	scribed in paragraph $(1)$ , for a second con-
20	secutive year, on any single indicator,
21	across indicators for a single program, or
22	on a single indicator across programs, a 5-
23	percent reduction in the amount that
24	would (in the absence of this clause) be al-
25	located to the local area for the imme-

1	diately succeeding program year under
2	chapter 2 or 3 of subtitle B for the pro-
3	gram subject to the performance failure;
4	"(ii) in the case of such failure, as de-
5	scribed in paragraph (1), for a third con-
6	secutive year, the development of a reorga-
7	nization plan through which the Governor
8	shall—
9	"(I) require the appointment and
10	certification of a new local board, con-
11	sistent with the criteria established
12	under section 107(b);
13	"(II) prohibit the use of one-stop
14	delivery system contractors or service
15	providers identified as achieving a
16	poor level of performance; and
17	"(III) redesignate a local area
18	(which may include merging a local
19	area with another local area), if the
20	Governor determines that the likely
21	cause of such continued performance
22	failure of a local area is due to such
23	local area's designation being granted
24	without the appropriate consideration

1	of parameters described under section
2	106(b)(1)(B); or
3	"(iii) taking another significant action
4	determined appropriate by the Governor.";
5	(B) in subparagraph (B)(i), by inserting
6	"(ii)" after "subparagraph (A)"; and
7	(C) by adding at the end the following:
8	"(D) REALLOCATION OF REDUCTIONS.—
9	With respect to any amounts available to carry
10	out section $128(b)$ , paragraph $(2)(A)$ or $(3)$ of
11	section $133(b)$ , and section $133(b)(2)(B)$ to a
12	Governor for a program year which would (in
13	the absence of subparagraph $(A)(i)$ have other-
14	wise been allocated by such Governor to a local
15	area (referred to individually in this subpara-
16	graph as an 'unallocated amount') for such pro-
17	gram year—
18	"(i) 10 percent of those 3 unallocated
19	amounts shall be reserved by the Governor
20	to provide technical assistance to local
21	areas within the State that were subject to
22	a reduction of allocation amounts pursuant
23	to subparagraph (A)(i) for such program
24	year; and

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1	"(ii) the amounts remaining after the
2	reservations under clause (i) shall be re-
3	allocated by the Governor, to the local
4	areas within the State that were not sub-
5	ject to a reduction of allocation amounts
6	pursuant to subparagraph (A)(i) for such
7	program year, in a manner determined by
8	the Governor, which may take into consid-
9	eration the extent to which local areas
10	serve a significant number, as determined
11	by the Governor, of individuals with bar-
12	riers to employment.".
13	(f) Establishing Pay-for-Performance Con-
14	TRACT STRATEGY INCENTIVES.—Section 116(h) of the
15	Workforce Innovation and Opportunity Act (29 U.S.C.
16	3141(h)) is amended by striking "non-Federal funds" and
17	inserting "not more than 5 percent of the funds reserved
18	under section 128(a)(1)".
19	(g) Information and Technical Assistance.—
20	Section 116 of the Workforce Innovation and Opportunity
21	Act (29 U.S.C. 3141) is amended—
22	(1) by redesignating subsection (i) as subsection
23	(j); and
24	(2) by inserting after subsection (h) the fol-
25	lowing:

1 "(i) INFORMATION AND TECHNICAL ASSISTANCE.— 2 Beginning not later than 12 months after the date of en-3 actment of the A Stronger Workforce for America Act, 4 the Secretary of Labor shall hold meetings with each State 5 board and State agency that administers a core program, 6 and that requests such a meeting, to provide information 7 and technical assistance concerning the performance ac-8 countability measures established in accordance with sub-9 section (b), and related requirements for States under this section.". 10

(h) FISCAL AND MANAGEMENT ACCOUNTABILITY INFORMATION SYSTEMS.—Section 116(j) of the Workforce
Innovation and Opportunity Act (29 U.S.C. 3141(j)), as
so redesignated, is amended—

(1) in the first sentence of paragraph (2), by
inserting ", and may use information provided from
the National Directory of New Hires in accordance
with section 453(j)(8) of the Social Security Act (42
U.S.C. 653(j)(8))" after "State law";

20 (2) by redesignating paragraph (3) as para-21 graph (4); and

(3) by inserting after paragraph (2) the fol-lowing:

24 "(3) DESIGNATED ENTITY.—The Governor
25 shall designate a State agency (or appropriate State

1	entity) to assist in carrying out the performance re-
2	porting requirements of this section for core pro-
3	grams and eligible providers of training services.
4	The designated State agency (or appropriate State
5	entity) shall be responsible for—
6	"(A) facilitating data matches using quar-
7	terly wage record information, including wage
8	record information made available by other
9	States, to measure employment and earnings
10	outcomes;
11	"(B) notifying State agencies that admin-
12	ister core programs and eligible providers of
13	training services of the State's procedures for
14	data validation and reliability, as described in
15	subsection $(d)(5)$ ; and
16	"(C) protection against disaggregation that
17	would violate applicable privacy standards, as
18	described in subsection $(d)(6)(C)$ .".
19	(i) Implementation of Performance Account-
20	ABILITY MEASURES.—Section 116 of the Workforce Inno-
21	vation and Opportunity Act (29 U.S.C. 3141) is amended
22	by adding at the end the following:
23	"(k) Implementation of Performance Account-
24	ABILITY MEASURES.—Not later than 12 months after the
25	date of enactment of the A Stronger Workforce for Amer-

ica Act, the Secretary of Labor and the Secretary of Edu cation shall fully implement the requirements of this sec tion for programs described in subsection (b)(3)(A)(iv), in cluding—

5 "(1) developing and disseminating the objective
6 statistical adjustment model described in subsection
7 (b)(3)(A)(viii) and using the model as described in
8 subsection (b)(3)(A)(viii) for each program; and

9 "(2) notifying the State agencies carrying out 10 such programs of the performance accountability 11 measures established under this section, of the re-12 porting and evaluation requirements for such pro-13 grams, and of the sanctions requirements for pro-14 grams that fail to meet State adjusted levels of per-15 formance under subsection (b)(3)(A)(iv).".

## Subtitle C—Workforce Investment Activities and Providers CHAPTER 1—WORKFORCE INVESTMENT

19 ACTIVITIES AND PROVIDERS

20 SEC. 121. ESTABLISHMENT OF ONE-STOP DELIVERY SYS-21 TEMS.

(a) ONE-STOP PARTNERS.—Section 121(b) of the
Workforce Innovation and Opportunity Act (29 U.S.C.
3151(b)) is amended—

25 (1) in paragraph (1)—

1	(A) in subparagraph (B)—
2	(i) in clause (xi), by inserting "and"
3	at the end;
4	(ii) by striking clause (xii); and
5	(iii) by redesignating clause (xiii) as
6	clause (xii); and
7	(B) in subparagraph (C), by striking "sub-
8	paragraph (B)(xiii)" and inserting "subpara-
9	graph (B)(xii)"; and
10	(2) in paragraph (2)—
11	(A) in subparagraph (A), by striking
12	"With" and inserting "At the direction of the
13	Governor or with"; and
14	(B) in subparagraph (B)—
15	(i) in clause (vi), by striking "and" at
16	the end;
17	(ii) by redesignating clause (vii) as
18	clause (viii);
19	(iii) by inserting after clause (vi) the
20	following:
21	"(vii) any applicable economic devel-
22	opment and workforce development pro-
23	grams carried out in the State—
24	"(I) by the Economic Develop-
25	ment Administration;

1	"(II) under Public Law 117–167
2	(commonly known as the 'CHIPS and
3	Science Act of 2022');
4	"(III) under the Infrastructure
5	Investment and Jobs Act (Public Law
6	117–58); or
7	"(IV) under Public Law 117–168
8	(commonly known as the 'Inflation
9	Reduction Act of 2022'); and"; and
10	(iv) in clause (viii), as so redesig-
11	nated—
12	(I) by inserting "opportunity
13	youth services," after "education,";
14	and
15	(II) by inserting ", by commu-
16	nity-based organizations," after "li-
17	braries".
18	(b) Memorandum of Understanding.—Section
19	121(c)(2)(A)(iv) of the Workforce Innovation and Oppor-
20	tunity Act (29 U.S.C. $3151(c)(2)(A)(iv)$ ) is amended by
21	striking "access to services, including access to technology
22	and materials, made" and inserting "access or referral to
23	services, including access or referral to technology, mate-
24	rials, and other supportive services, made".

1	(c) ONE-STOP OPERATORS.—Section 121(d) of the
2	Workforce Innovation and Opportunity Act (29 U.S.C.
3	3151(d)) is amended—
4	(1) in paragraph $(1)$ , by striking "paragraphs
5	(2) and $(3)$ " and inserting "paragraphs $(2)$ and
6	(5)'';
7	(2) in paragraph $(2)(B)$ —
8	(A) in the matter preceding clause (i), by
9	inserting "(including effectiveness in serving in-
10	dividuals with barriers to employment)" after
11	"demonstrated effectiveness";
12	(B) in clause (i), by inserting after "edu-
13	cation" the following: "or an area career and
14	technical education school";
15	(C) in clause (v), by striking "and";
16	(D) by redesignating clause (vi) as clause
17	(viii);
18	(E) by inserting after clause (v) the fol-
19	lowing:
20	"(vi) a public library;
21	"(vii) a local board that meets the re-
22	quirements of paragraph (4); and"; and
23	(F) in clause (viii), as so redesignated, by
24	inserting after "labor organization" the fol-

1	lowing: "or joint labor-management organiza-
2	tion";
3	(3) by redesignating paragraphs $(3)$ and $(4)$ as
4	paragraphs (5) and (6), respectively; and
5	(4) by inserting after paragraph $(2)$ the fol-
6	lowing:
7	"(3) Responsibilities.—
8	"(A) IN GENERAL.—In operating a one-
9	stop delivery system referred to in subsection
10	(e), a one-stop operator—
11	"(i) shall—
12	"(I) manage the physical and vir-
13	tual infrastructure and operations of
14	the one-stop delivery system in the
15	local area;
16	"(II) facilitate coordination
17	among the one-stop partners in such
18	one-stop delivery system; and
19	"(III) take the necessary steps to
20	ensure efficient and effective service
21	delivery for individuals served by the
22	one-stop delivery system, including in-
23	dividuals with barriers to employment;

24 and

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1	"(ii) may, subject to the requirements
2	under subparagraph (B), directly provide
3	services to job seekers and employers.
4	"(B) INTERNAL CONTROLS.—In a case in
5	which a one-stop operator seeks to operate as a
6	service provider pursuant to subparagraph
7	(A)(ii), the local board shall establish internal
8	controls (which shall include written policies
9	and procedures)—
10	"(i) with respect to the competition in
11	which the one-stop operator will compete to
12	be selected as such service provider, and
13	the subsequent oversight, monitoring, and
14	evaluation of the performance of such one-
15	stop operator as such service provider; and
16	"(ii) which—
17	"(I) require compliance with—
18	"(aa) relevant Office of
19	Management and Budget circu-
20	lars relating to conflicts of inter-
21	est; and
22	"(bb) any applicable State
23	conflict of interest policy; and
24	"(II) prohibit a one-stop operator
25	from developing, managing, or con-

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1	ducting the competition in which the
2	operator intends to compete to be se-
3	lected as a service provider.
4	"(4) Local boards as one-stop opera-
5	TORS.—Subject to approval from the chief elected
6	official and Governor and in accordance with any
7	other eligibility criteria established by the State, a
8	local board may serve as a one-stop operator, if the
9	local board—
10	"(A) enters into a written agreement with
11	the chief elected official that clarifies how the
12	local board will carry out the functions and re-
13	sponsibilities as a one-stop operator in a man-
14	ner that complies with the appropriate internal
15	controls to prevent any conflicts of interest,
16	which shall include how the local board, while
17	serving as a one-stop operator, will—
18	"(i) comply with the relevant Office of
19	Management and Budget circulars relating
20	to conflicts of interest; and
21	"(ii) any applicable State conflict of
22	interest policy; and
23	"(B) complies with the other applicable re-
24	quirements of this subsection.".

1	(d) ONE-STOP DELIVERY.—Section 121(e) of the
2	Workforce Innovation and Opportunity Act (29 U.S.C.
3	3151(e)) is amended—
4	(1) in paragraph $(1)$ —
5	(A) by redesignating subparagraphs (D)
6	and (E) as subparagraphs (E) and (F), respec-
7	tively; and
8	(B) by inserting after subparagraph (C)
9	the following:
10	"(D) provide referrals to supportive serv-
11	ices, to the extent practicable;";
12	(2) in paragraph (2)—
13	(A) in subparagraph (A), to read as fol-
14	lows:
15	"(A) shall make each of the programs,
16	services (meaning a referral in the case of sup-
17	portive services, for the purposes of this para-
18	graph), and activities described in paragraph
19	(1) available—
20	"(i) at not less than 1 physical or vir-
21	tual center for each local area of the State,
22	except that, in the case of 1 or more local
23	areas that share at least 1 common border,
24	each such local area may share—

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"(I) a virtual center if the local
area complies with subparagraph (E);
or
"(II) a physical center, if such
center is located in a location that
promotes accessibility to services for
individuals residing in all such local
areas served by the center; and
"(ii) in a manner that is designed to
promote efficiency, coordination, quality,
and accessibility for individuals with bar-
riers to employment, as determined by the
local board, in the delivery of such pro-
grams, services, and activities;";
(B) in subparagraph (B)(i), by inserting
after "affiliated sites" the following: "(such as
a site of any of the entities described in sub-
section $(d)(2)(B)$ )";
(C) in subparagraph (C)—
(i) by inserting after "centers" the
following: "(which may be virtual or phys-
ical centers)"; and
(ii) by striking "and" at the end;
(D) in subparagraph (D)—

2practicable, shall" and inserting "in the3case of a one-stop delivery system that is4making each of the programs, services, and5activities described in paragraph (1) access-6sible at not less than 1 physical center, as7described in subparagraph (A)(i)(II), shall,8as applicable and practicable,"; and9(ii) by striking the period at the end10and inserting ", and local areas that share11at least 1 common border may coordinate12in making such programs, services, and ac-13through such a one-stop delivery system;15and"; and16(E) by inserting after subparagraph (D)17the following:18"(E) in the case of a one-stop delivery sys-19tem that is making each of the programs, serv-20ices, and activities accessible through electronic21means, as described in subparagraph (A)(i)(I),22shall have not fewer than 2 affiliated sites (not23fewer than 1 of which will have not fewer than241 professional staff member) with a physical lo-25eation where individuals can access, virtually,	1	(i) by striking "as applicable and
4making each of the programs, services, and activities described in paragraph (1) acces- sible at not less than 1 physical center, as described in subparagraph (A)(i)(II), shall, as applicable and practicable,"; and9(ii) by striking the period at the end and inserting ", and local areas that share at least 1 common border may coordinate in making such programs, services, and ac- tivities accessible through electronic means through such a one-stop delivery system; and"; and 1616(E) by inserting after subparagraph (D) the following:17the following: "(E) in the case of a one-stop delivery sys- tem that is making each of the programs, serv- ices, and activities accessible through electronic means, as described in subparagraph (A)(i)(I), 2223fewer than 1 of which will have not fewer than 1 professional staff member) with a physical lo-	2	practicable, shall" and inserting "in the
5activities described in paragraph (1) accessible at not less than 1 physical center, as6sible at not less than 1 physical center, as7described in subparagraph (A)(i)(II), shall,8as applicable and practicable,"; and9(ii) by striking the period at the end10and inserting ", and local areas that share11at least 1 common border may coordinate12in making such programs, services, and ac-13through such a one-stop delivery system;14through such a one-stop delivery system;15and"; and16(E) by inserting after subparagraph (D)17the following:18"(E) in the case of a one-stop delivery sys-19tem that is making each of the programs, serv-20ices, and activities accessible through electronic21means, as described in subparagraph (A)(i)(I),22shall have not fewer than 2 affiliated sites (not23fewer than 1 of which will have not fewer than241 professional staff member) with a physical lo-	3	case of a one-stop delivery system that is
6 sible at not less than 1 physical center, as 7 described in subparagraph (A)(i)(II), shall, 8 as applicable and practicable,"; and 9 (ii) by striking the period at the end 10 and inserting ", and local areas that share 11 at least 1 common border may coordinate 12 in making such programs, services, and ac- 13 tivities accessible through electronic means 14 through such a one-stop delivery system; 15 and"; and 16 (E) by inserting after subparagraph (D) 17 the following: 18 "(E) in the case of a one-stop delivery sys- 19 tem that is making each of the programs, serv- 20 ices, and activities accessible through electronic 21 means, as described in subparagraph (A)(i)(I), 22 shall have not fewer than 2 affiliated sites (not 23 fewer than 1 of which will have not fewer than 24 1 professional staff member) with a physical lo-	4	making each of the programs, services, and
7described in subparagraph (A)(i)(II), shall,8as applicable and practicable,"; and9(ii) by striking the period at the end10and inserting ", and local areas that share11at least 1 common border may coordinate12in making such programs, services, and ac-13tivities accessible through electronic means14through such a one-stop delivery system;15and"; and16(E) by inserting after subparagraph (D)17the following:18"(E) in the case of a one-stop delivery sys-19tem that is making each of the programs, serv-20ices, and activities accessible through electronic21means, as described in subparagraph (A)(i)(I),22shall have not fewer than 2 affiliated sites (not23fewer than 1 of which will have not fewer than241 professional staff member) with a physical lo-	5	activities described in paragraph $(1)$ acces-
8as applicable and practicable,"; and9(ii) by striking the period at the end10and inserting ", and local areas that share11at least 1 common border may coordinate12in making such programs, services, and ac-13tivities accessible through electronic means14through such a one-stop delivery system;15and"; and16(E) by inserting after subparagraph (D)17the following:18"(E) in the case of a one-stop delivery sys-19tem that is making each of the programs, serv-20ices, and activities accessible through electronic21means, as described in subparagraph (A)(i)(I),22shall have not fewer than 2 affiliated sites (not23fewer than 1 of which will have not fewer than241 professional staff member) with a physical lo-	6	sible at not less than 1 physical center, as
9(ii) by striking the period at the end10and inserting ", and local areas that share11at least 1 common border may coordinate12in making such programs, services, and ac-13tivities accessible through electronic means14through such a one-stop delivery system;15and"; and16(E) by inserting after subparagraph (D)17the following:18"(E) in the case of a one-stop delivery sys-19tem that is making each of the programs, serv-20ices, and activities accessible through electronic21means, as described in subparagraph (A)(i)(I),22shall have not fewer than 2 affiliated sites (not23fewer than 1 of which will have not fewer than241 professional staff member) with a physical lo-	7	described in subparagraph (A)(i)(II), shall,
10and inserting ", and local areas that share11at least 1 common border may coordinate12in making such programs, services, and ac-13tivities accessible through electronic means14through such a one-stop delivery system;15and"; and16(E) by inserting after subparagraph (D)17the following:18"(E) in the case of a one-stop delivery sys-19tem that is making each of the programs, serv-20ices, and activities accessible through electronic21means, as described in subparagraph (A)(i)(I),22shall have not fewer than 2 affiliated sites (not23fewer than 1 of which will have not fewer than241 professional staff member) with a physical lo-	8	as applicable and practicable,"; and
11at least 1 common border may coordinate12in making such programs, services, and ac-13tivities accessible through electronic means14through such a one-stop delivery system;15and"; and16(E) by inserting after subparagraph (D)17the following:18"(E) in the case of a one-stop delivery sys-19tem that is making each of the programs, serv-20ices, and activities accessible through electronic21means, as described in subparagraph (A)(i)(I),22shall have not fewer than 2 affiliated sites (not23fewer than 1 of which will have not fewer than241 professional staff member) with a physical lo-	9	(ii) by striking the period at the end
12in making such programs, services, and ac-13tivities accessible through electronic means14through such a one-stop delivery system;15and"; and16(E) by inserting after subparagraph (D)17the following:18"(E) in the case of a one-stop delivery sys-19tem that is making each of the programs, serv-20ices, and activities accessible through electronic21means, as described in subparagraph (A)(i)(I),22shall have not fewer than 2 affiliated sites (not23fewer than 1 of which will have not fewer than241 professional staff member) with a physical lo-	10	and inserting ", and local areas that share
13tivities accessible through electronic means14through such a one-stop delivery system;15and"; and16(E) by inserting after subparagraph (D)17the following:18"(E) in the case of a one-stop delivery sys-19tem that is making each of the programs, serv-20ices, and activities accessible through electronic21means, as described in subparagraph (A)(i)(I),22shall have not fewer than 2 affiliated sites (not23fewer than 1 of which will have not fewer than241 professional staff member) with a physical lo-	11	at least 1 common border may coordinate
14through such a one-stop delivery system;15and"; and16(E) by inserting after subparagraph (D)17the following:18"(E) in the case of a one-stop delivery sys-19tem that is making each of the programs, serv-20ices, and activities accessible through electronic21means, as described in subparagraph (A)(i)(I),22shall have not fewer than 2 affiliated sites (not23fewer than 1 of which will have not fewer than241 professional staff member) with a physical lo-	12	in making such programs, services, and ac-
15and"; and16(E) by inserting after subparagraph (D)17the following:18"(E) in the case of a one-stop delivery sys-19tem that is making each of the programs, serv-20ices, and activities accessible through electronic21means, as described in subparagraph (A)(i)(I),22shall have not fewer than 2 affiliated sites (not23fewer than 1 of which will have not fewer than241 professional staff member) with a physical lo-	13	tivities accessible through electronic means
<ul> <li>(E) by inserting after subparagraph (D)</li> <li>the following:</li> <li>"(E) in the case of a one-stop delivery sys-</li> <li>tem that is making each of the programs, serv-</li> <li>ices, and activities accessible through electronic</li> <li>means, as described in subparagraph (A)(i)(I),</li> <li>shall have not fewer than 2 affiliated sites (not</li> <li>fewer than 1 of which will have not fewer than</li> <li>professional staff member) with a physical lo-</li> </ul>	14	through such a one-stop delivery system;
17the following:18"(E) in the case of a one-stop delivery sys-19tem that is making each of the programs, serv-20ices, and activities accessible through electronic21means, as described in subparagraph (A)(i)(I),22shall have not fewer than 2 affiliated sites (not23fewer than 1 of which will have not fewer than241 professional staff member) with a physical lo-	15	and"; and
<ul> <li>"(E) in the case of a one-stop delivery sys-</li> <li>tem that is making each of the programs, serv-</li> <li>ices, and activities accessible through electronic</li> <li>means, as described in subparagraph (A)(i)(I),</li> <li>shall have not fewer than 2 affiliated sites (not</li> <li>fewer than 1 of which will have not fewer than</li> <li>professional staff member) with a physical lo-</li> </ul>	16	(E) by inserting after subparagraph (D)
19tem that is making each of the programs, serv-20ices, and activities accessible through electronic21means, as described in subparagraph (A)(i)(I),22shall have not fewer than 2 affiliated sites (not23fewer than 1 of which will have not fewer than241 professional staff member) with a physical lo-	17	the following:
<ul> <li>ices, and activities accessible through electronic</li> <li>means, as described in subparagraph (A)(i)(I),</li> <li>shall have not fewer than 2 affiliated sites (not</li> <li>fewer than 1 of which will have not fewer than</li> <li>1 professional staff member) with a physical lo-</li> </ul>	18	"(E) in the case of a one-stop delivery sys-
<ul> <li>21 means, as described in subparagraph (A)(i)(I),</li> <li>22 shall have not fewer than 2 affiliated sites (not</li> <li>23 fewer than 1 of which will have not fewer than</li> <li>24 1 professional staff member) with a physical lo-</li> </ul>	19	tem that is making each of the programs, serv-
<ul> <li>shall have not fewer than 2 affiliated sites (not</li> <li>fewer than 1 of which will have not fewer than</li> <li>professional staff member) with a physical lo-</li> </ul>	20	ices, and activities accessible through electronic
<ul><li>fewer than 1 of which will have not fewer than</li><li>1 professional staff member) with a physical lo-</li></ul>	21	means, as described in subparagraph $(A)(i)(I)$ ,
24 1 professional staff member) with a physical lo-	22	shall have not fewer than 2 affiliated sites (not
	23	fewer than 1 of which will have not fewer than
25 cation where individuals can access, virtually,	24	1 professional staff member) with a physical lo-
	25	cation where individuals can access, virtually,

1	each of the programs, services, and activities
2	described in paragraph (1) that are virtually ac-
3	cessible."; and
4	(3) in paragraph (4), by inserting after the first
5	sentence the following: "The system identifier shall
6	be prominently and visibly displayed at each com-
7	prehensive and specialized one-stop center operated
8	by the one-stop delivery system, including physical
9	and virtual centers identified in paragraph $(2)(A)$ ,
10	and the sites and centers described in subparagraphs
11	(B) through (E) of paragraph (2).".
12	(e) Certification and Improvement Criteria.—
13	Section $121(g)(2)(A)$ of the Workforce Innovation and
14	Opportunity Act (29 U.S.C. 3151(g)(2)(A)) is amended
15	by striking "under subsections $(h)(1)$ " and inserting
16	"under subsections (h)(1)(C)".
17	(f) Funding of One-Stop Infrastructure.—Sec-
18	tion 121(h) of the Workforce Innovation and Opportunity
19	Act (29 U.S.C. 3151(h)) is amended—
20	(1) by striking paragraph (1);
21	(2) by redesignating paragraphs $(2)$ and $(3)$ as
22	paragraphs (1) and (2), respectively;
23	(3) in paragraph (1), as so redesignated—
24	(A) by amending subparagraph (B) to read
25	as follows:

1	"(B) PARTNER CONTRIBUTIONS.—Subject
2	to subparagraph (D), the covered portions of
3	funding for a fiscal year shall be provided to
4	the Governor from the programs described in
5	subsection $(b)(1)$ to pay the costs of infrastruc-
6	ture of one-stop centers in local areas of the
7	State.";
8	(B) in subparagraph (C)(i)—
9	(i) by striking "for funding pursuant
10	to clause (i)(II) or (ii) of paragraph (1)(A)
11	by each partner,"; and
12	(ii) by striking the third sentence; and
13	(C) in subparagraph (D)—
14	(i) in clause (ii), by striking "For
15	local areas in a State that are not covered
16	by paragraph $(1)(A)(i)(I)$ , the" and insert-
17	ing "The";
18	(ii) in clause (ii)—
19	(I) in subclause (I)—
20	(aa) by striking "WIA" in
21	the header and inserting
22	"WIOA"; and
23	(bb) by striking "3 percent"
24	and inserting "5 percent"; and

1	(II) by striking subclause (III)
2	and inserting the following:
3	"(III) VOCATIONAL REHABILITA-
4	TION.—Notwithstanding subclauses
5	(I) and (II), an entity administering a
6	program described in subsection
7	(b)(1)(B)(iii) shall not be required to
8	provide from that program, under this
9	paragraph, a portion that exceeds 1.5
10	percent of the amount of Federal
11	funds provided to carry out such pro-
12	gram in the State for a program
13	year."; and
14	(iii) in clause (iii), by striking "For
15	local areas in a State that are not covered
16	by paragraph (1)(A)(i)(I), an" and insert-
17	ing "An";
18	(4) in paragraph (2), as so redesignated—
19	(A) in subparagraph (A), by striking "pur-
20	poses of assisting in" and inserting "purpose
21	of"; and
22	(B) in subparagraph (B)—
23	(i) in the first sentence, by striking
24	

1	the option described in paragraph
2	(1)(A)(i)(I)"; and
3	(ii) in the second sentence, by insert-
4	ing after "local area," the following: "the
5	intensity of services provided by such cen-
6	ters, the number and types of one-stop
7	partners engaged by or providing services
8	through such centers";
9	(5) by inserting after paragraph $(2)$ , as so re-
10	designated, the following:
11	"(3) Supplemental infrastructure fund-
12	ING.—For any fiscal year in which the allocation re-
13	ceived by a local area under paragraph (2) is insuffi-
14	cient to cover the total costs of infrastructure of
15	one-stop centers in such local area, the local board,
16	the chief elected official, and the one-stop partners
17	that have entered into the local memorandum of un-
18	derstanding with the local board under subsection
19	(c) may agree to fund the remainder of any such
20	costs using a method described in such memo-
21	randum."; and
22	(6) in paragraph (4), by inserting after "oper-
23	ation of the one-stop center" the following: "(wheth-
24	er for in-person or virtual service delivery)".

1 (g) OTHER FUNDS.—Section 121(i)(2) of the Work-2 force Innovation and Opportunity Act (29 U.S.C. 3151(i)(2)) is amended by striking "intake," and all that 3 follows through "skills," and inserting "intake, case man-4 5 agement, assessment of needs, appraisal of foundational 6 skill needs,". 7 SEC. 122. IDENTIFICATION OF ELIGIBLE PROVIDERS OF 8 TRAINING SERVICES. 9 (a) IN GENERAL.—Section 122 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3152) is amend-10 ed— 11 12 (1) by redesignating subsections (f) through (i) 13 as subsections (g) through (j), respectively;

14 (2) by striking the section heading and all that
15 follows through subsection (e) and inserting the fol16 lowing:

17 "SEC. 122. IDENTIFICATION OF ELIGIBLE PROVIDERS OF
18 TRAINING SERVICES.

19 "(a) ELIGIBILITY.—

"(1) IN GENERAL.—Except as provided in subsection (i), the Governor, after consultation with the
State board and considering the State's adjusted levels of performance described in section
116(b)(3)(A)(iv), shall establish—

1	"(A) procedures regarding the eligibility of
2	providers of training services to receive funds
3	provided under section 133(b) for the provision
4	of training services through programs with eli-
5	gibility under this section (in this section re-
6	ferred to as 'eligible programs') in local areas in
7	the State; and
8	"(B) the minimum levels of performance
9	on the criteria for a program to receive such eli-
10	gibility.
11	"(2) Providers.—Subject to the provisions of
12	this section, to be eligible to receive those funds for
13	the provision of training services, the provider shall
14	be—
15	"(A) an institution of higher education
16	that provides a program that leads to a recog-
17	nized postsecondary credential;
18	"(B) an entity that carries out programs
19	registered under the Act of August 16, 1937
20	(commonly known as the 'National Apprentice-
21	ship Act'; 50 Stat. 664, chapter 663; 29 U.S.C.
22	50 et seq.); or
23	"(C) another public or private provider of
24	a program of training services, which may in-
25	clude joint labor-management organizations,

1 providers of entrepreneurial skills development 2 programs, industry or sector partnerships, 3 groups of employers, trade or professional asso-4 ciations, and eligible providers of adult edu-5 cation and literacy activities under title II (if 6 such activities are provided in combination with occupational skills training or integrated edu-7 8 cation and training programs).

9 "(3) INCLUSION IN LIST OF ELIGIBLE PRO-10 VIDERS.—A provider described in subparagraph (A) 11 or (C) of paragraph (2) shall comply with the cri-12 teria, information requirements, and procedures es-13 tablished under this section to be included on the list 14 of eligible providers of training services described in 15 subsection (d). A provider described in paragraph (2)(B) shall be included and maintained on the list 16 17 of eligible providers of training services described in 18 subsection (d) for so long as the corresponding pro-19 gram of the provider remains registered as described 20 in paragraph (2)(B).

21 "(b) Criteria and Information Require-22 ments.—

23 "(1) GENERAL CRITERIA FOR PROGRAMS.—
24 Each provider shall demonstrate to the Governor

1	that the program for which the provider is seeking
2	eligibility under this section—
3	"(A) prepares participants to meet the hir-
4	ing requirements of potential employers in the
5	State, or a local area within the State, for em-
6	ployment that—
7	"(i) is high-skill and high-wage; or
8	"(ii) is in an in-demand industry sec-
9	tor or occupation;
10	"(B) leads to a recognized postsecondary
11	credential;
12	"(C) has been offered by the provider for
13	not less than 1 year; and
14	"(D) meets the performance requirements
15	for eligibility described in paragraph (2).
16	"(2) Performance criteria for eligi-
17	BILITY.—
18	"(A) IN GENERAL.—The Governor shall—
19	"(i) establish and publicize minimum
20	levels of performance for each of the cri-
21	teria listed in subparagraph (B) that a
22	program offered by a provider of training
23	services shall achieve, for all participants
24	in the program (including participants for
25	whom the provider receives payments

1	under this title) for the program to receive
2	and maintain eligibility under this section;
3	"(ii) verify the performance achieved
4	by such a program with respect to each
5	such criterion to determine whether the
6	program meets the corresponding min-
7	imum level of performance established
8	under clause (i)—
9	"(I) in the case of the criteria de-
10	scribed in (ii) through (iv) of subpara-
11	graph (B), using State administrative
12	data (such as quarterly wage records);
13	and
14	"(II) in the case of the criteria
15	described in subparagraph (B)(i),
16	using any applicable method for such
17	verification; and
18	"(iii) in verifying the performance
19	achievement of a program to make such
20	determination, verify that such program
21	included a sufficient number of program
22	participants to protect participants' per-
23	sonally identifiable information, and to
24	provide information that is a reliable indi-
25	cator of performance achievement.

1	"(B) Performance criteria.—The per-
2	formance criteria to receive and maintain eligi-
3	bility for a program under this section are each
4	of the following:
5	"(i) The credential attainment rate of
6	program participants (calculated as the
7	percentage of program participants who
8	obtain the recognized postsecondary cre-
9	dential that the program prepares partici-
10	pants to earn within 6 months after exit
11	from the program).
12	"(ii) The job placement rate of pro-
13	gram participants (calculated as the per-
14	centage of program participants in unsub-
15	sidized employment during the second
16	quarter after exit from the program).
17	"(iii) The median earnings of program
18	participants who are in unsubsidized em-
19	ployment during the second quarter after
20	exit from the program.
21	"(iv) The ratio of median earnings in-
22	crease to the total cost of program, cal-
23	culated as the ratio of—
24	"(I) the median value of the dif-
25	ference between—

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1	"(aa) participant wages
2	from unsubsidized employment
3	during the second quarter after
4	program exit; and
5	"(bb) participant wages dur-
6	ing the quarter prior to entering
7	the program; to
8	"(II) the total cost of the pro-
9	gram (as described in paragraph
10	(5)(B)(i)(III)).
11	"(C) LOCAL CRITERIA.—With respect to
12	any program receiving eligibility under this sec-
13	tion from a Governor, a local board in the State
14	may require higher levels of performance than
15	the minimum levels of performance established
16	by the Governor under this paragraph for the
17	program to be an eligible program in the cor-
18	responding local area, but may not—
19	"(i) require any information or appli-
20	cation from the provider that is not re-
21	quired for such eligibility; or
22	"(ii) establish a performance require-
23	ment with respect to any criterion not list-
24	ed in subparagraph (B).

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1	"(3) Employer-sponsored or industry or
2	SECTORAL PARTNERSHIP DESIGNATION.—
3	"(A) IN GENERAL.—The Governor shall
4	establish procedures and criteria for a provider
5	to demonstrate that a program meets, in apply-
6	ing for an employer-sponsored designation for a
7	program that has received eligibility under this
8	subsection, which shall include demonstrating a
9	commitment from an employer or an industry
10	or sectoral partnership to—
11	"(i) pay to the provider, on behalf of
12	each participant enrolled in such program
13	under this Act, not less than 25 percent of
14	the total cost of the program (as described
15	in paragraph $(5)(B)(i)(III))$ , which shall be
16	provided in lieu of 25 percent of the
17	amount that the provider would have oth-
18	erwise received under section 133(b) for
19	the provision of training services by such
20	program to such participant; and
21	"(ii) guarantee an interview and
22	meaningful consideration for a job with the
23	employer, or in the case of an industry or
24	sector partnership, an employer within

1	such partnership, for each such participant
2	that successfully completes the program.
3	"(B) RESTRICTION ON FINANCIAL AR-
4	RANGEMENT.—A provider of a program receiv-
5	ing an employer-sponsored designation under
6	this paragraph may not—
7	"(i) have an ownership stake in the
8	employer or industry or sectoral partner-
9	ship making a commitment described in
10	subparagraph (A); or
11	"(ii) enter into an arrangement to re-
12	imburse an employer or partnership for the
13	costs of a participant paid by such em-
14	ployer or partnership under this para-
15	graph.
16	"(4) Workforce innovation leader des-
17	IGNATION.—
18	"(A) IN GENERAL.—If the Governor deter-
19	mines that a program offered by an eligible pro-
20	vider meets the minimum levels of performance
21	described in subparagraph (B) to receive a
22	Workforce Innovation Leader (or WIL) des-
23	ignation, which designates the program as a
24	WIL program, the Governor shall grant the
25	program designation as a WIL program and in-

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1	form the provider of such program of their abil-
2	ity to display the WIL seal, as described in sub-
3	paragraph (C), in marketing materials.
4	"(B) LEVELS.—A eligible program shall
5	meet the levels of performance to receive a WIL
6	designation if such program has achieved—
7	"(i) a credential attainment rate of
8	program participants (calculated as the
9	percentage of program participants who
10	obtain the recognized postsecondary cre-
11	dential that the program prepares partici-
12	pants to earn within 6 months after exit
13	from the program) of not less than 80 per-
14	cent;
15	"(ii) a job placement rate of program
16	participants (calculated as the percentage
17	of program participants in unsubsidized
18	employment during the second quarter
19	after exit from the program) of not less
20	than 70 percent;
21	"(iii) median earnings of program
22	participants who are in unsubsidized em-
23	ployment during the second quarter after
24	exit from the program that are not less
25	than 25 percent greater than the State-

1	
1	level median earnings of individuals ages
2	25 through 34 in the labor force who have
3	only a regular high school diploma or its
4	recognized equivalent; and
5	"(iv) a ratio of greater than 1.5 of
6	median earnings increase to the total cost
7	of program, calculated as the ratio of—
8	"(I) the median value of the dif-
9	ference between—
10	"(aa) participant wages
11	from unsubsidized employment
12	during the second quarter after
13	program exit; and
14	"(bb) participant wages dur-
15	ing the quarter prior to entering
16	the program; to
17	"(II) the total cost of the pro-
18	gram (as described in paragraph
19	(5)(B)(i)(III)).
20	"(C) WIL SEAL.—Not later than 2 years
21	after the date of enactment of the A Stronger
22	Workforce for America Act, the Secretary shall
23	design a seal signifying that a program has
24	achieved a WIL designation, for the Governor
25	of each State to provide to any programs in

1	their State that achieve the performance nec-
2	essary to receive a WIL designation.
3	"(D) Loss of wild designation.—If, dur-
4	ing the annual review of eligibility described in
5	subsection $(c)(3)$ , the Governor determines that
6	a WIL program no longer meets the levels de-
7	scribed in subparagraph (B) or otherwise has
8	eligibility under this section revoked or termi-
9	nated, or the provider of the program has eligi-
10	bility terminated under subsection $(g)(1)(A)$ ,
11	the Governor shall revoke the program's WIL
12	designation and inform the provider of such
13	program that such provider may no longer dis-
14	play the WIL seal in marketing materials or
15	otherwise.
16	"(5) INFORMATION REQUIREMENTS.—A pro-
17	vider that seeks to establish eligibility under this
18	section, and an eligible provider, shall submit appro-
19	priate, accurate, and timely information to the Gov-
20	ernor, to enable the Governor to carry out sub-
21	section (d), with respect to all participants in each
22	eligible program (including participants for whom
23	the provider receives payments under this title) of-
24	fered by the provider, which information shall—

1	"(A) be made available by the State in a
2	common, linked, open, and interoperable data
3	format; and
4	"(B) consist of—
5	"(i) information on—
6	"(I) in the case of an eligible pro-
7	vider offering a program who is seek-
8	ing to maintain eligibility, the per-
9	formance of the program with respect
10	to the indicators described in section
11	116(b)(2)(A) for participants in the
12	program;
13	"(II) the recognized postsec-
14	ondary credentials received by such
15	participants, including, in relation to
16	each such credential, the issuing enti-
17	ty, any third-party endorsements, the
18	occupations for which the credential
19	prepares individuals, the competencies
20	achieved by the individuals, the level
21	of mastery of such competencies (in-
22	cluding how mastery is assessed)
23	achieved by the individuals, and any
24	transfer value or stackability;

1	"(III) the total cost of the pro-
2	gram, including the costs of the pub-
3	lished tuition and fees, supplies, and
4	books, and any other costs required
5	by the provider, for a participant in
6	the program;
7	"(IV) the percentage of such par-
8	ticipants that complete the program
9	within the expected time to comple-
10	tion; and
11	"(V) the program's level of per-
12	formance on the criteria described in
13	paragraph (2) and not otherwise in-
14	cluded in clause (I) of this clause; and
15	"(ii) with respect to employment and
16	earnings measures described in subclauses
17	(I) through (III) of section $116(b)(2)(A)(i)$
18	and the performance criteria described in
19	subsection $(b)(2)$ for such participants—
20	"(I) the necessary information
21	for the State to develop program per-
22	formance data using State adminis-
23	trative data (such as quarterly wage
24	records); and

1	"(II) the necessary information
2	to determine the percentage of such
3	participants who entered unsubsidized
4	employment in an occupation related
5	to the program, to the extent prac-
6	ticable.
7	"(6) ELIGIBLE PROVIDER.—In this section,
8	other than subsection (i), a provider of an eligible
9	program under this section shall be considered to be
10	identified as an eligible provider of training services.
11	"(c) PROCEDURES.—
12	"(1) Application procedures.—The proce-
13	dures established under subsection (a) shall identify
14	the application process for a provider of training
15	services (for a program offered by the provider) to
16	become eligible to receive funds provided under sec-
17	tion 133(b) for the provision of training services.
18	That process shall be implemented in a manner that
19	minimizes the financial and administrative burden
20	on the provider and shall not require the submission
21	of information in excess of the information required
22	to determine a program's eligibility under para-
23	graphs $(1)$ , $(2)$ , and $(5)$ of subsection $(b)$ . The pro-
24	cedures shall identify the respective roles of the
25	State and local areas in receiving and reviewing the

1	applications and in making determinations of such
2	eligibility based on the criteria, information require-
3	ments, and procedures established under this sec-
4	tion. The procedures shall also establish a process,
5	for a provider of training services to appeal a denial
6	or revocation or termination of eligibility under this
7	section, that includes an opportunity for a hearing
8	and prescribes appropriate time limits to ensure
9	prompt resolution of the appeal.
10	"(2) APPROVAL.—A Governor shall make a de-
11	termination of such eligibility with respect to a pro-
12	gram for which the provider is seeking eligibility
12	under this section not later than 30 days after re-
13	
	ceipt of an application submitted by such provider
15	consistent with the procedures in paragraph (1).
16	"(3) RENEWAL PROCEDURES.—The procedures
17	established by the Governor shall also provide for
18	annual review and renewal of eligibility under this
19	section for a program of training services that con-
20	tinues to meet the requirements under paragraphs
21	(1), $(2)$ , and $(5)$ of subsection (b).
22	"(4) Revocation of eligibility.—The proce-
23	dures established under subsection (a) shall adhere
24	to the following requirements for revocation of eligi-
25	bility by the Governor:

1	"(A) FAILURE TO PROVIDE REQUIRED IN-
2	FORMATION.—With respect to a provider of
3	training services that is eligible under this sec-
4	tion for a program year with respect to an eligi-
5	ble program, but that does not provide the in-
6	formation described in subsection $(b)(5)$ with
7	respect to such program for such program year
8	(including information on performance nec-
9	essary to determine if the program meets the
10	minimum levels of performance on the perform-
11	ance criteria to maintain eligibility), the pro-
12	vider shall be ineligible under this section with
13	respect to such program for the program year
14	after the program year for which the provider
15	fails to provide such information.
16	"(B) FAILURE TO MEET PERFORMANCE
17	CRITERIA.—
18	"(i) FIRST YEAR.—The provider of an
19	eligible program that has received eligi-
20	bility under subsection $(c)(2)$ for a pro-
21	gram year but fails to meet the minimum
22	levels of performance on the performance
23	criteria described in subsection $(b)(2)$ for
24	the most recent program year for which
25	performance data on such criteria are

1	available shall be notified of such failure by
2	the Governor.
3	"(ii) Second consecutive year.—A
4	program that fails to meet the minimum
5	levels of performance for a second consecu-
6	tive program year shall be ineligible under
7	this section with respect to such program
8	for the program year following such second
9	consecutive program year and until the
10	program meets the minimum levels of per-
11	formance.
12	"(iii) REAPPLICATION.—A provider
13	that loses eligibility under this subpara-
14	graph with respect to a program may re-
15	apply to receive eligibility for the program
16	according to the procedures described in
17	this subparagraph if the program meets
18	the minimum levels of performance de-
19	scribed in clause (i), for the most recent
20	program year for which performance data
21	on the performance criteria are available.
22	"(C) Repeated failure.—A program for
23	which the Governor revokes eligibility under
24	subparagraph (A) or (B)—

1	"(i) 2 times shall be determined ineli-
2	gible under this section by the Governor
3	for a period of at least 2 years;
4	"(ii) 3 times shall be determined ineli-
5	gible under the section by the Governor for
6	a period of at least 5 years; and
7	"(iii) more than 3 times shall be de-
8	termined ineligible under this section by
9	the Governor for a period of at least 10
10	years.
11	"(5) Continuity of training services.—A
12	provider of a program for which the Governor re-
13	vokes eligibility under paragraph (4) shall—
14	"(A) be prohibited from enrolling any new
15	participants whose participation would be fund-
16	ed under section 133(b) in the program and
17	from receiving any payments from funds pro-
18	vided under section 133(b) for any participants
19	not already enrolled in the program on the date
20	of revocation or termination until and unless
21	the Governor determines that the provider has
22	demonstrated that the program offered by the
23	provider has met the requirements for the pro-
24	vider to gain the opportunity to reapply for eli-

1 gibility under the procedure described in para-2 graph (4)(B)(iii); and 3 "(B) enable each participant currently en-4 rolled in the program, on the date of the rev-5 ocation or termination, to complete such pro-6 gram. 7 "(6) NOTIFICATION OF PROGRAM LOSS OF ELI-8 GIBILITY.—The local board serving participants 9 whose participation is funded under section 133(b) 10 in a program for which eligibility is revoked by the 11 Governor under this subsection shall notify such par-12 ticipants that such program no longer meets the 13 State's requirements for eligible providers of train-14 ing services under this Act and that the participant 15 has the opportunity to continue receiving training 16 services from such program, in order to complete the 17 program.

18 **(**(7) PROVIDERS.—The MULTISTATE proce-19 dures established under subsection (a) shall specify 20 the process for any provider of training services of-21 fering a program that is eligible under this section 22 in a first State to establish eligibility under this sec-23 tion in an additional State, which shall, to the extent 24 practicable, minimize financial and administrative 25 burdens on any such provider by authorizing the

1	provider to submit the same application materials
2	and information to the Governor of the additional
3	State that was accepted by the Governor granting
4	the provider's eligibility in the first State, as long as
5	the program meets the applicable State requirements
6	for such eligibility established under subsection (b).
7	"(8) Online providers.—The procedures es-
8	tablished under subsection (a) shall apply to a pro-
9	vider that delivers training services exclusively on-
10	line. If a participant chooses a provider that delivers
11	training services exclusively online and is not located
12	in the State of the local area that approved such
13	training services for the participant in accordance
14	with section $133(c)(3)(A)(i)$ , such provider shall be
15	ineligible to receive payment for such participant
16	from funds allotted to such State under section 132
17	unless such provider is on the list of eligible pro-
18	viders of training services described in subsection (d)
19	for such State with respect to the program involved.
20	"(d) LIST AND INFORMATION TO ASSIST PARTICI-
21	PANTS IN CHOOSING PROVIDERS.—
22	"(1) IN GENERAL — In order to facilitate and

"(1) IN GENERAL.—In order to facilitate and
assist participants in choosing employment and
training activities and in choosing providers of training services, the Governor shall ensure that an ap-

1	propriate list of providers determined to be eligible
2	under this section to offer a program in the State
3	(and, as appropriate, in a local area), accompanied
4	by information identifying the recognized postsec-
5	ondary credential offered by the provider and other
6	appropriate information, is prepared. The list shall
7	be provided to the local boards in the State, and
8	made available to such participants and to members
9	of the public through the one-stop delivery system in
10	the State in accordance with paragraph (4).
11	"(2) Credential Navigation feature.—
12	"(A) IN GENERAL.—In order to enhance
13	the ability of participants and employers to un-
14	derstand and compare the value of the recog-
15	nized postsecondary credentials awarded by eli-
16	gible programs offered by providers of training
17	services in a State, the Governor shall establish
18	(or develop in partnership with other States), a
19	credential navigation feature that allows partici-
20	pants and the public to search a list of such
21	recognized postsecondary credentials, and the
22	providers awarding and programs leading to
23	such a credential, which shall include, with re-
24	spect to each such credential (aggregated for all
25	participants in the State that have received

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1	such credential through an eligible program
2	under this section or through, as applicable, an-
3	other program carried out under this title)—
4	"(i) the information required under
5	subsection $(b)(5)(B)(i)(II)$ ; and
6	"(ii) the performance of participants
7	with respect to the indicators (relating to
8	employment and earnings outcomes) de-
9	scribed in subclauses (I) through (III) of
10	section $116(b)(2)(i)$ .
11	"(B) RULE OF CONSTRUCTION.—Nothing
12	in this paragraph shall be construed to require
13	a State that has a credential navigation feature
14	that permits a search of a list containing the
15	information described in this paragraph to re-
16	place such credential navigation feature with
17	the feature described in subparagraph (A).
18	"(3) Accompanying information.—The ac-
19	companying information referred to in paragraph (1)
20	shall consist of—
21	"(A) with respect to providers described in
22	subparagraphs (A) and (C) of subsection $(a)(2)$ ,
23	information provided by such providers
24	(disaggregated by local areas served, as applica-
25	ble) in accordance with subsection (b);

1	"(B) with respect to a program described
2	in subsection $(b)(3)$ that is offered by a pro-
3	vider, information promoting the program as
4	having an employer-sponsored designation and
5	identifying the employer or partnership spon-
6	soring the program; and
7	"(C) with respect to a program described
8	in subsection (b)(4) that is offered by a pro-
9	vider, information promoting the program as
10	being a WIL program and displaying the seal
11	described in subsection $(b)(4)(C)$ .
12	"(4) AVAILABILITY.—The list (including the
13	credential navigation feature described in paragraph
14	(2)), and the accompanying information shall be
15	made available to participants and to members of
16	the public through the one-stop delivery system in
17	the State—
18	"(A) on a publicly accessible website
19	that—
20	"(i) is consumer-tested; and
21	"(ii) is searchable, easily understand-
22	able, and navigable, and allows for the
23	comparison of eligible programs through
24	the use of language in a common, linked,
25	open, and interoperable data format; and

1	"(B) in a manner that does not reveal per-
2	sonally identifiable information about an indi-
3	vidual participant.
4	"(5) Website technical assistance.—The
5	Secretary shall—
6	"(A) upon request, provide technical assist-
7	ance to a State on establishing a website that
8	meets the requirements of paragraph (4); and
9	"(B) disseminate to each State effective
10	practices or resources from States and private
11	sector entities related to establishing a website
12	that is consumer-tested to ensure that the
13	website is searchable, easily understandable,
14	and navigable.
15	"(6) LIMITATION.—In carrying out the require-
16	ments of this subsection, no personally identifiable
17	information regarding a student, including a Social
18	Security number, student identification number, or
19	other identifier, may be disclosed without the prior
20	written consent of the student or student's parent in
21	compliance with section 444 of the General Edu-
22	cation Provisions Act (20 U.S.C. 1232g).
23	"(e) Opportunity to Submit Comments.—In es-
24	tablishing, under this section, criteria, procedures, and the
25	list of eligible providers described in subsection (d), the

1	Governor shall provide an opportunity for interested mem-
2	bers of the public to make recommendations and submit
3	comments regarding such criteria, procedures, and list.
4	"(f) Provider Performance Incentives.—
5	"(1) IN GENERAL.—The Governor shall estab-
6	lish a system of performance incentive payments to
7	be awarded to eligible providers in addition to the
8	amount paid under section 133(b) to such providers
9	for the provision of training services to participants
10	of eligible programs. Such system of performance in-
11	centive payments may be established to award the
12	payments to providers of eligible programs that—
13	"(A) achieve levels of performance above
14	the minimum levels established by the Governor
15	under subsection (b)(2);
16	"(B) serve a significantly higher number of
17	individuals with barriers to employment com-
18	pared to training providers offering similar
19	training services; or
20	"(C) achieve other performance successes,
21	including those related to jobs that provide eco-
22	nomic stability and upward mobility (such as
23	jobs with high wages and family sustainable
24	benefits) as determined by the State or the
25	local board.

1	"(2) Incentive payments.—Incentive pay-
2	ments to providers established under paragraph $(1)$
3	shall be awarded to eligible providers from funds re-
4	served by the Governor under section $128(a)(1)$ , ex-
5	cept that not more than 5 percent of the funds re-
6	served by the Governor under section $128(a)(1)$ may
7	be used for such payments.";
8	(3) by striking subsections (i) and (j) and in-
9	serting the following:
10	"(i) ON-THE-JOB TRAINING, EMPLOYER-DIRECTED
11	Skills Development, Incumbent Worker Training,
12	AND OTHER TRAINING EXCEPTIONS.—
13	"(1) IN GENERAL.—Providers of on-the-job
14	training, employer-directed skills development, in-
15	cumbent worker training, internships, paid or un-
16	paid work experience opportunities, or transitional
17	employment shall not be subject to the requirements
18	of subsections (a) through (f).
19	((2) Collection and dissemination of in-
20	FORMATION.—A one-stop operator in a local area
21	shall collect the minimum amount of information
22	from providers of on-the-job training, employer-di-
23	rected skills development, incumbent worker train-
24	ing, internships, paid or unpaid work experience op-
25	portunities, and transitional employment as nec-

1 essary to enable the use of State administrative data 2 to generate such performance information as the 3 Governor may require, and use the information to 4 determine whether the providers meet such perform-5 ance criteria as the Governor may require. The one-6 stop operator shall disseminate information identi-7 fying such providers that meet the criteria as eligible 8 providers, and the performance information, through 9 the one-stop delivery system. Providers determined 10 to meet the criteria shall be considered to be identified as eligible providers of training services. 11

12 "(j) TECHNICAL ASSISTANCE.—The Governor may 13 apply to the Secretary for technical assistance, as de-14 scribed in section 168(c), for purposes of carrying out the 15 requirements of the amendments made by the A Stronger 16 Workforce for America Act to this section, and the Sec-17 retary shall provide such technical assistance in a timely 18 manner.".

(b) REPORT TO CONGRESS ON STATE PERFORMANCE
CRITERIA.—Not later than 4 years after the date of enactment of the A Stronger Workforce for America Act, the
Secretary shall submit a report to the Committee on Education and the Workforce of the House of Representatives
and the Committee on Health, Education, Labor, and
Pensions of the Senate on eligible providers of training

services under section 122 of the Workforce Innovation
 and Opportunity Act (29 U.S.C. 3152), as amended by
 this division, in each State that shall include—

4 (1) the minimum levels of performance estab5 lished by the Governor of each State with respect to
6 the performance criteria under subsection (b)(2) of
7 that section 122 for such eligible providers of train8 ing services in the State;

9 (2) the number of such eligible providers of 10 training services in the State in each program year 11 that begins after the date of enactment of this Act, 12 compared with the number of such providers in the 13 State in the program year that began immediately 14 preceding that date of enactment; and

(3) the average length of time that such eligible
providers of training services in the State maintain
eligibility, disaggregated by the type of entity that
provided the training services.

## 19 SEC. 123. ELIGIBLE PROVIDERS OF YOUTH WORKFORCE IN20 VESTMENT ACTIVITIES.

Section 123(a) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3153(a)) is amended by inserting ", which may include providers of pre-apprenticeship
programs, and apprenticeship programs, that serve
youth," before "identified based".

1	CHAPTER 2—YOUTH WORKFORCE
2	INVESTMENT ACTIVITIES
3	SEC. 131. RESERVATIONS; REALLOCATION.
4	(a) Reservations for Statewide Activities.—
5	Section 128(a) of the Workforce Innovation and Oppor-
6	tunity Act (29 U.S.C. 3163(a)) is amended—
7	(1) in paragraph $(2)$ , by striking "reserved
8	amounts" in each place and inserting "reserved
9	amounts required under paragraph (1)"; and
10	(2) by adding at the end the following:
11	"(3) CRITICAL INDUSTRY SKILLS FUND, AND
12	INDUSTRY SECTOR PARTNERSHIP AND CAREER
13	PATHWAYS DEVELOPMENT FUND.—
14	"(A) AUTHORIZED RESERVATION.—In ad-
15	dition to the reservations required under para-
16	graph $(1)$ and section $133(a)(2)$ , and subject to
17	subparagraph (B), the Governor may reserve
18	not more than 10 percent of each of the
19	amounts allotted to the State under section
20	127(b)(1)(C) and paragraphs $(1)(B)$ and $(2)(B)$
21	of section 132(b) for a fiscal year to establish
22	and administer any one, or both, of the fol-
23	lowing:
24	"(i) A critical industry skills fund de-
25	scribed in section $134(a)(4)$ .

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1	"(ii) An industry or sector partner-
2	ship and career pathways development
3	fund described in section $134(a)(5)$ .
4	"(B) Matching funds.—
5	"(i) REQUIREMENT.—The amount of
6	funds reserved by a Governor under sub-
7	paragraph (A) for a fiscal year may not ex-
8	ceed the amount of funds that such Gov-
9	ernor commits to using from any of the
10	funds listed in clause (ii) of this subpara-
11	graph for the purposes of establishing and
12	administering the funds described in
13	clauses (i) and (ii) of subparagraph (A) for
14	such fiscal year.
15	"(ii) Sources of matching
16	FUNDS.—The funds listed in this clause
17	are as follows:
18	"(I) Funds reserved by the Gov-
19	ernor under paragraph (1) of this
20	subsection.
21	"(II) Other Federal funds not
22	described in subclause (I).
23	"(III) State funds.".

1	(b) Reallocation Among Local Areas.—Section
2	128(c) of the Workforce Innovation and Opportunity Act
3	(29 U.S.C. 3173(c)) is amended—
4	(1) in paragraph (1), by inserting the following
5	before the period at the end: "as performance-based
6	incentive payments"; and
7	(2) in paragraph (4)—
8	(A) by striking "that does not" and insert-
9	ing the following: "that—
10	"(A) does not";
11	(B) by striking the period at the end and
12	inserting a semicolon; and
13	(C) by adding at the end the following:
14	"(B) has met or exceeded an average of
15	100 percent of the local level of performance
16	described in section $116(c)(1)(B)$ for the local
17	area across all indicators for the youth program
18	authorized under this chapter for the most re-
19	cent program year for which performance data
20	is available; and
21	"(C) was not subject to corrective action
22	by the Governor under section $184(a)(5)(A)$ for
23	a determination of non-compliance with the uni-
24	form administrative requirements described in
25	section $184(a)(3)$ for the program year for

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1	which the determination under paragraph $(2)$ is
2	made.".
3	SEC. 132. USE OF FUNDS FOR YOUTH WORKFORCE INVEST-
4	MENT ACTIVITIES.
5	(a) Opportunity Youth.—Section 129 of the
6	Workforce Innovation and Opportunity Act (29 U.S.C.
7	3164) is amended by striking "out-of-school" each place
8	it appears and inserting "opportunity".
9	(b) Youth Participant Eligibility.—
10	(1) ELIGIBILITY DETERMINATION.—
11	(A) ELIGIBILITY.—Subparagraph (A) of
12	section $129(a)(1)$ of the Workforce Innovation
13	and Opportunity Act (29 U.S.C. 3164(a)(1)) is
14	amended to read as follows:
15	"(A) ELIGIBILITY DETERMINATION.—
16	"(i) IN GENERAL.—To be eligible to
17	participate in activities carried out under
18	this chapter during any program year, an
19	individual shall, at the time the eligibility
20	determination is made, be an opportunity
21	youth or an in-school youth.
22	"(ii) ENROLLMENT.—If a one-stop
23	operator or eligible provider of youth work-
24	force activities carrying out activities under
25	this chapter reasonably believes that an in-

1	dividual is eligible to participate in such
2	activities, the operator or provider may
3	allow such individual to participate in such
4	activities for not more than a 40-day pe-
5	riod during which the operator or provider
6	shall obtain the necessary information to
7	make an eligibility determination with re-
8	spect to such individual (which may involve
9	working with such individual and other en-
10	tities in the local area, and using available
11	sources of administrative data, to obtain
12	the necessary information).
13	"(iii) Determination of ineligi-
14	BILITY.—With respect to an individual who
15	is determined to be ineligible for activities
16	under this chapter by a one-stop operator
17	or an eligible provider of youth workforce
18	activities during the period described in
19	clause (ii) and who does not qualify for an
20	exception under paragraph (3)(A)(ii) appli-
21	cable to the local area involved, such oper-
22	ator or service provider—
23	"(I) may—

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1	"(aa) continue serving such
2	individual using non-Federal
3	funds; or
4	"(bb) end the participation
5	of such individual in activities
6	under this chapter and refer the
7	individual to other services that
8	may be available in the local area
9	for which the individual may be
10	eligible; and
11	"(II) shall be paid for any serv-
12	ices provided to such individual under
13	this chapter during the period de-
14	scribed in clause (ii) by the local area
15	involved using funds allocated to such
16	area under section 128(b).
17	"(iv) Determination process for
18	YOUTH EXPERIENCING HOMELESSNESS
19	AND FOSTER YOUTH.—In determining
20	whether an individual is eligible to partici-
21	pate in activities carried out under this
22	chapter on the basis of being an individual
23	who is a youth experiencing homelessness,
24	or a youth in foster care, as described in

1	subparagraph (B)(iii)(V), the one-stop op-
2	erator or service provider involved shall—
3	"(I) if determining whether the
4	individual is a youth experiencing
5	homelessness, use a process that is in
6	compliance with the requirements of
7	subsection (a) of section 479D of the
8	Higher Education Act of 1965 (20
9	U.S.C. 1087uu-2) for financial aid
10	administrators; and
11	"(II) if determining whether the
12	individual is a youth in foster care,
13	use a process that is in compliance
14	with the requirements of subsection
15	(b) of section 479D of the Higher
16	Education Act of 1965 (20 U.S.C.
17	1087uu-2) for financial aid adminis-
18	trators.".
19	(B) DEFINITION OF OPPORTUNITY
20	YOUTH.—Subparagraph (B) of section
21	129(a)(1) of the Workforce Innovation and Op-
22	portunity Act (29 U.S.C. 3164(a)(1)) is amend-
23	ed—

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1	(i) in the subparagraph heading, by
2	striking "Out-of-school" and inserting
3	"Opportunity";
4	(ii) in clause (i), by inserting ", except
5	that an individual described in subpara-
6	graph (IV) or (V) of clause (iii) may be at-
7	tending school (as defined under State
8	law)" after "(as defined under State law)";
9	(iii) in clause (ii), by inserting before
10	the semicolon at the end, the following : ",
11	except that an individual described in sub-
12	paragraph (IV) or (V) of clause (iii) may
13	be not younger than age 14 or older than
14	age 24"; and
15	(iv) in clause (iii)—
16	(I) in subclause (III)—
17	(aa) in the matter preceding
18	item (aa)—
19	(AA) by striking "sec-
20	ondary school diploma or its
21	recognized equivalent" and
22	inserting "regular high
23	school diploma or its recog-
24	nized equivalent"; and

1	(BB) by striking "and
2	is" and inserting "and";
3	(bb) in item (aa), by striking
4	"basic skills deficient;" and in-
5	serting "has foundational skill
6	needs;"; and
7	(cc) in item (bb), by striking
8	"an English language learner"
9	and inserting "is an English
10	learner"; and
11	(II) in subclause (V)—
12	(aa) by striking "A homeless
13	individual (" and inserting "An
14	individual experiencing homeless-
15	ness (meaning a homeless indi-
16	vidual,";
17	(bb) by striking "(42 U.S.C.
18	14043e-2(6))" and inserting "(34
19	U.S.C. 12473(6))"; and
20	(cc) by striking "a homeless
21	child or youth (" and inserting
22	"a youth experiencing homeless-
23	ness (meaning a homeless child
24	or youth,".

1	(C) Definition of in-school youth.—
2	Clause (iv) of section $129(a)(1)(C)$ of the Work-
3	force Innovation and Opportunity Act (29
4	U.S.C. 3164(a)(1)(C)) is amended—
5	(i) in subclause (I), by striking "Basic
6	skills deficient." and inserting "An indi-
7	vidual who has foundational skill needs.";
8	(ii) in subclause (II), by striking "lan-
9	guage";
10	(iii) by striking subclauses (III) and
11	(IV); and
12	(iv) by redesignating subclauses (V),
13	(VI), and (VII) as subclauses (III), (IV),
14	and (V), respectively.
15	(D) RULE FOR CERTAIN OPPORTUNITY
16	YOUTH.—Section 129(a)(1) of the Workforce
17	Innovation and Opportunity Act (29 U.S.C.
18	3164(a)(1)) is amended by adding at the end
19	the following:
20	"(D) RULE FOR CERTAIN OPPORTUNITY
21	YOUTH.—An opportunity youth described in
22	subclause (IV) or (V) of subparagraph (B)(iii)
23	who is attending any school (as defined under
24	State law) shall be eligible to participate in any

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1	activity for in-school youth carried out under
2	this chapter.".
3	(2) EXCEPTION AND LIMITATION.—Section
4	129(a)(3) of the Workforce Innovation and Oppor-
5	tunity Act (29 U.S.C. 3164(a)(3)) is amended—
6	(A) in subparagraph (A)(ii), by striking
7	"5" and inserting "10"; and
8	(B) in subparagraph (B)—
9	(i) by striking "5" and inserting
10	"10"; and
11	(ii) by striking "paragraph
12	(1)(C)(iv)(VII)" and inserting "paragraph
13	(1)(C)(iv)(V)".
14	(3) Opportunity youth priority.—Section
15	129(a)(4) of the Workforce Innovation and Oppor-
16	tunity Act (29 U.S.C. 3164(a)(4)) is amended—
17	(A) in the paragraph heading, by striking
18	"Out-of-school" and inserting "Oppor-
19	TUNITY";
20	(B) in subparagraph (A)—
21	(i) by striking "75" each place it ap-
22	pears and inserting "70";
23	(ii) by inserting "the total amount of"
24	before "funds available"; and

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1	(iii) by inserting "in the State" after
2	"subsection (c)";
3	(C) in subparagraph (B)(i), by striking
4	"75" and inserting "70";
5	(D) by redesignating subparagraph (B), as
6	so amended, as subparagraph (C); and
7	(E) by inserting after subparagraph (A)
8	the following:
9	"(B) LOCAL AREA TARGETS.—The local
10	board, the chief elected official, and the Gov-
11	ernor shall negotiate and reach agreement on
12	the minimum amount of funds provided to a
13	local area under subsection (c) that shall be
14	used to provide youth workforce investment ac-
15	tivities for opportunity youth based on the
16	needs of youth in the local area, which—
17	"(i) may not be an amount that is less
18	than 45 percent of the funds provided to
19	such local area under subsection (c); and
20	"(ii) shall be the amount that is nec-
21	essary for the State to meet the require-
22	ments of subparagraph (A) with respect to
23	the total amount of funds available for
24	local areas under subsection (c).".

(c) REQUIRED STATEWIDE YOUTH ACTIVITIES.—
 Section 129(b)(1) of the Workforce Innovation and Oppor tunity Act (29 U.S.C. 3164(b)(1)) is amended—

4 (1) in the matter preceding subparagraph (A),
5 by striking "sections 128(a)" and inserting "sections
6 128(a)(1)";

7 (2) in subparagraph (B), by inserting "through a website that is consumer-tested to ensure that the 8 9 website is easily understood, searchable, and navi-10 gable and allows for comparison of eligible providers 11 based on the program elements offered by such pro-12 viders and the performance of such providers on the 13 primary indicators of performance for the youth pro-14 gram as described in section 116(b)(2)(A)(ii)" after "under section 123"; and 15

16 (3) in subparagraph (D), by striking "section
17 116(i)" and inserting "section 116(j)".

18 (d) ALLOWABLE STATEWIDE YOUTH ACTIVITIES.—
19 Section 129(b)(2) of the Workforce Innovation and Oppor20 tunity Act (29 U.S.C. 3164(b)(2)) is amended—

(1) in the matter preceding subparagraph (A),
by striking "sections 128(a)" and inserting "sections
128(a)(1)";

24 (2) in subparagraph (C), by inserting ", which25 may include providing guidance on career options in

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1	in-demand industry sectors or occupations" after "in
2	the State";
3	(3) in subparagraph (D)—
4	(A) in clause (iv), by striking "and" at the
5	end; and
6	(B) by inserting after clause (v) the fol-
7	lowing:
8	"(vi) supporting the ability to under-
9	stand relevant tax information and obliga-
10	tions;";
11	(4) in subparagraph (E), by striking the period
12	at the end and inserting a semicolon; and
13	(5) by adding at the end the following:
14	"(F) establishing, supporting, and expand-
15	ing work-based learning opportunities, including
16	transitional jobs, that are aligned with career
17	pathways;
18	"(G) raising public awareness (including
19	through public service announcements, such as
20	social media campaigns and elementary and
21	secondary school showcases and school visits)
22	about career and technical education programs
23	and community-based and youth services orga-
24	nizations, and other endeavors focused on pro-

1	grams that prepare students for in-demand in-
2	dustry sectors or occupations;
3	"(H) developing partnerships between edu-
4	cational institutions (including area career and
5	technical schools and institutions of higher edu-
6	cation) and employers to create or improve
7	workforce development programs to address the
8	identified education and skill needs of the work-
9	force and the employment needs of employers in
10	the regions or local areas of the State, as deter-
11	mined based on the most recent analysis con-
12	ducted under subparagraphs (B) and (C) of
13	section $102(b)(1);$
14	"(I) coordinating activities with providers
15	of a pre-apprenticeship program or apprentice-
16	ship program for youth in the State to estab-
17	lish, support, or expand the program described
18	in this subparagraph, including any such pro-
19	gram in the State receiving assistance under
20	section 173;
21	"(J) coordinating activities with entities
22	implementing reentry projects in the State fo-
23	cused on establishing or improving workforce
24	development programs for justice- involved
25	youth, including any such reentry projects in

1	the State receiving assistance under section
2	172; and
3	"(K) coordinating activities with agencies
4	implementing corrections education and other
5	education programs in the State focused on
6	providing incarcerated youth with education
7	and skills development programs, including any
8	such programs in the State receiving assistance
9	under section 225.".
10	(e) Local Elements and Requirements.—
11	(1) Program design.—Section $129(c)(1)$ of
12	the Workforce Innovation and Opportunity Act (29
13	U.S.C. 3164(c)(1)) is amended—
14	(A) in subparagraph (A), by striking
15	"basic skills" and inserting "foundational skill
16	needs'';
17	(B) in subparagraph (B), by inserting
18	"(which, in the case of a participant 18 years
19	or older, may include co-enrollment in any em-
20	ployment or training activity provided under
21	section 134 for adults)" after "services for the
22	participant";
23	(C) in subparagraph (C)—
24	(i) in clause (i), by striking "sec-
25	ondary school diploma or its recognized

1	equivalent" and inserting "regular high
2	school diploma or its recognized equiva-
3	lent"; and
4	(ii) in clause (v), by inserting "high-
5	skill, high-wage, or" after "small employ-
6	ers, in"; and
7	(D) in subparagraph (D), by striking "10"
8	and inserting "30".
9	(2) Program elements.—Section 129(c)(2)
10	of the Workforce Innovation and Opportunity Act
11	(29 U.S.C. 3164(c)(2)) is amended—
12	(A) in the matter preceding subparagraph
13	(A), by striking "secondary school diploma or
14	its recognized equivalent" and inserting "reg-
15	ular high school diploma or its recognized
16	equivalent";
17	(B) in subparagraph (A), by striking "sec-
18	ondary school diploma or its recognized equiva-
19	lent" and inserting "regular high school di-
20	ploma or its recognized equivalent";
21	(C) in subparagraph (C)—
22	(i) in clause (i)—
23	(I) by striking "other" and in-
24	serting "year-round"; and

1	(II) by inserting "that meet the
2	requirements of paragraph (10)" after
3	"school year";
4	(ii) in clause (ii), by inserting "and
5	apprenticeship programs that serve youth"
6	after "programs";
7	(iii) by amending clause (iii) to read
8	as follows:
9	"(iii) internships that—
10	"(I) are paid internships or are
11	unpaid internships for which academic
12	credit may be awarded;
13	"(II) are, to the extent prac-
14	ticable, aligned with in-demand indus-
15	try sectors or occupations in the State
16	or local area; and
17	"(III) for which participants
18	shall be paid (by the entity providing
19	the internship, through funds allo-
20	cated to the local area pursuant to
21	paragraph (1) for the program, or by
22	another entity) if such internships are
23	longer than—
24	"(aa) 4 weeks in the sum-
25	mer or 8 weeks during the school

1	year for in-school youth and op-
2	portunity youth who are enrolled
3	in school; or
4	"(bb) 8 weeks for oppor-
5	tunity youth who are not enrolled
6	in school;";
7	(iv) by redesignating clause (iv) as
8	clause (v);
9	(v) by inserting after clause (iii), as so
10	amended, the following:
11	"(iv) job shadowing;";
12	(vi) in clause (v), as so redesignated,
13	by inserting "and" at the end; and
14	(vii) by adding at the end the fol-
15	lowing:
16	"(vi) work-based learning;";
17	(D) in subparagraph (H), by striking
18	"adult mentoring" and inserting "coaching and
19	adult mentoring services'';
20	(E) in subparagraph (I), by inserting "(in-
21	cluding case management)" after "services";
22	(F) in subparagraph (M)—
23	(i) by inserting "high-skill, high-wage,
24	or" before "in-demand industry"; and
25	(ii) by striking the "and" at the end;

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(G) in subparagraph (N), by striking the
period at the end and inserting "; and"; and
(H) by adding at the end the following:
"(O) activities to develop fundamental
workforce readiness, which may include cre-
ativity, collaboration, critical thinking, digital
literacy, persistence, and other relevant skills.".
(3) PRIORITY.—Section 129(c)(4) of the Work-
force Innovation and Opportunity Act (29 U.S.C.
3164(c)(4)) is amended to read as follows:
"(4) Priority.—
"(A) WORK EXPERIENCES.—Not less than
40 percent of the funds allocated to the local
area as described in paragraph (1) shall be
used to provide in-school youth and opportunity
youth with activities under paragraph $(2)(C)$ .
"(B) Apprenticeships and pre-appren-
TICESHIPS FOR YOUTH.—Not less than 12 and
$\frac{1}{2}$ percent of the funds used for the purposes
described in subparagraph (A) shall be used to
provide in-school youth and opportunity youth
with activities under paragraph (2)(C)(ii).".
(4) RULE OF CONSTRUCTION.—Section
129(c)(5) of the Workforce Innovation and Oppor-

1	tunity Act (29 U.S.C. $3164(c)(5)$ ) is amended by in-
2	serting "or local area" after "youth services".
3	(5) LINKAGES.—Section 129(c)(7) of the Work-
4	force Innovation and Opportunity Act (29 U.S.C.
5	3164(c)(7)) is amended by inserting ", secondary
6	schools, and area career and technical schools" after
7	"agencies".
8	(6) Individual training accounts.—Section
9	129(c) of the Workforce Innovation and Opportunity
10	Act (29 U.S.C. 3164(c)) is amended by adding at
11	the end the following:
12	"(9) Individual training accounts.—
13	"(A) IN GENERAL.—Subject to subpara-
14	graph (B), funds allocated pursuant to para-
15	graph (1) to a local area may be used to pay,
16	through an individual training account, an eligi-
17	ble provider of training services described in
18	section 122(d) for training services described in
19	section $134(c)(3)$ provided to in-school youth
20	who are not younger than age 16 and not older
21	than age 21 and opportunity youth, in the same
22	manner that an individual training account is
23	used to pay an eligible provider of training serv-
24	ices under section $134(c)(3)(F)(iii)$ for training

services provided to an adult or dislocated
 worker.

3 "(B) SPECIAL RULE FOR IN-SCHOOL 4 YOUTH YOUNGER THAN AGE 18.—To use an in-5 dividual training account to pay for a program 6 of training services that will take place during 7 regular school hours for an in-school youth who 8 is younger than the age 18, the local area shall 9 receive written approval from the secondary 10 school at which the in-school youth is enrolled 11 prior to the start of the program of training 12 services.".

13 (7) SUMMER AND YEAR-ROUND EMPLOYMENT
14 OPPORTUNITIES REQUIREMENTS.—Section 129(c) of
15 the Workforce Innovation and Opportunity Act (29
16 U.S.C. 3164(c)) is further amended by adding at the
17 end the following:

18 "(10) SUMMER AND YEAR-ROUND EMPLOYMENT
19 OPPORTUNITIES REQUIREMENTS.—

20 "(A) IN GENERAL.—A summer employ21 ment opportunity or a year-round employment
22 opportunity referred to in paragraph (2)(C)(i)
23 shall be a program that matches eligible youth
24 participating in such program with an appro25 priate employer (based on factors including the

1	needs of the employer and the age, skill, and in-
2	formed aspirations of the eligible youth) that—
3	"(i) shall include—
4	"(I) a component of occupational
5	skills education; and
6	"(II) not less than 2 of the ac-
7	tivities described in subparagraphs
8	(G), (H), (I), (K), (M), and (O) of
9	paragraph (2);
10	"(ii) may not use funds allocated
11	under this chapter to subsidize more than
12	50 percent of the wages of each eligible
13	youth participant in such program;
14	"(iii) in the case of a summer employ-
15	ment opportunity, complies with the re-
16	quirements of subparagraph (B); and
17	"(iv) in the case of a year-round em-
18	ployment opportunity, complies with the
19	requirements of subparagraph (C).
20	"(B) SUMMER EMPLOYMENT OPPOR-
21	TUNITY.—In addition to the applicable require-
22	ments described in subparagraph (A), a sum-
23	mer employment opportunity—
24	"(i) may not be less than 4 weeks;
25	and

1	"(ii) may not pay less than the high-
2	est applicable wage required by the appli-
3	cable Federal, State, or local minimum
4	wage law.
5	"(C) Year-round employment oppor-
6	TUNITY.—In addition to the applicable require-
7	ments described in subparagraph (A), a year-
8	round employment opportunity—
9	"(i) may not be shorter than 180 days
10	or longer than 1 year;
11	"(ii) may not pay less than the high-
12	est applicable wage required by the appli-
13	cable Federal, State, or local minimum
14	wage law; and
15	"(iii) may not employ the eligible
16	youth for less than 20 hours per week, ex-
17	cept in instances when the eligible youth
18	are under the age of 18 or enrolled in
19	school.
20	"(D) Priority.—In selecting summer em-
21	ployment opportunities or year-round employ-
22	ment opportunities for purposes of paragraph
23	(2)(C)(i), a local area shall give priority to such
24	opportunities that meet the requirements of this
25	paragraph and that are in existing or emerging

1	high-skill, high-wage, or in-demand industry
2	sectors or occupations.".
3	(8) Conforming Amendment.—Section
4	129(c)(3)(B) of the Workforce Innovation and Op-
5	portunity Act (29 U.S.C. 3164(c)(3)(B)) is amended
6	by striking "basic skills" and inserting
7	"foundational skill needs".
8	CHAPTER 3-ADULT AND DISLOCATED
9	WORKER EMPLOYMENT AND TRAIN-
10	ING ACTIVITIES
11	SEC. 141. STATE ALLOTMENTS.
12	Section 132(a)(2)(A) of the Workforce Innovation
13	and Opportunity Act (29 U.S.C. 3172(a)(2)(A)) is amend-
14	ed by—
14 15	ed by— (1) striking ", 169(c) (relating to dislocated
	·
15	(1) striking ", 169(c) (relating to dislocated
15 16	(1) striking ", 169(c) (relating to dislocated worker projects),"; and
15 16 17	<ul> <li>(1) striking ", 169(c) (relating to dislocated worker projects),"; and</li> <li>(2) by inserting ", and under subsections (c)</li> </ul>
15 16 17 18	<ul> <li>(1) striking ", 169(c) (relating to dislocated worker projects),"; and</li> <li>(2) by inserting ", and under subsections (c)</li> <li>(related to dislocated worker projects) and (d) (re-</li> </ul>
15 16 17 18 19	<ul> <li>(1) striking ", 169(c) (relating to dislocated worker projects),"; and</li> <li>(2) by inserting ", and under subsections (c)</li> <li>(related to dislocated worker projects) and (d) (related to workforce data quality initiatives) of section</li> </ul>
15 16 17 18 19 20	<ul> <li>(1) striking ", 169(c) (relating to dislocated worker projects),"; and</li> <li>(2) by inserting ", and under subsections (c)</li> <li>(related to dislocated worker projects) and (d) (related to workforce data quality initiatives) of section 169" before "; and"</li> </ul>
<ol> <li>15</li> <li>16</li> <li>17</li> <li>18</li> <li>19</li> <li>20</li> <li>21</li> </ol>	<ul> <li>(1) striking ", 169(c) (relating to dislocated worker projects),"; and</li> <li>(2) by inserting ", and under subsections (c)</li> <li>(related to dislocated worker projects) and (d) (related to workforce data quality initiatives) of section 169" before "; and"</li> <li>SEC. 142. RESERVATIONS FOR STATE ACTIVITIES; WITHIN</li> </ul>
<ol> <li>15</li> <li>16</li> <li>17</li> <li>18</li> <li>19</li> <li>20</li> <li>21</li> <li>22</li> </ol>	<ul> <li>(1) striking ", 169(c) (relating to dislocated worker projects),"; and</li> <li>(2) by inserting ", and under subsections (c)</li> <li>(related to dislocated worker projects) and (d) (related to workforce data quality initiatives) of section 169" before "; and"</li> <li>SEC. 142. RESERVATIONS FOR STATE ACTIVITIES; WITHIN STATE ALLOCATIONS; REALLOCATION.</li> </ul>

1	(1) in paragraph $(1)$ , by striking "section
2	128(a)" and inserting "section 128(a)(1)"; and
3	(2) by adding at the end the following:
4	"(3) CRITICAL INDUSTRY SKILLS FUND, AND
5	INDUSTRY OR SECTOR PARTNERSHIP AND CAREER
6	PATHWAYS FUND.—In addition to the reservations
7	required under paragraphs $(1)$ and $(2)$ , the Gov-
8	ernor may make the reservation authorized under
9	section 128(a)(3).".
10	(b) WITHIN STATE ALLOCATIONS.—Section
11	133(b)(1) of the Workforce Innovation and Opportunity
12	Act (29 U.S.C. 3173(b)) is amended—
13	(1) in subparagraph (A), by striking "sub-
14	section $(a)(1)$ " and inserting "paragraph $(1)$ or $(3)$
15	of subsection (a)"; and
16	(2) in subparagraph (B), by striking "para-
17	graph $(1)$ or $(2)$ of subsection $(a)$ " and inserting
18	"paragraph (1), (2), or (3) of subsection (a)".
19	(c) Reallocation Among Local Areas.—Section
20	133(c) of the Workforce Innovation and Opportunity Act
21	(29 U.S.C. 3173(c)) is amended—
22	(1) in paragraph (1), by inserting before the pe-
23	riod at the end, the following: "as performance-
24	based incentive payments";
25	(2) in paragraph (4)—

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1	(A) in subparagraph (A)—
2	(i) by striking "that does not" and in-
3	serting the following: "that—
4	"(i) does not";
5	(ii) by striking "; and" and inserting
6	a semicolon; and
7	(iii) by adding at the end the fol-
8	lowing:
9	"(ii) has met or exceeded an average
10	of 100 percent of the local level of per-
11	formance described in section $116(c)(1)(B)$
12	for the local area across all indicators for
13	the adult program authorized under this
14	chapter for the most recent program year
15	for which performance data is available;
16	and
17	"(iii) was not subject to corrective ac-
18	tion by the Governor under section
19	184(a)(5)(A) for a determination of non-
20	compliance with the uniform administrative
21	requirements described in section
22	184(a)(3) for the program year for which
23	the determination under paragraph $(2)$ is
24	made; and"; and

25 (B) in subparagraph (B)—

(i) by striking "that does not" and in-
serting the following: "that—
"(i) does not";
(ii) by striking the period at the end
and inserting a semicolon; and
(iii) by adding at the end the fol-
lowing:
"(ii) has met or exceeded an average
of 100 percent of the local level of per-
formance described in section $116(c)(1)(B)$
for the local area across all indicators for
the dislocated worker program authorized
under this chapter for the most recent pro-
gram year for which performance data is
available; and
"(iii) was not subject to corrective ac-
tion by the Governor under section
184(a)(5)(A) for a determination of non-
compliance with the uniform administrative
requirements described in section
184(a)(3) for the program year for which
the determination under paragraph $(2)$ is
made; and"; and
(3) by adding at the end the following:

1	"(5) Use of incentive funds.—Any amounts
2	provided to a local area as a performance incentive
3	payment under this subsection shall not be subject
4	to the requirements described in section
5	134(c)(1)(B).".
6	SEC. 143. USE OF FUNDS FOR EMPLOYMENT AND TRAINING
7	ACTIVITIES.
8	(a) Statewide Employment and Training AC-
9	TIVITIES.—
10	(1) IN GENERAL.—Section $134(a)(1)$ of the
11	Workforce Innovation and Opportunity Act (29
12	U.S.C. 3174(a)(1))—
13	(A) in subparagraph (A), by striking
14	"and" at the end;
15	(B) in subparagraph (B)—
16	(i) in the matter preceding clause (i),
17	by striking "128(a)" and inserting
18	"128(a)(1)"; and
19	(ii) by amending clause (ii) to read as
20	follows:
21	"(ii) may be used to carry out any of
22	the statewide employment and training ac-
23	tivities described in paragraph (3) (includ-

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1	one, or both, of the funds referred to in
2	subparagraph (C));"; and
3	(C) by inserting before the flush left text
4	at the end the following:
5	"(C) as described in section $128(a)(3)$ ,
6	shall be used to establish and administer any
7	one, or both, of the following:
8	"(i) a critical industry skills fund de-
9	scribed in paragraph (4); or
10	"(ii) an industry or sector partnership
11	and career pathways development fund de-
12	scribed in paragraph (5),".
13	(2) Required statewide employment and
14	TRAINING ACTIVITIES.—
15	(A) STATEWIDE RAPID RESPONSE ACTIVI-
16	TIES.—Section $134(a)(2)(A)$ of the Workforce
17	Innovation and Opportunity Act (29 U.S.C.
18	3174(a)(2)(A)) is amended—
19	(i) in clause (i)—
20	(I) in subclause (I)—
21	(aa) by striking "working"
22	and inserting "as a rapid re-
23	sponse unit working'; and
24	(bb) by striking "and" at
25	the end;

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1	(II) in subclause (II), by striking
2	the period at the end and inserting ";
3	and"; and
4	(III) by adding at the end the
5	following:
6	"(III) provision of additional as-
7	sistance to any local area that has ex-
8	cess demand for individual training
9	accounts for dislocated workers in
10	such local area and requests such ad-
11	ditional assistance under this sub-
12	clause in accordance with paragraph
13	(4) of section 414(c) of the American
14	Competitiveness and Workforce Im-
15	provement Act of 1998 (29 U.S.C.
16	3224a(5), upon a determination by
17	the State that, in using funds allo-
18	cated to such local area pursuant to
19	paragraph (1) of such section $414(c)$
20	and in using funds as required under
21	subsection $(c)(1)(B)$ of this section for
22	the purpose described in paragraph
23	(2)(A) of such section $414(c)$ ), the
24	local area is in compliance with the

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requirements of such section 414(c).";
and
(ii) by adding at the end the fol-
lowing:
"(iii) Insufficient funds to meet
EXCESS DEMAND.—If a State determines
that a local area with excess demand as
described in clause (i)(III) has met the
compliance requirements described in such
clause, but the State does not have suffi-
cient funds reserved under section
133(a)(2) to meet such excess demand, the
State—
"(I) shall notify the Secretary of
such excess demand; and
"(II) if eligible, may apply for a
national dislocated worker grant
under section 170 of this Act.".
(B) STATEWIDE EMPLOYMENT AND TRAIN-
ING ACTIVITIES.—Section $134(a)(2)(B)$ of the
Workforce Innovation and Opportunity Act (29
U.S.C. 3174(a)(2)(B) is amended—
(i) in clause (i)—
(I) in subclause (III), by striking
"and" at the end;

1	(II) by amending subclause (IV)
2	to read as follows:
3	"(IV) local areas, one-stop opera-
4	tors, one-stop partners, and eligible
5	providers, including the development
6	and training of staff, which may in-
7	clude—
8	"(aa) the development and
9	training of staff to provide infor-
10	mation about wage levels and
11	available benefits across in-de-
12	mand industry sectors or occupa-
13	tions, and information about op-
14	portunities for individuals with
15	barriers to employment to enter
16	in-demand industry sectors or oc-
17	cupations and nontraditional oc-
18	cupations;
19	"(bb) providing capacity
20	building and technical assistance
21	to State board and local board
22	members on the development of
23	exemplary program activities;
24	"(cc) the development and
25	education of staff to increase ex-

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1	pertise in providing opportunities
2	for covered veterans (as defined
3	in section $4212(a)(3)(A)$ of title
4	38, United States Code) to enter
5	in-demand industry sectors or oc-
6	cupations and nontraditional oc-
7	cupations: and
8	"(dd) the provision of tech-
9	nical assistance to local areas
10	that fail to meet local perform-
11	ance accountability measures de-
12	scribed in section 116(c); and";
13	and
14	(III) by adding at the end the
15	following:
16	"(V) local boards and eligible
17	providers of training services in car-
18	rying out the performance reporting
19	required under section 116(d), includ-
20	ing facilitating data matches for pro-
21	gram participants—
22	"(aa) using quarterly wage
23	record information (including the
24	wage records made available by
25	any other State and information

1	provided from the National Di-
2	rectory of New Hires in accord-
3	ance with section $453(j)(8)$ of the
4	Social Security Act (42 U.S.C.
5	653(j)(8))); and
6	"(bb) other sources of infor-
7	mation, as necessary to measure
8	the performance of programs and
9	activities conducted under this
10	chapter or chapter 2 of this sub-
11	title;";
12	(ii) in clause (ii), by striking "section
13	106(b)(7)" and inserting "section
14	106(b)(6)";
15	(iii) in clause (iii), by striking "section
16	116(i)" and inserting "section 116(j)";
17	and
18	(iv) in clause (v)—
19	(I) in subclause (II)—
20	(aa) by striking "customized
21	training" and inserting "em-
22	ployer-directed skills develop-
23	ment"; and
24	(bb) by striking "transi-
25	tional jobs" and inserting "tran-

1	sitional jobs, or sponsors of ap-
2	prenticeships and pre-apprentice-
3	ships'';
4	(II) in subclause (III), by insert-
5	ing ", including business engaged in
6	joint labor-management partnerships"
7	before the semicolon;
8	(III) in subclause (IV), by insert-
9	ing ", including on the principles of
10	universal design for learning" before
11	the semicolon;
12	(IV) by redesignating subclauses
13	(V) and (VI) as subclauses (VI) and
14	(VII), respectively;
15	(V) by inserting after subclause
16	(IV) the following:
17	"(V) information on effective co-
18	ordination of supportive services for
19	workers and jobseekers;";
20	(VI) in subclause (VI), as so re-
21	designated—
22	(aa) by striking "subsections
23	(d) and (h) of section 122" and
24	inserting "subsections (d) and (i)
25	of section 122"; and

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1	(bb) by striking "and" at
2	the end; and
3	(VII) by adding at the end the
4	following:
5	"(VIII) information to partici-
6	pants on understanding and accessing
7	State-administered programs and
8	services available to jobseekers;";
9	(v) by redesignating clause (vi) as
10	clause (vii);
11	(vi) by inserting after clause (v) the
12	following:
13	"(vi) notifying participants of an eligi-
14	ble program of training services whose par-
15	ticipation is funded under this Act, if such
16	program's status as an eligible program of
17	training services is revoked under section
18	122(c)(4);";
19	(vii) in clause (vii), as so redesig-
20	nated, by striking the period at the end
21	and inserting a semicolon; and
22	(viii) by adding at the end the fol-
23	lowing:
24	"(viii) coordinating (which may be
25	done in partnership with other States) with

1	industry organizations, employers (includ-
2	ing small and mid-sized employers), indus-
3	try or sector partnerships, training pro-
4	viders, local boards, and institutions of
5	higher education to identify or develop
6	competency-based assessments that are a
7	valid and reliable method of collecting in-
8	formation with respect to, and measuring,
9	the prior knowledge, skills, and abilities of
10	individuals who are adults or dislocated
11	workers for the purpose of—
12	"(I) awarding, based on the
13	knowledge, skills, and abilities of such
14	an individual validated by such assess-
15	ments—
16	"(aa) a recognized postsec-
17	ondary credential that is used by
18	employers in the State for re-
19	cruitment, hiring, retention, or
20	advancement purposes;
21	"(bb) postsecondary credit
22	toward a recognized postsec-
23	ondary credential aligned with in-
24	demand industry sectors and oc-
25	cupations in the State for the

1	purpose of accelerating attain-
2	ment of such credential; and
3	"(cc) postsecondary credit
4	for progress along a career path-
5	way developed by the State or a
6	local area within the State;
7	"(II) developing individual em-
8	ployment plans under subsection
9	(c)(2)(B)(vii)(II) that incorporate the
10	knowledge, skills, and abilities of such
11	an individual to identify—
12	"(aa) in-demand industry
13	sectors or occupations that re-
14	quire similar knowledge, skills,
15	and abilities; and
16	"(bb) any upskilling needed
17	for the individual to secure em-
18	ployment in such a sector or oc-
19	cupation; and
20	"(III) helping such an individual
21	communicate such knowledge, skills,
22	and abilities to prospective employers
23	through a skills-based resume, profile,
24	or portfolio; and

1	"(ix) disseminating to local areas and
2	employers information relating to the com-
3	petency-based assessments identified or de-
4	veloped pursuant to clause (viii), includ-
5	ing—
6	"(I) any credential or credit
7	awarded pursuant to items (aa)
8	through (cc) of clause (viii)(I);
9	"(II) the industry organizations,
10	employers, training providers, and in-
11	stitutions of higher education located
12	within the State that recognize the
13	knowledge, skills, and abilities of an
14	individual validated by such assess-
15	ments;
16	"(III) how such assessments may
17	be provided to, and accessed by, indi-
18	viduals through the one-stop delivery
19	system; and
20	"(IV) information on the extent
21	to which such assessments are being
22	used by employers and local areas in
23	the State.".
24	(3) Allowable statewide employment and
25	TRAINING ACTIVITIES.—Section $134(a)(3)(A)$ of the

1	Workforce Innovation and Opportunity Act (29
2	U.S.C. 3174(a)(3)(A))—
3	(A) in clause (i)—
4	(i) by inserting "or evidence-based"
5	after "innovative";
6	(ii) by inserting "local communities
7	and" after "needs of";
8	(iii) by striking "customized training"
9	and inserting "employer-directed skills de-
10	velopment'';
11	(iv) by inserting "and partnerships
12	with" after "utilization of";
13	(v) by inserting "and labor-manage-
14	ment partnerships" after "business inter-
15	mediaries"; and
16	(vi) by inserting "and medium-sized"
17	before "employers) in the State, and";
18	(B) in clause (ii)—
19	(i) by inserting ", or bringing evi-
20	dence-based strategies to scale," after
21	"strategies"; and
22	(ii) by inserting "supporting such in-
23	dividuals in achieving economic self-suffi-
24	ciency and mobility, and" after "employ-
25	ment and";

1	(C) in clause (iii)—
2	(i) by striking " and prior learning as-
3	sessment to" and inserting ", prior learn-
4	ing assessment, or a competency-based as-
5	sessment identified or developed by the
6	State under paragraph (2)(B)(viii), to";
7	and
8	(ii) by striking "stackable" and insert-
9	ing "permit articulation into higher level
10	degree or other credential programs";
11	(D) in clause (iv), by inserting ", which
12	may include on-the job training, employer-di-
13	rected skills development, transitional jobs, in-
14	dustry or sector partnerships, apprenticeships,
15	and other programs" after "employment";
16	(E) in clause (v), by inserting "which ac-
17	tivities may incorporate the principles of uni-
18	versal design for learning and be" after "sub-
19	section $(c)(3),$ ";
20	(F) in clause (viii)—
21	(i) in subclause (I), by inserting ", in-
22	cluding such activities funded through
23	other Federal and State laws" after "de-
24	velopment activities"; and
25	(ii) in subclause (II)—

1	(I) in item (cc), by inserting "ac-
2	tivities carried out by comprehensive
3	transition and postsecondary pro-
4	grams for students with intellectual
5	disabilities established under section
6	767 of the Higher Education Act of
7	1965 (20 U.S.C. 1140g)," after "de-
8	velopmental disabilities,";
9	(II) in item (dd), by striking "ac-
10	tivities, including those" and inserting
11	"activities and services to promote
12	digital literacy skills, including activi-
13	ties and services";
14	(III) in item (ee), by striking
15	"ex-offenders in reentering the work-
16	force; and" and inserting " justice-in-
17	volved individuals in reentering the
18	workforce;"; and
19	(IV) by adding at the end the fol-
20	lowing:
21	"(gg) programs under the
22	Older Americans Act of 1965 (42
23	U.S.C. 3001 et seq.) that support
24	employment and economic secu-
25	rity; and";

1	(G) in clause (xi), by inserting "that ex-
2	ceed the local levels of performance" after
3	"local areas";
4	(H) in clause (xiii), by striking "and" at
5	the end;
6	(I) in clause (xiv)—
7	(i) by inserting "conducting feasibility
8	studies for the effectiveness of such strate-
9	gies in meeting the employment and skills
10	development needs of target populations in
11	the local areas that are using such feasi-
12	bility studies," after "data collection,"; and
13	(ii) by striking the period at the end
14	and inserting a semicolon; and
15	(J) by adding at the end the following:
16	"(xv) supporting employers seeking to
17	implement skills-based hiring practices,
18	which may include technical assistance on
19	the use and validation of employment as-
20	sessments (including competency-based as-
21	sessments developed or identified by the
22	State pursuant to paragraph (2)(B)(viii)),
23	and support in the creation of skills-based
24	job descriptions;

1	"(xvi) developing partnerships be-
2	tween educational institutions (including
3	area career and technical education
4	schools, local educational agencies, and in-
5	stitutions of higher education) and employ-
6	ers to create or improve workforce develop-
7	ment programs to address the identified
8	education and skill needs of the workforce
9	and the employment needs of employers in
10	regions of the State, as determined by the
11	most recent analysis conducted under sub-
12	paragraphs (A), (B), and (D) of section
13	102(b)(1);
14	"(xvii) identifying and making avail-
15	able to residents of the State, free or re-
16	duced cost access to online skills develop-
17	ment programs that are aligned with in-de-
18	mand industries or occupations in the
19	State and lead to attainment of a recog-
20	nized postsecondary credential valued by
21	employers in such industries or occupa-
22	tions;
23	"(xviii) establishing and administering
24	a critical industry skills fund described in
25	paragraph (4); and

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1	"(xix) establishing and administering
2	an industry or sector partnership and ca-
3	reer pathways development fund described
4	in paragraph (5).".
5	(4) CRITICAL INDUSTRY SKILLS FUND.—Sec-
6	tion 134(a) of the Workforce Innovation and Oppor-
7	tunity Act (29 U.S.C. 3174(a)), as amended, is fur-
8	ther amended by adding at the end the following:
9	"(4) Critical industry skills fund.—
10	"(A) Performance-based payments
11	In addition to the funds described in paragraph
12	(3)(A), a State may use any funds reserved
13	under paragraph (3)(A) of section 128(a) to es-
14	tablish and administer a critical industry skills
15	fund to award performance-based payments on
16	a per-worker basis to eligible entities that pro-
17	vide, to prospective workers or incumbent work-
18	ers (which may include youth age 18 through
19	age 24), eligible skills development programs
20	that are in any of the industries and occupa-
21	tions identified by the Governor (in consultation
22	with the State board) for purposes of this para-
23	graph, and that will result in employment or re-
24	tention with an employer in such an industry or

1	occupation (in this paragraph referred to as a
2	'participating employer').
3	"(B) Optional priority.—The Governor
4	(in consultation with the State board) may se-
5	lect the industries and occupations identified
6	under subparagraph (A) that should be
7	prioritized under this paragraph.
8	"(C) SUBMISSION OF PROPOSALS.—To be
9	eligible to receive a payment under the critical
10	industry skills fund established under this para-
11	graph by a State, an eligible entity shall submit
12	to the Governor, a proposal describing the eligi-
13	ble skills development program to be provided
14	by the eligible entity under this paragraph, in
15	such form, at such time, and containing such
16	information, as the Governor may reasonably
17	require.
18	"(D) Reimbursement for approved
19	PROPOSALS.—
20	"(i) STATE REQUIREMENTS.—
21	"(I) IN GENERAL.—With respect
22	to each eligible entity whose proposal
23	under subparagraph (C) has been ap-
24	proved by the Governor, the Governor
25	shall make payments (in an amount

1	
1	determined by the Governor and sub-
2	ject to the requirements of subclause
3	(II) of this clause, subparagraph (E),
4	and any other limitations determined
5	necessary by the State) from the crit-
6	ical industry skills fund established
7	under this paragraph to such eligible
8	entity for each participant of the eligi-
9	ble skills development program de-
10	scribed in such proposal and with re-
11	spect to whom the eligible entity
12	meets the requirements of clause (ii).
13	"(II) PAYMENTS.—In making
14	payments to an eligible entity under
15	subclause (I) with respect to a partici-
16	pant—
17	"(aa) a portion of the total
18	payment shall be made after the
19	participant successfully completes
20	the eligible skills development
21	program offered by the eligible
22	entity; and
23	"(bb) the remainder of such
24	total payment shall be made after
25	the participant has been em-

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1	ployed by the participating em-
2	ployer of the eligible entity for
3	the 6-month period after success-
4	ful completion of the program.
5	"(ii) ELIGIBLE ENTITY REQUIRE-
6	MENTS.—To be eligible to receive the pay-
7	ments described in clause (i) with respect
8	to a participant, an eligible entity shall
9	submit such documentation as the Gov-
10	ernor determines necessary to verify
11	whether the participant meets the require-
12	ments of items (aa) and (bb) of clause
13	(i)(II), and to comply with the perform-
14	ance reporting described in subparagraph
15	(F).
16	"(E) Non-federal cost sharing.—
17	"(i) Limits on federal share.—An
18	eligible entity may not receive funds under
19	subparagraph (D) with respect to a partici-
20	pant of the eligible skills development pro-
21	gram offered by the eligible entity in ex-
22	cess of the following costs of such program
23	with respect to such participant:
24	"(I) In the case of a partici-
25	pating employer of such eligible entity

1	with 25 or fewer employees, 90 per-
2	cent of the costs.
3	"(II) In the case of a partici-
4	pating employer of such eligible entity
5	with more than 25 employees, but
6	fewer than 100 employees, 75 percent
7	of the costs.
8	"(III) In the case of a partici-
9	pating employer of such eligible entity
10	with 100 or more employees, 50 per-
11	cent of the costs.
12	"(ii) Non-federal share.—
13	"(I) IN GENERAL.—Any costs of
14	the eligible skills development pro-
15	gram offered to a participant by such
16	eligible entity that are not covered by
17	the funds received under subpara-
18	graph (D) shall be the non-Federal
19	share provided by the eligible entity
20	(in cash or in-kind).
21	"(II) Employer cost shar-
22	ING.—If the eligible skills develop-
23	ment program is being provided on-
24	the-job, the non-Federal share pro-
25	vided by an eligible entity may include

- the amount of the wages paid by the 1 2 participating employer of the eligible 3 entity to a participant while such par-4 ticipant is receiving the training. 5 "(F) PERFORMANCE REPORTING.—Using 6 the participant information provided by eligible 7 entities under subparagraph (D)(ii), the State 8 shall submit to the Secretary a report, on an 9 annual basis, with respect to all participants for 10 which the eligible entities received funds under 11 this paragraph for the most recent program 12 year, which shall include— "(i) the number of individuals who 13 14 participated in eligible skills development 15 programs provided by such eligible entities 16 through the critical industry skills fund 17 under this paragraph; and 18 "(ii) the performance of such partici-19 pants on the primary indicators of per-20 described in subclauses formance  $(\mathbf{I})$ 21 through (III) of section 116(b)(2)(A)(i). 22 "(G) DEFINITIONS.—In this paragraph: "(i) ELIGIBLE ENTITY.—The term 'el-23
  - igible entity' means—

1	"(I) a participating employer or
2	a group of participating employers;
3	"(II) an industry or sector part-
4	nership that includes a participating
5	employer; or
6	"(III) another entity serving as
7	an intermediary (such as a local
8	board) that is in partnership with a
9	participating employer.
10	"(ii) Eligible skills development
11	PROGRAM.—The term 'eligible skills devel-
12	opment program', when used with respect
13	to an eligible entity—
14	"(I) means a program with re-
15	spect to which a State may set a max-
16	imum and minimum length (in
17	weeks);
18	"(II) includes work-based edu-
19	cation or related occupational skills
20	instruction that—
21	"(aa) develops the specific
22	technical skills necessary for suc-
23	cessful performance of the occu-
24	pations in which participants are

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1	to be employed upon completion;
2	and
3	"(bb) may be provided—
4	"(AA) by the eligible
5	entity; or
6	"(BB) by any training
7	provider that is selected by
8	the eligible entity and with-
9	out regard to whether such
10	provider is on a list of eligi-
11	ble providers of training
12	services described in section
13	122(d); and
14	"(III) does not include employee
15	onboarding, orientation, or profes-
16	sional development generally provided
17	to employees.".
18	(5) Industry or sector partnership and
19	CAREER PATHWAYS DEVELOPMENT FUND.—Section
20	134(a) of the Workforce Innovation and Opportunity
21	Act (29 U.S.C. 3174(a)), as amended, is further
22	amended by adding at the end the following:
23	"(5) Industry or sector partnership and
24	CAREER PATHWAYS DEVELOPMENT FUND.—

- "(A) PURPOSE.—The purpose of this para-1 2 graph is to establish new or expand existing in-3 dustry or sector partnerships and career path-4 way programs to encourage regional economic 5 growth and competitiveness, and improve work-6 er training, retention, and advancement. 7 "(B) DESCRIPTION OF FUND.—In addition 8 to the funds described in paragraph (3)(A), a 9 State may use any funds reserved under para-10 graph (3)(A) of section 128(a) to establish and administer an industry or sector partnership
- 11administer an industry or sector partnership12and career pathways development fund to13award grants to eligible partnerships to estab-14lish or expand industry or sector partnerships15that include employers in a high-growth or16high-wage industry of the State in order to17meet the following objectives:

18 "(i) Build capacity among such part19 nerships to prepare jobseekers and incum20 bent workers participating in such partner21 ships for careers in such a high-growth or
22 high-wage industry.

23 "(ii) Leverage the capacity of such
24 partnerships to develop, improve, expand,
25 or implement education, employment, and

	-
1	training opportunities for individuals with
2	barriers to employment.
3	"(iii) Strengthen coordination between
4	such industry or sector partnerships and
5	one-stop partners for the local areas in-
6	volved that are described in paragraphs $(1)$
7	and $(2)$ of section $121(b)$ .
8	"(iv) Develop or expand a career
9	pathway program that utilizes integrated
10	education and training strategies and sup-
11	ports multiple points of entry and exit for
12	working learners.
13	"(C) DURATION.—Each grant awarded
14	under this paragraph shall be for a period of
15	not more than 2 years.
16	"(D) Award basis.—
17	"(i) Geographic diversity.—The
18	Governor shall award grants under this
19	paragraph in a manner that ensures geo-
20	graphic diversity in the areas in the State
21	in which activities will be carried out under
22	the grants.
23	"(ii) Priority.—In awarding grants
24	under this paragraph, the Governor shall

1	give priority consideration to eligible part-
2	nerships that—
3	"(I) include (or will include) as a
4	partner in the industry or sector part-
5	nership to be established or expanded
6	under this paragraph, a 2-year public
7	institution of higher education;
8	"(II) demonstrate long-term sus-
9	tainability of such industry or sector
10	partnership; and
11	"(III) demonstrate the ability of
12	such industry or sector partnership to
13	serve individuals who—
14	"(aa) are individuals with a
15	barrier to employment, including
16	individuals with disabilities;
17	"(bb) are facing significant
18	worker dislocation due to a dis-
19	ruption or change in the regional
20	or State economy or labor mar-
21	ket;
22	"(cc) have traditionally been
23	underserved by regional economic

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1	ship activities (including rural
2	areas in the State); or
3	"(dd) are—
4	"(AA) opportunity
5	youth, disadvantaged youth,
6	or disadvantaged adults; or
7	"(BB) unemployed in-
8	dividuals, within the mean-
9	ing of section $6(b)(1)(B)$ of
10	the Wagner-Peyser Act $(29)$
11	U.S.C. 49e(b)(1)(B)).
12	"(iii) Additional optional pri-
13	ORITY.—In awarding grants under this
14	paragraph, in addition to the priority con-
15	sideration required under clause (ii), the
16	Governor may give priority consideration
17	to eligible partnerships that include, or will
18	include, as a partner in the industry or
19	sector partnership to be established or ex-
20	panded under this section—
21	"(I) a 4-year public institution of
22	higher education at which the highest

degree that is predominantly awarded

to students is an associate degree; or

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1	"(II) a 2-year Tribal College or
2	University (as defined in section
3	316(b) of the Higher Education Act
4	of 1965 (20 U.S.C. 1059c(b)).
5	"(E) Application.—
6	"(i) IN GENERAL.—An eligible part-
7	nership seeking a grant under this para-
8	graph shall submit an application to the
9	Governor at such time, in such manner,
10	and containing such information as the
11	Governor may reasonably require, includ-
12	ing the contents described in clause (ii).
13	"(ii) CONTENTS.—An eligible partner-
14	ship seeking a grant under this paragraph
15	shall submit an application to the Governor
16	under clause (i) containing, at minimum—
17	"(I) a description of the eligible
18	partnership, and the industry or sec-
19	tor partnership that will be estab-
20	lished or expanded with such grant;
21	"(II) the expected participation
22	and responsibilities of each of the
23	partners that will be included in such
24	industry or sector partnership;

1	"(III) a description of the high-
2	growth or high-wage industry sector
3	to be served by such industry or sec-
4	tor partnership, and a description of
5	how such industry sector was identi-
6	fied;
7	"(IV) a description of the work-
8	ers and other individuals who will be
9	targeted or recruited by such industry
10	or sector partnership, including the
11	number of workers and other individ-
12	uals who will be served by the part-
13	nership;
14	"(V) an analysis of the existing
15	labor market to be served by such in-
16	dustry or sector partnership, which in-
17	cludes—
18	"(aa) a description of poten-
19	tial barriers to employment for
20	the targeted workers and other
21	individuals;
22	"(bb) the estimated share of
23	such workers and other individ-
24	uals who are individuals with a
25	barrier to employment; and

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1	"(cc) a description of strate-
2	gies that will be developed to help
3	such workers and other individ-
4	uals overcome such barriers;
5	"(VI) a description of the Fed-
6	eral and non-Federal resources, avail-
7	able under provisions of law other
8	than this paragraph, that will be le-
9	veraged in support of such industry or
10	sector partnership and the activities
11	carried out by the partnership under
12	this paragraph;
13	"(VII) a description, using com-
14	mon, linked, open-data descriptive
15	language, of the recognized postsec-
16	ondary credential that will be provided
17	to individuals who successfully com-
18	plete the education and training pro-
19	gram provided through an education
20	provider in such industry or sector
21	partnership;
22	"(VIII) an assurance that any el-
23	igible provider of training services in
24	such industry or sector partnership is
25	on a list of eligible providers of train-

described in section 1 services ing 2 122(d); and 3 "(IX) a commitment from a par-4 ticipating employer in such industry 5 or sector partnership to employ each 6 participant of such education and 7 training program (which may be a ca-8 reer pathway program) for not less 9 than a 1-year period, in accordance 10 with the employment policies of such 11 employer, after successful completion of the training portion of the edu-12 13 cation and training program operated 14 by such participating employer. "(F) Uses of funds.— 15 "(i) IN GENERAL.—An eligible part-16

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17 nership awarded a grant under this para-18 graph shall use such grant funds to estab-19 lish a new industry or sector partnership 20 or expand the industry or sector partner-21 ship of the eligible partnership to meet the 22 objectives listed in subparagraph (B)— "(I) by engaging businesses in 23 24 accordance with clause (iii); and

1	"(II) by carrying out an edu-
2	cation and training program that—
3	"(aa) leads to the recognized
4	postsecondary credential de-
5	scribed in the eligible partner-
6	ship's application in subpara-
7	graph (E)(ii)(VII);
8	"(bb) includes an appren-
9	ticeship, work-based learning, or
10	on-the-job training program that
11	leads to an employment commit-
12	ment described in subparagraph
13	(E)(ii)(IX) with a participating
14	employer of the industry or sec-
15	tor partnership;
16	"(cc) may include the devel-
17	opment or expansion of a new or
18	existing career pathway program
19	as described in clause (iv); and
20	"(dd) may include the provi-
21	sion of supportive services as de-
22	scribed in clause (v).
23	"(ii) Planning activities.—An eli-
24	gible partnership receiving a grant under
25	this paragraph may use not more than 20

1	percent of the grant funds to carry out
2	planning activities during the first year of
3	the grant period that are necessary to es-
4	tablish a new industry or sector partner-
5	ship or expand the industry or sector part-
6	nership of the eligible partnership, which
7	may include—
8	"(I) recruiting key stakeholders
9	in the high-growth or high-wage in-
10	dustry to be served by such industry
11	or sector partnership;
12	"(II) conducting outreach to local
13	businesses, employers, labor organiza-
14	tions, local boards, education and
15	training providers, and business and
16	employer associations;
17	"(III) identifying, through an
18	evaluation, the training needs of mul-
19	tiple businesses in the high-growth or
20	high-wage industry, including identi-
21	fying any needs for—
22	"(aa) skills critical to com-
23	petitiveness and innovation in the
24	high-growth or high-wage indus-
25	try;

1	"(bb) an education and
2	training program, including any
3	apprenticeship program or other
4	work-based learning program
5	supported by the grant; and
6	"(cc) the usage of career
7	pathways to align education and
8	training with job openings in the
9	high-growth or high-wage indus-
10	try; and
11	"(IV) recruiting individuals with
12	barriers to employment to participate
13	in the education and training pro-
14	gram.
15	"(iii) BUSINESS ENGAGEMENT.—An
16	industry or sector partnership established
17	or expanded with a grant under this para-
18	graph shall use the grant funds to engage
19	businesses (including small and medium-
20	sized businesses that are in the high-
21	growth or high-wage industry and that
22	may be a participating employer of the
23	partnership) in the establishment and im-
24	plementation of an apprenticeship, work-
25	based learning, or on-the-job training pro-

gram offered through the education and 1 2 training program of the partnership, and 3 which may include— "(I) the navigation of the reg-4 5 istration process for a sponsor of such 6 an apprenticeship program; "(II) the connection of the busi-7 8 ness with an education provider in the 9 industry or sector partnership to de-10 velop classroom instruction to com-11 plement learning through such an ap-12 prenticeship, work-based learning, or 13 on-the-job training program; 14 "(III) the development of such a 15 work-based learning program; "(IV) the provision of career 16 17 awareness activities for participants of 18 such an apprenticeship, work-based 19 learning, or on-the-job training pro-20 gram, such as career guidance and 21 academic counseling; 22 "(V) the recruitment of individ-23 uals with barriers to employment to 24 participate in such an apprenticeship,

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1	work-based learning, or on-the-job
2	training program; and
3	"(VI) other evidence-based ap-
4	proaches to connecting businesses
5	with workers and establishing path-
6	ways to unsubsidized employment for
7	individuals participating in the edu-
8	cation and training program and
9	other programs funded under this
10	title.
11	"(iv) Career pathway programs.—
12	"(I) IN GENERAL.—An industry
13	or sector partnership established or
14	expanded with a grant under this
15	paragraph may use such grant funds
16	for the development or expansion of a
17	new or existing career pathway pro-
18	gram that utilizes integrated edu-
19	cation and training strategies and
20	supports multiple entry and exit
21	points for working students and other
22	working participants, which may in-
23	clude—
24	"(aa) dual-enrollment ap-
25	proaches for participants, includ-

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1	ing youth, seeking to participate
2	in a career pathway program;
3	"(bb) strategies that help
4	working students and other non-
5	traditional and adult student
6	populations access skills and the
7	recognized postsecondary creden-
8	tials described in subparagraph
9	(E)(ii)(VII) of the eligible part-
10	nership's application; and
11	"(cc) strategies that incor-
12	porate the principles of universal
13	design for learning.
14	"(II) AUTHORIZED ACTIVITIES.—
15	In establishing or expanding such new
16	or existing career pathway program,
17	the industry or sector partnership
18	may use a grant under this paragraph
19	for—
20	"(aa) the provision of evi-
21	dence-based professional develop-
22	ment for faculty and other staff
23	of an education provider in the

24 industry or sector partnership,25 which may incorporate the prin-

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1	ciples of universal design for
2	learning, as appropriate;
3	"(bb) the acquisition of
4	equipment necessary to support
5	the delivery of the career path-
6	way program; and
7	"(cc) any other evidence-
8	based activities to support the
9	development or implementation
10	of the career pathway program.
11	"(v) Supportive services.—In ac-
12	cordance with section 181(h), an industry
13	or sector partnership established or ex-
14	panded with a grant under this paragraph
15	may use such grant funds to provide sup-
16	portive services to support the success of
17	individuals, including individuals with bar-
18	riers to employment, who are participating
19	in training services, as described in sub-
20	section $(c)(3)(D)$ , which are offered
21	through such partnership.
22	"(G) Designation of a fiscal agent.—
23	An eligible partnership receiving a grant under
24	this paragraph shall designate an entity of the
25	eligible partnership as the fiscal agent for the

1	receipt, management, and expenditure of the
2	grant funds.
3	"(H) Non-federal cost sharing.—
4	"(i) Limits on federal share.—An
5	industry or sector partnership established
6	or expanded with a grant under this para-
7	graph may not receive such grant funds
8	for purposes of funding the education and
9	training program offered through such
10	partnership in excess of the following costs
11	of establishing, operating, and sustaining
12	such program:
13	"(I) In the case in which the par-
14	ticipating employers in such eligible
15	partnership employ 25 or fewer em-
16	ployees, 70 percent of the costs.
17	"(II) In the case in which the
18	participating employers in such eligi-
19	ble partnership employ more than 25
20	employees, but fewer than 100 em-
21	ployees, 55 percent of the costs.
22	"(III) In the case in which the
23	participating employers in such eligi-
24	ble partnership employ 100 or more
25	employees, 40 percent of the costs.

1	"(ii) Non-federal share.—Any
2	costs of establishing, operating, and sus-
3	taining such program that are not covered
4	by the grant received under this paragraph
5	shall be the non-Federal share provided by
6	the industry or sector partnership.
7	"(I) Performance reporting.—Not
8	later than 2 years after the first award of funds
9	under this paragraph is made by the Governor
10	and on an annual basis thereafter, the Governor
11	shall prepare and submit to the Secretary a re-
12	port with respect to the participants served by
13	each eligible partnership receiving funds under
14	this paragraph in the most recent program
15	year, which report shall include—
16	"(i) levels of performance achieved by
17	the eligible partnership, with respect to the
18	primary indicators of performance under
19	clause (i) or (ii) of section $116(b)(2)(A)$ , as
20	applicable, for all individuals served by the
21	eligible partnership, disaggregated by race,
22	ethnicity, sex, disability status, and age;
23	and
24	"(ii) levels of performance achieved by
25	the eligible partnership with respect to the

1	primary indicators of performance under
2	clause (i) or (ii) of section $116(b)(2)(A)$ , as
3	applicable, for individuals with barriers to
4	employment served by the eligible partner-
5	ship, disaggregated by race, ethnicity, sex,
6	disability status, and age.
7	"(J) AVAILABILITY OF REPORT.—The re-
8	port submitted by eligible partnerships under
9	subparagraph (I) shall—
10	"(i) be made digitally available by the
11	Secretary using linked, open, and inter-
12	operable data; and
13	"(ii) include the number of individuals
14	who were served by each such eligible part-
15	nership.
16	"(K) Limit on administrative costs.—
17	An eligible partnership receiving a grant under
18	this paragraph may not use more than 10 per-
19	cent of the grant funds for administrative costs.
20	"(L) DEFINITIONS.—In this paragraph:
21	"(i) ELIGIBLE PARTNERSHIP.—The
22	term 'eligible partnership' means—
23	"(I) an industry or sector part-
24	nership that—

1	"(aa) includes a partici-
2	pating employer; and
3	"(bb) is seeking to further
4	implement or expand such indus-
5	try or sector partnership; or
6	"(II) a workforce collaborative
7	that is seeking to become an industry
8	or sector partnership that includes a
9	participating employer.
10	"(ii) High-growth or high-wage
11	INDUSTRY.—The term 'high-growth or
12	high-wage industry', when used with re-
13	spect to an eligible partnership, means an
14	industry that—
15	"(I) has, or is expected to have,
16	a high rate of growth and an unmet
17	demand for skilled workers, as deter-
18	mined by the Governor of the State in
19	which the eligible partnership is lo-
20	cated;
21	"(II) has been designated by the
22	Governor as an in-demand industry
23	experiencing high growth in such
24	State; and

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1	"(III) includes occupations deter-
2	mined by the Governor—
3	"(aa) with wages that are
4	significantly higher than an occu-
5	pation of similar level of skill or
6	needed skill development; or
7	"(bb) that are aligned with
8	career pathways into higher wage
9	occupations.
10	"(iii) Participating employer
11	The term 'participating employer', when
12	used with respect to an eligible partner-
13	ship, means an employer in a high-growth
14	or high-wage industry that is (or will be)
15	part of the industry or sector partnership
16	that will be expanded (or established) by
17	the eligible partnership under this para-
18	graph.".
19	(b) Required Local Employment and Training
20	ACTIVITIES.—
21	(1) MINIMUM AMOUNT FOR SKILLS DEVELOP-
22	MENT.—Section 134(c)(1) of the Workforce Innova-
23	tion and Opportunity Act (29 U.S.C. $3174(c)(1)$ ) is
24	amended—

1	(A) in subparagraph (A)(iv), by striking
2	"to" and inserting "to provide business services
3	described in paragraph (4) and";
4	(B) by redesignating subparagraph (B) as
5	subparagraph (C); and
6	(C) by inserting after subparagraph (A),
7	as so amended, the following:
8	"(B) MINIMUM AMOUNT FOR SKILLS DE-
9	VELOPMENT.—
10	"(i) IN GENERAL.—Subject to clause
11	(ii), not less than 50 percent of the funds
12	described in subparagraph (A) shall be
13	used by the local area—
14	"(I) for the payment of training
15	services—
16	"(aa) provided to adults
17	under paragraph (3)(F)(iii); and
18	"(bb) provided to adults and
19	dislocated workers under para-
20	graph (3)(G)(ii); and
21	"(II) for the payment of training
22	services under paragraph (2)(A) of
23	section 414(c) of the American Com-
24	petitiveness and Workforce Improve-
25	ment Act of 1998 (29 U.S.C.

1	3224a(c)) after funds allocated to
2	such local area under paragraph (1)
3	of such section 414(c) have been ex-
4	hausted.
5	"(ii) EXCEPTION.—With respect to a
6	local area that uses any funds described in
7	subparagraph (A) to provide supportive
8	services, in accordance with subsection
9	(d)(2) of this section, for adults and dis-
10	located workers who are participating in
11	training services, or individualized career
12	services described in clauses (iii) and (vii)
13	of paragraph (2)(B) that enable participa-
14	tion in training services, each percentage
15	of such funds so used shall reduce, by one
16	percentage point, the percentage of such
17	funds required to be used by such local
18	area in accordance with clause (i), except
19	that such percentage of funds may not be
20	reduced by more than 10 percentage points
21	pursuant to this clause."; and
22	(D) in subparagraph (C), as so redesig-
23	nated, by striking "and (ii)" and inserting ",
24	(ii), and (iv)".

1	(2) Career services.—Section $134(c)(2)$ of
2	the Workforce Innovation and Opportunity Act (29
3	U.S.C. 3174(c)(2)) is amended—
4	(A) by redesignating subparagraphs (A)
5	through (C) as subparagraphs (B) through (D),
6	respectively;
7	(B) by inserting before subparagraph (B),
8	as so redesignated, the following:
9	"(A) BASIC CAREER SERVICES.—
10	"(i) IN GENERAL.—The one-stop de-
11	livery system—
12	"(I) shall coordinate with the
13	Employment Service office colocated
14	with the one-stop delivery system for
15	such Employment Service office to
16	provide, using the funds allotted to
17	the State under section 6 of the Wag-
18	ner-Peyser Act (29 U.S.C. 49e), basic
19	career services, which shall—
20	"(aa) include, at a min-
21	imum, the services listed in
22	clause (ii); and
23	"(bb) be available to individ-

1	to streamline access to assistance
2	for such individuals, to avoid du-
3	plication of services, and to en-
4	hance coordination of services;
5	and
6	"(II) may use funds allocated
7	under paragraph (1), as necessary, to
8	supplement the services that are pro-
9	vided pursuant to subclause (I) to in-
10	dividuals who are adults or dislocated
11	workers.
12	"(ii) SERVICES.—The basic career
13	services provided pursuant to clause (i)
14	shall include—
15	"(I) provision of workforce and
16	labor market employment statistics in-
17	formation, including the provision of
18	accurate (and, to the extent prac-
19	ticable, real-time) information relating
20	to local, regional, and national labor
21	market areas, including—
22	"(aa) job vacancy listings in
23	such labor market areas;

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1	"(bb) information on job
2	skills necessary to obtain the jobs
3	included on such listings; and
4	"(cc) information relating to
5	local occupations in demand
6	(which may include entrepreneur-
7	ship opportunities), and the earn-
8	ings, skill requirements, and op-
9	portunities for advancement for
10	such occupations;
11	"(II) labor exchange services, in-
12	cluding job search and placement as-
13	sistance and, in appropriate cases, ca-
14	reer counseling, including—
15	"(aa) provision of informa-
16	tion on in-demand industry sec-
17	tors and occupations;
18	"(bb) provision of informa-
19	tion on nontraditional employ-
20	ment; and
21	"(cc) provision of informa-
22	tion on entrepreneurship, as ap-
23	propriate;
24	"(III)(aa) provision of informa-
25	tion, in formats that are usable by

1	and understandable to one-stop center
2	customers, relating to the availability
3	of supportive services or assistance,
4	including child care, child support,
5	medical or child health assistance
6	under title XIX or XXI of the Social
7	Security Act (42 U.S.C. 1396 et seq.
8	and 1397aa et seq.), benefits under
9	the supplemental nutrition assistance
10	program established under the Food
11	and Nutrition Act of 2008 (7 U.S.C.
12	2011 et seq.), assistance through the
13	earned income tax credit under sec-
14	tion 32 of the Internal Revenue Code
15	of 1986, and assistance under a State
16	program for temporary assistance for
17	needy families funded under part A of
18	title IV of the Social Security Act (42 $$
19	U.S.C. 601 et seq.) and other sup-
20	portive services and transportation
21	provided through funds made avail-
22	able under such part, available in the
23	local area; and

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1	"(bb) referral to the services or assist-
2	ance described in item (aa), as appro-
3	priate;
4	"(IV) provision of information
5	and assistance regarding filing claims
6	for unemployment compensation; and
7	"(V) assistance in establishing
8	eligibility for programs of financial aid
9	assistance for training and education
10	programs that are not funded under
11	this Act.";
12	(C) in subparagraph (B), as so redesig-
13	nated—
14	(i) in the heading, by striking the
15	heading and inserting "INDIVIDUALIZED
16	CAREER'';
17	(ii) in the matter preceding clause
18	(i)—
19	(I) by inserting "individualized"
20	before "career services"; and
21	(II) by inserting "shall, to the ex-
22	tent practicable, be evidence-based,"
23	before "and shall";
24	(iii) in clause (iii), by inserting ", and
25	a determination (considering factors in-

1	cluding prior work experience, military
2	service, education, and the in-demand in-
3	dustry sectors and occupations in the local
4	area) of whether such an individual would
5	benefit from a competency-based assess-
6	ment developed or identified by the State
7	pursuant to subsection (a)(2)(B)(viii) to
8	accelerate the time to obtaining employ-
9	ment that leads to economic self-sufficiency
10	or career advancement" before the semi-
11	colon at the end;
12	(iv) by striking clauses (iv), (vi), (ix),
13	(x), and (xi);
14	(v) by redesignating clauses (v), (vii),
15	(viii), (xii), and (xiii) as clauses (iv), (v),
16	(vi), (vii), and (viii), respectively;
17	(vi) in clause (v), as so redesignated,
18	by inserting "and credential" after "by
19	program'';
20	(vii) in clause (vi), as so redesignated,
21	by inserting "and in multiple languages, to
22	the extent practicable," after "customers,";
23	and
24	(viii) in clause (vii), as so redesig-
25	nated—

1	(I) in subclause (I)(aa), as so re-
2	designated, by inserting ", including a
3	competency-based assessment devel-
4	oped or identified by the State pursu-
5	ant to subsection (a)(2)(B)(viii)" after
6	"tools";
7	(II) in subclause (VI), by insert-
8	ing "digital literacy skills," after
9	"learning skills,";
10	(III) in subclause (X), by strik-
11	ing "or" at the end;
12	(IV) in subclause (XI)—
13	(aa) by striking "language";
14	and
15	(bb) by striking "and" at
16	the end and inserting "or";
17	(V) by adding at the end the fol-
18	lowing:
19	"(XII) review or creation of a re-
20	sume or similar document showcasing
21	the skills, experience, relevant creden-
22	tials, and education of the individual;
23	and".
24	(D) by amending subparagraph (C), as so
25	redesignated, to read as follows:

1 "(C) Use of previous assessments.—A 2 one-stop operator or one-stop partner shall not 3 be required to conduct a new interview, evalua-4 tion, or assessment of a participant under sub-5 paragraph (B)(vii) if the one-stop operator or 6 one-stop partner determines that— 7 "(i) it is appropriate to use a recent 8 interview, evaluation, or assessment of the 9 participant conducted pursuant to another 10 education or training program; and 11 "(ii) using such recent interview, eval-12 uation, or assessment will accelerate an eli-13 gibility determination."; and 14 (E) in subparagraph (D), as so redesig-15 nated— (i) in the matter preceding clause 16 17 (i)— 18 (I) by inserting "individualized" 19 before "career"; and

20 (II) by striking "subparagraph (A)" and inserting "subparagraph 21 22 (B)"; and (ii) in clause (ii), by inserting ", li-23

24 braries, and community-based organizations" after "nonprofit service providers". 25

1	(3) TRAINING SERVICES.—Section 134(c)(3) of
2	the Workforce Innovation and Opportunity Act (29
3	U.S.C. 3174(c)(3)) is amended—
4	(A) in subparagraph (A)—
5	(i) in clause (i), in the matter pre-
6	ceding subclause (I), by striking "clause
7	(ii)" and inserting "clause (ii) or (iii)";
8	(ii) by amending clause (i)(II) to read
9	as follows:
10	((II) who select programs of
11	training services that are directly
12	linked to the employment opportuni-
13	ties—
14	"(aa) in the local area or the
15	planning region;
16	"(bb) in another area to
17	which the adults or dislocated
18	workers are willing to commute
19	or relocate; or
20	"(cc) that may be performed
21	remotely;".
22	(iii) by redesignating clause (iii) as
23	clause (iv);
24	(iv) by inserting after clause (ii) the
25	following:

1	"(iii) Employer referral.—
2	"(I) IN GENERAL.—A one-stop
3	operator or one-stop partner shall not
4	be required to conduct an interview,
5	evaluation, or assessment of an indi-
6	vidual under clause (i) if such indi-
7	vidual—
8	"(aa) is referred by an em-
9	ployer to receive on-the-job train-
10	ing or employer-directed skills de-
11	velopment in connection with
12	that employer; and
13	"(bb) has been certified by
14	the employer as being an indi-
15	vidual who is in need of training
16	services to obtain unsubsidized
17	employment with such employer
18	and who has the skills and quali-
19	fications to successfully partici-
20	pate in the selected program of
21	training services.
22	"(II) PRIORITY.—A one-stop op-
23	erator or one-stop partner shall follow
24	the priority system in effect under
25	subparagraph (E) to determine wheth-

1	er an individual who meets the re-
2	quirements of subclause (I) of this
3	clause is eligible to receive training
4	services."; and
5	(v) by adding at the end the following:
6	"(v) Adult education and family
7	LITERACY ACTIVITIES.—In the case of an
8	individual who, after an interview, evalua-
9	tion, or assessment under clause (i)(I), is
10	determined to not have the skills and
11	qualifications to successfully participate in
12	the selected program of training services
13	under clause (i)(I)(cc), the one-stop oper-
14	ator or one-stop partner shall refer such
15	individual to adult education and literacy
16	activities under title II, including for co-en-
17	rollment in such activities, as appro-
18	priate.";
19	(B) in subparagraph (B)—
20	(i) in clause (i)—
21	(I) in subclause (I), by striking
22	"other grant assistance for such serv-
23	ices, including" and inserting "assist-
24	ance for such services under"; and

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1	(II) by striking "under other
2	grant assistance programs, including"
3	and inserting "under"; and
4	(ii) by adding at the end the fol-
5	lowing:
6	"(iv) Participation during eligi-
7	BILITY DETERMINATION.—An individual
8	may participate in a program of training
9	services during the period during which
10	such individual's eligibility for training
11	services under subparagraph (A)(i) is being
12	determined, except that the provider of
13	such a program shall receive reimburse-
14	ment under this Act for the individual's
15	participation during such period only if
16	such individual is determined to be eligible
17	under subparagraph (A)(i).";
18	(C) in subparagraph (D)(xi), by striking
19	"customized training" and inserting "employer-
20	directed skills development";
21	(D) in subparagraph (E)—
22	(i) by striking "are basic skills defi-
23	cient" and inserting "have foundational
24	skill needs"; and

1	(ii) by striking "paragraph
2	(2)(A)(xii)" and inserting "paragraph
3	(2)(B)(vii)'';
4	(E) in subparagraph (F)(ii), by inserting
5	"and the levels of performance for such pro-
6	viders on the performance criteria described in
7	section 122(b) for the 2 most recent program
8	years" after "in section 122(d)";
9	(F) in subparagraph (G)(ii)—
10	(i) in subclause (II), by striking "cus-
11	tomized training" and inserting "employer-
12	directed skills development"; and
13	(ii) in subclause (IV)—
14	(I) by striking "is a" and insert-
15	ing "is an evidence-based"; and
16	(II) by inserting "and to support
17	such individuals in gaining requisite
18	skills for in-demand industry sectors
19	or occupations in the local area, ob-
20	taining recognized postsecondary cre-
21	dentials, and entering unsubsidized
22	employment" after "employment";
23	(G) in subparagraph (H)—
24	(i) in clause (i), in the matter pre-
25	ceding subclause (I), by striking "reim-

1	bursement described in section $3(44)$ " and
2	inserting "reimbursement described in sec-
3	tion $3(48)$ "; and
4	(ii) in clause (ii)—
5	(I) in subclause (I), by inserting
6	", such as the extent to which partici-
7	pants are individuals with barriers to
8	employment" after "participants";
9	and
10	(II) in subclause (III), by insert-
11	ing "in an occupation or industry sec-
12	tor, including whether the skills a par-
13	ticipant will obtain are transferable to
14	other employers, occupations, or in-
15	dustries in the local area or the
16	State" after "opportunities"; and
17	(H) by adding at the end the following:
18	"(I) Employer-directed skills devel-
19	OPMENT.—An employer may receive a contract
20	from a local board to provide employer-directed
21	skills development to a participant or group of
22	participants if the employer submits to the local
23	board an agreement that establishes—
24	"(i) the provider of the skills develop-
25	ment program, which may be the employer;

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  "(ii) the length of the skills development program;
  "(iii) the recognized postsecondary credentials that will be awarded to, or the occupational skills that will be gained by, program participants;
  "(iv) the cost of the skills development program;
  "(v) the estimated earnings of program participants upon successful completion of the program;
  "(vi) the amount of such cost that will
- "(vi) the amount of such cost that will
  be paid by the employer, which shall not be
  less than the amount specified in subparagraph (C) of section 3(19); and

"(vii) a commitment by the employer
to employ the participating individual or
individuals upon successful completion of
the program.".

20 (c) BUSINESS SERVICES.—Section 134(c) of the
21 Workforce Innovation and Opportunity Act (29 U.S.C.
22 3174(c)) is further amended by adding at the end the fol23 lowing:

24 "(4) BUSINESS SERVICES.—Funds described in
25 paragraph (1) shall be used to provide appropriate

1	recruitment and other business services and strate-
2	gies on behalf of employers, including small employ-
3	ers and mid-sized employers, that meet the work-
4	force investment needs of area employers, as deter-
5	mined by the local board and consistent with the
6	local plan under section 108, which services—
7	"(A) may be provided—
8	"(i) through effective business inter-
9	mediaries working in conjunction with the
10	local board;
11	"(ii) on a fee-for-service basis; or
12	"(iii) through the leveraging of eco-
13	nomic development, philanthropic, and
14	other public and private resources in a
15	manner determined appropriate by the
16	local board; and
17	"(B) may include one or more of the fol-
18	lowing:
19	"(i) Developing and implementing in-
20	dustry sector strategies (including strate-
21	gies involving industry partnerships, re-
22	gional skills alliances, industry skill panels,
23	and sectoral skills partnerships).
24	"(ii) Developing and delivering inno-
25	vative workforce investment services and

1	strategies for area employers, which may
2	include career pathways, skills upgrading,
3	skill standard development and certifi-
4	cation for recognized postsecondary creden-
5	tial or other employer use, apprenticeship,
6	developing and offering industry-recognized
7	credential (including short-term industry-
8	recognized credential) programs, including
9	those that support individuals with
10	foundational skill needs, and other effective
11	initiatives for meeting the workforce in-
12	vestment needs of area employers and
13	workers.
14	"(iii) Assistance to area employers in

15 managing reductions in force in coordination with rapid response activities provided 16 17 under subsection (a)(2)(A) and developing 18 strategies for the aversion of layoffs, which 19 strategies may include early identification of firms at risk of layoffs, use of feasibility 20 21 studies to assess the needs of and options 22 for at-risk firms, and the delivery of em-23 ployment and training activities to address risk factors. 24

1	"(iv) The marketing of business serv-
2	ices offered under this title to appropriate
3	area employers, including small and mid-
4	sized employers.
5	"(v) Technical assistance or other
6	support to employers seeking to implement
7	skills-based hiring practices, which may in-
8	clude technical assistance on the use and
9	validation of employment assessments, in-
10	cluding competency-based assessments de-
11	veloped or identified by the State pursuant
12	to paragraph (2)(B)(viii), and support in
13	the creation of skills-based job descrip-
14	tions.
15	"(vi) Other services described in this
16	subsection, including providing information
17	and referral to microenterprise services, as
18	appropriate, and specialized business serv-
19	ices not traditionally offered through the
20	one-stop delivery system.".
21	(d) Permissible Local Employment and Train-
22	ING ACTIVITIES.—
23	(1) ACTIVITIES.—Section $134(d)(1)(A)$ of the
24	Workforce Innovation and Opportunity Act (29
25	U.S.C. 3174(d)(1)(A)) is amended—

1	(A) in clause (iii), by striking "10 percent"
2	and inserting "30 percent";
3	(B) in clause (v), by inserting "case man-
4	agement," after "assessments,";
5	(C) in clause (vi)—
6	(i) in subclause (III), by striking
7	"and" at the end;
8	(ii) by redesignating subclause (IV) as
9	subclause (VI); and
10	(iii) by inserting after subclause (III)
11	the following:
12	"(IV) employment and training
13	activities under subsections (d) and
14	(o) of section 6 of the Food and Nu-
15	trition Act of 2008 (7 U.S.C. 2015);
16	"(V) programs under the Older
17	Americans Act of 1965 (42 U.S.C.
18	3001 et seq.) that support employ-
19	ment and economic security; and";
20	(D) in clause (vii)—
21	(i) in subclause (II)—
22	(I) by inserting "and providers of
23	supportive services," after "small em-
24	ployers,"; and
25	(II) by striking "and" at the end;

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1	(ii) in subclause (III), by inserting
2	"and" at the end; and
3	(iii) by adding at the end the fol-
4	lowing:
5	"(IV) to strengthen, through pro-
6	fessional development activities, the
7	knowledge and capacity of one-stop
8	staff to use the latest digital tech-
9	nologies, tools, and strategies to de-
10	liver high quality services and out-
11	comes for jobseekers, workers, and
12	employers, which may incorporate uni-
13	versal design for learning;";
14	(E) by striking clause (ix);
15	(F) by redesignating clauses (x) through
16	(xii) as clauses (ix) through (xi), respectively;
17	(G) in clause (x), as so redesignated, by
18	striking "and" at the end;
19	(H) in clause (xi), as so redesignated, by
20	striking the period at the end and inserting a
21	semicolon; and
22	(I) by adding at the end the following:
23	"(xii) training programs for individ-
24	uals who are dislocated workers as a result
25	of advances in automation technology;

1	"(xiii) the use of competency-based
2	
	assessments for individuals upon initial as-
3	sessment of skills (pursuant to subsection
4	(c)(2)(A)(iii)) or completion of training
5	services or other learning experiences;
6	"(xiv) the development of partnerships
7	between educational institutions (including
8	area career and technical education
9	schools, local educational agencies, and in-
10	stitutions of higher education) and employ-
11	ers to create or improve workforce develop-
12	ment programs to address the identified
13	education and skill needs of the workforce
14	and the employment needs of employers in
15	a region, as determined based on the most
16	recent analysis conducted by the local
17	board under section $107(d)(2)$ ; and
18	"(xv) assistance to one or more public
19	libraries located in the local area that has
20	demonstrated success in leveraging addi-
21	tional resources (such as staff, facilities,
22	computers, and learning materials) to pro-
23	vide free and open access to individualized
24	career services, in order to promote and
25	expand access to such services.".

1	(2) SUPPORTIVE SERVICES.—Section
2	134(d)(2)(B) of the Workforce Innovation and Op-
3	portunity Act (29 U.S.C. 3174(d)(2)(B)) is amend-
4	ed, by inserting ", including through programs of
5	one-stop partners, who are" after "programs".
6	(3) NEEDS-RELATED PAYMENTS.—Section
7	134(d)(3) of the Workforce Innovation and Oppor-
8	tunity Act (29 U.S.C. 3174(d)(3)) is amended—
9	(A) in subparagraph (A), by inserting "or
10	for financial assistance through a program car-
11	ried out by a one-stop partner" after "com-
12	pensation"; and
13	(B) in subparagraph (B), by inserting "or
14	financial assistance through a program carried
15	out by a one-stop partner" after "compensa-
16	tion"
17	(4) Incumbent worker training pro-
18	GRAMS.—
19	(A) IN GENERAL.—Section 134(d)(4)(A) of
20	the Workforce Innovation and Opportunity Act
21	(29 U.S.C. 3174(d)(4)(A)) is amended—
22	(i) in clause (i), by striking "20" and
23	inserting "30";

1	(ii) by redesignating clauses (ii) and
2	(iii) as clauses (iii) and (iv), respectively;
3	and
4	(iii) by inserting after clause (i) the
5	following:
6	"(ii) Increase in reservation of
7	FUNDS.—Notwithstanding clause (i)—
8	"(I) with respect to a local area
9	that had a rate of unemployment of
10	not more than 3 percent for not less
11	than 6 months during the preceding
12	program year, clause (i) shall be ap-
13	plied by substituting '40 percent' for
14	'30 percent'; or
15	"(II) with respect to a local area
16	that meets the requirement in sub-
17	clause (I) and is located in a State
18	that had a labor force participation
19	rate of not less than 69 percent for
20	not less than 6 months during the
21	preceding program year, clause (i)
22	shall be applied by substituting '45
23	percent' for '30 percent'.".
24	(B) TRAINING ACTIVITIES.—Section
25	134(d)(4)(B) of the Workforce Innovation and

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1	Opportunity Act $(29 \text{ U.S.C. } 3174(d)(4)(B))$ is
2	amended—
3	(i) by striking "The training", and in-
4	serting the following:
5	"(i) IN GENERAL.—The training";
6	and
7	(ii) by striking "delivering training"
8	and inserting "delivering training, such as
9	industry or sector partnerships".
10	(C) Non-federal share.—Section
11	134(d)(4)(D)(ii)(III) of the Workforce Innova-
12	tion and Opportunity Act (29 U.S.C.
13	3174(d)(4)(D)(ii)(III)) is amended by striking
14	"50" and inserting "55".
15	(D) Incumbent worker upskilling ac-
16	COUNTS.—Section 134(d)(4) of the Workforce
17	Innovation and Opportunity Act (29 U.S.C.
18	3174(d)(4)) is further amended by adding at
19	the end the following:
20	"(E) Incumbent worker upskilling
21	ACCOUNTS.—
22	"(i) IN GENERAL.—To establish in-
23	cumbent worker upskilling accounts
24	through which an eligible provider of train-
25	ing services under section 122 may be paid

- 1 for the program of training services pro-2 vided to an incumbent worker, a local board-3 "(I)(aa) may use, from the funds 4 5 reserved by the local area under sub-6 paragraph (A)(i), an amount that 7 does not exceed 5 percent of the funds 8 allocated to such local area under sec-9 tion 133(b); or 10 "(bb) if the local area reserved funds 11 under subparagraph (A)(ii), may use, from 12 the funds reserved by the local area under 13 subparagraph (A)(ii), an amount that does 14 not exceed 10 percent of the funds allo-15 cated to such local area under section 16 133(b); and 17 "(II) may use funds reserved 18 under section 134(a)(2)(A) for state-19 wide rapid response activities and pro-20 vided by the State to local area to es-21 tablish such accounts. 22 "(ii) ELIGIBILITY.— 23 "(I) IN GENERAL.—Subject to 24 subclause (II), a local board that
- 25 seeks to establish incumbent worker

1	upskilling accounts under clause (i)
2	shall establish criteria for determining
3	the eligibility of an incumbent worker
4	to receive such an account, which
5	shall take into account factors of—
6	"(aa) the wages of the in-
7	cumbent worker as of the date of
8	determining such worker's eligi-
9	bility under this clause;
10	"(bb) the career advance-
11	ment opportunities for the in-
12	cumbent worker in the occupa-
13	tion of such worker as of such
14	date; and
15	"(cc) the ability of the in-
16	cumbent worker to, upon comple-
17	tion of the program of training
18	services selected by such worker,
19	secure employment in an in-de-
20	mand industry or occupation in
21	the local area that will lead to
22	economic self-sufficiency and
23	wages higher than the current
24	wages of the incumbent worker.
25	"(II) LIMITATION.—

1	"(aa) IN GENERAL.—An in-
2	cumbent worker described in item
3	(bb) shall be ineligible to receive
4	an incumbent worker upskilling
5	account under this subparagraph.
6	"(bb) INELIGIBILITY.—Item
7	(aa) shall apply to an incumbent
8	worker—
9	"(AA) whose total an-
10	nual wages for the most re-
11	cent year are greater than
12	the median household in-
13	come of the State; or
14	"(BB) who has earned
15	a baccalaureate or profes-
16	sional degree.
17	"(iii) Cost sharing for certain in-
18	CUMBENT WORKERS.—With respect to an
19	incumbent worker who is determined to be
20	eligible to receive an incumbent worker
21	upskilling account and who is not a low-in-
22	come individual—
23	"(I) such incumbent worker shall
24	pay not less than 25 percent of the

1	cost of the program of training serv-
2	ices selected by such worker; and
3	"(II) funds provided through the
4	incumbent worker upskilling account
5	established for such worker shall cover
6	the remaining 75 percent of the cost
7	of the program.".
8	(E) TRANSITIONAL JOBS.—Section
9	134(d)(5) of the Workforce Innovation and Op-
10	portunity Act (29 U.S.C. 3174(d)(5)) is amend-
11	ed by striking "10" and inserting "15".
12	(e) Rule of Construction.—Section 134 of the
13	Workforce Innovation and Opportunity Act (29 U.S.C.
14	3174) is further amended by adding at the end the fol-
15	lowing:
16	"(e) RULE OF CONSTRUCTION.—Nothing in this sec-
17	tion shall be construed to abrogate a collective bargaining
18	agreement that covers employees of an entity providing a
19	program of training services, including an incumbent
20	worker training program.".
21	CHAPTER 4—GENERAL WORKFORCE
22	INVESTMENT PROVISIONS
23	SEC. 145. AUTHORIZATION OF APPROPRIATIONS.
24	Section 136 of the Workforce Innovation and Oppor-
25	tunity Act (29 U.S.C. 3181) is amended to read as follows:

## 1 "SEC. 136. AUTHORIZATION OF APPROPRIATIONS.

2 "(a) Youth Workforce Investment Activi-3 TIES.—There are authorized to be appropriated to carry 4 out the activities described section 127(a)in 5 \$976,573,900 for each of the fiscal years 2025 through 6 2030.

7 "(b) ADULT EMPLOYMENT AND TRAINING ACTIVI8 TIES.—There are authorized to be appropriated to carry
9 out the activities described in section 132(a)(1)
10 \$912,218,500 for each of the fiscal years 2025 through
11 2030.

12 "(c) DISLOCATED WORKER EMPLOYMENT AND 13 TRAINING ACTIVITIES.—There are authorized to be ap-14 propriated to carry out the activities described in section 15 132(a)(2) \$1,391,483,193 for each of the fiscal years 16 2025 through 2030.".

17

## Subtitle D—Job Corps

18 SEC. 151. PURPOSES.

19 Section 141 of the Workforce Innovation and Oppor20 tunity Act (29 U.S.C. 3191) is amended—

- 21 (1) by striking "centers" each place it appears22 and inserting "campuses"; and
- 23 (2) in paragraph (1)(A)—
- 24 (A) by striking "secondary school diplo25 mas" and inserting "regular high school diplo26 mas or their recognized equivalents";

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1	(B) in clause (i), by striking "or" at the
2	end;
3	(C) in clause (ii), by striking ", including
4	an apprenticeship program; and" and inserting
5	"; or"; and
6	(D) by adding at the end the following:
7	"(iii) enrollment in an apprenticeship
8	program; and".
9	SEC. 152. DEFINITIONS.
10	Section 142 of the Workforce Innovation and Oppor-
11	tunity Act (29 U.S.C. 3192) is amended—
12	(1) in paragraphs $(1)$ , $(7)$ , $(8)$ , and $(10)$ , by
13	striking "center" each place it appears and inserting
14	"campus";
15	(2) in paragraph $(1)(B)$ , by inserting "the com-
16	munity in which the Job Corps campus is located or
17	the" after "serves";
18	(3) in paragraph (5)—
19	(A) by striking "secondary school diploma
20	or" and inserting "regular high school diploma
21	or its";
22	(B) by striking "that prepares" and insert-
23	ing "that—
24	"(A) prepares";

1	(C) in subparagraph (A), as so redesig-
2	nated, by striking the period at the end and in-
3	serting "; and"; and
4	(D) by adding at the end the following:
5	"(B) may lead to the attainment of a rec-
6	ognized postsecondary credential."; and
7	(4) in paragraph (7), by striking "CENTER" in
8	the heading and inserting "CAMPUS".
9	SEC. 153. INDIVIDUALS ELIGIBLE FOR THE JOB CORPS.
10	Section 144 of the Workforce Innovation and Oppor-
11	tunity Act (29 U.S.C. 3194) is amended—
12	(1) in subsection (a)—
13	(A) in paragraph (1)—
14	(i) by striking "21" and inserting
15	<i>``24'</i> ';
16	(ii) by inserting " or, if the date of
17	enrollment is not greater than 60 days
18	after the date of application, the date of
19	application," after "enrollment,";
20	(iii) by amending subparagraph (A) to
21	read as follows:
22	"(A) an individual who is age 16 or 17
23	shall be eligible only upon an individual deter-
24	mination by the director of a Job Corps campus
25	that such individual meets the criteria described

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1	in subparagraph (A) or (B) of section
2	145(b)(1); and"; and
3	(iv) in subparagraph (B), by striking
4	"either";
5	(B) in paragraph (2), by inserting after
6	"individual" the following: "or a resident of a
7	qualified opportunity zone as defined in section
8	1400Z-1(a) of the Internal Revenue Code of
9	1986"; and
10	(C) in paragraph (3)—
11	(i) by amending subparagraph (A) to
12	read as follows:
13	"(A) Has foundational skill needs."; and
14	(ii) in subparagraph (C)—
15	(I) by striking "A homeless indi-
16	vidual (as" and inserting "An indi-
17	vidual experiencing homelessness
18	(meaning a homeless individual as";
19	(II) by striking "(42 U.S.C.
20	14043e-2(6)))'' and inserting "(34)
21	U.S.C. 12473(6)))"; and
22	(III) by striking "homeless child
23	or youth (as" and inserting "youth
24	experiencing homelessness (meaning a
25	homeless child or youth as";

1 (2) in subsection (b)—

2 (A) in the heading, by inserting "AND
3 CERTAIN OTHER ARMED FORCES MEMBERS"
4 after "VETERANS"; and

5 (B) by inserting "or a member of the 6 Armed Forces eligible for preseparation coun-7 seling of the Transition Assistance Program 8 under section 1142 of title 10, United States 9 Code," after "a veteran"; and

10 (3) by inserting at the end the following:

11 "(c) SPECIAL RULE FOR YOUTH EXPERIENCING 12 HOMELESSNESS AND FOSTER YOUTH.—In determining 13 whether an individual is eligible to enroll for services 14 under this subtitle on the basis of being a youth experi-15 encing homelessness, or a youth in foster care, as de-16 scribed in subsection (a)(3)(C), staff shall—

"(1) if determining whether the individual is a
youth experiencing homelessness, use a process that
is in compliance with the requirements of subsection
(a) of section 479D of the Higher Education Act of
1965 (20 U.S.C. 1087uu–2) for financial aid administrators; and

23 "(2) if determining whether the individual is a
24 youth in foster care, use a process that is in compli25 ance with the requirements of subsection (b) of such

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1	section 479D of the Higher Education Act of 1965
2	(20 U.S.C. 1087uu–2) for financial aid administra-
3	tors.".
4	SEC. 154. RECRUITMENT, SCREENING, SELECTION, AND AS-
5	SIGNMENT OF ENROLLEES.
6	Section 145 of the Workforce Innovation and Oppor-
7	tunity Act (29 U.S.C. 3195) is amended—
8	(1) in subsection (a)—
9	(A) in paragraph (2)—
10	(i) in subparagraph (A), by striking
11	"45" and inserting "55";
12	(ii) in subparagraph (D), by striking
13	"and";
14	(iii) in subparagraph (E), by striking
15	the period and inserting "; and"; and
16	(iv) by adding at the end the fol-
17	lowing:
18	"(F) assist applicable one-stop centers and
19	other entities identified in paragraph (3) in de-
20	veloping joint applications for Job Corps,
21	YouthBuild, and the youth activities described
22	in section 129."; and
23	(2) in subsections (b), (c), and (d)—
24	(A) by striking "center" each place it ap-
25	pears and inserting "campus"; and

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1	(B) by striking "centers" each place it ap-
2	pears and inserting "campuses".
3	SEC. 155. JOB CORPS CAMPUSES.
4	Section 147 of the Workforce Innovation and Oppor-
5	tunity Act (29 U.S.C. 3197) is amended—
6	(1) in the heading, by striking " <b>CENTERS</b> "
7	and inserting "CAMPUSES";
8	(2) in subsection (a)—
9	(A) in paragraph (1)—
10	(i) by striking "center" each place it
11	appears and inserting "campus"; and
12	(ii) in subparagraph (A), by inserting
13	after "area career and technical education
14	school," the following: "an institution of
15	higher education,";
16	(B) in paragraph (2)—
17	(i) in subparagraph (A)—
18	(I) by striking "center" each
19	place it appears and inserting "cam-
20	pus"; and
21	(II) by inserting after "United
22	States Code," the following: "and sec-
23	tion $159(f)(2)(B)(i)(III),";$ and
24	(ii) in subparagraph (B)—
25	(I) in clause (i)—

1	(aa) by striking "operate a
2	Job Corps center" and inserting
3	"operate a Job Corps campus";
4	(bb) by striking subclause
5	(IV);
6	(cc) by redesignating sub-
7	clauses (I), (II), (III), and (V),
8	as subclauses (III), (IV), (V),
9	and (VI), respectively;
10	(dd) by inserting before sub-
11	clause (III), as so redesignated,
12	the following:
13	"(I)(aa) in the case of an entity
14	that has previously operated a Job
15	Corps campus, a numeric metric of
16	the past achievement on the primary
17	indicators of performance for eligible
18	youth described in section
19	116(b)(2)(A)(ii); or
20	"(bb) in the case of an entity that has
21	not previously operated a Job Corps cam-
22	pus, a comparable alternative numeric met-
23	ric on the past effectiveness of the entity
24	in successfully assisting at-risk youth to
25	connect to the labor force, based on such

1	primary indicators of performance for eligi-
2	ble youth;
3	"(II) in the case of an entity that
4	has previously operated a Job Corps
5	campus, any information regarding
6	the entity included in any report de-
7	veloped by the Office of Inspector
8	General of the Department of
9	Labor;";
10	(ee) in subclause (III), as so
11	redesignated, by striking "cen-
12	ter" and inserting "campus";
13	(ff) by amending subclause
14	(IV), as so redesignated, to read
15	as follows:
16	"(IV) the ability of the entity to
17	offer career and technical education
18	and training that has been proposed
19	by the workforce council under section
20	154(c), including—
21	"(aa) the degree to which
22	such education and training re-
23	flects employment opportunities
24	in the local areas in which enroll-

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ees at the campus intend to seek employment; and

"(bb) the degree to which such education and training leads to a recognized postsecondary credential, or postsecondary credit, that permits articulation into a higher level or other degree or credential program;";

10 (gg) in subclause (V), as so 11 redesignated, by striking "center is located;" and inserting "cam-12 13 pus is located, including agree-14 ments to provide off-campus 15 work-based learning opportunities aligned with the career and tech-16 17 nical education provided to en-18 rollees; and"; and

19(hh) by amending subclause20(VI), as so redesignated, to read21as follows:

"(VI) the ability of the entity to
implement an effective behavior management plan, as described in section
152(a), and maintain a safe and se-

1	cure learning environment for enroll-
2	ees."; and
3	(II) in clause (ii), by striking
4	"center" and inserting "campus"; and
5	(C) in paragraph (3)—
6	(i) by striking "center" each place it
7	appears and inserting "campus";
8	(ii) in subparagraph (B), by inserting
9	"or postsecondary credit, which credit shall
10	permit articulation into a credential pro-
11	gram" after "program";
12	(iii) in subparagraph (D), by inserting
13	after "is located" the following: ", includ-
14	ing agreements to provide off-campus
15	work-based learning opportunities aligned
16	with the career and technical education
17	provided to enrollees";
18	(iv) by redesignating subparagraphs
19	(E), (F), (G), (H), (I), (J), and (K) as
20	subparagraphs (F), (G), (H), (I), (J), (K),
21	and (L), respectively; and
22	(v) by inserting after subparagraph
23	(D) the following:
24	"(E) A description of the policies that will
25	be implemented at the campus regarding secu-

1	rity and access to campus facilities, including
2	procedures to report on and respond to viola-
3	tions of the disciplinary policy described in sec-
4	tion 152(b) and other emergencies occurring on
5	campus.";
6	(3) in subsection (b)—
7	(A) in the heading, by striking "CENTERS"
8	and inserting "CAMPUSES";
9	(B) by striking "center" each place it ap-
10	pears and inserting "campus";
11	(C) by striking "centers" each place it ap-
12	pears and inserting "campuses";
13	(D) in paragraph (2)(A), by striking "20
14	percent" and inserting "25 percent"; and
15	(E) in paragraph (3)(A)(iv), by striking
16	"secondary school diplomas" and inserting
17	"regular high school diplomas";
18	(4) in subsection (c)—
19	(A) by striking "centers" and inserting
20	"campuses"; and
21	(B) by striking "20 percent" and inserting
22	"30 percent";
23	(5) in subsection (d)—
24	(A) in the first sentence, by striking "cen-
25	ters" and inserting "campuses"; and

1	(B) in the second sentence, by striking
2	"centers" and inserting "Centers";
3	(6) in subsection (e)—
4	(A) in paragraph (1), by striking "centers"
5	and inserting "campuses"; and
6	(B) in paragraph (2), by striking "450b)"
7	and inserting "5304)";
8	(7) in subsection (f), by striking "2-year pe-
9	riod" and inserting "3-year period"; and
10	(8) in subsection (g)—
11	(A) by striking "center" each place it ap-
12	pears and inserting "campus";
13	(B) in paragraph (1)—
14	(i) by striking subparagraphs (A) and
15	(B) and inserting the following:
16	"(A) failed to achieve an average of 80
17	percent or higher of the expected level of per-
18	formance under section $159(c)(1)$ across all of
19	the primary indicators of performance for eligi-
20	ble youth described in section 116(b)(2)(A)(ii);
21	or
22	"(B) failed to—
23	"(i) take reasonable measures to
24	achieve an average of 80 percent of the
25	planned average onboard strength that was

1	agreed to in the agreement described in
2	subsection $(a)(1)(A)$ ; or
3	"(ii) achieve an average of 60 percent
4	of the planned average onboard strength
5	that was agreed to in the agreement de-
6	scribed in subsection (a)(1)(A).";
7	(C) in paragraph $(2)(B)$ , by inserting "or
8	onboard strength or enrollment" after "per-
9	formance";
10	(D) in paragraph (3), by striking "shall
11	provide" and inserting "shall provide, at least
12	30 days prior to renewing the agreement"; and
13	(E) in paragraph $(4)$ —
14	(i) in subparagraph (C), by striking
15	"and" after the semicolon;
16	(ii) by redesignating subparagraph
17	(D) as subparagraph (E); and
18	(iii) by inserting after subparagraph
19	(C) the following:
20	"(D) has maintained a safe and secure
21	campus environment; and".
22	SEC. 156. PROGRAM ACTIVITIES.
23	Section 148 of the Workforce Innovation and Oppor-
24	tunity Act (29 U.S.C. 3198) is amended—

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(1) by striking "center" each place it appears
and inserting "campus";
(2) by striking "centers" each place it appears
and inserting "campuses";
(3) in subsection (a)—
(A) in the subsection heading, by striking
"CENTERS" and inserting "CAMPUSES";
and
(B) in paragraph $(1)$ —
(i) by inserting "incorporate the prin-
ciples of universal design for learning and
may" after "may";
(ii) by inserting before the period at
the end the following: ", and productive ac-
tivities, such as tutoring or other skills de-
velopment opportunities, for enrollees to
participate in outside of regular class time
and work hours"; and
(iii) by striking "clauses (i) through
(xi) of section $134(c)(2)(A)$ " and inserting
"subclauses $(I)$ through $(V)$ of section
134(c)(2)(A)(ii) or in clauses (i) through
(viii) of section $134(c)(2)(B)$ ";

1	(4) in subsection (b), by striking "career and
2	technical educational institutions" and inserting
3	"area career and technical education schools";
4	(5) in subsection (c)(1)—
5	(A) by striking "the eligible providers" and
6	inserting "any eligible provider"; and
7	(B) by inserting after "under section 122"
8	the following: "that is aligned with the career
9	and technical education an enrollee has com-
10	pleted"; and
11	(6) in subsection (d), by inserting ", in coordi-
12	nation with the operator of the Job Corps program
13	in which a graduate was enrolled," after "Sec-
14	retary".
15	SEC. 157. COUNSELING AND JOB PLACEMENT.
16	Section 149(b) of the Workforce Innovation and Op-
17	portunity Act (29 U.S.C. 3199(b)) is amended—
18	(1) by inserting ", in coordination with the op-
19	erator of a Job Corps campus," after "The Sec-
20	retary'';
21	(2) by inserting "assigned to such campus"
22	after "for enrollees"; and
23	(3) by inserting ", in coordination with the op-
	(b) by inscribing , in coordination with the op-

1 SEC. 158. SUPPORT.

2 Section 150 of the Workforce Innovation and Oppor3 tunity Act (29 U.S.C. 3200) is amended—

- 4 (1) in subsection (a), by striking "centers" and
  5 inserting "campuses"; and
- 6 (2) by adding at the end the following:

7 "(d) PERIOD OF TRANSITION.—Notwithstanding the requirements of section 146(b), a Job Corps graduate may 8 9 remain an enrollee and a resident of a Job Corps campus 10 for not more than one month after graduation as such 11 graduate transitions into independent living and employ-12 ment if such graduate receives written approval from the 13 director of the Job Corps campus to remain such a resident.". 14

15 SEC. 159. OPERATIONS.

16 Section 151 of the Workforce Innovation and Oppor17 tunity Act (29 U.S.C. 3201) is amended—

18 (1) by striking "center" each place it appears19 and inserting "campus"; and

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

21 "(d) LOCAL AUTHORITY.—

"(1) IN GENERAL.—Subject to the limitations
of the budget approved by the Secretary for a Job
Corps campus, the operator of a Job Corps campus
shall have the authority, without prior approval from
the Secretary, to—

1	"(A) hire staff and provide staff profes-
2	sional development;
3	"(B) set terms and enter into agreements
4	with Federal, State, or local educational part-
5	ners, such as secondary schools, institutions of
6	higher education, child development centers,
7	units of Junior Reserve Officers' Training
8	Corps programs established under section 2031
9	of title 10, United States Code, or employers;
10	and
11	"(C) engage with and educate stakeholders
12	(including eligible applicants for the Job Corps)
13	about Job Corps operations, selection proce-
14	dures, and activities.
15	"(2) NONAPPLICABILITY.—Notwithstanding
16	section 6702 of title 41, United States Code, or any
17	other provision of law, chapter 67 of such title shall
18	not apply to any agreement described in paragraph
19	(1)(B) for the purpose of providing child care to en-
20	rollees between an entity described in such para-
21	graph and an operator of a Job Corps campus, if
22	the operator is not using amounts made available
23	under this subtitle to pay for such child care serv-
24	ices.

1 "(e) PRIOR NOTICE.—Prior to making a change to 2 the agreement described in section 147(a) or an operating 3 plan described in this section, the Secretary shall solicit 4 from the operators of the Job Corps campuses information 5 on any operational costs the operators expect to result 6 from such change.".

## 7 SEC. 160. STANDARDS OF CONDUCT.

8 Section 152 of the Workforce Innovation and Oppor9 tunity Act (29 U.S.C. 3202) is amended—

10 (1) by striking "centers" each place it appears11 and inserting "campuses";

(2) in subsection (a), by inserting "As part of
the operating plan required under section 151(a),
the director of each Job Corps campus shall develop
and implement a behavior management plan consistent with the standards of conduct and subject to
the approval of the Secretary." at the end;

18 (3) in subsection (b)(2)—

19 (A) in subparagraph (A), by striking "or20 disruptive"; and

(B) in subparagraph (C)(ii), by inserting
", subject to the appeal process described in
subsection (c)" after "subparagraph (A)"; and
(4) by amending subsection (c) to read as follows:

1 "(c) APPEAL PROCESS.—

2 "(1) ENROLLEE APPEALS.—A disciplinary
3 measure taken by a director under this section shall
4 be subject to expeditious appeal in accordance with
5 procedures established by the Secretary.

6 "(2) DIRECTOR APPEALS.—

"(A) IN GENERAL.—Not later than 1 year 7 8 after the date of enactment of the A Stronger 9 Workforce for America Act, the Secretary shall 10 establish an appeals process under which the di-11 rector of a Job Corps campus may submit a re-12 quest that an enrollee who has engaged in an 13 activity which is a violation of the guidelines es-14 tablished pursuant to subsection (b)(2)(A) re-15 main enrolled in the program, but be subject to other disciplinary actions in lieu of automatic 16 17 separation from the program.

18 "(B) CONTENTS.—A request under sub-19 paragraph (A) shall include—

20 "(i) a signed certification from the di21 rector attesting that, to the belief of the di22 rector, the continued enrollment of such
23 enrollee would not impact the safety or
24 learning environment of the campus; and

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1	"(ii) the behavioral records of such
2	enrollee.
3	"(C) Default approval.—The Secretary
4	shall review such appeal within 30 days of re-
5	ceiving such appeal and either approve or deny
6	the appeal. An appeal shall be considered ap-
7	proved if the Secretary has not denied such ap-
8	peal after 30 days.".
9	SEC. 161. COMMUNITY PARTICIPATION.
10	Section 153 of the Workforce Innovation and Oppor-
11	tunity Act (29 U.S.C. 3203) is amended—
12	(1) by striking "center" each place it appears
13	and inserting "campus";
14	(2) in subsection (a), by striking "centers" and
15	inserting "campuses";
16	(3) in subsection $(b)(1)(C)$ —
17	(A) in clause (iii), by striking "and" at the
18	end; and
19	(B) by adding at the end the following:
20	"(v) industry or sector partnerships, where
21	applicable; and"; and
22	(4) in subsection (c), in the heading, by striking
23	"CENTERS" and inserting "CAMPUSES".

1	SEC. 162. WORKFORCE COUNCILS.
2	Section 154 of the Workforce Innovation and Oppor-
3	tunity Act (29 U.S.C. 3204) is amended—
4	(1) by striking "center" each place it appears
5	and inserting "campus";
6	(2) in subsection $(b)(1)$ —
7	(A) in subparagraph (B), by striking
8	"and" at the end;
9	(B) by redesignating subparagraph (C) as
10	subparagraph (D); and
11	(C) by inserting the following after sub-
12	paragraph (B):
13	"(C) representatives of community-based
14	organizations; and";
15	(3) in subsection $(c)(2)(C)$ , by inserting ", rec-
16	ognized postsecondary credentials," after "skills";
17	and
18	(4) in subsection (d), in the heading, by strik-
19	ing "New Centers" and inserting "New Cam-
20	PUSES''.
21	SEC. 163. ADVISORY COMMITTEES.
22	Section 155 of the Workforce Innovation and Oppor-
23	tunity Act (29 U.S.C. 3205) is amended—
24	(1) by striking "The Secretary" and inserting
25	"(a) IN GENERAL.—The Secretary";

(2) by striking "centers" and inserting "cam puses";

3 (3) by striking "center" and inserting "cam4 pus"; and

5 (4) by adding at the end the following:

6 "(b) ADVISORY COMMITTEE TO IMPROVE JOB CORPS 7 SAFETY AND PERFORMANCE.—Not later than one year 8 after the date of enactment of the A Stronger Workforce 9 for America Act, the Secretary shall establish an advisory 10 committee to provide recommendations on effective or evi-11 dence-based strategies to improve—

12 "(1) safety, security, and learning conditions on13 Job Corps campuses;

14 "(2) the standards for campus safety estab15 lished under section 159(c)(4);

"(3) the levels of performance established under
section 159(c)(1), including recommendations to improve the effectiveness and rigor of such levels of
performance and recommendations to ensure such
levels promote continuous performance improvement;
and

"(4) the effectiveness of performance improvement plans and other measures to continuously improve the performance of the Job Corps program.".

1	SEC. 164. EXPERIMENTAL PROJECTS AND TECHNICAL AS-
2	SISTANCE.
3	Section 156 of the Workforce Innovation and Oppor-
4	tunity Act (29 U.S.C. 3206) is amended—
5	(1) by striking "center" and inserting "cam-
6	pus'';
7	(2) by striking "centers" and inserting "cam-
8	puses"; and
9	(3) in subsection (b)—
10	(A) by striking " $\frac{1}{4}$ of 1 percent to pro-
11	vide" and inserting "1.25 percent to provide";
12	and
13	(B) in paragraph (1), by striking "and" at
14	the end of subparagraph (C) and by adding at
15	the end the following:
16	"(D) in the development and implementa-
17	tion of a behavior management plan under sec-
18	tion $152(a)$ ; and
19	"(E) in complying with the campus and
20	student safety standards described in section
21	159(c)(4); and".
22	SEC. 165. SPECIAL PROVISIONS.
23	Section 158 of the Workforce Innovation and Oppor-
24	tunity Act (29 U.S.C. 3208) is amended—
25	(1) by striking "center" each place it appears
26	and inserting "campus"; and
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1 (2) in subsection (f)—

2 (A) by striking "may accept on behalf of the Job Corps or individual Job Corps cam-3 4 puses charitable donations of cash" and insert-5 ing "(or the Secretary of Agriculture, as appro-6 priate), on behalf of the Job Corps, or a Job 7 Corps campus operator, on behalf of such cam-8 pus, may accept grants, charitable donations of 9 cash,"; and 10 (B) by inserting at the end the following:

11 (D) Symbol only at the one of the one following.
11 "Notwithstanding sections 501(b) and 522 of
12 title 40, United States Code, any property ac13 quired by a Job Corps campus shall be directly
14 transferred, on a nonreimbursable basis, to the
15 Secretary.".

## 16 SEC. 166. MANAGEMENT INFORMATION.

17 (a) LEVELS OF PERFORMANCE.—Section 159 of the
18 Workforce Innovation and Opportunity Act (29 U.S.C.
19 3209) is amended—

20 (1) by striking "center" each place it appears21 and inserting "campus";

- 22 (2) in subsection (c) -
- 23 (A) in paragraph (1)—

24 (i) by striking "The Secretary" and25 inserting the following:

1	"(A) IN GENERAL.—The Secretary";
2	(ii) by inserting "that are ambitious
3	yet achievable and" after "program"; and
4	(iii) by adding at the end the fol-
5	lowing new subparagraphs:
6	"(B) LEVELS OF PERFORMANCE.—In es-
7	tablishing the expected levels of performance
8	under subparagraph (A) for a Job Corps cam-
9	pus, the Secretary may take into account fac-
10	tors including—
11	"(i) how the levels involved compare
12	with the recent performance of such cam-
13	pus and the performance of other cam-
14	puses within the same State or geographic
15	region;
16	"(ii) the levels of performance set for
17	the primary indicators of performance de-
18	scribed in section 116(b)(2)(A)(ii) for the
19	youth programs authorized under chapter
20	2 of subtitle B for the State in which the
21	campus is located;
22	"(iii) the extent to which the levels in-
23	volved promote continuous improvement in
24	performance on the primary indicators of
25	performance by such campus and ensure

1	optimal return on the use of Federal
2	funds; and
3	"(iv) any other considerations identi-
4	fied by the Secretary after reviewing the
5	recommendations of the advisory group de-
6	scribed in section 155(b).
7	"(C) Performance per contract.—The
8	Secretary shall ensure the expected levels of
9	performance are established in the relevant con-
10	tract or agreement.
11	"(D) Adjustments based on economic
12	CONDITIONS AND INDIVIDUALS SERVED DURING
13	THE PROGRAM YEAR.—
14	"(i) IN GENERAL.—In the event of a
15	significant economic downturn, the Sec-
16	retary shall adjust the applicable levels of
17	performance for each of the campuses for
18	a program year to reflect the actual eco-
19	nomic conditions during such program
20	year.
21	"(ii) Report to congress.—Prior
22	to implementing the adjustments described
23	in clause (i), the Secretary shall submit to
24	the Committee on Education and the
25	Workforce of the House of Representatives

1199 and the Committee on Health, Education,

1

2 Labor, and Pensions of the Senate a re-3 port explaining the reason for such adjust-4 ments. "(E) REVIEW OF LEVELS OF PERFORM-5 6 ANCE.—The Office of Inspector General of the 7 Department of Labor shall, every 5 years, sub-8 mit to the Committee on Education and the 9 Workforce of the House of Representatives and the Committee on Health, Education, Labor, 10 11 and Pensions of the Senate, and publish in the 12 Federal Register and on a publicly available 13 website of the Department, a report con-14 taining-"(i) a quadrennial review of the ex-15 16 pected levels of performance; and 17 "(ii) an evaluation of whether— 18 "(I) the Secretary is establishing 19 such expected levels of performance in

21 "(II) such expected levels have
22 led to continued improvement of the
23 Job Corps program.";
24 (B) in paragraph (2)(B), by striking "(L),

accordance with this Act; and

and (M)" and inserting "(M), and (N)";

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1	(C) in paragraph (3)(B), by striking "(J),
2	and (K)" and inserting "(K), and (L)";
3	(D) by redesignating paragraph $(4)$ as
4	paragraph (5);
5	(E) by inserting after paragraph $(3)$ the
6	following:
7	"(4) CAMPUS SAFETY.—
8	"(A) IN GENERAL.—The Secretary shall
9	establish campus and student safety standards.
10	The Secretary shall provide technical assistance
11	and develop a safety improvement plan for a
12	Job Corps campus that fails to achieve such
13	standards.
14	"(B) Considerations.—In establishing
15	the campus and student safety standards under
16	subparagraph (A), the Secretary shall take into
17	account—
18	"(i) incidents related to safety that
19	are reported to the Secretary;
20	"(ii) survey data from enrollees, fac-
21	ulty, staff, and community members; and
22	"(iii) any other considerations identi-
23	fied by the Secretary after reviewing the
24	recommendations of the advisory group de-
25	scribed in section 155(b).";

1	(F) in paragraph (5), as so redesignated—
2	(i) in subparagraph (A), by striking
3	"and" at the end;
4	(ii) in subparagraph (B), by striking
5	the period at the end and inserting a semi-
6	colon; and
7	(iii) by adding at the end the fol-
8	lowing:
9	"(C) the number of contracts that were
10	awarded a renewal compared to those eligible
11	for a renewal;
12	"(D) the number of campuses where the
13	contract was awarded to a new operator; and
14	"(E) the number of campuses that were
15	required to receive performance improvement,
16	as described under subsection $(f)(2)$ ."; and
17	(G) by adding at the end the following:
18	"(6) WAGE RECORDS.—The Secretary shall
19	make arrangements with a State or other appro-
20	priate entity to facilitate the use of State wage
21	records to evaluate the performance of Job Corps
22	campuses on the employment and earnings indica-
23	tors described in clause (i)(III) of subparagraph (A)
24	of section $116(b)(2)$ and subclauses (I) and (II) of

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1	clause (ii) of such subparagraph for the purposes of
2	the report required under paragraph (5).";
3	(3) in subsection $(d)(1)$ —
4	(A) by inserting "and make available on
5	the website of the Department pertaining to the
6	Job Corps program in a manner that is con-
7	sumer-tested to ensure it is easily understood,
8	searchable, and navigable," after "subsection
9	(c)(4),";
10	(B) in subparagraph (B), by striking "gen-
11	der" and inserting "sex";
12	(C) in subparagraph (F), by striking "reg-
13	ular secondary school diploma" and inserting
14	"regular high school diploma";
15	(D) in subparagraph (G), by striking "reg-
16	ular secondary school diploma" and inserting
17	"regular high school diploma";
18	(E) by redesignating subparagraphs $(J)$
19	through (O) as subparagraphs (K) through (P),
20	respectively; and
21	(F) by inserting the following after sub-
22	paragraph (I):
23	"(J) the number of appeals under section
24	152(c) and a description of each appeal that
25	was approved;";

(4) in subsection (e), by striking "116(i)(2)"
 and inserting "116(j)(2)"; and

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3 (5) in subsection (g)(2), by striking "comply"
4 and inserting "attest to compliance".

5 (b) PERFORMANCE ASSESSMENTS AND IMPROVE6 MENTS.—Section 159(f) of the Workforce Innovation and
7 Opportunity Act (29 U.S.C. 3209) is amended to read as
8 follows:

9 "(f) Performance Assessments and Improve-10 ments.—

11 "(1) Assessments.—The Secretary shall con-12 duct an annual assessment of the performance of 13 each Job Corps campus on the primary indicators of 14 performance described in section 116(b)(2)(A)(ii), 15 where each indicator shall be given equal weight in 16 determining the overall performance of the campus. 17 Based on the assessment, the Secretary shall take 18 measures to continuously improve the performance 19 of the Job Corps program.

20 "(2) PERFORMANCE IMPROVEMENT.—
21 "(A) COMPREHENSIVE IMPROVEMENT.—
22 "(i) IN GENERAL.—With respect to a
23 Job Corps campus that, for a program
24 year, performs as described in clause (ii)
25 and is not already subject to a perform-

1	ance improvement plan under this para-
2	graph for such program year or the suc-
3	ceeding program year, the Secretary shall
4	develop and implement, for a comprehen-
5	sive improvement period beginning with
6	the succeeding program year, a perform-
7	ance improvement plan that meets the re-
8	quirements of clause (iii).
9	"(ii) Performance failures.—A
10	Job Corps campus performs as described
11	in this clause if, for a program year, such
12	campus—
13	"(I) fails to meet an average of
14	90 percent on the expected levels of
15	performance across all the primary in-
16	dicators of performance specified in
17	subsection $(c)(1)$ ; and
18	"(II) is ranked among the lowest
19	20 percent of all Job Corps campuses.
20	"(iii) Performance improvement
21	PLAN REQUIREMENTS.—A performance im-
22	provement plan, with respect to a Job
23	Corps campus, shall require the Secretary
24	to take substantial action during a 3 con-
25	secutive program year period (in this para-

1	graph, referred to as a 'comprehensive im-
2	provement period') to improve the perform-
3	ance of such campus, which shall include—
4	"(I) providing technical assist-
5	ance to the campus;
6	"(II) changing the management
7	staff of the campus;
8	"(III) changing the career and
9	technical education and training of-
10	fered at the campus;
11	"(IV) replacing the operator of
12	the campus; or
13	"(V) reducing the capacity of the
14	campus.
15	"(B) CHRONIC FAILURE.—
16	"(i) IN GENERAL.—With respect to a
17	Job Corps campus that, for the two con-
18	secutive program years immediately fol-
19	lowing a comprehensive improvement pe-
20	riod and regardless of whether such cam-
21	pus is subject to a subsequent comprehen-
22	sive improvement period, fails to meet an
23	average of 85 percent on the expected lev-
24	els of performance across all the primary
25	indicators and is ranked among the lowest

1	15 percent of all Job Corps campuses, the
2	Secretary shall take further substantial ac-
3	tion to improve the performance of such
4	campus, which shall include—
5	"(I) relocating the campus;
6	"(II) closing the campus; or
7	"(III) notifying the State in
8	which the campus is located of such
9	failure and, if such State submits a
10	written plan to operate a residential
11	campus in the current location, the
12	Secretary—
13	"(aa) shall enter into a
14	memorandum of understanding
15	with the State for the purpose of
16	so operating a residential campus
17	and award funding directly to the
18	State for such purpose;
19	"(bb) may encourage inno-
20	vation in such memorandum of
21	understanding by waiving any
22	statutory or regulatory require-
23	ment of this subtitle except for
24	those related to participant eligi-
25	bility under section 144, program

1	activities under section 148,
2	counseling and job placement
3	under section 149, standards of
4	conduct under section 152, and
5	performance reporting and ac-
6	countability under this section;
7	and
8	"(cc) if a State chooses to
9	award funds received under this
10	clause to an entity that is not a
11	State agency or other State enti-
12	ty, require that such State de-
13	velop award criteria that will give
14	priority consideration for the pri-
15	mary contract or grant for oper-
16	ation of the campus to any appli-
17	cant that is a non-profit organi-
18	zation with expertise in serving
19	opportunity youth and that oth-
20	erwise meets such award criteria.
21	"(ii) Indian tribes.—
22	"(I) IN GENERAL.—In the case
23	of a Job Corps campus described in
24	clause (i) that is located on an Indian

1	reservation, subclause (III) of such
2	clause shall be applied by—
3	"(aa) by substituting 'Indian
4	Tribe' for 'State' in each place it
5	appears; and
6	"(bb) in item (cc), by sub-
7	stituting 'Tribal organization' for
8	'State agency or other State enti-
9	ty'.
10	"(II) DEFINITION.—In this para-
11	graph, the terms 'Indian Tribe' and
12	'Tribal organization' have the mean-
13	ings given such terms in subsections
14	(e) and (l), respectively, of section 4
15	of the Indian Self-Determination and
16	Education Assistance Act (25 U.S.C.
17	5304).
18	"(3) Additional performance improve-
19	MENT.—In addition to the performance improvement
20	plans required under paragraph (2), the Secretary
21	may develop and implement additional performance
22	improvement plans for a Job Corps campus that
23	fails to meet criteria established by the Secretary
24	other than the expected levels of performance de-
25	scribed in subsection $(c)(1)$ .

1 "(4) CIVILIAN CONSERVATION CENTERS.—With 2 respect to a Civilian Conservation Center that, for 3 3 consecutive program years, fails to meet an average 4 of 90 percent of the expected levels of performance 5 across all the primary indicators of performance 6 specified in subsection (c)(1) and is ranked among the lowest 15 percent of campuses, the Secretary of 7 8 Labor or, if appropriate, the Secretary of Agri-9 culture shall select, on a competitive basis, an entity 10 to operate part or all of the Civilian Conservation 11 Center in accordance with the requirements of sec-12 tion 147.". (c) CONFORMING AMENDMENTS.—Section 159 of the 13 14 Workforce Innovation and Opportunity Act (29 U.S.C. 15 3209) is further amended— (1) in subsection (a)(3), by striking "centers" 16 17 and inserting "campuses"; 18 (2) in subsection (g)(1), in the heading, by 19 striking "CENTER" and inserting "CAMPUS"; and 20 (3) in subsection (j), in the heading, by striking "CENTER" and inserting "CAMPUS". 21 22 SEC. 167. JOB CORPS OVERSIGHT AND REPORTING. 23 Section 161 of the Workforce Innovation and Oppor-24 tunity Act (29 U.S.C. 3211) is amended—

(1) in subsection (c)—

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1	(A) in the heading, by striking "CENTER"
2	and inserting "CAMPUS"; and
3	(B) by striking "center" and inserting
4	"campus";
5	(2) by redesignating subsection (d) as sub-
6	section (e); and
7	(3) by inserting after subsection (c) the fol-
8	lowing new subsection:
9	"(d) Report on Implementation of Rec-
10	OMMENDATIONS.—The Secretary shall, on an annual
11	basis, prepare and submit to the applicable committees a
12	report regarding the implementation of all outstanding
13	recommendations regarding the Job Corps program from
14	the Office of Inspector General of the Department of
15	Labor or the Government Accountability Office.".
16	SEC. 168. AUTHORIZATION OF APPROPRIATIONS.
17	Section 162 of the Workforce Innovation and Oppor-
18	tunity Act (29 U.S.C. 3212) is amended to read as follows:
19	"SEC. 162. AUTHORIZATION OF APPROPRIATIONS.
20	"There are authorized to be appropriated to carry out
21	this subtitle \$1,760,155,000 for each of the fiscal years
22	2025 through 2030.".

"and"; 20

(B) in subparagraph (B)—

(i) by striking "leading" and inserting

"or self-employment that leads"; and

## (3) in subsection (d)(1)—

## (1) in subsection (a)(2), by striking "(25) U.S.C. 450 et seq.)" and inserting "(25 U.S.C.

11 5301 et seq.)";

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(2) in subsection (b)—

13 (A) in paragraph (2), by striking "(25)U.S.C. 450b)" and inserting "(25 U.S.C. 14 15 5304)"; and

16 (B) in paragraph (3), by inserting "(20)

U.S.C. 7517)" before the period at the end; 17

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19 (A) in subparagraph (A), by striking

(ii) by striking the period at the end 24 and inserting "; and"; and 25

26 (C) by adding at the end the following:

Section 146(a) of the Workforce Innovation and Op-

portunity Act (29 U.S.C. 3196(a)) is amended by striking

Subtitle E—National Programs

Section 166 of the Workforce Innovation and Oppor-

SEC. 169. CONFORMING AMENDMENTS.

"App. 451" and inserting "3801".

SEC. 171. NATIVE AMERICAN PROGRAMS.

tunity Act (29 U.S.C. 3221) is amended—

1	"(C) are evidence-based, to the extent
2	practicable.";
3	(4) in subsection $(d)(2)$ , by striking subpara-
4	graph (B) and inserting the following:
5	"(B) Administrative costs.—Not more
6	than 15 percent of the funds made available to
7	an entity under subsection (c) may be used for
8	the administrative costs of the activities and
9	services described in subparagraph (A).
10	"(C) Special rules.—
11	"(i) ELIGIBILITY.—Notwithstanding
12	any other provision of this section, individ-
13	uals who were eligible to participate in pro-
14	grams under section 401 of the Job Train-
15	ing Partnership Act (as such section was
16	in effect on the day before the date of en-
17	actment of the Workforce Investment Act
18	of 1998) shall be eligible to participate in
19	an activity assisted under this section.
20	"(ii) TRANSFER OF UNOBLIGATED
21	FUNDS.—An entity receiving funds under
22	subsection (c) may transfer such funds
23	that are unobligated for an award year to
24	the following award year for activities de-

1	scribed in subparagraph (A)(i) in that fol-
2	lowing award year.";
3	(5) in subsection (e)(3), by inserting "or to de-
4	velop skills necessary for successful self-employ-
5	ment" before the semicolon at the end;
6	(6) in subsection (h)—
7	(A) in paragraph (1)—
8	(i) in the heading, by striking the
9	heading and inserting "PERFORMANCE
10	STANDARDS'';
11	(ii) by striking subparagraph (A) and
12	inserting the following:
13	"(A) Consultation on performance
14	STANDARDS.—The Secretary, in consultation
15	with the Native American Employment and
16	Training Council, shall develop performance
17	standards on the primary indicators of perform-
18	ance described in section $116(b)(2)(A)$ that
19	shall be applicable to programs under this sec-
20	tion."; and
21	(iii) in subparagraph (B), in the mat-
22	ter preceding clause (i), by striking "indi-
23	cators and";
24	(B) in paragraph (2), by striking "section
25	116(b)(2)(A)" and all that follows through the

1	period at the end of the paragraph and insert-
2	ing the following: "section $116(b)(2)(A)$ —
3	"(A) taking into consideration—
4	"(i) economic conditions;
5	"(ii) characteristics and needs of the
6	individuals and groups served, including
7	the differences in needs among such
8	groups in various geographic service areas;
9	and
10	"(iii) other appropriate factors, in-
11	cluding the economic circumstances of the
12	communities served; and
13	"(B) using, to the extent practicable, the
14	statistical adjustment model under section
15	116(b)(3)(A)(viii)."; and
16	(C) by adding at the end the following:
17	"(3) PROGRAM PLAN.—The levels agreed to
18	under paragraph (2) shall be the adjusted levels of
19	performance and shall be incorporated in the pro-
20	gram plan.
21	"(4) WAGE RECORDS.—
22	"(A) IN GENERAL.—The Secretary shall
23	make arrangements with any State or other ap-
24	propriate entity to facilitate the use of State
25	wage records to evaluate the performance of en-

1	tities funded under this section on the employ-
2	ment and earnings indicators described in sub-
3	clauses (I) through (III) of section
4	116(b)(2)(A)(i) for the purposes of the report
5	required under paragraph (5).
6	"(B) OTHER WAGE RECORDS.—For any
7	individual working in Indian country (as de-
8	fined in section 1151 of title 18, United States
9	Code) whose wages are not submitted to a rel-
10	evant State as an unemployment insurance
11	wage record, the Indian tribe with jurisdiction
12	over that Indian country may submit other
13	forms of documentation of the wages of such in-
14	dividual to the State for purposes of the report
15	required under paragraph (5).
16	"(5) Performance results.—For each pro-
17	gram year, the Secretary shall make available on a
18	publicly accessible website of the Department of
19	Labor a report on the performance, during such pro-
20	gram year, of entities funded under this section
21	on—
22	"(A) the primary indicators of performance
23	described in section $116(b)(2)(A)$ ; and
24	"(B) the adjusted levels of performance for
25	such entities as described in paragraph (2).";

1	(7) in subsection (i)—
2	(A) in paragraph (4)—
3	(i) in subparagraph (A)—
4	(I) by striking "Using" and in-
5	serting the following:
6	"(i) ESTABLISHMENT.—Using"; and
7	(II) by adding at the end the fol-
8	lowing:
9	"(ii) Recommendations.—The Sec-
10	retary shall meet, on not less than an an-
11	nual basis, with the Council to consider
12	recommendations from the Council on the
13	operation and administration of the pro-
14	grams assisted under this section.";
15	(ii) in subparagraph (B)—
16	(I) by striking "The Council"
17	and inserting the following:
18	"(i) IN GENERAL.—The Council"; and
19	(II) by inserting at the end the
20	following:
21	"(ii) VACANCIES.—An individual ap-
22	pointed to fill a vacancy on the Council oc-
23	curring before the expiration of the term
24	for which the predecessor of such indi-
25	vidual was appointed shall be appointed

1	only for the remainder of that term. Such
2	an individual may serve on the Council
3	after the expiration of such term until a
4	successor is appointed."; and
5	(iii) in subparagraph (F), by inserting
6	", virtually or in person" before the period
7	at the end; and
8	(B) in paragraph (6)—
9	(i) by striking "more than one State"
10	and inserting "a State";
11	(ii) by inserting "or provided by an-
12	other grantee that receives funds awarded
13	under subtitle B from any State for adult,
14	youth, or dislocated worker programs"
15	after "this title";
16	(iii) by striking "Governors of the af-
17	fected States" and inserting "Governor of
18	any affected State"; and
19	(iv) by striking "the States" and in-
20	serting "the State or other grantee"; and
21	(8) by amending subsection $(k)(2)$ to read as
22	follows:
23	"(2) Authorization of appropriations.—
24	There are authorized to be appropriated to carry out

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1	this subsection \$542,000 for each of the fiscal years
2	2025 through 2030.".
3	SEC. 172. MIGRANT AND SEASONAL FARMWORKER PRO-
4	GRAMS.
5	Section 167 of the Workforce Innovation and Oppor-
6	tunity Act (29 U.S.C. 3222) is amended—
7	(1) in subsection (b)—
8	(A) by striking "To be" and inserting the
9	following:
10	"(1) IN GENERAL.—To be"; and
11	(B) by adding at the end the following:
12	"(2) PROHIBITION ON GEOGRAPHIC LIMITA-
13	TIONS.—In determining eligibility under paragraph
14	(1), the Secretary may not place limitations on the
15	geographic location of the entity or on the intended
16	area to be served.";
17	(2) in subsection (c), by adding at the end the
18	following:
19	"(5) WAGE RECORDS.—The Secretary shall
20	make arrangements with a State or other appro-
21	priate entity to facilitate the use of State wage
22	records to evaluate the performance of entities fund-
23	ed under this section on the employment and earn-
24	ings indicators described in subclauses (I) through

1	(III) of section $116(b)(2)(A)(i)$ for the purposes of
2	the report required under paragraph (6).
3	"(6) Performance results.—For each pro-
4	gram year, the Secretary shall make available on a
5	publicly accessible website of the Department a re-
6	port on the performance, during such program year,
7	of entities funded under this section on—
8	"(A) the primary indicators of performance
9	described in section $116(b)(2)(A)$ ; and
10	"(B) the adjusted levels of performance for
11	such entities as described in paragraph (3).";
12	(3) in subsection $(d)(1)$ , by inserting "develop-
13	ment of digital literacy skills," after "literacy in-
14	struction,";
15	(4) by redesignating subsections (e) through (i)
16	as subsections (f) through (j), respectively;
17	(5) by inserting after subsection (d) the fol-
18	lowing:
19	"(e) Administrative Costs.—Not more than 10
20	percent of the funds provided to an entity under this sec-
21	tion may be used for the administrative costs of the activi-
22	ties and services carried out under subsection (d)."; and
23	(6) in subsection (i), as so redesignated—

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(A) in the heading, by striking "ALLOCA-
TION" and inserting "ALLOCATION; FUNDING
Obligation";
(B) by striking "From" and inserting the
following:
"(1) FUNDING ALLOCATION.—From"; and
(C) by adding at the end the following:
"(2) FUNDING OBLIGATION.—Funds appro-
priated and made available to carry out this section
for any fiscal year may be obligated by the Secretary
during the period beginning on April 1 of the cal-
endar year that begins during such fiscal year and
ending on June 30 of the following calendar year to
be made available to an entity described in sub-
section (b).".
SEC. 173. TECHNICAL ASSISTANCE.
(a) GENERAL TECHNICAL ASSISTANCE.—Section
168(a)(1) of the Workforce Innovation and Opportunity
Act (29 U.S.C. 3223(a)(1)) is amended—
(1) by striking "appropriate training, technical
assistance, staff development" and inserting "appro-
priate education, technical assistance, professional
development for staff";

1	(2) in subparagraphs (B), (C), and (D), by
2	striking "training" each place it appears and insert-
3	ing "professional development";
4	(3) by redesignating subparagraphs (G) and
5	(H) as subparagraphs (J) and (K), respectively; and
6	(4) by inserting after subparagraph (F) the fol-
7	lowing:
8	"(G) assistance to the one-stop delivery
9	system and the Employment Service established
10	under the Wagner-Peyser Act for the integra-
11	tion of basic career service activities pursuant
12	to section $134(c)(2)(A)$ ;
13	"(H) assistance to States with maintain-
14	ing, and making accessible to jobseekers and
15	employers, the lists of eligible providers of
16	training services required under section 122;
17	"(I) assistance to States that apply for
18	such assistance under section 122(j) for the
19	purposes described in such subsection;".
20	(b) Performance Accountability Technical
21	Assistance.—Section 168(b) of the Workforce Innova-
22	tion and Opportunity Act (29 U.S.C. 3223(b)) is amend-
23	ed—

1	(1) in the header, by striking "DISLOCATED
2	WORKER" and inserting "PERFORMANCE ACCOUNT-
3	ABILITY"; and
4	(2) in paragraph (1)—
5	(A) in the first sentence—
6	(i) by inserting ", pursuant to para-
7	graphs $(1)$ and $(2)$ of section $116(f)$ ," after
8	"technical assistance"; and
9	(ii) by striking "with respect to em-
10	ployment and training activities for dis-
11	located workers" and inserting "with re-
12	spect to the core programs'; and
13	(B) in the second sentence—
14	(i) by striking "assistance to dis-
15	located workers" and inserting "assistance
16	to individuals served by a core program";
17	and
18	(ii) by striking "provided to dislocated
19	workers" and inserting "provided to such
20	individuals".
21	(c) Communities Impacted by Substance Use
22	DISORDERS.—Section 168 of the Workforce Innovation
22 23	DISORDERS.—Section 168 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3223) is further amended

1	"(d) Communities Impacted by Substance Use
2	DISORDERS.—The Secretary shall, as part of the activities
3	described in subsection (c)(2), evaluate and disseminate
4	to States and local areas information regarding evidence-
5	based and promising practices for addressing the economic
6	workforce impacts associated with high rates of substance
7	use disorders, which information shall—
8	((1) be updated annually to reflect the most re-
9	cent and available research; and
10	"(2) include information—
11	"(A) shared by States and local areas re-
12	garding effective practices for addressing such
13	impacts; and
14	"(B) on how to apply for any funding that
15	may be available under section $170(b)(1)(E)$ .".
16	SEC. 174. EVALUATIONS AND RESEARCH.
17	(a) IN GENERAL.—Section 169 of the Workforce In-
18	novation and Opportunity Act (29 U.S.C. 3224) is amend-
19	ed—
20	(1) in subsection (a)—
21	(A) in paragraph (2)—
22	(i) by redesignating subparagraph (G)
23	as subparagraph (H);
24	(ii) in subparagraph (F)—

1	(I) by striking "; and" at the
2	end; and
3	(II) by inserting ", including in-
4	dividuals with barriers to employ-
5	ment" after "demographic groups";
6	and
7	(iii) by inserting the following after
8	subparagraph (F):
9	"(G) the extent to which such programs or
10	activities are using emerging technology to—
11	"(i) collect, analyze, use, and dissemi-
12	nate accurate and transparent local and
13	State level labor market information;
14	"(ii) integrate administrative data, in
15	accordance with Federal and State privacy
16	laws, to more comprehensively understand
17	and improve education and workforce out-
18	comes; and
19	"(iii) identify and address deficiencies
20	in existing Federal, State, and local work-
21	force data infrastructure and related
22	source systems; and";
23	(B) in paragraph (3)—
24	(i) by striking "The Secretary" and
25	inserting the following:

1	"(A) IN GENERAL.—The Secretary"; and
2	(ii) by adding at the end the following
3	new subparagraph:
4	"(B) LIMITATION.—The Secretary may
5	not use the authority described in subparagraph
6	(A) if the evaluations required under paragraph
7	(1) have not been initiated or completed in the
8	time period required."; and
9	(C) in paragraph (4), in the second sen-
10	tence
11	(i) by striking "The Secretary" and
12	inserting "Beginning after the date of en-
13	actment of the A Stronger Workforce for
14	America Act, the Secretary"; and
15	(ii) by striking "2019" and inserting
16	"2028"; and
17	(2) in subsection (b)—
18	(A) by amending paragraph (4) to read as
19	follows:
20	"(4) Studies and reports.—
21	"(A) STUDY ON EMPLOYMENT CONDI-
22	TIONS.—The Secretary, in coordination with
23	other heads of Federal agencies, as appropriate,
24	may conduct a study examining the nature of
25	participants' unsubsidized employment after

exit	from	programs	carried	out	under	this
Act-						

"(i) including with respect to factors 3 4 such as the availability of paid time off in 5 the employment, health and retirement 6 benefits provided through the employment, 7 workplace safety standards at the place of 8 employment, the predictability and stability 9 of the work schedule for the employment, 10 the ability to obtain through the employ-11 ment credentials that may permit articula-12 tion into a higher level or other degree or 13 credential program, and advancement op-14 portunities in the employment; and

15 "(ii) that includes a description of the
16 feasibility of Congress establishing,
17 through future legislation, an indicator of
18 performance under section 116 related to
19 such factors.

20 "(B) STUDY ON IMPROVING WORKFORCE
21 SERVICES FOR INDIVIDUALS WITH DISABIL22 ITIES.—The Secretary of Labor, in coordination
23 with the Secretary of Education and the Sec24 retary of Health and Human Services, may con25 duct studies that analyze the access to services

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1	by individuals with disabilities, including wheth-
2	er an individual who is unable to receive serv-
3	ices under title IV due to a wait list for such
4	services is able to receive services under titles I
5	through III.
6	"(C) STUDY ON THE EFFECTIVENESS OF
7	PAY FOR PERFORMANCE.—The Secretary shall,
8	not later than 4 years after the date of enact-
9	ment of the A Stronger Workforce for America
10	Act, conduct a study that—
11	"(i) compares the effectiveness of the
12	pay-for-performance strategies used under
13	sections 129, 134, and 172 after such date
14	of enactment to the awarding of grants
15	and contracts under such sections as in ef-
16	fect on the day before the date of enact-
17	ment of such Act; and
18	"(ii) examines, with respect to grants
19	under sections 129, 134, and 172 after
20	such date of enactment—
21	"(I) the competition structure of
22	pay-for-performance grants and con-
23	tracts under such sections;

"(II) the quality of applications received for grants and contracts
received for grants and contracts
received for grants and contracts
under such sections; and
"(III) whether individuals with
barriers to employment were effec-
tively served under the pay-for-per-
formance strategies for grants and
contracts under such sections.
"(D) STUDY ON INDIVIDUAL TRAINING AC-
COUNTS FOR DISLOCATED WORKERS.—The Sec-
retary shall, not later than 4 years after the
date of enactment of the A Stronger Workforce
for America Act, conduct a study that compares
the usage of individual training accounts for
dislocated workers after such date of enactment
to the usage of such accounts prior to such date
of enactment, including a comparison of—
"(i) the types of training services and
occupations targeted by dislocated workers
when using their individual training ac-
counts; and
"(ii) the effectiveness of the skills de-
velopment funded through individual train-

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1	tain credentials and secure unsubsidized
2	employment.
3	"(E) STUDY ON STATEWIDE CRITICAL IN-
4	DUSTRY SKILLS FUNDS.—The Secretary shall,
5	not later than 4 years after the date of enact-
6	ment of the A Stronger Workforce for America
7	Act, conduct a study that will review the usage
8	of statewide critical industry skills funds estab-
9	lished by States under section $134(a)(4)$ and
10	identify, for purposes of measuring the overall
11	effectiveness of the program—
12	"(i) the industries targeted by the
13	funds under section $134(a)(4)$ ;
14	"(ii) the occupations for which work-
15	ers are being upskilled;
16	"(iii) how frequently skills develop-
17	ment is provided to prospective workers
18	and incumbent workers, and
19	"(iv) the reported performance out-
20	comes.
21	"(F) STUDY ON INDUSTRY OR SECTOR
22	PARTNERSHIP AND CAREER PATHWAYS DEVEL-
23	OPMENT FUNDS.—The Secretary shall, not later
24	than 4 years after the date of enactment of the
25	A Stronger Workforce for America Act, conduct

1	a study that will review the usage of industry
2	or sector partnership and career pathways de-
3	velopment funds established by States under
4	section $134(a)(5)$ and identify, for purposes of
5	measuring the overall effectiveness of the pro-
6	gram—
7	"(i) the industries targeted by the
8	funds under section $134(a)(5)$ and the
9	growth in employment opportunities in
10	such industries over the period of the
11	study;
12	"(ii) the occupations workers are re-
13	ceiving skills development for and how fre-
14	quently such skills development is occur-
15	ring through the funds under section
16	134(a)(5);
17	"(iii) the States where such funds
18	were used to establish new industry or sec-
19	tor partnerships, the States where such
20	funds were used to expand existing indus-
21	try or sector partnerships, and an overview
22	of the types of partners participating in
23	such partnerships; and
24	"(iv) the reported performance out-
25	comes.

1 "(G) STUDY ON THE EFFECTIVENESS OF 2 EMPLOYER-BASED TRAINING.—The Secretary 3 shall, not later than 4 years after the date of 4 enactment of the A Stronger Workforce for 5 America Act, conduct a study that measures 6 the effectiveness of on-the-job training, em-7 ployer-directed skills training, apprenticeship, 8 and incumbent worker training under this title 9 in preparing jobseekers and workers, including 10 those with barriers to employment, for unsub-11 sidized employment. Such study shall include 12 the cost per participant and wage and employment outcomes, as compared to other methods 13 14 of training. 15 "(H) STUDY ON THE EFFECTIVENESS AND 16 USE OF EMERGING TECHNOLOGY IN THE WORK-

FORCE DEVELOPMENT SYSTEM.—The Secretary
shall, not later than 4 years after the date of
enactment of the A Stronger Workforce for
America Act, conduct a study that—

21 "(i) measures the effectiveness of
22 emerging technology (including artificial
23 intelligence and machine learning) and
24 other advanced computational methods, in
25 improving State workforce development

1	system service delivery, labor market data
2	system performance, data collection and in-
3	tegration to understand participant and
4	program outcomes, and end-user tools for
5	facilitating career exploration or related
6	data insights;
7	"(ii) measures the extent to which
8	States have adopted and implemented such
9	technology and methods in their workforce
10	development systems, including by describ-
11	ing how the technology or method is being
12	used, analyzing the accuracy of such tech-
13	nology or method, and identifying any ex-
14	hibited bias by any such technology or
15	method; and
16	"(iii) includes an analysis of the con-
17	sequences of advances in automation tech-
18	nology on employment opportunities, skills
19	development, including digital literacy
20	skills development, and worker dislocation.
21	((I) Study on the alignment between
22	EDUCATION AND WORKFORCE DEVELOPMENT
23	SYSTEMS.—The Secretary of Labor, in coordi-
24	nation with the Secretary of Education, shall,
25	not later than 4 years after the date of enact-

1	ment of the A Stronger Workforce for America
2	Act, conduct a study on the alignment of work-
3	force development programs under this Act with
4	elementary and secondary education and post-
5	secondary education. The study shall examine—
6	"(i) State efforts to integrate data re-
7	lated to career and technical education
8	programs, dual enrollment programs, pre-
9	apprenticeships and apprenticeships, and
10	other work-based learning programs to in-
11	form decisionmaking and improve edu-
12	cational opportunities and outcomes;
13	"(ii) challenges related to and strate-
14	gies that promote such alignment to facili-
15	tate student participation in high-quality
16	college and career pathways; and
17	"(iii) governance structures and fund-
18	ing sources to promote such alignment.
19	"(J) Study on Job corps.—The Sec-
20	retary of Labor shall, not later than 4 years
21	after the date of enactment of the A Stronger
22	Workforce for America Act, conduct an evalua-
23	tion that—

1	"(i) uses the most rigorous available
2	methods that are appropriate and feasible
3	to evaluate program effectiveness;
4	"(ii) measures the effect of the Job
5	Corps program on participating individuals
6	on outcomes related to the purposes de-
7	scribed in section $141(1)$ , including edu-
8	cational attainment, employment, earnings,
9	and other related outcomes, compared with
10	the non-participant peers of those individ-
11	uals, to determine if the program has a
12	statistically significant effect (including
13	long-term effects) on such outcomes; and
14	"(iii) evaluates the cost-effectiveness
15	of the program.
16	"(K) REPORTS.—The Secretary shall pre-
17	pare and disseminate to the Committee on
18	Health, Education, Labor, and Pensions of the
19	Senate and the Committee on Education and
20	the Workforce of the House of Representatives,
21	and on the publicly available website of the De-
22	partment, reports containing the results of the
23	studies conducted under this paragraph."; and
24	(B) in paragraph (5), by adding at the end
25	the following:

"(C) EVALUATION OF GRANTS.—

1

2 "(i) IN GENERAL.—For each grant or 3 contract awarded under this paragraph, 4 the Secretary shall conduct a rigorous evaluation of the multistate project to deter-5 6 mine the impact of the activities supported 7 by the project, including the impact on the 8 employment and earnings of program par-9 ticipants.

"(ii) REPORT.—The Secretary shall 10 11 prepare and disseminate to the Committee 12 on Health, Education, Labor, and Pen-13 sions of the Senate and the Committee on 14 Education and the Workforce of the House 15 of Representatives, and to the public, in-16 cluding through electronic means, reports 17 containing the results of evaluations con-18 ducted under this subparagraph.".

(b) WORKFORCE DATA QUALITY INITIATIVE.—Section 169 of the Workforce Innovation and Opportunity Act
(29 U.S.C. 3224) is further amended by adding at the
end the following:

23 "(d) Workforce Data Quality Initiative.—

24 "(1) GRANT PROGRAM.—Of amounts made
25 available pursuant to section 132(a)(2)(A) for any

program year, the Secretary shall use not less than 1 2 5 percent and not more than 10 percent of such amounts, and may also use funds authorized for 3 4 purposes of carrying out this section, to award 5 grants to eligible entities to create workforce longitu-6 dinal data systems and associated resources for the 7 purposes of strengthening program quality, building 8 State capacity to produce evidence for decision-9 making, meeting performance reporting require-10 ments, protecting privacy, and improving trans-11 parency.

"(2) APPLICATION.—To be eligible to receive a
grant under this subsection, an eligible entity shall
submit an application to the Secretary at such time
and in such manner as the Secretary may require,
which shall include—

"(A) a description of the proposed activities that will be conducted by the eligible entity,
including a description of the need for such activities and a detailed budget for such activities;
"(B) a description of the expected out-

21 "(B) a description of the expected out22 comes and outputs (such as systems or prod23 ucts) that will result from the proposed activi24 ties and the proposed uses of such outputs;

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1	"(C) a description of how the proposed ac-
2	tivities will—
3	"(i) support the reporting of perform-
4	ance data, including employment and earn-
5	ings outcomes, for the performance ac-
6	countability requirements under section
7	116, including outcomes for eligible pro-
8	viders of training services;
9	"(ii) improve workforce data stand-
10	ardization across programs in the State;
11	and
12	"(iii) improve the collection, accuracy,
13	timeliness, and usability of real-time, econ-
14	omy-wide data on new and emerging skills
15	and in-demand occupational roles;
16	"(D) a description of the methods and pro-
17	cedures the eligible entity will use to ensure the
18	security and privacy of the collection, storage,
19	and use of all data involved in the systems and
20	resources supported through the grant, includ-
21	ing compliance with State and Federal privacy
22	and confidentiality statutes and regulations;
23	and
24	"(E) a plan for how the eligible entity will
25	continue the activities or sustain the use of the

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1	outputs created with the grant funds after the
2	grant period ends.
3	"(3) PRIORITY.—In awarding grants under the
4	subsection, the Secretary shall give priority to—
5	"(A) eligible entities that are—
6	"(i) a State agency of a State that
7	has not previously received a grant from
8	the Secretary for the purposes of this sub-
9	section and demonstrates a substantial
10	need to improve its data infrastructure; or
11	"(ii) a consortium of State agencies
12	that is comprised of State agencies from
13	multiple States and includes at least one
14	State agency described in clause (i) and
15	has the capacity to make significant con-
16	tributions toward building interoperable,
17	cross-State data infrastructure; and
18	"(B) eligible entities that will use grant
19	funds to—
20	"(i) expand the adoption and use of
21	linked, open, and interoperable data on
22	credentials, including through the develop-
23	ment of a credential registry or other tools
24	and services designed to help learners and
25	workers make informed decisions, such as

1	the credential navigation feature described
2	in section $122(d)(2);$
3	"(ii) participate in and contribute
4	data to a multistate data collaborative, in-
5	cluding data that provide participating
6	States the ability to better understand—
7	"(I) earnings and employment
8	outcomes of individuals who work out-
9	of-State; and
10	"(II) cross-State earnings and
11	employment trends;
12	"(iii) enhance collaboration with pri-
13	vate sector workforce and labor market
14	data entities and the end-users of work-
15	force and labor market data, including in-
16	dividuals, employers, economic development
17	agencies, and workforce development pro-
18	viders;
19	"(iv) leverage the use of non-Federal
20	contributions to improve workforce data in-
21	frastructure, including staff capacity build-
22	ing; or
23	"(v) expand existing statewide inte-
24	grated longitudinal data systems, including
25	such systems receiving assistance under

1	section 208 of the Educational Technical
2	Assistance Act of 2002 (20 U.S.C. 9607).
3	"(4) Use of funds.—In addition to the activi-
4	ties described in paragraph (3)(B), an eligible entity
5	awarded a grant under this subsection may use
6	funds to carry out any of the following activities:
7	"(A) Developing or enhancing a State's
8	workforce longitudinal data system, including
9	by participating and contributing data to the
10	State's data system, if applicable, that links
11	with elementary and secondary school and post-
12	secondary data.
13	"(B) Accelerating the replication and
14	adoption of data systems, projects, products, or
15	practices already in use in one or more States
16	to other States.
17	"(C) Research and labor market data im-
18	provement activities to improve the timeliness,
19	relevance, and accessibility of such data
20	through pilot projects that are developed locally
21	but designed to scale to other regions or States.
22	"(D) Establishing, enhancing, or con-
23	necting to a system of interoperable learning
24	and employment records that provides individ-
25	uals who choose to participate in such system

1	ownership of a verified and secure record of
2	their skills and achievements and the ability to
3	share such record with employers and education
4	providers.
5	"(E) Developing policies, guidelines, and
6	security measures for data collection, storing,
7	and sharing to ensure compliance with relevant
8	Federal and State privacy laws and regulations.
9	"(F) Increasing local board access to and
10	integration with the State's workforce longitu-
11	dinal data system in a secure manner.
12	"(G) Creating or participating in a data
13	exchange for collecting and using standards-
14	based jobs and employment data including, at a
15	minimum, job titles or occupation codes.
16	"(H) Improving State and local staff ca-
17	pacity to understand, use, and analyze data to
18	improve decisionmaking and improve partici-
19	pant outcomes.
20	"(5) Administration.—
21	"(A) DURATION.—A grant awarded under
22	this subsection may be for a period of up to 3
23	years.
24	"(B) SUPPLEMENT, NOT SUPPLANT.—
25	Funds made available under this subsection

1	shall be used to supplement, and not supplant,
2	other Federal, State, or local funds used for de-
3	velopment of State data systems.
4	"(C) REPORT.—Each eligible entity that
5	receives a grant under this subsection shall sub-
6	mit a report to the Secretary not later than 180
7	days after the conclusion of the grant period on
8	the activities supported through the grant and
9	improvements in the use of workforce and labor
10	market information that have resulted from
11	such activities.
12	"(6) DEFINITIONS.—In this subsection, the
13	term 'eligible entity' means a State agency or con-
14	sortium of State agencies, including a multistate
15	data collaborative, that is or includes the State agen-
16	cies responsible for—
17	"(A) State employer wage records used by
18	the State's unemployment insurance programs
19	in labor market information reporting and anal-
20	ysis and for fulfilling the reporting require-
21	ments of this Act;
22	"(B) the production of labor market infor-
23	mation; and
24	"(C) the direct administration of one or
25	more of the core programs.".

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1	SEC. 175. NATIONAL DISLOCATED WORKER GRANTS.
2	Section 170 of the Workforce Innovation and Oppor-
3	tunity Act (29 U.S.C. 3225) is amended—
4	(1) in subsection (b)—
5	(A) in paragraph (1)—
6	(i) in subparagraph (C), by striking
7	"and" at the end;
8	(ii) in subparagraph (D)(ii), by strik-
9	ing the period at the end and inserting ";
10	and"; and
11	(iii) by adding at the end the fol-
12	lowing:
13	"(E) to an entity described in subsection
14	(c)(1)(B) to provide employment and training
15	activities related to the prevention and treat-
16	ment of substance use disorders, including ad-
17	diction treatment, mental health treatment, and
18	pain management, in an area that, as a result
19	of widespread substance use, addiction, and
20	overdoses, has higher-than-average demand for
21	such activities that exceeds the availability of
22	State and local resources to provide such activi-
23	ties."; and
24	(B) by adding at the end the following:
25	"(3) Performance results.—The Secretary
26	shall collect the necessary information from each en-
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1	tity receiving a grant under this section to determine
2	the performance of such entity on the primary indi-
3	cators of performance described in section
4	116(b)(2)(A)(i) and make such information available
5	on the publicly accessible website of the Department
6	in a format that does not reveal personally identifi-
7	able information."; and
8	(2) in subsection (c)—
9	(A) in paragraph (1)(A)—
10	(i) by striking "subsection (b)(1)(A)"
11	and inserting "subparagraph (A) or (E) of
12	subsection $(b)(1)$ "; and
13	(ii) by striking ", in such manner, and
14	containing such information" and inserting
15	"and in such manner"; and
16	(B) in paragraph (2)—
17	(i) in subparagraph (B)—
18	(I) in the heading, by striking
19	"RETRAINING" and inserting
20	"RESKILLING"; and
21	(II) by striking "retraining" and
22	inserting "reskilling";
23	(ii) by redesignating subparagraphs
24	(C) and (D) as subparagraphs (D) and
25	(E), respectively; and

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1	(iii) by inserting after subparagraph
2	(B) the following:
3	"(C) SUBSTANCE USE RELATED
4	GRANTS.—In order to be eligible to receive em-
5	ployment and training assistance under a na-
6	tional dislocated worker grant awarded pursu-
7	ant to subsection $(b)(1)(E)$ , an individual shall
8	be—
9	"(i) a dislocated worker;
10	"(ii) a long-term unemployed indi-
11	vidual;
12	"(iii) an individual who is unemployed
13	or significantly underemployed as a result
14	of widespread substance use in the area; or
15	"(iv) an individual who is employed or
16	seeking employment in a health care pro-
17	fession involved in the prevention and
18	treatment of substance use disorders, in-
19	cluding such professions that provide ad-
20	diction treatment, mental health treat-
21	ment, or pain management.".
22	SEC. 176. YOUTHBUILD PROGRAM.
23	Section 171 of the Workforce Innovation and Oppor-
24	tunity Act (29 U.S.C. 3226) is amended—

25 (1) in subsection (a)—

1	(A) in paragraph (4), by striking "home-
2	less individuals" and inserting "individuals ex-
3	periencing homelessness'; and
4	(B) in paragraph (5), by striking "home-
5	less and low-income families" and inserting
6	"low-income families and families of individuals
7	experiencing homelessness";
8	(2) in subsection (b)—
9	(A) by amending paragraph (4) to read as
10	follows:
11	"(4) Individual experiencing homeless-
12	NESS.—The term 'individual experiencing homeless-
13	ness' means an individual who is a homeless indi-
14	vidual (as defined in section $41403(6)$ of the Vio-
15	lence Against Women Act of 1994 (34 U.S.C.
16	12473(6)) or a homeless child or youth (as defined
17	in section $725(2)$ of the McKinney-Vento Homeless
18	Assistance Act (42 U.S.C. 11434a(2))).";
19	(B) in paragraph (5), by striking "home-
20	less individuals" and inserting "individuals ex-
21	periencing homelessness";
22	(C) in paragraph (7), by striking "(25
23	U.S.C. 450b)" and inserting "(25 U.S.C.
24	5304)"; and

1	(D) in paragraph (12), by striking "home-
2	less individuals" and inserting "individuals ex-
3	periencing homelessness';
4	(3) in subsection (c)—
5	(A) by amending paragraph (1) to read as
6	follows:
7	"(1) Amount of grants; reservation.—
8	"(A) Amount of grants.—Subject to
9	subparagraph (B), the Secretary is authorized
10	to make grants to applicants for the purpose of
11	carrying out YouthBuild programs approved
12	under this section.
13	"(B) RESERVATION FOR RURAL AREAS
14	AND INDIAN TRIBES.—
15	"(i) TRIBAL RESERVATION.—Subject
16	to clause (iii), in carrying out subpara-
17	graph (A), the Secretary shall reserve not
18	less than 5 percent of the total amount ap-
19	propriated for the purposes of that sub-
20	paragraph to make grants to applicants
21	that are—
22	"(I) Indian tribes, tribal organi-
23	zations, or Native Hawaiian organiza-
24	tions (as such term is defined in sec-
25	tion 166(b)); or

1	"(II) carrying out programs for
2	the benefit of Indians.
3	"(ii) RURAL RESERVATION.—Subject
4	to clause (iii), in carrying out subpara-
5	graph (A), the Secretary shall reserve not
6	less than 10 percent of the total amount
7	appropriated for purposes of that subpara-
8	graph to make grants to applicants that
9	are located in rural areas.
10	"(iii) Exception.—If the Secretary
11	does not receive a sufficient number of ap-
12	plications of sufficient quality to award the
13	amounts reserved under clause (i) or
14	amounts reserved under clause (ii) in ac-
15	cordance with the requirements of the ap-
16	plicable clause, the Secretary may—
17	"(I) award grants to applicants
18	described in clause (i) or clause (ii),
19	as the case may be, in an amount not
20	to exceed \$1,500,000 per grant; and
21	"(II) use any remaining amount
22	reserved under the applicable clause
23	to, notwithstanding the requirements
24	of that clause, award grants under
25	subparagraph (A) to other applica-

1	tions that are not described in such
2	clause.";
3	(B) in paragraph (2)—
4	(i) in subparagraph (A)—
5	(I) in clause (iv)—
6	(aa) in subclause (II), by
7	striking "language learners" and
8	inserting "learners";
9	(bb) in subclause (III), by
10	striking "a secondary" and in-
11	serting "a regular high"; and
12	(cc) in subclause (IV), by
13	striking "required" and inserting
14	"available Federal, State, or in-
15	stitutional";
16	(II) in clause (v), by striking
17	"drug and alcohol abuse" and insert-
18	ing "substance use disorder";
19	(III) in clause (vii)—
20	(aa) by inserting "to ensure
21	full participation in a YouthBuild
22	program, including such services
23	for individuals with disabilities,"
24	after "services"; and

1	(bb) by inserting "unsub-
2	sidized" after "retaining"; and
3	(IV) in clause (viii), by inserting
4	", including career services" after
5	"assistance";
6	(ii) in subparagraph (B), by striking
7	"homeless individuals" and inserting "indi-
8	viduals experiencing homelessness' each
9	place the term appears; and
10	(iii) by adding at the end the fol-
11	lowing:
12	"(I) Provision of meals and other food as-
13	sistance to participants in conjunction with an-
14	other activity described in this paragraph.
15	"(J) Provision of information on and refer-
16	ral to Federal and State means tested pro-
17	grams.";
18	(C) in paragraph (3)—
19	(i) in subparagraph (A), by striking
20	"such time, in such manner, and con-
21	taining such information" and inserting
22	"such time and in such manner"; and
23	(ii) in subparagraph (B)—

1	(I) in the header, by striking
2	"MINIMUM REQUIREMENTS" and in-
3	serting "REQUIREMENTS";
4	(II) by striking ", at a min-
5	imum'';
6	(III) in clause (iii), by striking
7	"unions" and inserting "labor organi-
8	zations";
9	(IV) by amending clause (v) to
10	read as follows:
11	"(v) a description of the educational
12	and job training activities, work opportuni-
13	ties, postsecondary education and training
14	opportunities, and other services that will
15	be provided to participants, and how those
16	activities, opportunities, and services will—
17	"(I) prepare youth for employ-
18	ment in in-demand industry sectors or
19	occupations in the labor market area
20	described in clause (i); and
21	"(II) support youth in attaining
22	a regular high school diploma or its
23	recognized equivalent;";
24	(V) in clause (vii)—

1	(aa) by striking "(including
2	agencies of Indian tribes)" and
3	inserting ", Indian tribes, tribal
4	organizations, and tribal edu-
5	cational agencies (as such term is
6	defined in section 6132(b) of the
7	Elementary and Secondary Edu-
8	cation Act of 1965 (20 U.S.C.
9	7452(b)))"; and
10	(bb) by striking "homeless
11	individuals and other agencies
12	that serve youth who are home-
13	less individuals," and inserting
14	"individuals experiencing home-
15	lessness and other agencies that
16	serve youth who are individuals
17	experiencing homelessness,";
18	(VI) in clause (x), by inserting
19	"located in the region proposed to be
20	served by such applicant, as applica-
21	ble" after "tribes";
22	(VII) by amending clause (xii) to
23	read as follows:
24	"(xii) a description of the levels of
25	performance the applicant expects to

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1	achieve on the primary indicators of per-
2	formance described in section
3	116(b)(2)(A)(ii);";
4	(VIII) in clause (xiii), by striking
5	"unions" and inserting "labor organi-
6	zations";
7	(IX) by redesignating clauses
8	(xv) through (xxi) as clauses (xvi)
9	through (xxii), respectively; and
10	(X) by inserting after clause (xiv)
11	the following:
12	"(xv) a description of any strategies
13	the applicant will use to engage program
14	participants in providing feedback and in-
15	forming decision-making related to the
16	program;"; and
17	(D) in paragraph (4)—
18	(i) by striking "such selection criteria
19	as the Secretary shall establish under this
20	section, which shall include criteria' and
21	inserting "selection criteria";
22	(ii) in subparagraph (I), by striking
23	"homeless individuals" and inserting "indi-
24	viduals experiencing homelessness';

1	(iii) in subparagraph (J)(iii), by add-
2	ing "and" after the semicolon;
3	(iv) in subparagraph (K), by striking
4	"; and" and inserting a period; and
5	(v) by striking subparagraph (L);
6	(4) in subsection (d)—
7	(A) in paragraph (1), by striking "home-
8	less individuals" and inserting "individuals ex-
9	periencing homelessness''; and
10	(B) in paragraph (2), by striking "home-
11	less individuals" and inserting "individuals ex-
12	periencing homelessness';
13	(5) in subsection (e)(1)—
14	(A) in subparagraph (A)(ii), by striking
15	"offender" and inserting "who is a justice-in-
16	volved individual"; and
17	(B) in subparagraph (B)(i)—
18	(i) by striking "are basic skills defi-
19	cient" and inserting "have foundational
20	skill needs"; and
21	(ii) by striking "secondary" and in-
22	serting "regular high";
23	(6) in subsection (f), by striking paragraph $(2)$
24	and inserting the following:

1	"(2) Use of wage records.—The Secretary
2	shall make arrangements with a State or other ap-
3	propriate entity to facilitate the use of State wage
4	records to evaluate the performance of YouthBuild
5	programs funded under this section on the employ-
6	ment and earnings indicators described in section
7	116(b)(2)(A)(ii) for the purposes of the report re-
8	quired under paragraph (3).
9	"(3) Performance results.—For each pro-
10	gram year, the Secretary shall make available, on a
11	publicly accessible website of the Department, a re-
12	port on the performance of YouthBuild programs,
13	during such program year, funded under this section
14	on—
15	"(A) the primary indicators of performance
16	described in section 116(b)(2)(A)(ii); and
17	"(B) the expected levels of performance for
18	such programs as described in paragraph (1).
19	"(4) CONSULTATION.—In establishing expected
20	levels of performance under paragraph (1), the Sec-
21	retary shall consult, on not less than an annual
22	basis, with entities carrying out YouthBuild pro-
23	grams to ensure such levels of performance account
24	for the workforce development and postsecondary

1	education experiences of youth served by such pro-
2	grams.";
3	(7) in subsection (g), by inserting at the end
4	the following:
5	"(4) ANNUAL RELEASE OF FUNDING OPPOR-
6	TUNITY ANNOUNCEMENT.—The Secretary shall, to
7	the greatest extent practicable, announce new fund-
8	ing opportunities for grants under this section dur-
9	ing the same time period each year for which such
10	grants are available."; and
11	(8) by amending subsection (i) to read as fol-
12	lows:
13	"(i) AUTHORIZATION OF APPROPRIATIONS.—There
14	are authorized to be appropriated to carry out this section
15	\$108,150,000 for each of the fiscal years 2025 through
16	2030.".
17	SEC. 177. REENTRY EMPLOYMENT OPPORTUNITIES.
18	Subtitle D of title I of the Workforce Innovation and
18 19	
	Subtitle D of title I of the Workforce Innovation and
19	Subtitle D of title I of the Workforce Innovation and Opportunity Act (29 U.S.C. 3221 et seq.) is amended—
19 20	Subtitle D of title I of the Workforce Innovation and Opportunity Act (29 U.S.C. 3221 et seq.) is amended— (1) by redesignating section 172 as section 175;
19 20 21	Subtitle D of title I of the Workforce Innovation and Opportunity Act (29 U.S.C. 3221 et seq.) is amended— (1) by redesignating section 172 as section 175; and

"(1) to improve the employment, earnings, and
 skill attainment, and reduce recidivism, of adults
 and youth who have been involved with the justice
 system;

5 "(2) to prompt innovation and improvement in 6 the reentry of justice-involved individuals into the 7 workforce so that successful initiatives can be estab-8 lished or continued, and replicated; and

9 "(3) to further develop the evidence on how to 10 improve employment, earnings, and skill attainment, 11 and reduce recidivism, of justice-involved individuals, 12 through rigorous evaluations of specific services pro-13 vided, including how they affect different populations and how they are best combined and 14 15 sequenced, and disseminate such evidence to entities 16 supporting the reentry of justice-involved individuals 17 into the workforce.

18 "(b) REENTRY EMPLOYMENT OPPORTUNITIES PRO-19 GRAM.—

20 "(1) IN GENERAL.—From the amounts appro21 priated under section 175(e) and not reserved under
22 subsection (h), the Secretary shall carry out a Re23 entry Employment Opportunities Program, through
24 which the Secretary—

1	"(A) except as provided in subparagraph
2	(B), in order to implement reentry projects that
3	serve eligible adults or eligible youth shall, on
4	a competitive basis—
5	"(i) make direct awards (through
6	grants, contracts, or cooperative agree-
7	ments) to eligible entities to implement
8	such reentry projects; and
9	"(ii) in any year for which the Sec-
10	retary makes awards under clause (i),
11	make intermediary awards to eligible enti-
12	ties who are national or regional inter-
13	mediaries, who shall use the award
14	funds—
15	"(I) to make direct awards to eli-
16	gible entities to implement such re-
17	entry projects; or
18	"(II) to implement such reentry
19	projects; and
20	"(B) in order to implement youth reentry
21	employment opportunities projects, through
22	that program, that serve eligible youth shall, on
23	a competitive basis—

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1	"(i) make direct awards to youth
2	project eligible entities to implement such
3	youth reentry projects; and
4	"(ii) in any year for which the Sec-
5	retary makes awards under clause (i),
6	make intermediary awards to youth project
7	eligible entities who are national or re-
8	gional intermediaries, who shall use the
9	award funds—
10	"(I) to make direct awards to
11	youth project eligible entities to imple-
12	ment such youth reentry projects; or
13	"(II) to implement such youth re-
14	entry projects.
15	"(2) Allocation to activities.—From the
16	amounts appropriated under section 175(e) and not
17	reserved under subsection (h), the Secretary—
18	"(A) shall use not less than 20 percent of
19	such amounts for awards under paragraph
20	(1)(A) to eligible entities to serve as national or
21	regional intermediaries to provide the award
22	funds to other eligible entities—
23	"(i) to implement reentry projects de-
24	scribed in paragraph (1)(A); and

"(ii) to monitor and support such en-
tities;
"(B) shall use not less than 20 percent of
such amounts for direct or intermediary awards
under paragraph $(1)(B)$ to—
"(i) implement youth reentry projects
described in paragraph (1)(B); and
"(ii) in cases in which the award re-
cipients make direct awards to other youth
reentry project eligible entities, monitor
and support such entities;
"(C) shall use 20 percent of such amounts,
from the portion reserved to carry out para-
graph $(1)(A)$ , to award funds to eligible entities
using pay-for-performance contracts—
"(i) that specify a fixed amount that
will be paid to such an entity based on the
achievement, within a defined timeframe,
of proposed levels of performance described
under subsection $(e)(2)(A)$ on the indica-
tors of performance described in subsection
(e)(1)(A)(i); and
"(ii) which may provide for bonus
payments to such entity to expand capacity
to provide effective services; and

1	"(D) shall ensure awards made under this
2	section are made to eligible entities from geo-
3	graphically diverse areas, in addition to giving
4	the priorities described in paragraph (5).
5	"(3) INITIAL AWARD PERIODS.—The Secretary
6	shall make an award under this section for an initial
7	period of not more than 4 years.
8	"(4) Additional awards.—The Secretary
9	may make, for a period of not more than 4 years,
10	1 or more additional awards to an eligible entity
11	that received an award under this section if the eligi-
12	ble entity achieved the levels of performance agreed
13	upon with the Secretary (as described in subsection
14	(e)(2)) for the most recent award period.
15	"(5) Priority.—In awarding funds under this
16	section, the Secretary shall give priority to eligible
17	entities whose applications submitted under sub-
18	section (c) demonstrate a commitment to use such
19	funds to implement a reentry project—
20	"(A) that will serve a high-poverty area;
21	"(B) that will enroll eligible youth or eligi-
22	ble adults—
23	"(i) prior to the release of such indi-
24	viduals from incarceration in a correctional
25	institution; or

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1	"(ii) not later than 90 days after such
2	release;
3	"(C) whose strategy and design are evi-
4	dence-based;
5	"(D) for which the eligible entity will es-
6	tablish a partnership with—
7	"(i) a business;
8	"(ii) an institution of higher education
9	or provider under section $122$ (as deter-
10	mined by the State where services are
11	being provided) to provide project partici-
12	pants with a program leading to a recog-
13	nized postsecondary credential in an in-de-
14	mand industry sector or occupation;
15	"(iii) a local educational agency; or
16	"(iv) an agency that receives assist-
17	ance for a program under section 225;
18	"(E) that provides training services, in-
19	cluding employment-directed skills development
20	and on-the-job training, that are designed to
21	meet the specific requirements of an employer
22	(including a group of employers), industry, or
23	sector, and are conducted with a commitment
24	by the employer to employ individuals upon suc-
25	cessful completion of the preparation; and

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1	"(F) that will serve a rural area.
2	"(6) CONSTRUCTION.—
3	"(A) Projects with intermediaries.—
4	An intermediary who receives funds under para-
5	graph (1), to the extent that the intermediary
6	uses the funds to make direct awards to eligible
7	entities, shall carry out the functions of the
8	Secretary described in paragraphs (3), (4), and
9	(5) of this subsection, and paragraphs $(1)$ , $(2)$
10	(other than paragraph $(2)(J)$ ), and $(4)$ of sub-
11	section (c).
12	"(B) REENTRY EMPLOYMENT OPPORTUNI-
13	TIES PROGRAM PROJECTS.—For purposes of
14	this section, a reference to an eligible entity,
15	used with respect to a youth reentry project
16	carried out under paragraph (1)(B), shall be
17	considered to be a reference to a youth project
18	eligible entity.
19	"(c) Application.—
20	"(1) FORM AND PROCEDURE.—To be qualified
21	to receive funds under this section, an eligible entity
22	shall submit an application to the Secretary at such
23	time, and in such manner, as is determined by the
24	Secretary, and containing the information described

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1	in paragraph $(2)$ and, as applicable, paragraph $(3)$
2	or (4).
3	"(2) CONTENTS.—An application submitted by
4	an eligible entity under paragraph (1) shall contain
5	the following:
6	"(A) A description of the eligible entity, in-
7	cluding the experience of the eligible entity in
8	providing education, employment, and training
9	services for justice-involved individuals.
10	"(B) A description of the needs that will
11	be addressed by the reentry project supported
12	by the funds received under this section and the
13	target participant population and the geo-
14	graphic area to be served.
15	"(C) A description of the proposed edu-
16	cation, employment, and training services and
17	supportive services, if applicable, to be provided
18	under such reentry project, and how such ac-
19	tivities will prepare participants for employment
20	in an in-demand industry sector or occupation
21	within the geographic area to be served by such
22	reentry project.
23	"(D) The anticipated schedule for carrying
24	out the activities proposed for the reentry
25	project.

"(E) A description of—

2	"(i) the partnerships the eligible enti-
3	ty will establish with agencies and entities
4	within the criminal justice system, agencies
5	and entities within the juvenile justice sys-
6	tem, local boards, one-stop operators, one-
7	stop partners, community-based organiza-
8	tions, and employers (including local busi-
9	nesses) to provide participants in the re-
10	entry project with work-based learning, job
11	placement, and recruitment (if applicable);
12	and
13	"(ii) how the eligible entity will co-
14	ordinate its activities with other services
15	and benefits available to justice-involved
16	individuals in the geographic area to be
17	served by the reentry project.
18	"(F) A description of the manner in which
19	individuals will be recruited and selected for
20	participation for the reentry project.
21	"(G) A detailed budget and a description
22	of the system of fiscal controls, and auditing
23	and accountability procedures, that will be used
24	to ensure fiscal soundness for the reentry
25	project.

1	"(H) A description of the proposed levels
2	of performance to be achieved with respect to
3	the indicators of performance described in sub-
4	section (e).
5	"(I) A description of the evidence-based
6	practices the eligible entity will use in adminis-
7	tration of the reentry project.
8	"(J) An assurance that the eligible entity
9	will collect, disaggregate by each subpopulation
10	of individuals with barriers to employment, and
11	by race, ethnicity, sex, and age, and report to
12	the Secretary the data required with respect to
13	the reentry project carried out by the eligible
14	entity for purposes of determining levels of per-
15	formance achieved and conducting the evalua-
16	tion under this section.
17	"(K) An assurance that the eligible entity
18	will provide a match as described in subsection
19	(d)(4).
20	"(L) A description of how the eligible enti-
21	ty plans to continue the reentry project after
22	the award period.
23	"(M) For any project offering a recognized
24	postsecondary credential, a description of how
25	the project leads to the credential.

1 "(N) For a project that also serves	as a
2 program carried out under section 225, a	a de-
3 scription of how the award funds will be	used
4 to carry out the education described in se	ection
5 225, in conjunction with the activities desc	ribed
6 in subsection (d).	
7 "(3) Additional content for in	TER-
8 MEDIARY APPLICANTS.—An application submitte	ed by
9 an eligible entity seeking to serve as a nation	al or
10 regional intermediary as described in subparag	graph
11 (A) or (B) of subsection (b)(1) shall also con	ntain
12 each of the following:	
13 "(A) An identification and description	on of
14 the eligible entities that will be subawarde	es of
15 such intermediary and implement the re-	entry
16 projects, which shall include subawardees	in—
17 "(i) 3 or more noncontiguous m	etro-
18 politan areas or rural areas; and	
19 "(ii) not fewer than 2 States.	
20 "(B) A description of the services and	sup-
21 ports the intermediary will provide to the	sub-
awardees, including administrative and	fiscal
23 support to ensure the subawardees comply	with
all subaward requirements.	

1	"(C) A description of how the intermediary
2	will facilitate the replication of evidence-based
3	practices or other best practices identified by
4	the intermediary across all subawardees.
5	"(D) If such intermediary is currently re-
6	ceiving, or has previously received, funds under
7	this section as an intermediary to implement a
8	reentry project, an assurance that none of the
9	subawardees identified under subparagraph (A)
10	are current or were previous subawardees of the
11	intermediary for such reentry project and failed
12	to meet the levels of performance established
13	for such reentry project.
14	"(4) Additional content for youth reo
15	APPLICATIONS.—An application submitted under
16	paragraph (1) by a youth project eligible entity seek-
17	ing to serve youth applicants through an award de-
18	scribed in subsection $(b)(1)(B)$ shall also contain the
19	following:
20	"(A) A description of—
21	"(i) how the youth reentry project will
22	facilitate the enrollment of eligible youth in
23	a program of a local educational agency, a
24	program of adult education and literacy
25	activities, a YouthBuild program, the Job

1	Corps, or a program of an institution of
2	higher education;
3	"(ii) how the youth reentry project
4	will connect eligible youth with mentors or
5	peer support groups to provide guidance,
6	encouragement, and positive role modeling
7	during the reentry process;
8	"(iii) how the youth reentry project
9	will involve family members, guardians,
10	and other supportive people in an eligible
11	youth's life in the reentry process;
12	"(iv) how the youth reentry project
13	will provide or support access to counseling
14	and substance use disorder programs for
15	an eligible youth;
16	"(v) how the youth reentry project
17	will assist eligible youth to find safe and
18	stable housing;
19	"(vi) how the youth reentry project
20	will ensure activities carried out under an
21	award described in subsection $(b)(1)(B)$
22	are designed to meet the needs of the pop-
23	ulation served; and
24	"(vii) the experience of the eligible en-
25	tity in providing services to youth, includ-

ing eligible youth, and the strategies the el-
igible entity will use to ensure that services
provided are age-appropriate for eligible
youth.
"(B) A description of how a youth project
eligible entity plans to provide skills develop-
ment, for stakeholders involved in an eligible
youth's reentry, on best practices pertaining to
eligible youth and reentry.
"(d) Uses of Funds.—
"(1) REQUIRED ACTIVITIES.—An eligible entity
that receives funds under this section shall use such
funds to implement a reentry project for eligible
adults, eligible youth, or both, that provides each of
the following:
"(A) One or more of the individualized ca-
reer services listed in subclauses (I) through
(IX) of section 134(c)(2)(B)(vii).
"(B) One or more of the training services
listed in clauses (i) through (xi) in section
134(c)(3)(D), including subsidized employment
opportunities through transitional jobs.
"(C) For participants who are eligible
youth, 1 or more of the program elements listed

1	in subparagraphs (A) through (O) of section
2	129(c)(2).
3	"(2) ALLOWABLE ACTIVITIES.—An eligible enti-
4	ty that receives funds under this section may use
5	such funds to provide to eligible adults, eligible
6	youth, or both, each of the following:
7	"(A) Followup services after placement in
8	unsubsidized employment as described in sec-
9	tion $134(c)(2)(B)(viii)$ .
10	"(B) Apprenticeship programs.
11	"(C) Education in digital literacy skills.
12	"(D) Mentoring.
13	"(E) Assistance in obtaining employment,
14	including as a result of the eligible entity—
15	"(i) establishing and developing rela-
16	tionships and networks with large and
17	small employers; and
18	"(ii) coordinating with employers to
19	develop employer-directed skills develop-
20	ment programs and on-the-job training.
21	"(F) Assistance with driver's license rein-
22	statement (including assistance with removing
23	or expunging records as permitted under the
24	applicable Federal or State law to facilitate that
25	reinstatement) and fees for driver's licenses and

1	other necessary documents for employment and
2	removing barriers to employment.
3	"(G) Provision of or referral to evidence-
4	based mental health treatment by licensed prac-
5	titioners.
6	"(H) Provision of or referral to substance
7	use disorder treatment services, provided that
8	funds awarded under this section are only used
9	to provide such services to participants who are
10	unable to obtain such services through other
11	programs providing such services.
12	"(I) Provision of or referral to supportive
13	services, provided that, notwithstanding section
14	181(h)(2), no more than 10 percent of funds
15	awarded to an eligible entity under this section
16	may be used to provide such services to partici-
17	pants who may be able to obtain such services
18	through other programs providing such services.
19	"(3) Administrative cost limit.—An eligible
20	entity may not use more than 7 percent of the funds
21	received under this section for administrative costs,
22	including for costs related to collecting information,
23	analysis, and coordination for purposes of subsection
24	(e) or (f).

1	"(4) MATCHING.—An eligible entity shall pro-
2	vide a match, which may be provided in cash or in-
3	kind, for the costs of the project in an amount that
4	is not less than 25 percent of the total amount of
5	funds awarded to the entity under this section for
6	the period involved, except that the Secretary may
7	waive the matching requirement, on a case-by-case
8	basis and for not more than 20 percent of all awards
9	made under this section, if the eligible entity in-
10	volved demonstrates significant financial hardship.
11	"(e) Levels of Performance.—
12	"(1) Establishment of levels.—
13	"(A) IN GENERAL.—The Secretary shall
14	establish expected levels of performance for re-
15	entry projects funded under this section for-
16	"(i) each of the primary indicators of
17	performance—
18	"(I) for adults, as described in
19	section $116(b)(2)(A)(i)$ , for eligible
20	adults in reentry projects for eligible
21	adults or reentry projects for both eli-
22	gible adults and eligible youth; and
23	"(II) for youth, as described in
24	section 116(b)(2)(A)(ii), for eligible
25	youth in reentry projects for eligible

1	youth or reentry projects for both eli-
2	gible adults and eligible youth; and
3	"(ii) an indicator of performance es-
4	tablished by the Secretary with respect to
5	participant recidivism.
6	"(B) UPDATES.—The levels established
7	under subparagraph (A) shall be updated for
8	each 4-year-award period.
9	"(2) AGREEMENT ON LEVELS OF PERFORM-
10	ANCE.—In establishing and updating levels of per-
11	formance under paragraph (1), the Secretary shall
12	reach agreement on such levels with the eligible enti-
13	ties receiving awards under this section that will be
14	subject to such levels, based on, as the Secretary de-
15	termines relevant for each indicator of performance
16	applicable under paragraph (1), each of the fol-
17	lowing factors:
18	"(A) The proposed levels of performance of
19	each such eligible entity described in the appli-
20	cation submitted under subsection $(c)(2)(H)$ .
21	"(B) The local economic conditions of the
22	geographic area to be served by each such eligi-
23	ble entity, including differences in unemploy-
24	ment rates and job losses or gains in particular
25	industries.

1	"(C) The characteristics of project partici-
2	pants when entering the project involved, in-
3	cluding-
4	"(i) criminal records;
5	"(ii) indicators of work history;
6	"(iii) work experience;
7	"(iv) educational or occupational skills
8	attainment;
9	"(v) levels of literacy or English pro-
10	ficiency;
11	"(vi) disability status;
12	"(vii) homelessness; and
13	"(viii) receipt of public assistance.
14	"(3) FAILURE TO MEET LEVELS OF PERFORM-
15	ANCE.—In the case of an eligible entity that fails to
16	meet the levels of performance established under
17	paragraph (1) and updated to reflect the actual local
18	economic conditions and characteristics of partici-
19	pants (as described in subparagraphs (B) and (C) of
20	paragraph (2)) served by the reentry project involved
21	for any award year, the Secretary shall provide tech-
22	nical assistance to the eligible entity, including the
23	development of a performance improvement plan.
24	"(f) Evaluation of Reentry Projects.—

1	"(1) IN GENERAL.—Not later than 5 years
2	after the first award of funds under this section is
3	made, the Secretary (acting through the Chief Eval-
4	uation Officer) shall meet each of the following re-
5	quirements:
6	"(A) DESIGN AND CONDUCT OF EVALUA-
7	TION.—Design and conduct an evaluation to
8	evaluate the effectiveness of the reentry projects
9	funded under this section, which meets the re-
10	quirements of paragraph (2), and includes an
11	evaluation of each of the following:
12	"(i) The effectiveness of such projects
13	in assisting individuals with finding unsub-
14	sidized employment, and maintaining un-
15	subsidized employment during the second
16	quarter and fourth quarter after exit from
17	the project.
18	"(ii) The effectiveness of such projects
19	in assisting individuals with earning recog-
20	nized postsecondary credentials.
21	"(iii) The effectiveness of such
22	projects in relation to their cost, including
23	the extent to which the projects improve
24	reentry outcomes, including in employ-
25	ment, compensation (which may include

1	wages earned and benefits), career ad-
2	vancement, measurable skills gains, and
3	recognized postsecondary credentials
4	earned, and including the extent to which
5	the projects reduce recidivism of partici-
6	pants in comparison to comparably situ-
7	ated individuals who did not participate in
8	such projects.
9	"(iv) The effectiveness of specific
10	services and interventions provided and of
11	the overall project design.
12	"(v) If applicable, the extent to which
13	such projects effectively serve various de-
14	mographic groups, including people of dif-
15	ferent geographic locations, ages, races,
16	national origins, and criminal records, and
17	individuals with disabilities.
18	"(vi) If applicable, the appropriate-
19	ness of the sequencing, combination, or
20	concurrent structure, of services for each
21	subpopulation of individuals who are par-
22	ticipants in such projects, such as the
23	order, combination, or concurrent structure
24	of services in which transitional jobs and
25	occupational skills development are pro-

vided, to ensure that such participants are
prepared to fully benefit from education,
employment, and training services provided
under the project.
"(vii) Limitations or barriers to edu-
cation and employment encountered by
participants served by the projects as a re-
sult of occupational or educational licens-
ing restrictions.
"(B) DATA ACCESSIBILITY.—Make avail-
able, on the publicly accessible website managed
by the Department of Labor, data collected
during the course of evaluation under this sub-
section, in an aggregated format that does not
disclose personally identifiable information.
"(2) Design requirements.—An evaluation
under this subsection—
"(A) shall—
"(i) be designed by the Secretary (act-
ing through the Chief Evaluation Officer)
in conjunction with the eligible entities car-
rying out the reentry projects being evalu-
ated;

1	"(ii) include analysis of participant
2	feedback and outcome and process meas-
3	ures; and
4	"(iii) use designs that employ the
5	most rigorous analytical and statistical
6	methods that are reasonably feasible, such
7	as the use of control groups; and
8	"(B) may not—
9	"(i) collect personally identifiable in-
10	formation, except to the extent such infor-
11	mation is necessary to conduct the evalua-
12	tion; or
13	"(ii) reveal or share personally identi-
14	fiable information.
15	"(3) Publication and reporting of eval-
16	UATION FINDINGS.—The Secretary (acting through
17	the Chief Evaluation Officer) shall—
18	"(A) in accordance with the timeline deter-
19	mined to be appropriate by the Chief Evalua-
20	tion Officer, publish an interim report on such
21	evaluation;
22	"(B) not later than 90 days after the date
23	on which any evaluation is completed under this
24	subsection, publish and make publicly available
25	the results of such evaluation; and

1	"(C) not later than 60 days after the com-
2	pletion date described in subparagraph (B),
3	submit to the Committee on Education and the
4	Workforce of the House of Representatives and
5	the Committee on Health, Education, Labor,
6	and Pensions of the Senate a report on such
7	evaluation.
8	"(g) Annual Report.—
9	"(1) CONTENTS.—Subject to paragraph (2),
10	the Secretary shall post, using transparent, linked,
11	open, and interoperable data formats, on the publicly
12	accessible website described in subsection $(f)(1)(B)$ ,
13	an annual report, covering the most recent program
14	preceding the report, on—
15	"(A) the number of individuals who par-
16	ticipated in projects assisted under this section
17	during the program year;
18	"(B) the percentage of such individuals
19	who successfully completed the requirements of
20	such projects;
21	"(C) the performance of eligible entities on
22	such projects as measured by the indicators of
23	performance set forth in subsection (e); and

"(D) an explanation of any waivers grant-1 2 ed by the Secretary of the matching require-3 ment under subsection (d)(4). "(2) DISAGGREGATION.—The information pro-4 5 vided under subparagraphs (A) through (C) of para-6 graph (1) with respect to a program year shall be 7 disaggregated by each project assisted under this 8 section for such program year. 9 "(h) RESERVATION OF FUNDS.—Of the funds appropriated under section 175(e) for a fiscal year, the Sec-10 11 retary-12 "(1) may reserve not more than 5 percent for 13 the administration of awards made under this sec-14 tion, of which not more than 2 percent of the appro-15 priated funds may be reserved for the provision of— "(A) technical assistance to eligible entities 16 17 that receive funds under this section; and 18 "(B) outreach and technical assistance to 19 eligible entities desiring to receive such funds, 20 including assistance with application develop-21 ment and submission; and 22 ((2)) shall reserve not less than 1 percent and 23 not more than 2.5 percent for the evaluation activi-24 ties under subsection (f) or to support eligible enti-

1	ties with any required data collection, analysis, and
2	coordination related to such evaluation activities.
2	"(i) DEFINITIONS.—In this section:
4	"(1) AWARD.—The term 'award' means an
5	award of funds through a grant, contract, or cooper-
6	ative agreement.
7	"(2) CHIEF EVALUATION OFFICER.—The term
8	'Chief Evaluation Officer' means the head of the
9	independent evaluation office located in the Office of
10	the Assistant Secretary for Policy of the Department
11	of Labor.
12	"(3) Correctional institution.—The term
13	'correctional institution' has the meaning given the
14	term in section 225(e).
15	"(4) ELIGIBLE ENTITY.—The term 'eligible en-
16	tity' means—
17	"(A) a private nonprofit organization
18	under section $501(c)(3)$ of the Internal Revenue
19	Code of 1986 that is exempt from taxation
20	under section 501(a) of such Code, including a
21	community-based or faith-based organization;
22	"(B) a local board;
23	"(C) a State or local government;
24	"(D) an Indian or Native American entity
25	eligible for grants under section 166;

1	"(E) a labor organization or joint labor-
2	management organization;
3	"(F) an industry or sector partnership;
4	"(G) an institution of higher education; or
5	"(H) a consortium of the entities described
6	in subparagraphs (A) through (G).
7	"(5) ELIGIBLE ADULT.—The term 'eligible
8	adult' means a justice-involved individual who is age
9	25 or older.
10	"(6) ELIGIBLE YOUTH.—The term 'eligible
11	youth' means a justice-involved individual who is not
12	younger than age 14 or older than age 24.
13	"(7) HIGH-POVERTY.—The term 'high-poverty',
14	when used with respect to a geographic area, means
15	an area with a poverty rate of at least 20 percent
16	as determined based on the most recently available
17	data from the American Community Survey con-
18	ducted by the Bureau of the Census.
19	"(8) JUSTICE-INVOLVED INDIVIDUAL.—Not-
20	withstanding section 3, the term 'justice-involved in-
21	dividual' means—
22	"(A) an individual of any age who—
23	"(i) not more than 5 years before en-
24	rollment in a project funded under sub-
25	section $(b)(1)$ —

1	"(I) was released from incarcer-
2	ation in a correctional institution (in-
3	cluding being enrolled in a work re-
4	lease center at the institution); or
5	"(II) finished serving an alter-
6	native sentence, or a sentence to a di-
7	version program, ordered through the
8	adult criminal justice system; or
9	"(ii) on such date of enrollment, is
10	subject to the adult criminal justice sys-
11	tem, including an individual who—
12	"(I) is incarcerated in a correc-
13	tional institution (including being en-
14	rolled in a work release center at the
15	institution), but is scheduled to be re-
16	leased not more than 180 days after
17	such date of enrollment;
18	"(II) is residing in a residential
19	reentry center;
20	"(III) is subject to electronic or
21	home-based monitoring;
22	"(IV) is in the community on
23	probation or parole; or
24	"(V) is serving an alternative
25	sentence, or a sentence to a diversion

1	program, ordered through that sys-
2	tem; or
3	"(B) an individual who—
4	"(i) is not younger than age 14 or
5	older than age 24; and
6	"(ii) has been—
7	"(I) charged with, or convicted
8	of, any criminal offense; or
9	"(II) charged with, detained for,
10	or adjudicated of, a delinquent act or
11	status offense in a juvenile court.
12	"(9) Youth project eligible entity.—The
13	term 'youth project eligible entity' means—
14	"(A) an organization described in section
14 15	"(A) an organization described in section 501(c)(3) of the Internal Revenue Code of 1986
15	501(c)(3) of the Internal Revenue Code of 1986
15 16	501(c)(3) of the Internal Revenue Code of 1986 that is exempt from taxation under section
15 16 17	501(c)(3) of the Internal Revenue Code of 1986 that is exempt from taxation under section 501(a) of such Code; or
15 16 17 18	<ul><li>501(c)(3) of the Internal Revenue Code of 1986</li><li>that is exempt from taxation under section</li><li>501(a) of such Code; or</li><li>"(B) a State or local juvenile justice agen-</li></ul>
15 16 17 18 19	<ul> <li>501(c)(3) of the Internal Revenue Code of 1986</li> <li>that is exempt from taxation under section</li> <li>501(a) of such Code; or</li> <li>"(B) a State or local juvenile justice agency, or a State or local adult correctional agency</li> </ul>
<ol> <li>15</li> <li>16</li> <li>17</li> <li>18</li> <li>19</li> <li>20</li> </ol>	<ul> <li>501(c)(3) of the Internal Revenue Code of 1986</li> <li>that is exempt from taxation under section</li> <li>501(a) of such Code; or</li> <li>"(B) a State or local juvenile justice agency, or a State or local adult correctional agency</li> <li>with a focus on eligible youth.".</li> </ul>
<ol> <li>15</li> <li>16</li> <li>17</li> <li>18</li> <li>19</li> <li>20</li> <li>21</li> </ol>	<ul> <li>501(c)(3) of the Internal Revenue Code of 1986 that is exempt from taxation under section 501(a) of such Code; or</li> <li>"(B) a State or local juvenile justice agency, or a State or local adult correctional agency with a focus on eligible youth.".</li> <li>SEC. 178. YOUTH APPRENTICESHIP READINESS GRANT</li> </ul>

1	amended by inserting after section 172, as added by the
2	preceding section, the following:
3	"SEC. 173. YOUTH APPRENTICESHIP READINESS GRANT
4	PROGRAM.
5	"(a) PURPOSES.—The purposes of this section are—
6	((1) to increase earnings and employment for
7	in-school youth and opportunity youth, ages 16
8	through 24, through enrollment in and completion of
9	evidence-based pre-apprenticeship programs and ap-
10	prenticeship programs that serve youth;
11	"(2) to engage educational entities, organiza-
12	tions carrying out programs that serve opportunity
13	youth, local educational agencies, State boards, local
14	boards, employers, workforce partners (including
15	one-stop partners), and other apprenticeship inter-
16	mediaries, to establish innovative models for pre-ap-
17	prenticeship programs and apprenticeship programs
18	that serve youth, including coordinating with pro-
19	grams that offer supportive services that can enable
20	participation in and completion of the program; and
21	"(3) to promote alignment between education
22	and workforce development systems (such as
23	through public-private partnerships) to enable in-
24	school youth and opportunity youth to participate in

postsecondary education and career pathways, in cluding apprenticeships, that result in careers.

3 "(b) Youth Apprenticeship Readiness Grant4 Program.—

5 "(1) IN GENERAL.—From the amounts made 6 available to carry out this section under section 7 414(c) of the American Competitiveness and Work-8 force Improvement Act (29 U.S.C. 3224a) and not 9 reserved under paragraph (2), the Secretary shall, 10 on a competitive basis, make grants to eligible enti-11 ties for projects to develop new or expand existing 12 pre-apprenticeship programs and apprenticeships 13 that serve youth.

14 "(2) ADMINISTRATIVE RESERVATION.—Of the
15 amounts made available to carry out this section, the
16 Secretary may reserve not more than 5 percent for
17 the administration of grants made under this sec18 tion, including—

"(A) not more than 3 percent for the provision of technical assistance to eligible entities
during the application period or the implementation phase of such grant; and

23 "(B) not more than 2 percent for evalua24 tions of employment and earnings outcomes de25 scribed in clauses (vi), (vii), and (viii) of sub-

1	section $(e)(2)(B)$ , identifying best practices, and
2	facilitating the sharing of best practices among
3	eligible entities by carrying out the identifica-
4	tion and dissemination described in subsection
5	(f)(2).
6	"(3) GRANT PERIOD.—The Secretary shall
7	make such a grant for a period of not more than 4
8	years and may extend the grant for a period of not
9	more than 2 additional years if the grant recipient
10	is making progress in achieving the objectives of the
11	project's identified programs.
12	"(4) PRIORITY.—In making grants under this
13	section, the Secretary shall give priority to eligible
14	entities that—
15	"(A) serve an area with significant work-
16	force shortages in the industry sector or occu-
17	pation for which the eligible entity proposes to
18	establish an identified program;
19	"(B) propose to expand or have a dem-
20	onstrated track record of expanding employ-
21	ment opportunities and career pathways for in-
22	dividuals with a barrier to employment;
23	"(C) propose to primarily serve a popu-
24	lation that is located in a rural or urban com-
25	munity and has an area median household in-

1	come of not more than 150 percent of the pov-
2	erty line; or
3	"(D) include within the eligible entity a
4	high-need local educational agency or a high-
5	need educational service agency.
6	"(5) Matching requirement for grants.—
7	In order to receive a grant from the Secretary under
8	this section, an eligible entity shall provide a non-
9	Federal contribution, which may be provided in cash
10	or in-kind, for the costs of the project in an amount
11	that is not less than 25 percent of the total amount
12	of funds awarded to the entity for such period.
13	"(c) APPLICATION.—An eligible entity that desires to
14	receive a grant under this section shall submit an applica-
15	tion to the Secretary at such time and in such manner
16	as the Secretary may require and shall include the fol-
17	lowing:
18	"(1)(A) A description of the eligible entity's
19	proposed project, to be supported by such grant, in-
20	cluding a provision identifying whether such project
21	will develop or expand 1 or more pre-apprenticeship
22	programs or 1 or more apprenticeship programs that
23	serve youth.
24	"(B) Except in the case of an identified program by

25 an eligible entity described in subsection (i)(5)(A)(i) that

is an apprenticeship program that serves youth and re quires each enrolled youth apprentice to have a regular
 high school diploma (or recognized equivalent) as a condi tion of enrollment, an assurance that each identified pro gram will be designed to enable—

6 "(i) in-school youth to receive a regular high 7 school diploma (in partnership with the local edu-8 cational agency that serves such youth) and receive 9 a recognized postsecondary credential (other than 10 such a credential that is a baccalaureate degree) 11 upon completion of the program; or

12 "(ii) opportunity youth to receive a high school 13 diploma or recognized equivalent and receive a rec-14 ognized postsecondary credential (other than such a 15 credential that is a baccalaureate degree) upon com-16 pletion of the program.

17 "(2) A description of the eligible entity and a18 description of how such eligible entity will—

19 "(A) engage with employers to develop or
20 expand, and sustain, each identified program;
21 and

22 "(B) combine academic, career and tech23 nical education, or related classroom instruction
24 with on-the-job training, allowing youth to de-

velop industry-specific or occupation-specific
workplace competencies and skills.
((3) A description of the need for and design
of the project, including—
"(A) a description of the specific youth
population to be served by the project, includ-
ing—
"(i) the subgroups of participants in
the population and skill levels of such par-
ticipants, and whether such participants
are in-school youth or opportunity youth;
"(ii) how the project will increase em-
ployment opportunities for youth who are
individuals with a barrier to employment
and youth from different subgroups of par-
ticipants; and
"(iii) how the eligible entity will en-
sure that a wide range of youth, including
youth who are individuals with a barrier to
employment and youth from different sub-
groups of participants, are able to partici-
pate in each identified program;
"(B) a description of the industry sector or
occupation targeted through the eligible entity's
proposed project, the projected demand for the

1	project in the area served by the eligible entity,
2	and a citation of the data source for the pro-
3	jected demand;
4	"(C) a description of the on-the-job train-
5	ing portion of the project, including a list of the
6	partners responsible for providing the on-the-
7	job training, and how such training will be de-
8	signed flexibly to meet the needs and schedule
9	of in-school youth and opportunity youth;
10	"(D) a description of the related classroom
11	instruction portion of the project, including—
12	"(i) how coursework for that instruc-
13	tion will be integrated into each identified
14	program and developed in conjunction with
15	and provided by education and training
16	providers that are or are within the eligible
17	entity, the specific partners that will pro-
18	vide the related classroom instruction, and
19	(as applicable) how the program may be
20	aligned with the programs of early college
21	high schools or dual or concurrent enroll-
22	ment programs to support youth pre-ap-
23	prentices or apprentices involved in earning
24	postsecondary credit;

1	"(ii) with respect to an identified
2	project by an eligible entity described in
3	subsection $(i)(5)(A)(ii)$ that is designed to
4	serve in-school youth, a description of how
5	the eligible entity, through the project, will
6	partner with the local educational agency
7	that serves such youth to align challenging
8	State academic standards and occupational
9	skill standards to enable such youth to ob-
10	tain a regular high school diploma while
11	served by the program; and
12	"(iii) an explanation of how the
13	project will combine academic, career and
14	technical education, or related classroom
15	instruction with on-the-job training;
16	"(E) a description of the proposed sup-
17	portive services strategy for the youth pre-ap-
18	prentices or apprentices involved, how the
19	project will partner with or refer youth pre-ap-
20	prentices or apprentices to entities in the area
21	served by the eligible entity that provide sup-
22	portive services, how such supportive services
23	will promote retention in and completion of the
24	identified program involved, and the projected

1	Federal, State, and local costs of such sup-
2	portive services;
3	"(F) if the eligible entity proposes to oper-
4	ate an apprenticeship program that serves
5	youth—
6	"(i) the youth apprenticeship agree-
7	ment the eligible entity intends to use;
8	"(ii) a description of how such eligible
9	entity will incorporate into the apprentice-
10	ship program recognized postsecondary
11	credentials that enable youth apprentices
12	to articulate to employment or higher level
13	degree or other credential programs for
14	multiple pathways, including enrollment in
15	postsecondary education and employment;
16	and
17	"(iii) if the eligible entity proposes to
18	develop a new apprenticeship program that
19	serves youth, a description of how the lead
20	applicant and partners will register such
21	new program with the Office of Appren-
22	ticeship or State apprenticeship agency
23	and ensure the employer or sponsor is in
24	compliance with the standards and require-
25	ments of a registered apprenticeship under

1	the Act of August 16, 1937 (commonly
2	known as the 'National Apprenticeship
3	Act'; 50 Stat. 664, chapter 663; 29 U.S.C.
4	50 et seq.), and that youth apprentices will
5	earn a recognized postsecondary credential;
6	and
7	"(G) if the eligible entity proposes to oper-
8	ate a pre-apprenticeship program—
9	"(i) a description of how the eligible
10	entity, through the program, will connect
11	participants to and prepare participants
12	for an apprenticeship program; and
13	"(ii) an explanation of how the eligible
14	entity, in carrying out the project involved,
15	will work with alternative and non-tradi-
16	tional schools, institutions of higher edu-
17	cation, and opportunity youth programs.
18	"(4) A description of how the eligible entity will
19	promote alignment between local or State education
20	and workforce development systems by supporting
21	policies or practices that facilitate transitions from
22	secondary school (including alternative and nontradi-
23	tional schools) and pre-apprenticeship programs to
24	apprenticeship programs and postsecondary edu-
25	cation.

1	"(5) A description of expected outcomes and
2	outputs from the project that includes—
3	"(A) an attestation that the eligible entity
4	will report to the Secretary, in a timely and
5	complete manner, the information required
6	under subsection (e); and
7	"(B) estimated levels of performance over
8	each year of the grant period for each of the in-
9	dicators described in subparagraphs (B) and
10	(C) of subsection $(e)(2)$ .
11	"(6) A description of the roles and responsibil-
12	ities of each entity involved in the project, including
13	any such entity that is a State or local government
14	entity, qualified intermediary, service provider, inde-
15	pendent evaluator, or other stakeholder.
16	((7) An attestation that the eligible entity has,
17	or will attempt to develop, a memorandum of under-
18	standing with any relevant State workforce agency
19	to facilitate matches to wage record data for youth
20	pre-apprentices or apprentices to obtain the nec-
21	essary information to fulfill the requirements of sub-
22	section $(e)(2)$ .
23	"(8) The total intended budget for the project,
24	including a description of any additional resources
25	that may supplement the amount awarded under

1	this section, including any funds the eligible entity
2	intends to use to fulfill the matching funds require-
3	ment described under subsection (b)(5), and a de-
4	scription of the eligible entity's plan to sustain the
5	project funded through the grant beyond the conclu-
6	sion of the grant period.
7	"(9) For any program offering a recognized
8	postsecondary credential, a description of how the
9	program leads to the credential.
10	"(d) Uses of Funds.—
11	"(1) IN GENERAL.—An eligible entity receiving
12	a grant under this section shall use the grant funds
13	to carry out the project proposed under subsection
14	(c) for purposes of carrying out 1 or more of the fol-
15	lowing activities:
16	"(A) Develop or expand a pre-apprentice-
17	ship program.
18	"(B) Develop or expand an apprenticeship
19	program that serves youth, including registering
20	such a program and its youth apprentices
21	through the Office of Apprenticeship or an ap-
22	plicable State apprenticeship agency.
23	"(2) Additional uses.—An eligible entity re-
24	ceiving a grant under this section may use the grant
25	funds, for each identified program, to—

1	"(A) recruit youth to and enroll youth in
2	an identified program, including conducting
3	outreach to individuals with a barrier to em-
4	ployment and individuals preparing for non-
5	traditional employment (when the identified
6	program is in such field);
7	"(B) conduct participant assessments to
8	determine skill levels;
9	"(C) support the provision of on-the-job
10	training for participants in accordance with
11	subsection $(c)(3)(C)$ , including by developing or
12	modifying training activities to meet the needs
13	of participants, as applicable;
14	"(D) support the provision of related class-
15	room instruction by education and training pro-
16	viders for participants in accordance with sub-
17	section $(c)(3)(D)$ , including—
18	"(i) the development of courses at the
19	secondary level—
20	"(I) that are aligned with re-
21	quirements to obtain a regular high
22	school diploma and integrated into the
23	identified program; and
24	"(II) that may be aligned with
25	the requirements of early college high

1	schools or dual or concurrent enroll-
2	ment programs to support youth pre-
3	apprentices or youth apprentices in-
4	volved in earning postsecondary cred-
5	it;
6	"(ii) if the identified program is de-
7	signed to serve in-school youth, the align-
8	ment of challenging State academic stand-
9	ards and occupational skill standards in
10	secondary education;
11	"(iii) payment of participant tuition
12	or other educational fees for projects; and
13	"(iv) the provision of instructional
14	materials, equipment, and educational
15	technology for such instruction;
16	"(E) provide supportive services such as
17	transportation, child care, dependent care,
18	housing, and needs-related payments to enable
19	youth to participate in and complete the edu-
20	cation and training activities of the identified
21	program;
22	"(F) provide professional development op-
23	portunities for secondary and postsecondary
24	educators, and employers and mentors in the
25	project, to prepare the educators, employers,

1	and mentors to effectively support youth par-
2	ticipating in the identified program;
3	"(G) increase awareness among parents,
4	educators, students (especially individuals with
5	a barrier to employment, individuals from un-
6	derserved populations, and individuals from
7	nontraditional apprenticeship populations), and
8	employers or apprenticeship sponsors in the tar-
9	geted service area about the benefits of youth
10	participating in a pre-apprenticeship program
11	or an apprenticeship program that serves youth;
12	"(H) promote innovation, inclusion in the
13	identified program, and alignment of the pro-
14	gram with programs authorized under the Carl
15	D. Perkins Career and Technical Education Act
16	of 2006 (20 U.S.C. 2301 et seq.); and
17	"(I) develop and integrate data collection
18	systems, including within a statewide longitu-
19	dinal data system, to track educational and em-
20	ployment outcomes of participants in the identi-
21	fied program.
22	"(3) SUPPORTIVE SERVICES.—An eligible entity
23	receiving a grant under this section may use, as pro-
24	vided in paragraph $(2)(E)$ , not more than 15 percent
25	of grant funds awarded under this section to provide

1 supportive services in accordance with that para-2 graph. 3 "(e) LEVELS OF PERFORMANCE.— "(1) TARGETED LEVELS OF PERFORMANCE.— 4 "(A) IN GENERAL.—An eligible entity re-5 6 ceiving a grant under this section shall, in ac-7 cordance with the indicators for participant out-8 comes described in paragraph (2)(B) and for 9 program outputs described in paragraph (2)(C), 10 identify targeted levels of performance for such 11 indicators, which shall, at minimum, be equal to 12 or greater than the estimated levels of perform-13 ance identified by the eligible entity in the enti-14 ty's application under subsection (c)(5). 15 "(B) AGREEMENT ON TARGETED LEVELS OF PERFORMANCE.—Not later than 2 months 16 17 after the identification described in subpara-18 graph (A), the eligible entity shall reach an 19 agreement with the Secretary on levels of per-20 formance for each indicator described in sub-21 paragraphs (B) and (C) of paragraph (2). 22 "(2) ANNUAL RECIPIENT REPORT.— "(A) IN GENERAL.—Not later than 2 years 23

after receipt of a grant under this section andannually thereafter, the eligible entity shall pre-

1	pare and submit to the Secretary a report eval-
2	uating the performance and impact of the
3	project funded through the grant with respect
4	to participant outcome and program output in-
5	dicators described in subparagraphs (B) and
6	(C), disaggregated by the subgroups of partici-
7	pants subject to paragraph (3).
8	"(B) PARTICIPANT OUTCOMES.—Con-
9	sistent with subparagraph (A), an eligible entity
10	receiving a grant under this section shall report
11	to the Secretary data, for each identified pro-
12	gram carried out by the eligible entity, on par-
13	ticipant outcome indicators for each such pro-
14	gram consisting of the—
15	"(i) total participants served and en-
16	rolled in any identified program,
17	disaggregated by youth pre-apprentices
18	and apprentices;
19	"(ii) retention rate during each fiscal
20	year of participants enrolled in any identi-
21	fied program in the project that have not
22	completed such program, compared to that
23	retention rate for the previous fiscal year,
24	disaggregated by youth pre-apprentices
25	and apprentices;

	1000
1	"(iii) total participants who attain a
2	regular high school diploma or recognized
3	equivalent, disaggregated by youth pre-ap-
4	prentices and apprentices;
5	"(iv) total participants who complete
6	such an identified program;
7	"(v) total participants who receive an
8	associate or baccalaureate degree or other
9	type of recognized postsecondary credential
10	during or upon completion of the identified
11	program;
12	"(vi) median hourly wage of youth
13	pre-apprentices (as applicable) or youth
14	apprentices on the date of exit from the
15	identified program and during the second
16	and fourth quarters after exit from the
17	program, and a comparison of such wage
18	to the local median hourly wage for the in-
19	dustry sector or occupation for which the
20	identified program is targeted;
21	"(vii) total participants in employ-
22	ment during the second and fourth quarter
23	after exit from the program; and
24	"(viii) total participants who complete
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1	disaggregated by the type of education,
2	skills development, and apprenticeship op-
3	portunities or employment pursued by such
4	youth pre-apprentices after such comple-
5	tion.
6	"(C) Program outputs.—Consistent
7	with subparagraph (A), an eligible entity receiv-
8	ing a grant under this section shall report to
9	the Secretary data on program output indica-
10	tors consisting of the—
11	"(i) total number of all identified pro-
12	grams developed or expanded during the
13	period covered by the report, disaggregated
14	by pre-apprenticeship programs and ap-
15	prenticeship programs that serve youth;
16	"(ii) total number of apprenticeships
17	that serve youth, if applicable, that were
18	developed or expanded during that period,
19	including an apprenticeship program ex-
20	panded as described in subsection $(d)(1)$ to
21	new industry sectors, occupations, or serv-
22	ice areas;
23	"(iii) total number of employers who
24	became engaged in an identified program

	1000
1	during that period, as a direct result of a
2	grant under this section; and
3	"(iv) for each year of the period cov-
4	ered by the report, the total share of the
5	grant received under this section spent by
6	the eligible entity on the uses of funds de-
7	scribed under subparagraphs (C) and (D)
8	of subsection $(d)(2)$ .
9	"(3) DISAGGREGATION.—The disaggregation of
10	data under paragraph (2) shall not be required in a
11	case where the number of participants in the sub-
12	group of participants is insufficient to yield statis-
13	tically reliable information or the results would re-
14	veal personally identifiable information about an in-
15	dividual participant.
16	"(4) Use of results.—
17	"(A) EVALUATION.—
18	"(i) ANNUAL EVALUATION.—Not later
19	than 2 years after the date of enactment
20	of the A Stronger Workforce for America
21	Act and annually thereafter, the Secretary
22	shall evaluate whether each eligible entity
23	involved met the agreed levels of perform-
24	ance described in paragraph (1)(B) for
20 21 22	of the A Stronger Workforce for Americ Act and annually thereafter, the Secretar shall evaluate whether each eligible entit

each of the eligible entity's identified programs.

"(ii) 3 END OF PROGRAM EVALUA-4 TION.—Not later than 30 days after each 5 cohort of participants completes an eligible 6 entity's identified program, the Secretary 7 shall evaluate whether the eligible entity 8 met the agreed levels of performance for 9 that identified program.

10 "(B) TECHNICAL ASSISTANCE.—If the 11 Secretary determines under subparagraph (A) 12 that an eligible entity fails to meet 1 or more 13 of the agreed levels of performance for an iden-14 tified program, the Secretary shall provide tech-15 nical assistance, including assistance in the de-16 velopment of a performance improvement plan.

"(C) NONRENEWAL OF GRANT.—If the 17 18 Secretary determines, 1 year after the eligible 19 entity receives that technical assistance and im-20 plements that plan, that the eligible entity fails 21 to meet the agreed levels of performance de-22 scribed in paragraph (1)(B) for an identified 23 program, the Secretary shall not extend a grant 24 for that eligible entity for that program under 25 subsection (b).

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1	"(f) EVALUATIONS AND REPORTS.—
2	"(1) REPORT TO CONGRESS.—Not later than
3	24 months after the date of enactment of the A
4	Stronger Workforce for America Act and annually
5	thereafter, the Secretary, in coordination with the
6	Secretary of Education, using data reported by eligi-
7	ble entities pursuant to the requirements under sub-
8	section (e)—
9	"(A) shall publish the data;
10	"(B) shall prepare and make publicly avail-
11	able a report containing the data on the indica-
12	tors described in subparagraphs (B) and (C) of
13	subsection $(e)(2)$ ; and
14	"(C) shall submit the report to the Com-
15	mittee on Health, Education, Labor, and Pen-
16	sions of the Senate and the Committee on Edu-
17	cation and the Workforce of the House of Rep-
18	resentatives.
19	"(2) Sharing of best practices.—Not later
20	than 2 years after the date of enactment of the A
21	Stronger Workforce for America Act, the Secretary
22	shall use funds reserved under subsection $(b)(2)(C)$
23	to identify and disseminate, through a website devel-
24	oped by the Department of Labor, best practices in
25	developing and expanding pre-apprenticeship oppor-

1	tunities or apprenticeship opportunities for youth
2	used by—
3	"(A) eligible entities receiving a grant
4	under this section; and
5	"(B) States and local areas adopting inno-
6	vative and effective practices to develop and ex-
7	pand such opportunities.
8	"(g) Compliance With Other Laws and Agree-
9	MENTS.—
10	"(1) Collective Bargaining.—Nothing in a
11	youth apprenticeship agreement under this section
12	shall be construed to invalidate an applicable provi-
13	sion in a collective bargaining agreement, between
14	employers and employees, that establishes higher
15	standards for programs in the national apprentice-
16	ship system.
17	"(2) CHILD LABOR.—
18	"(A) IN GENERAL.—An eligible entity car-
19	rying out a project under this section shall en-
20	sure compliance with the provisions on child
21	labor under the Fair Labor Standards Act of
22	$1938\ (29\ \mathrm{U.S.C.}\ 201\ \mathrm{et}\ \mathrm{seq.})$ and State law (in-
23	cluding Federal and State regulations under
24	those laws), and with State workers' compensa-
25	tion laws.

1 "(B) MINIMUM LEGAL AGE.—The eligible 2 entity shall only serve in-school youth, and op-3 portunity youth, who are not younger than the 4 minimum legal age to be employed as appren-5 tices under the Fair Labor Standards Act of 6 1938 (29 U.S.C. 201 et seq.) and any applica-7 ble State laws. 8 "(C) PRE-APPRENTICESHIP EXCEPTION.— 9 An eligible entity that prepares or intends to 10 prepare individuals for a covered occupation 11 may submit an application under subsection (c) 12 to develop or expand a pre-apprenticeship pro-13 gram that serves a youth who is younger than 14 the age of 18 only if the program is limited to 15 classroom instruction in the covered occupation. 16 "(h) Special Rules Regarding Protections for YOUTH IN PROGRAMS THAT PREPARE YOUTH FOR COV-17 ERED OCCUPATIONS.— 18 19 "(1) Pre-apprenticeships in covered occu-20 PATIONS FOR YOUTH UNDER THE AGE OF 18.---A 21 pre-apprenticeship program supported using funds 22 awarded under this section that serves or intends to 23 serve a youth who is younger than the age of 18 and 24 prepares such youth for a covered occupation may

25 only provide classroom instruction to such youth in

such program and may not provide on-the-job train ing in a covered occupation to such youth in such
 program.

4 "(2) PROHIBITION ON YOUTH APPRENTICE-5 SHIPS IN COVERED OCCUPATIONS FOR YOUTH 6 UNDER THE AGE OF 18.—An apprenticeship pro-7 gram that serves youth that is supported using 8 funds awarded under this section and that prepares 9 a youth apprentice for a covered occupation may not 10 enroll in such program a youth who is younger than 11 the age of 18.

12 "(3) APPRENTICESHIPS FOR YOUTH UNDER 13 THE AGE OF 18.—An apprenticeship program sup-14 ported using funds awarded under this section may 15 serve youth who are not younger than age 16 or 16 older than age 17, provided that such program is 17 not preparing such youth for a covered occupation. 18 "(i) DEFINITIONS.—In this section:

"(1) APPRENTICESHIP PROGRAM THAT SERVES
YOUTH.—The term 'apprenticeship program that
serves youth' means a registered apprenticeship program registered by the Office of Apprenticeship or
a State apprenticeship agency under the Act of August 16, 1937 (commonly known as the 'National
Apprenticeship Act'; 50 Stat. 664, chapter 663; 29

USC 50 at gas) that is designed for worth not
U.S.C. 50 et seq.), that is designed for youth not
younger than age 16 or older than age 24.
"(2) COVERED OCCUPATION.—The term 'cov-
ered occupation' means an occupation in—
"(A) manufacturing;
"(B) construction;
"(C) mining;
"(D) trenching or excavation;
"(E) logging or an occupation related to
timber;
"(F) work involving a saw mill;
"(G) work involving the operation of heavy
machinery;
"(H) work involving exposure to radio-
active substances or to ionizing radiations;
"(I) meat processing;
"(J) demolition;
"(K) explosives; or
"(L) work in any industry sector or occu-
pation that is prohibited to a youth who is
younger than the age of 18 under the laws or
policies of the State where the work occurs.
"(3) CTE TERMS.—The terms 'Tribally con-
trolled college or university' and 'Tribally controlled
postsecondary career and technical institution' have

1	the meanings given the terms 'tribally controlled col-
2	lege or university' and 'tribally controlled postsec-
3	ondary career and technical institution', respectively,
4	in section 3 of the Carl D. Perkins Career and Tech-
5	nical Education Act of 2006 (20 U.S.C. 2302).
6	"(4) Education and training provider.—
7	The term 'education and training provider' means—
8	"(A) an area career and technical edu-
9	cation school;
10	"(B) an early college high school;
11	"(C) a provider of a dual or concurrent en-
12	rollment program;
13	"(D) a community-based organization that
14	offers job training;
15	"(E) a high school operated by a local edu-
16	cational agency;
17	"(F) a local educational agency, edu-
18	cational service agency, or State educational
19	agency;
20	"(G) a Tribal education agency (meaning
21	such an agency within the meaning of section
22	3(20)(E) of the Carl D. Perkins Career and
23	Technical Education Act of 2006 (20 U.S.C.
24	2302(20)(E))), Tribally controlled college or

	1919
1	university, or Tribally controlled postsecondary
2	career and technical institution;
3	"(H) the Bureau of Indian Education;
4	"(I) an institution of higher education;
5	"(J) a State entity that coordinates higher
6	education, such as a community college system
7	office, a single State educational board, or
8	State higher education agency (as defined in
9	section 103 of the Higher Education Act of
10	1965 (20 U.S.C. 1003));
11	"(K) a historically Black college or univer-
12	sity, meaning a part B institution as defined in
13	section 322 of the Higher Education Act of
14	1965 (20 U.S.C. 1061);
15	"(L) a minority-serving institution;
16	"(M) a local agency administering plans
17	under title I of the Rehabilitation Act of 1973
18	(29  U.S.C.  720  et seq.),  other than section  112
19	or part C of that title (29 U.S.C. 732, 741);
20	"(N) a related integrated instruction pro-
21	vider, including a qualified intermediary acting
22	as a related integrated instruction provider as
23	approved by the Office of Apprenticeship or a
24	State apprenticeship agency recognized by the
25	Secretary;

1	"(O) a consortium of entities described in
2	any of subparagraphs (A) through (N); or
3	"(P) as used with respect to an eligible en-
4	tity described in paragraph (5)(A)(i), the joint
5	labor-management organization that is such eli-
6	gible entity.
7	"(5) ELIGIBLE ENTITY.—
8	"(A) IN GENERAL.—The term 'eligible en-
9	tity' means—
10	"(i) a joint labor-management organi-
11	zation; or
12	"(ii) a partnership that—
13	"(I) shall include as the lead ap-
14	plicant 1 entity that is—
15	"(aa) an education and
16	training provider;
17	"(bb) a workforce develop-
18	ment system entity;
19	"(cc) a qualified inter-
20	mediary;
21	"(dd) a State agency of the
22	State in which the partnership is
23	located; or
24	"(ee) a joint labor-manage-
25	ment organization;

1 2	"(II) shall include as a partner—
2	
_	"(aa) at least 1 employer or
3	an industry or trade association
4	that represents at least 2 employ-
5	ers;
6	"(bb) an education and
7	training provider;
8	"(cc) the State apprentice-
9	ship agency;
10	"(dd) a local board or the
11	State board;
12	"(ee) a local educational
13	agency, if the partnership is serv-
14	ing in-school youth; or
15	"(ff) a qualified inter-
16	mediary; and
17	"(III) may include as an addi-
18	tional partner—
19	"(aa) the State educational
20	agency;
21	"(bb) an institution of high-
22	er education;
23	"(cc) an Indian Tribe;
24	"(dd) the State entity that
25	coordinates higher education,

1	such as a community college sys-
2	tem office, a single State edu-
3	cational board, or State higher
4	education agency (as defined in
5	section 103 of the Higher Edu-
6	cation Act of 1965 (20 U.S.C.
7	1003));
8	"(ee) a community-based or-
9	ganization that offers job train-
10	ing; or
11	"(ff) a joint labor-manage-
12	ment organization.
13	"(B) RULE OF CONSTRUCTION.—For pur-
14	poses of this section, a reference to a lead appli-
15	cant, partner, or partnership between a lead ap-
16	plicant and partners, with respect to an eligible
17	entity described in subparagraph (A)(i), shall be
18	deemed to be a reference to the eligible entity.
19	"(6) ESEA TERMS.—The terms 'dual or con-
20	current enrollment program', 'early college high
21	school', 'educational service agency', and 'high
22	school' have the meanings given the terms in section
23	8101 of the Elementary and Secondary Education
24	Act of 1965 (20 U.S.C. 7801).

"(7) GRANT.—The term 'grant' means a con-1 2 tract, cooperative agreement, or award. 3 "(8) High-need educational service agen-4 CY.—The term 'high-need educational service agen-5 cy' means an educational service agency that serves 6 a significant number or percentage of high-need 7 local educational agencies. "(9) HIGH-NEED LOCAL EDUCATIONAL AGEN-8 9 CY.—The term 'high-need local educational agency' 10 has the meaning given the term in section 200 of the 11 Higher Education Act of 1965 (20 U.S.C. 1021). 12 "(10) IDENTIFIED PROGRAM.—The term 'iden-13 tified program' means a pre-apprenticeship program, 14 or youth program that serves youth, that is proposed 15 to be carried out by an eligible entity in an applica-16 tion approved under subsection (c) for a project. 17 "(11) MINORITY-SERVING INSTITUTION.—The 18 term 'minority-serving institution' means an institu-19 tion defined in any of paragraphs (1) through (7) of 20 section 371(a) of the Higher Education Act of 1965 21 (20 U.S.C. 1067q(a)). 22 "(12) NATIONAL APPRENTICESHIP SYSTEM.— 23 The term 'national apprenticeship system' means the 24 apprenticeship programs, apprenticeship programs

that serve youth, and pre-apprenticeship programs

1	that are approved by the Office of Apprenticeship or
2	State apprenticeship agencies.
3	"(13) Pre-apprenticeship program.—The
4	term 'pre-apprenticeship program' means a program
5	that—
6	"(A) prepares youth to enroll in and com-
7	plete an apprenticeship program;
8	"(B) maintains a written partnership with
9	an apprenticeship program; and
10	"(C) in the case of a program with respect
11	to a covered occupation, is provided only
12	through classroom instruction for any youth
13	pre-apprentice who is younger than the age of
14	18.
15	"(14) QUALIFIED INTERMEDIARY.—The term
16	'qualified intermediary'—
17	"(A) means a nonprofit entity operating in
18	a State or local area that demonstrates exper-
19	tise and experience in serving participants, em-
20	ployers, and schools by—
21	"(i) building, sustaining, measuring,
22	and improving the quality and performance
23	of apprenticeship programs that serve
24	youth;

1	"(ii) assisting in the design, approval,
2	registration, and implementation of ap-
3	prenticeship programs that serve youth, in-
4	cluding program development and meeting
5	program requirements, including registra-
6	tion and reporting requirements;
7	"(iii) in collaboration with 1 or more
8	State educational agencies, local edu-
9	cational agencies, or institutions of higher
10	education included in the eligible entity in-
11	volved, providing collaborative professional
12	development activities such as training for
13	workplace supervisors, mentors, counselors,
14	and teachers, instructors, and other edu-
15	cators;
16	"(iv) supporting the recruitment for,
17	retention in, and completion of apprentice-
18	ship programs that serve youth with re-
19	spect to potential or enrolled youth appren-
20	tices, including youth apprentices who are
21	from low-income backgrounds or members
22	of nontraditional apprenticeship popu-
23	lations;
24	"(v) developing and providing sup-
25	portive services including by partnering

with organizations to provide access to or
referrals for supportive services, financial
literacy services, and other support based
upon needs of potential or enrolled youth
apprentices; or
"(vi) serving as a program sponsor;
and
"(B) may consist of—
"(i) a joint labor-management organi-
zation;
"(ii) a community-based organization;
or
"(iii) an industry association.
"(15) STATE.—The term 'State' means each of
the several States of the United States, the District
of Columbia, the Commonwealth of Puerto Rico, and
an outlying area.
"(16) STATE AGENCY.—The term 'State agen-
cy' means a State educational agency, State work-
force agency, or State apprenticeship agency.
"(17) STATE APPRENTICESHIP AGENCY.—The
term 'State apprenticeship agency' means an agency
of a State government that has been authorized by
the Office of Apprenticeship to register and oversee
apprenticeship programs and has the responsibility

1	and accountability for apprenticeship programs with-
2	in the State.
3	"(18) Subgroup of participants.—The term
4	'subgroup of participants' means—
5	"(A) in-school youth;
6	"(B) opportunity youth; and
7	"(C) each of the special populations, as de-
8	fined in section 3 of the Carl D. Perkins Career
9	and Technical Education Act of 2006 (20
10	U.S.C. 2302).
11	"(19) Workforce development system en-
12	TITY.—The term 'workforce development system en-
13	tity' means an entity that is involved in admin-
14	istering a workforce development system established
15	under this Act, which shall be a State board, a local
16	board, or an Indian Tribe, Tribal organization, or
17	Native Hawaiian organization, as defined in section
18	166(b).
19	"(20) YOUTH.—The term 'youth' means an in-
20	dividual who is not younger than age 16 or older
21	than age 24.
22	"(21) Youth Apprentice.—The term 'youth',
23	used with respect to an apprentice, means a youth
24	who is participating in an apprenticeship program
25	that serves youth.

1	"(22) Youth apprenticeship agreement.—
2	The term 'youth apprenticeship agreement' means a
3	written agreement under subsection $(c)(3)(F)$ that is
4	agreed to by each of the following:
5	"(A) A youth.
6	"(B) The youth's parent or legal guardian,
7	as applicable.
8	"(C) One or more local educational agen-
9	cies, if the eligible entity involved is serving in-
10	school youth.
11	"(D) The youth apprenticeship sponsor,
12	which may be an employer.
13	"(E) As applicable, a qualified inter-
14	mediary for an apprenticeship program that
15	serves youth.
16	"(F) As applicable, one or more institu-
17	tions of higher education.
18	"(G) As applicable, one or more employers.
19	"(23) Youth pre-apprentice.—The term
20	'youth', used with respect to a pre-apprentice, means
21	a youth who is participating in a pre-apprenticeship
22	program.".

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5 amended by inserting after section 173, as added by the6 preceding section, the following:

## 7 "SEC. 174. STRENGTHENING COMMUNITY COLLEGES WORK-

8

## FORCE DEVELOPMENT GRANTS PROGRAM.

9 "(a) PURPOSES.—The purposes of this section are—
10 "(1) to establish, improve, or expand high-qual11 ity workforce development programs at community
12 colleges; and

"(2) to expand opportunities for individuals to
obtain recognized postsecondary credentials that are
nationally or regionally portable and stackable for
high-skill, high-wage, or in-demand industry sectors
or occupations.

18 "(b) STRENGTHENING COMMUNITY COLLEGES19 WORKFORCE DEVELOPMENT GRANTS PROGRAM.—

20 "(1) IN GENERAL.—From the amounts appro21 priated to carry out this section under section 175(f)
22 and not reserved under paragraph (2), the Secretary
23 shall, on a competitive basis, make grants to eligible
24 institutions to carry out the activities described in
25 subsection (e).

1	"(2) RESERVATION.—Of the amounts appro-
2	priated to carry out this section under section
3	175(f), the Secretary may reserve not more than $2$
4	percent for the administration of grants awarded
5	under this section, including—
6	"(A) providing technical assistance and
7	targeted outreach to support eligible institu-
8	tions serving a high number or high percentage
9	of low-income individuals or individuals with
10	barriers to employment, and rural-serving eligi-
11	ble institutions, to provide guidance and assist-
12	ance in the process of applying for grants under
13	this section; and
14	"(B) evaluating and reporting on the per-
15	formance and impact of programs funded under
16	this section in accordance with subsections (f)
17	through (h).
18	"(c) Award Period.—
19	"(1) INITIAL GRANT PERIOD.—Each grant
20	under this section shall be awarded for an initial pe-
21	riod of not more than 4 years.
22	"(2) Subsequent grants.—An eligible insti-
23	tution that receives an initial grant under this sec-
24	tion may receive one or more additional grants
25	under this section for additional periods of not more

1	than 4 years each if the eligible institution dem-
2	onstrates that, during the most recently completed
3	grant period for a grant received under this section,
4	such eligible institution achieved the levels of per-
5	formance agreed to by the eligible institution with
6	respect to the performance indicators specified in
7	subsection (f).
8	"(d) Application.—
9	"(1) IN GENERAL.—To be eligible to receive a
10	grant under this section, an eligible institution shall
11	submit an application to the Secretary at such time
12	and in such manner as the Secretary may require.
13	"(2) CONTENTS.—An application submitted by
14	an eligible institution under paragraph (1) shall in-
15	clude a description of each the following:
16	"(A) The extent to which the eligible insti-
17	tution has demonstrated success building part-
18	nerships with employers in in-demand industry
19	sectors or occupations to provide students with
20	the skills needed for occupations in such indus-
21	tries and an explanation of the results of any
22	such partnerships.
23	"(B) The methods and strategies the eligi-
24	ble institution will use to engage with employers
25	in in-demand industry sectors or occupations,

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1	including any arrangements to place individuals
2	who complete the workforce development pro-
3	grams supported by the grant into employment
4	with such employers.
5	"(C) The proposed eligible institution and
6	industry partnership that the eligible institution
7	will establish or maintain to comply with sub-
8	section (e)(1), including—
9	"(i) the roles and responsibilities of
10	each employer, organization, agency, or in-
11	stitution of higher education that the eligi-
12	ble institution will partner with to carry
13	out the activities under this section; and
14	"(ii) the needs that will be addressed
15	by such eligible institution and industry
16	partnership.
17	"(D) One or more industries that such
18	partnership will target and real-time labor mar-
19	ket data demonstrating that those industries
20	are aligned with employer demand in the geo-
21	graphic area to be served by the eligible institu-
22	tion.
23	"(E) The extent to which the eligible insti-
24	tution can—

1	"(i) leverage additional resources to
2	support the programs to be funded with
3	the grant, which shall include written com-
4	mitments of any leveraged or matching
5	funds for the proposed programs; and
6	"(ii) demonstrate the future sustain-
7	ability of each such program.
8	"(F) The steps the institution will take to
9	ensure the high quality of each program to be
10	funded with the grant, including the career
11	pathways within such programs.
12	"(G) The population and geographic area
13	to be served by the eligible institution, including
14	the number of individuals the eligible institution
15	intends to serve during the grant period.
16	"(H) The workforce development programs
17	to be supported by the grant.
18	"(I) The recognized postsecondary creden-
19	tials that are expected to be earned by partici-
20	pants in such workforce development programs
21	and the related high-skill, high-wage, or in-de-
22	mand industry sectors or occupations for which
23	such programs will prepare participants.
24	"(J) The evidence upon which the edu-
25	cation and skills development strategies to be

1	used in such workforce development programs
2	are based and an explanation of how such evi-
3	dence influenced the design of the programs to
4	improve education and employment outcomes.
5	"(K) How activities of the eligible institu-
6	tion are expected to align with the workforce
7	strategies identified in—
8	"(i) any State plan or local plan sub-
9	mitted under this Act by the State, out-
10	lying area, or locality in which the eligible
11	institution is expected to operate;
12	"(ii) any State plan submitted under
13	section 122 of the Carl D. Perkins Career
14	and Technical Education Act of $2006$ (20
15	U.S.C. 2342) by such State or outlying
16	area; and
17	"(iii) any economic development plan
18	of the chief executive of such State or out-
19	lying area.
20	"(L) The goals of the eligible institution
21	with respect to—
22	"(i) capacity building (as described in
23	subsection $(f)(1)(B)$ ; and
24	"(ii) the expected performance of indi-
25	viduals participating in the programs to be

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1	offered by the eligible institution, including
2	with respect to any performance indicators
3	applicable under section 116 or subsection
4	(f) of this section.
5	"(3) Consideration of previous experi-
6	ENCE.—The Secretary may not disqualify an eligible
7	institution from receiving a grant under this section
8	solely because such institution lacks previous experi-
9	ence in building partnerships, as described in para-
10	graph (2)(A).
11	"(4) PRIORITY.—In awarding grants under this
12	section, the Secretary shall give priority to eligible
13	institutions that—
14	"(A) will use the grant to serve—
15	"(i) individuals with barriers to em-
16	ployment; or
17	"(ii) incumbent workers who need to
18	gain or improve foundational skills to en-
19	hance their employability;
20	"(B) use competency-based assessments,
21	such as the competency-based assessment iden-
22	tified by the State in which the eligible institu-
23	tion is located under section $134(a)(2)(B)(vii)$ ,
24	to award academic credit for prior learning for
25	programs supported by the grant; or

1	"(C) have, or will seek to have, the career
2	education programs supported by the grant in-
3	cluded on the list of eligible providers of train-
4	ing services under section 122 for the State in
5	which the eligible institution is located.
6	"(e) Uses of Funds.—
7	"(1) ELIGIBLE INSTITUTION AND INDUSTRY
8	PARTNERSHIP.—For the purpose of carrying out the
9	activities specified in paragraphs $(2)$ and $(3)$ , an eli-
10	gible institution that receives a grant under this sec-
11	tion shall establish a partnership (or continue an ex-
12	isting partnership) with one or more employers in an
13	in-demand industry sector or occupation (in this sec-
14	tion referred to as an 'eligible institution and indus-
15	try partnership') and shall maintain such partner-
16	ship for the duration of the grant period. The eligi-
17	ble institution shall ensure that the partnership—
18	"(A) targets one or more specific high-
19	skill, high-wage, or in-demand industries;
20	"(B) includes collaboration with the work-
21	force development system;
22	"(C) serves adult and dislocated workers,
23	incumbent workers, and new entrants to the
24	workforce;

1	"(D) uses an evidence-based program de-
2	sign that is appropriate for the activities carried
3	out by the partnership;
4	"(E) incorporates work-based learning op-
5	portunities; and
6	"(F) incorporates, to the extent appro-
7	priate, virtual service delivery to facilitate tech-
8	nology-enabled learning.
9	"(2) REQUIRED ACTIVITIES.—An eligible insti-
10	tution that receives a grant under this section shall,
11	in consultation with the employers in the eligible in-
12	stitution and industry partnership described in para-
13	graph $(1)$ —
14	"(A) establish, improve, or expand high-
15	quality, evidence-based workforce development
16	programs, career pathway programs, or work-
17	based learning programs (including apprentice-
18	ship programs or preapprenticeships);
19	"(B) provide career services to individuals
20	participating in the programs funded with the
21	grant to facilitate retention and program com-
22	pletion, which may include—
23	"(i) career navigation, coaching,
24	mentorship, and case management serv-
25	ices, including providing information and

outreach to individuals with barriers to 1 2 employment to encourage such individuals to participate in programs funded with the 3 4 grant; and "(ii) providing access to course mate-5 6 rials, technological devices, required equip-7 ment, and other supports necessary for 8 participation in and successful completion 9 of such programs; and "(C) make available, in a format that is 10 11 open, searchable, and easily comparable, infor-12 mation on-"(i) curricula and recognized postsec-13 14 ondary credentials offered through pro-15 grams funded with the grant, including any curricula or credentials created or fur-16 17 ther developed using such grant, which for 18 each recognized postsecondary credential, 19 shall include— 20 "(I) the issuing entity of such 21 credential: "(II) any third-party endorse-22 23 ments of such credential; "(III) the occupations for which 24 25 the credential prepares individuals;

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1	"(IV) the skills and competencies
2	necessary to achieve to earn such cre-
3	dential;
4	"(V) the level of mastery of such
5	skills and competencies (including how
6	mastery is assessed); and
7	"(VI) any transfer value or
8	stackability of the credential;
9	"(ii) any skills or competencies devel-
10	oped by individuals who participate in such
11	programs beyond the skills and com-
12	petencies identified as part of the recog-
13	nized postsecondary credential awarded;
14	and
15	"(iii) related employment and earn-
16	ings outcomes on the primary indicators of
17	performance described in subclauses (I)
18	through (III) of section $116(b)(2)(A)(i)$ .
19	"(3) Additional activities.—In addition to
20	the activities required under paragraph (2), an eligi-
21	ble institution that receives a grant under this sec-
22	tion shall, in consultation with the employers in the
23	eligible institution and industry partnership de-
24	scribed in paragraph (1), carry out one or more of
25	the following activities:

1	"(A) Establish, improve, or expand—
2	"(i) articulation agreements (as de-
3	fined in section 486A(a) of the Higher
4	Education Act of 1965 (20 U.S.C.
5	1093a(a)));
6	"(ii) credit transfer agreements;
7	"(iii) corequisite remediation pro-
8	grams that enable a student to receive re-
9	medial education services while enrolled in
10	a postsecondary course rather than requir-
11	ing the student to receive remedial edu-
12	cation before enrolling in such a course;
13	"(iv) dual or concurrent enrollment
14	programs;
15	"(v) competency-based education and
16	assessment; or
17	"(vi) policies and processes to award
18	academic credit for prior learning or for
19	the programs described in paragraph
20	(2)(A).
21	"(B) Establish or implement plans for pro-
22	viders of the programs described in paragraph
23	(2)(A) to meet the criteria and carry out the
24	procedures necessary to be included on the list

1	of eligible providers of training services de-
2	scribed in section 122(d).
3	"(C) Purchase, lease, or refurbish special-
4	ized equipment as necessary to carry out such
5	programs, provided that not more than 15 per-
6	cent of the funds awarded to the eligible insti-
7	tution under this section may be used for activi-
8	ties described in this subparagraph.
9	"(D) Reduce or eliminate unmet financial
10	need relating to the cost of attendance (as de-
11	fined under section 472 of the Higher Edu-
12	cation Act of 1965 (20 U.S.C. 1087ll)) of par-
13	ticipants in such programs.
14	"(4) Administrative cost limit.—An eligible
15	institution may use not more than 7 percent of the
16	funds awarded under this section for administrative
17	costs, including costs related to collecting informa-
18	tion, analysis, and coordination for purposes of sub-
19	section (f).
20	"(f) Levels of Performance and Performance
21	Reviews.—
22	"(1) IN GENERAL.—The Secretary shall develop
23	and implement guidance that establishes the levels
24	of performance that are expected to be achieved by
25	each eligible institution receiving a grant under this

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1	section. Such levels of performance shall be estab-
2	lished on the following indicators:
3	"(A) Each of the primary indicators of
4	performance for adults described in section
5	116(b)(2)(A)(i), which shall be applied for all
6	individuals who participated in a program that
7	received funding from a grant under this sec-
8	tion.
9	"(B) The extent to which the eligible insti-
10	tution built capacity by—
11	"(i) increasing the breadth and depth
12	of employer engagement and investment in
13	workforce development programs in the in-
14	demand industry sectors and occupations
15	targeted by the eligible institution and in-
16	dustry partnership established or main-
17	tained by the eligible institution under sub-
18	section $(e)(1);$
19	"(ii) designing or implementing new
20	and accelerated instructional techniques or
21	technologies, including the use of advanced
22	online and technology-enabled learning
23	(such as immersive technology); and

1	"(iii) increasing program and policy
2	alignment across systems and decreasing
3	duplicative services or service gaps.
4	"(C) With respect to individuals who par-
5	ticipated in a workforce development program
6	funded with the grant—
7	"(i) the percentage of participants
8	who successfully completed the program;
9	and
10	"(ii) of the participants who were in-
11	cumbent workers at the time of enrollment
12	in the program, the percentage who ad-
13	vanced into higher level positions during or
14	after completing the program.
15	((2) Consultation and determination of
16	LEVELS OF PERFORMANCE.—
17	"(A) CONSIDERATION.—In developing lev-
18	els of performance in accordance with para-
19	graph (1), the Secretary shall take into consid-
20	eration the goals of the eligible institution pur-
21	suant to subsection $(d)(2)(L)$ .
22	"(B) DETERMINATION.—After completing
23	the consideration required under subparagraph
24	(A), the Secretary shall separately determine

1	the levels of performance that will apply to each
2	eligible institution, taking into account—
3	"(i) the expected levels of performance
4	of each eligible institution with respect to
5	the goals described by the eligible institu-
6	tion pursuant to subsection $(d)(2)(L)$ ; and
7	"(ii) local economic conditions in the
8	geographic area to be served by the eligible
9	institution, including differences in unem-
10	ployment rates and job losses or gains in
11	particular industries.
12	"(C) NOTICE AND ACKNOWLEDGMENT.—
13	"(i) NOTICE.—The Secretary shall
14	provide each eligible institution with a
15	written notification that sets forth the lev-
16	els of performance that will apply to the el-
17	igible institution, as determined under sub-
18	paragraph (B).
19	"(ii) ACKNOWLEDGMENT.—After re-
20	ceiving the notification described in clause
21	(i), each eligible institution shall submit to
22	the Secretary written confirmation that the
23	eligible institution—
24	"(I) received the notification; and

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1	"(II) agrees to be evaluated in
2	accordance with the levels of perform-
3	ance determined by the Secretary.
4	"(3) Performance reviews.—On an annual
5	basis during each year of the grant period, the Sec-
6	retary shall evaluate the performance during such
7	year of each eligible institution receiving a grant
8	under this section in a manner consistent with the
9	levels of performance determined for such institution
10	pursuant to paragraph (2).
11	"(4) Failure to meet levels of perform-
12	ANCE.—After conducting an evaluation under para-
13	graph (3), if the Secretary determines that an eligi-
14	ble institution did not achieve the levels of perform-
15	ance applicable to the eligible institution under para-
16	graph (2), the Secretary shall—
17	"(A) provide technical assistance to the eli-
18	gible institution; and
19	"(B) develop a performance improvement
20	plan for the eligible institution.
21	"(g) EVALUATIONS AND REPORTS.—
22	"(1) IN GENERAL.—Not later than 4 years
23	after the date on which the first grant is made
24	under this section, the Secretary shall design and
25	conduct an evaluation to determine the overall effec-

1	tiveness of the eligible institutions receiving a grant
2	under this section.

3 "(2) ELEMENTS.—The evaluation of the effec-4 tiveness of eligible institutions conducted under 5 paragraph (1) shall include an assessment of the 6 general effectiveness of programs and activities sup-7 ported by the grants awarded to such eligible insti-8 tutions under this section, including the extent to 9 which the programs and activities—

"(A) developed new, or expanded existing,
successful industry sector strategies, including
the extent to which such eligible institutions
deepened employer engagement and developed
workforce development programs that met industry skill needs;

"(B) created, expanded, or enhanced ca-16 17 reer pathways, including the extent to which the 18 eligible institutions developed or improved com-19 petency-based education and assessment, credit 20 for prior learning, modularized and self-paced 21 curricula, integrated education and workforce 22 development, dual enrollment in secondary and 23 postsecondary career pathways, stacked and 24 latticed credentials, and online and distance 25 learning;

1	"(C) created alignment between eligible in-
2	stitutions and the workforce development sys-
3	tem;
4	"(D) assisted individuals with finding, re-
5	taining, or advancing in employment;
6	"(E) assisted individuals with earning rec-
7	ognized postsecondary credentials; and
8	"(F) provided equal access to various de-
9	mographic groups, including people of different
10	geographic locations, ages, races, national ori-
11	gins, and sexes.
12	"(3) Design requirements.—The evaluation
13	under this subsection shall—
13 14	under this subsection shall— "(A) be designed by the Secretary (acting
14	"(A) be designed by the Secretary (acting
14 15	"(A) be designed by the Secretary (acting through the Chief Evaluation Officer) in con-
14 15 16	"(A) be designed by the Secretary (acting through the Chief Evaluation Officer) in con- junction with the eligible institutions being eval-
14 15 16 17	"(A) be designed by the Secretary (acting through the Chief Evaluation Officer) in con- junction with the eligible institutions being eval- uated;
14 15 16 17 18	<ul><li>"(A) be designed by the Secretary (acting through the Chief Evaluation Officer) in conjunction with the eligible institutions being evaluated;</li><li>"(B) include analysis of program partici-</li></ul>
14 15 16 17 18 19	<ul> <li>"(A) be designed by the Secretary (acting through the Chief Evaluation Officer) in conjunction with the eligible institutions being evaluated;</li> <li>"(B) include analysis of program participant feedback and outcome and process meas-</li> </ul>
<ol> <li>14</li> <li>15</li> <li>16</li> <li>17</li> <li>18</li> <li>19</li> <li>20</li> </ol>	<ul> <li>"(A) be designed by the Secretary (acting through the Chief Evaluation Officer) in conjunction with the eligible institutions being evaluated;</li> <li>"(B) include analysis of program participant feedback and outcome and process measures; and</li> </ul>
<ol> <li>14</li> <li>15</li> <li>16</li> <li>17</li> <li>18</li> <li>19</li> <li>20</li> <li>21</li> </ol>	<ul> <li>"(A) be designed by the Secretary (acting through the Chief Evaluation Officer) in conjunction with the eligible institutions being evaluated;</li> <li>"(B) include analysis of program participant feedback and outcome and process measures; and</li> <li>"(C) use designs that employ the most rig-</li> </ul>

(4)1 DATA ACCESSIBILITY.—The Secretary 2 shall make available on a publicly accessible website 3 of the Department of Labor any data collected as 4 part of the evaluation under this subsection. Such 5 data shall be made available in an aggregated for-6 mat that does not reveal personally identifiable in-7 formation and that ensures compliance with relevant 8 Federal laws, including section 444 of the General 9 Education Provisions Act (commonly known as the 10 'Family Educational Rights and Privacy Act of 11 1974') (20 U.S.C. 1232g). 12 "(5) Publication and reporting of eval-UATION FINDINGS.—The Secretary (acting through 13 14 the Chief Evaluation Officer) shall— "(A) in accordance with the timeline deter-15

16 mined to be appropriate by the Chief Evalua17 tion Officer, publish an interim report on the
18 preliminary results of the evaluation conducted
19 under this subsection;

20 "(B) not later than 60 days after the date
21 on which the evaluation is completed under this
22 subsection, submit to the Committee on Edu23 cation and the Workforce of the House of Rep24 resentatives and the Committee on Health,

1	Education, Labor, and Pensions of the Senate
2	a report on such evaluation; and
3	"(C) not later than 90 days after such
4	completion date, publish and make the results
5	of such evaluation available on a publicly acces-
6	sible website of the Department of Labor.
7	"(h) ANNUAL REPORTS.—The Secretary shall make
8	available on a publicly accessible website of the Depart-
9	ment of Labor, in transparent, linked, open, and inter-
10	operable data formats, the following information:
11	"(1) The performance of eligible institutions on
12	the capacity-building performance indicator set forth
13	under subsection $(f)(1)(B)$ .
14	((2) The performance of eligible institutions on
15	the workforce development participant outcome per-
16	formance indicators set forth under subsection
17	(f)(1)(C).
18	"(3) The number of individuals enrolled in
19	workforce development programs funded with a
20	grant under this section.
21	"(i) DEFINITIONS.—In this section:
22	"(1) CHIEF EVALUATION OFFICER.—The term
23	'Chief Evaluation Officer' means the head of the
24	independent evaluation office located in the Office of

the Assistant Secretary for Policy of the Department of Labor. "(2) COMMUNITY COLLEGE.—The term 'com-
"(2) Community college.—The term 'com-
munity college' means—
"(A) a public institution of higher edu-
cation (as defined in section 101(a) of the
Higher Education Act (20 U.S.C. 1001(a)), at
which—
"(i) the highest degree awarded is an
associate degree; or
"(ii) an associate degree is the most
frequently awarded degree;
"(B) a branch campus of a 4-year public
institution of higher education (as defined in
section 101 of the Higher Education Act of
1965 (20 U.S.C. 1001)), if, at such branch
campus—
"(i) the highest degree awarded is an
associate degree; or
"(ii) an associate degree is the most
frequently awarded degree;
"(C) a 2-year Tribal College or University
(as defined in section $316(b)(3)$ of the Higher
Education Act of 1965 (20 U.S.C.
1059c(b)(3))); or

1	"(D) a degree-granting Tribal College or
2	University (as defined in section $316(b)(3)$ of
3	the Higher Education Act of 1965 (20 U.S.C.
4	1059c(b)(3))) at which—
5	"(i) the highest degree awarded is an
6	associate degree; or
7	"(ii) an associate degree is the most
8	frequently awarded degree.
9	"(3) ELIGIBLE INSTITUTION.—The term 'eligi-
10	ble institution' means—
11	"(A) a community college;
12	"(B) a postsecondary vocational institution
13	(as defined in section 102(c) of the Higher
14	Education Act of 1965 (20 U.S.C. 1002(c))); or
15	"(C) a consortium of such colleges or insti-
16	tutions.
17	"(j) SUPPLEMENT NOT SUPPLANT.—Funds made
18	available under this section shall be used to supplement,
19	and not supplant, other Federal, State, and local public
20	funds made available for carrying out the activities de-
21	scribed in this section.".
22	SEC. 180. AUTHORIZATION OF APPROPRIATIONS.
23	Section 175 of the Workforce Innovation and Oppor-
24	tunity Act, as so redesignated, is amended—

1 (1) by redesignating subsections (e) and (f) as 2 subsections (g) and (h), respectively; and 3 (2) by striking subsections (a) through (d) and 4 inserting the following: 5 "(a) NATIVE AMERICAN PROGRAMS.—There are authorized to be appropriated to carry out section 166 (not 6 7 including subsection (k) of such section) \$61,800,000 for 8 each of the fiscal years 2025 through 2030. 9 "(b) MIGRANT AND SEASONAL FARMWORKER PRO-10 GRAMS.—There are authorized to be appropriated to carry out section 167 \$100,317,900 for each of the fiscal years 11 12 2025 through 2030. 13 "(c) TECHNICAL ASSISTANCE.—There are authorized to be appropriated to carry out section 168 \$5,000,000 14

15 for each of the fiscal years 2025 through 2030.

16 "(d) EVALUATIONS AND RESEARCH.—There are au17 thorized to be appropriated to carry out section 169
18 \$12,720,000 for each of the fiscal years 2025 through
19 2030.

20 "(e) REENTRY PROGRAM.—There are authorized to
21 be appropriated to carry out section 172 \$115,000,000 for
22 each of the fiscal years 2025 through 2030.

23 "(f) STRENGTHENING COMMUNITY COLLEGES PRO-24 GRAM.—There are authorized to be appropriated to carry

out section 173 \$65,000,000 for each of the fiscal years
 2025 through 2030.".

## 3 Subtitle F—Administration

#### 4 SEC. 191. REQUIREMENTS AND RESTRICTIONS.

5 (a) LABOR STANDARDS.—Section 181(b) of the
6 Workforce Innovation and Opportunity Act (29 U.S.C.
7 3241(b)) is amended by adding at the end the following:

8 "(8) CHILD LABOR.—Individuals in on-the-job 9 training or individuals employed in programs and 10 activities under this title shall be employed in ac-11 cordance with the provisions on child labor under 12 the Fair Labor Standards Act of 1938 (29 U.S.C. 13 201 et seq.) and applicable State law.

14 "(9) CONSULTATION.—If an employer provides 15 on-the-job training, incumbent worker training, or 16 employer-directed skills development with funds 17 made available under this title directly to employees 18 of such employer that are subject to a collective bar-19 gaining agreement with the employer, the employer 20 shall consult with the labor organization that rep-21 resents such employees on the planning and design 22 of such training or development.".

23 (b) REMEDIES.—Section 181(c)(3)(B) of the Work24 force Innovation and Opportunity Act (29 U.S.C.

3241(c)(3)(B)) is amended by inserting "for a period of
 not less than 2 years" before the semicolon at the end.
 (c) RELOCATION.—Section 181(d)(2) of the Work force Innovation and Opportunity Act (29 U.S.C.
 3241(d)(2)) is amended by striking "incumbent worker
 training," and inserting "incumbent worker training, em ployer-directed skills development,".

8 (d) SUPPORTIVE SERVICES.—Section 181 of the
9 Workforce Innovation and Opportunity Act (29 U.S.C.
10 3241) is amended by adding at the end the following:

"(h) SUPPORTIVE SERVICES.—Except as provided in
section 134(d)(2), funds provided under this title may only
be used to provide supportive services to individuals who—
"(1) are participating in activities under programs authorized under this title;

"(2) are unable to obtain the supportive services through programs listed in section 121(b)(2);
and

"(3) require supportive services to enable participation in activities under programs authorized
under this title.".

#### 22 SEC. 192. MONITORING.

23 Section 183 of the Workforce Innovation and Oppor24 tunity Act (29 U.S.C. 3243) is amended by striking "re-

1	cipients" each place it appears and inserting "recipients
2	and subrecipients".
3	SEC. 193. FISCAL CONTROLS; SANCTIONS.
4	Section 184(b) of the Workforce Innovation and Op-
5	portunity Act (29 U.S.C. 3244(b)) is amended—
6	(1) by redesignating paragraphs $(1)$ , $(2)$ , and
7	(3) as paragraphs (3), (5), and (6), respectively;
8	(2) by inserting before paragraph $(3)$ , as so re-
9	designated, the following:
10	"(1) IN GENERAL.—For the purposes of this
11	title, a substantial violation shall—
12	"(A) be determined in accordance with the
13	procedures established by the Governor as de-
14	scribed in paragraph (2); and
15	"(B) include any willful violation of the re-
16	quirements under subsections (a) or (b) of sec-
17	tion 181 for which there has been a final deter-
18	mination of the violation without any remaining
19	right to appeal.
20	"(2) PROCEDURES.—The Governor shall estab-
21	lish procedures to be used by local areas and, in the
22	case of funds described in section 128(a) or per-
23	taining to the enforcement provisions under section
24	122(g), by any other individual or entity specified by

1	the Governor to determine if a substantial violation
2	of this title has occurred.";
3	(3) in paragraph (3), as so redesignated—
4	(A) in subparagraph (A), by striking ";
5	or" and inserting a semicolon;
6	(B) in subparagraph $(B)(v)$ , by striking
7	the period at the end and inserting "; or"; and
8	(C) by adding at the end the following:
9	"(C) reduce any local allotment under sec-
10	tion 128(b) or 133(b) to the local area involved
11	by not more than 5 percent for the fiscal year
12	after the fiscal year in which the substantial
13	violation, for which corrective action was not
14	taken, occurred.";
15	(4) by inserting after paragraph (3), as so re-
16	designated, the following:
17	"(4) REALLOCATION OF REDUCTIONS.—Any
18	amount that was reduced from an allotment to a
19	local area in accordance with paragraph $(3)(C)$ shall
20	be reallocated by the Governor to the other local
21	areas within the State that are not subject to an ac-
22	tion described in paragraph (3) in a manner deter-
23	mined by the Governor, which may take into consid-
24	eration whether such other local area is serving a

1	significant number of individuals with barriers to
2	employment.";
3	(5) in paragraph (5), as so redesignated, by
4	striking "(A) and (B)" and inserting "(A), (B), and
5	(C)"; and
6	(6) in paragraph (6), as so redesignated, by
7	striking "paragraph (1)" and inserting "paragraph
8	(2)"
9	SEC. 194. ADMINISTRATIVE ADJUDICATION.
10	Section 186(a) of the Workforce Innovation and Op-
11	portunity Act (29 U.S.C. 3246(a)) is amended by striking
12	"184" and inserting "181 or 184".
13	SEC. 195. JUDICIAL REVIEW.
14	Section $187(a)(1)$ of the Workforce Innovation and
15	Opportunity Act (29 U.S.C. $3247(a)(1)$ ) is amended by
16	striking "184" and inserting "181 or 184".
	SEC 100 CENEDAL WARVEDS OF STATUTORY OF DECL

# 17 SEC. 196. GENERAL WAIVERS OF STATUTORY OR REGU18 LATORY REQUIREMENTS.

Section 189(i)(3)(A)(i) of the Workforce Innovation
and Opportunity Act (29 U.S.C. 3249(i)(3)(A)(i)) is
amended by striking "procedures for review and approval
of plans" and inserting "the procedures for review and
approval of plans, the performance reports described in
section 116(d), and the requirement described in section
134(c)(1)(B)".

1	SEC. 197.	STATE	FLEXIBILITY	PILOT AUTHORITY.
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2 Section 190 of the Workforce Innovation and Oppor3 tunity Act (29 U.S.C. 3250) is amended to read as follows:
4 "SEC. 190. STATE FLEXIBILITY PILOT AUTHORITY.

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"(a) PURPOSE.—The purpose of this section is to— 5 6 "(1) authorize States to apply under this sec-7 tion, in the case of an eligible State, on behalf of the 8 State as a whole, or for any State, on behalf of a 9 local area or a consortium of local areas in the 10 State, to receive the allotments or allocations of the 11 State or the local areas, respectively, for youth work-12 force investment activities under chapter 2 of sub-13 title B and adult and dislocated worker employment 14 and training activities under chapter 3 of subtitle B 15 as a consolidated grant for 5 years for the purpose 16 of carrying out a pilot project to pursue innovative 17 reforms to achieve better outcomes for jobseekers, 18 workers, employers, and taxpayers; and

19 "(2) require that rigorous evaluations be con-20 ducted to demonstrate if better outcomes and oppor-21 tunities to achieve economic self-sufficiency for par-22 ticipants, including participants receiving a priority 23 for services under this section, and associated inno-24 vative reforms to improve service delivery were 25 achieved as a result of such pilot projects.

26 "(b) GENERAL AUTHORITY.—

1	"(1) WAIVERS, PILOT PROJECT GRANT
2	AMOUNTS, AND RESERVATIONS.—Notwithstanding
3	any other provision of subtitle A or B, except as oth-
4	erwise provided in this section, during the pilot
5	project period applicable to a pilot project approved
6	for a State pursuant to subsection $(d)(3)$ , the Sec-
7	retary, the Governor of a State participating in such
8	pilot project on behalf of the State as a whole, local
9	area, or consortium of local areas, and a local area
10	or consortium of local areas on whose behalf a Gov-
11	ernor is participating in such a pilot project, shall,
12	as applicable, comply with each of the following:
13	"(A) WAIVERS.—Subject to paragraph (2),
14	the Secretary shall waive for the State as a
15	whole, or for the local area or the consortium
16	of local areas selected by the State to carry out
17	such pilot project, all the statutory and regu-
18	latory requirements of subtitles A and B.
19	"(B) PILOT PROJECT GRANT AMOUNTS.—
20	For each fiscal year applicable to a pilot period,
21	the Secretary shall carry out the following:
22	"(i) STATE AS A WHOLE.—In a case
23	of a State approved to carry out a pilot
24	project under this section on behalf of the
25	State as a whole, distribute as a consoli-

1	dated sum to the State, for purposes of
2	carrying out the project, the State's total
3	allotment for such fiscal year under—
4	"(I) subsections $(b)(1)(C)$ and
5	(c) of section 127;
6	((II)  paragraphs  (1)(B)  and
7	(2)(B) of section 132(b); and
8	"(III) section 132(c).
9	"(ii) LOCAL AREA.—In a case of a
10	local area selected by a State and approved
11	to carry out a pilot project under this sec-
12	tion, require the State to—
13	"(I) distribute as a consolidated
14	sum to the local board for such local
15	area, for purposes of carrying out the
16	project, the local area's allocation for
17	such fiscal year under—
18	"(aa) subsections (b) and (c)
19	of section 128; and
20	"(bb) subsections (b) and
21	(c) of section 133; or
22	"(II) if the local board of the
23	local area enters into a written agree-
24	ment with the State for the State to
25	serve as the fiscal agent for the local

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1	board during the pilot project, use the
2	funds described in subclause (I) for
3	purposes of carrying out the project
4	on behalf of the local board.
5	"(iii) Consortium of local
6	AREAS.—In a case of a consortium of local
7	areas selected by a State and approved to
8	carry out a pilot project under this section,
9	require the State to—
10	"(I) distribute as a consolidated
11	sum to the consortium, for purposes
12	of carrying out the project, the total
13	amount of the allocations for the local
14	areas in such consortium for such fis-
15	cal year under—
16	"(aa) subsections (b) and (c)
17	of section 128; and
18	"(bb) subsections (b) and
19	(c) of section 133; or
20	"(II) if the consortium enters
21	into a written agreement with the
22	State for the State to serve as the fis-
23	cal agent for the consortium during
24	the pilot project, use the funds de-
25	scribed in subclause (I) for purposes

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1	of carrying out the project on behalf
2	of such consortium.
3	"(C) STATE RESERVATION.—The Governor
4	of a State participating in a pilot project on be-
5	half of the State as a whole shall reserve not
6	less than 25 percent of the consolidated sum al-
7	lotted to the State, as described in subpara-
8	graph (B)(i), for the purpose of developing and
9	implementing evidence-based workforce develop-
10	ment activities in the State. Such activities—
11	"(i) shall comply with the priority of
12	service requirement described in subsection
13	(e)(3); and
14	"(ii) may include strategies such as—
15	"(I) innovative skills development
16	programs to improve employment out-
17	comes for jobseekers, incumbent work-
18	ers, and dislocated workers;
19	"(II) job training programs and
20	assistance with removing barriers to
21	employment for justice-involved indi-
22	viduals;
23	"(III) pre-apprenticeships, ap-
24	prenticeships, and evidence-based
25	workforce development and employ-

1	ment opportunities, including for
2	youth (particularly opportunity
3	youth);
4	"(IV) the development and
5	strengthening of industry or sector
6	partnerships and training programs
7	offered under such partnerships;
8	"(V) the optimization of sup-
9	portive service delivery and the inte-
10	gration of such services within the
11	workforce system to promote retention
12	in and completion of training pro-
13	grams for participants served under
14	the pilot project; and
15	"(VI) other strategies as may be
16	appropriate and necessary to achieve
17	better outcomes for jobseekers, work-
18	ers, employers, and taxpayers, as de-
19	termined by the Governor.
20	"(D) Local area and consortium res-
21	ERVATION.—A local area or a consortium of
22	local areas for which a pilot project is author-
23	ized under this section shall reserve not less
24	than 25 percent of the consolidated sum allot-
25	ted, as described in clause (ii) or (iii), respec-

1	tively, of subparagraph (B), to the local area or
2	consortium of local areas, respectively, for the
3	purpose of developing and implementing evi-
4	dence-based workforce development activities
5	described in subparagraph (C) in the local area
6	or local areas served by the consortium, respec-
7	tively.
8	"(2) Exceptions.—
9	"(A) IN GENERAL.—A State, local area, or
10	consortium of local areas carrying out a pilot
11	project under this section shall comply with
12	statutory or regulatory requirements of this Act
13	relating to—
14	"(i) performance accountability and
15	reporting, except as otherwise provided in
16	this section;
17	"(ii) the membership of local boards
18	or State boards in instances where a State
19	carrying out a pilot project will maintain
20	the use of such local boards or State
21	boards, respectively, during the pilot
22	project period;
23	"(iii) the requirement to set minimum
24	levels of performance on the criteria de-
25	scribed in section $122(b)(2)(B)$ for any

1	providers of training services that will re-
2	ceive funding under the pilot project;
3	"(iv) the establishment of the one-stop
4	delivery system to make the services and
5	activities carried out under the pilot
6	project available to individuals in the
7	State, local area, or consortium of local
8	areas carrying out the pilot project, except
9	that, of the requirements in section 121(e),
10	such one-stop delivery system shall only be
11	required to meet the requirements of para-
12	graph (2) of that section and only with re-
13	spect to the services and activities of the
14	pilot project;
15	"(v) the fiscal and management ac-
16	countability information systems described
17	in section 116(j) and, in the case of a pilot
18	project carried out by a local area or con-
19	sortium of local areas, the provisions on
20	fiscal integrity described in section 106;
21	and
22	"(vi) the priority of service described
23	in section $134(c)(3)(E)$ .
24	"(B) Applicability of defined
25	TERMS.—In carrying out a pilot project under

1	this section, a State, local area, or consortium
2	of local areas may only use a term defined in
3	section 3 to describe an activity carried out
4	under such pilot project if the State, local area,
5	or consortium of local areas gives such term the
6	same meaning as such term is given under such
7	section.
8	"(C) RULE OF CONSTRUCTION.—Nothing
9	in subparagraph (A)(iv) shall be construed to
10	prevent a State, local area, or consortium of
11	local areas carrying out a pilot project under
12	this section from deciding to maintain the one-
13	stop delivery system in effect for the State,
14	local area, or consortium, respectively, prior to
15	the start of the pilot project.
16	"(3) AUTHORITY FOR THIRD-PARTY EVALUA-
17	TION.—
18	"(A) IN GENERAL.—Not later than 180
19	days after the first pilot project is approved
20	under this section, the Secretary shall contract
21	with a third-party evaluator to conduct a rig-
22	orous evaluation of each pilot project approved
23	under this section. The evaluation shall—
24	"(i) cover the entire period of each
25	pilot project;

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1	"(ii) include a description of—
2	"(I) the populations served under
3	the pilot project, including with re-
4	spect to individuals with barriers to
5	employment served under the pilot
6	project, disaggregated by each sub-
7	population of such individuals, and by
8	race, ethnicity, sex, and age;
9	"(II) the services provided
10	through the pilot project, the pro-
11	viders of such services, and the cost of
12	such services, disaggregated by the
13	type of service provided;
14	"(III) if the pilot project is car-
15	ried out by a State, the geographic
16	distribution within the State of the
17	services provided under the pilot
18	project; and
19	"(IV) the workforce development
20	systems in the State, local area, or
21	consortium of local areas that were af-
22	fected, and the nature of such effects,
23	as a result of the pilot project;
24	"(iii) compare the employment and
25	earnings outcomes of participants in activi-

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1	ties carried out under the pilot project
2	to—
3	"(I) the outcomes of similarly sit-
4	uated individuals who do not partici-
5	pate in such activities and who are lo-
6	cated in such State, such local area,
7	or a local area in such consortium, as
8	applicable;
9	"(II) the outcomes of similarly
10	situated participants in similarly situ-
11	ated States or local areas within such
12	States, as applicable, that do not re-
13	ceive authority to carry out a pilot
14	project under this section; and
15	"(III) the outcomes of partici-
16	pants in activities under chapter 2 or
17	3 of subtitle B in the State, local
18	area, or a local area in the consortium
19	that was awarded a waiver prior to
20	the award of such waiver;
21	"(iv) conduct a qualitative analysis
22	that identifies any practices or strategies
23	(including promising, evidence-based, or in-
24	novative practices and strategies) that—

1	"(I) would not have been con-
2	ducted without the waiving of statu-
3	tory or regulatory provisions through
4	the pilot project; and
5	"(II) led to changes in employ-
6	ment and earnings outcomes for the
7	participants, including employment
8	and earnings outcomes for partici-
9	pants who are opportunity youth and
10	individuals with barriers to employ-
11	ment; and
12	"(v) compare the outcomes for sub-
13	clauses (I), (II), and (III) of clause (iii)
14	with respect to the subpopulations de-
15	scribed in section $116(d)(2)(B)$ .
16	"(B) REPORT.—Not later than 2 years
17	after the final year of a pilot project approved
18	under this section, the Secretary shall submit to
19	the Committee on Education and the Workforce
20	of the House of Representatives and the Com-
21	mittee on Health, Education, Labor, and Pen-
22	sions of the Senate the results of the evaluation
23	conducted under this paragraph.
24	"(c) Pilot Period; Limitations.—

1	"(1) IN GENERAL.—A pilot project approved
2	under this section for a State, local area, or consor-
3	tium—
4	"(A) shall be carried out for a 5-year pilot
5	project period; and
6	"(B) may be renewed for an additional 4-
7	year pilot project period, if the State, local
8	area, or consortium—
9	"(i) for each of the final 3 years of
10	the preceding 5-year pilot project period,
11	meets its expected levels of performance
12	established under subsection $(f)(1)(C)$ ; and
13	"(ii) for the final year of the pre-
14	ceding 5-year pilot project period, achieves
15	a performance improvement of not less
16	than an average of a 5-percent increase
17	across all of the indicators of performance
18	described in clauses (i) and (ii) of sub-
19	section $(f)(1)(A)$ , compared with—
20	"(I) the highest level of perform-
21	ance for the corresponding indicators
22	of performance, as described in sub-
23	section $(f)(1)(B)(i)$ with respect to
24	such State, for the most recent pro-
25	gram year that ended prior to the be-

1	ginning of the first year of the pre-
2	ceding 5-year pilot project period; or
3	"(II) the alternate baseline level
4	of performance for the corresponding
5	indicators of performance that is
6	agreed upon between the State and
7	the Secretary under subsection
8	(f)(1)(B)(ii).
9	"(2) Limitations.—
10	"(A) PILOT PERIOD LIMITATIONS.—For
11	each pilot period (including renewals of such
12	period) the Secretary may not approve—
13	"(i) more than 5 pilot projects for eli-
14	gible States described in paragraph (3) to
15	carry out a pilot project described in sub-
16	section $(b)(1)(B)(i)$ , except as provided in
17	subparagraph (C); and
18	"(ii) more than 4 pilot projects for
19	local areas (or consortia of local areas) to
20	carry out a pilot project described in clause
21	(ii) or (iii) of subsection (b)(1)(B).
22	"(B) STATE LIMITATIONS.—Not more
23	than 1 pilot project may be approved under this
24	section per State. For purposes of this subpara-
25	graph, a pilot project described in clause (ii) or

1	(iii) of subsection $(b)(1)(B)$ approved for a local
2	area or a consortium of local areas, respectively,
3	in a State shall be considered a pilot project ap-
4	proved under this section for the State.
5	"(C) SUBSEQUENT APPROVAL.—Notwith-
6	standing subparagraph (A)(i), the Secretary
7	may award authority to carry out a pilot project
8	for a State as a whole under this section to $2$
9	additional eligible States described in paragraph
10	(3), if, at the beginning of the third year of the
11	pilot projects awarded to the 5 eligible States
12	under subparagraph (A)(i), each of such
13	States—
14	"(i) has met or exceeded expected lev-
15	els of performance under the primary indi-
16	cators of performance described in section
17	116(b)(2)(A); and
18	"(ii) meets the requirement described
19	in subsection $(e)(4)$ .
20	"(3) ELIGIBLE STATES.—The Secretary may
21	not approve a pilot project for a State as a whole
22	described in subsection $(b)(1)(B)(i)$ unless, at the
23	time of submission of the application, such State is
24	

1	"(A) a State designated as a single State
2	local area under section 106(d), including a
3	State that has received consent to be so des-
4	ignated under section $106(d)(2)$ ; or
5	"(B) a State with—
6	"(i) a labor force participation rate
7	that is less than 60 percent for the most
8	recent program year; and
9	"(ii) a population of less than
10	5,100,000, as determined by the most re-
11	cent decennial census released by the Bu-
12	reau of the Census.
13	"(4) Equitable flexibility pilot author-
14	ITY.—No less than 2 and no more than 3 of the eli-
15	gible States for which the Secretary awards author-
16	ity to carry out a pilot project for the eligible State
17	as a whole under this section shall be States eligible
18	under paragraph (3)(B), at the time of submission
19	of the application, except that in the case of subse-
20	quent approval described in paragraph $(2)(C)$ , ex-
21	actly 50 percent of the eligible States for which the
22	Secretary awards authority under such paragraph to
23	carry out a pilot project for the eligible State as a
24	whole shall be States eligible under paragraph
25	(3)(B).

1	"(d) Application.—
2	"(1) IN GENERAL.—To be eligible to carry out
3	a pilot project under this section, a State shall sub-
4	mit to the Secretary an application at such time and
5	in such manner as the Secretary may reasonably re-
6	quire, and containing the information described in
7	paragraph (2).
8	"(2) CONTENT.—Each application submitted by
9	a State under this subsection shall include the fol-
10	lowing:
11	"(A) A description of the pilot project to
12	be carried out under this section, including—
13	"(i) whether the project will be car-
14	ried out—
15	"(I) by the State as a whole;
16	"(II) by a local area, and if so—
17	"(aa) an identification of—
18	"(AA) such local area;
19	and
20	"(BB) whether the
21	local area will be the fiscal
22	agent for the project, or
23	whether the local board has
24	entered into a written agree-
25	ment with the State for the

1	State to serve as the fiscal
2	agent during the project;
3	and
4	"(bb) written verification
5	from the local board for such
6	local area that such local board
7	agrees—
8	"(AA) to carry out such
9	project; and
10	"(BB) to the fiscal
11	agent identified in item
12	(aa)(BB); or
13	"(III) by a consortium of local
14	areas in the State, and if so—
15	"(aa) an identification of—
16	"(AA) each local area
17	that comprises the consor-
18	tium; and
19	"(BB) the local area
20	that will serve as the fiscal
21	agent for the consortium
22	during the project, or wheth-
23	er the consortium has en-
24	tered into a written agree-
25	ment with the State for the

1	State to serve as the fiscal
2	agent; and
3	"(bb) written verification
4	from each local board of each
5	local area identified in item
6	(aa)(AA) that such local board
7	agrees—
8	"(AA) to carry out such
9	project as a consortium; and
10	"(BB) to the fiscal
11	agent for the consortium
12	identified in item (aa)(BB);
13	"(ii) a description of the activities to
14	be carried out under the project, includ-
15	ing—
16	"(I) the activities to be carried
17	out under the reservation required
18	under subparagraph (C) or (D) of
19	subsection $(b)(1)$ , as applicable;
20	"(II) how the activities will com-
21	ply with the priority of service de-
22	scribed in subsection $(e)(3)$ ; and
23	"(III) how the activities will be
24	made available through the one-stop

1	delivery system described in sub-
2	section $(b)(2)(A)(iv);$
3	"(iii) the goals the State, local area,
4	or consortium intends to achieve through
5	such activities, which shall be aligned with
6	the purpose described in subsection (a);
7	and
8	"(iv) a description of any reforms or
9	improvements, including any reforms or
10	improvements that may be evidence-based,
11	to service delivery to be carried out under
12	the project.
13	"(B) A description of the performance out-
14	comes the State, the local area, or consortium
15	expects to achieve for such activities for each
16	year of the pilot project period as described in
17	subsection $(f)(1)$ .
18	"(C) A description of how the State, local
19	area, or consortium consulted with employers,
20	the State board, and the local boards in the
21	State in determining the activities to carry out
22	under the pilot project.
23	"(D) A description of how the State will
24	make such activities available to jobseekers and
25	employers in each of the local areas in the State

1	or, in a case of a project that will be carried out
2	by a local area or a consortium, a description
3	of how such services will be made available to
4	jobseekers and employers in such local area or
5	each of the local areas in the consortium.
6	"(E) A description, if appropriate, of how
7	the State, local area, or consortium will inte-
8	grate the funds received, and the activities car-
9	ried out, under the pilot project under this sec-
10	tion with funds and activities for State work-
11	force development programs and other Federal,
12	State, or local workforce, education, or social
13	service programs (including the programs and
14	activities listed in section $103(a)(2)$ , the pro-
15	gram of adult education and literacy activities
16	authorized under title II, and the program au-
17	thorized under title I of the Rehabilitation Act
18	of 1973 (29 U.S.C. 720 et seq.)).
19	"(F) An assurance that the State, local
20	area, or consortium will meet the requirements
21	of this section.
22	"(3) Secretarial approval.—
23	"(A) IN GENERAL.—The Secretary shall—
24	"(i) approve an application submitted
25	under this subsection, and the pilot project

1	described in such application, not later
2	than 90 days after the date on which such
3	application is submitted, unless the Sec-
4	retary meets the requirements of clause
5	(ii); and
6	"(ii) have the authority to disapprove
7	such application only if, by not later than
8	90 days after the date on which such appli-
9	cation is submitted, the Secretary—
10	"(I) determines—
11	"(aa) that such application
12	is subject to the limitations de-
13	scribed in subsection $(c)(2)$ ; or
14	"(bb) that such application
15	fails to meet the requirements of
16	this section; and
17	"(II) in a case which the Sec-
18	retary makes the determination de-
19	scribed in subclause (I)(bb), provides
20	to the State a written explanation of
21	initial disapproval that meets the re-
22	quirements of subparagraph (B).
23	"(B) INITIAL DISAPPROVAL.—An expla-
24	nation of initial disapproval provided by the

1	Secretary to a State under subnarrament
	Secretary to a State under subparagraph
2	(A)(ii)(II) shall provide the State with—
3	"(i) a detailed explanation of why the
4	application does not meet the requirements
5	of this section; and
6	"(ii) if the State is not subject to the
7	limitations described in subsection (c), an
8	opportunity to revise and resubmit the
9	State's application under this section.
10	"(C) RULE OF CONSTRUCTION.—Nothing
11	in this paragraph shall be construed to require
12	the Secretary to approve more pilot projects
13	than allowed under the limitations described in
14	subsection $(c)(2)$ .
15	"(4) PRIORITY.—In approving pilot projects
16	under this section in the case that more eligible
17	States, for the State as a whole, or more States, on
18	behalf of local areas and consortia of local areas,
19	have submitted applications that meet the require-
20	ments of this section than the Secretary is allowed
21	to approve pursuant to the limitations described in
22	subsection (c)(2), the Secretary shall give priority
23	consideration as follows:
24	"(A) For applications seeking a pilot

project for the eligible State as a whole—

25

1	"(i) first, to applications submitted by
2	eligible States with a population of not
3	more than $5,000,000$ and not less than $15$
4	workforce boards, as of the date of enact-
5	ment of the A Stronger Workforce for
6	America Act; and
7	"(ii) second, to applications submitted
8	by eligible States that have achieved the
9	State adjusted levels of performance for
10	the youth program authorized under chap-
11	ter 2 of subtitle B and the adult and dis-
12	located worker programs authorized under
13	chapter 3 of subtitle B in the most recent
14	program year for which performance infor-
15	mation is available.
16	"(B) For applications seeking a pilot
17	project for a local area or consortium of local
18	areas, to applications submitted by local areas
19	or consortia of local areas that have achieved
20	the negotiated local levels of performance for
21	such youth program and such adult and dis-
22	located worker programs in the most recent
23	program year for which performance informa-
24	tion is available.

"(e) STATE PILOT PROJECT REQUIREMENTS.—A
 State, local area, or consortium that has been approved
 to carry out a pilot project under this section shall meet
 each of the following requirements:

5 "(1) USE OF FUNDS.—Use the funds received
6 pursuant to subsection (b)(1)(B) solely to carry out
7 the activities of the pilot project to achieve the goals
8 of the pilot project, as described in subsection
9 (d)(2)(A).

10 "(2) ADMINISTRATIVE COSTS LIMITATION.—
11 Use not more than 10 percent of the funds received
12 pursuant to subsection (b)(1)(B) for a fiscal year for
13 the administrative costs of carrying out the pilot
14 project.

"(3) PRIORITY FOR SERVICES.—Give priority
for services under the project to veterans and their
eligible spouses in accordance with the requirements
of section 4215 of title 38, United States Code, recipients of public assistance, low-income individuals,
individuals who have foundational skill needs, opportunity youth, and dislocated workers.

"(4) NUMBER OF PARTICIPANTS.—Serve a
number of participants under the activities of the
pilot project for each year of the pilot project period
that—

1	"(A) is greater than the number of partici-
2	pants served by such State, local area, or con-
3	sortium, as applicable, under the programs de-
4	scribed in subparagraph (A) of section $3(13)$
5	for the most recent program year that ended
6	prior to the beginning of the first year of the
7	pilot project period; or
8	"(B) is not less than the number of par-
9	ticipants to be served under the activities of the
10	pilot project that is agreed upon between the
11	State, local area, or consortium, as applicable,
12	and the Secretary—
13	"(i) prior to the Secretary's approval
14	of the application submitted under sub-
15	section (d); and
16	"(ii) after the Secretary takes into ac-
17	count—
18	"(I) the goals the State, local
19	area, or consortium intends to achieve
20	through the pilot project; and
21	"(II) the participants the State,
22	local area, or consortium intends to
23	serve under such project.

1	"(5) Reporting outcomes.—Submit, on an
2	annual basis, to the Secretary a report, with respect
3	to such State, local area, or consortium—
4	"(A) on participant outcomes for each in-
5	dicator of performance described in subsection
6	(f)(1)(A) for the activities carried out under the
7	project;
8	"(B) on the applicable requirements of sec-
9	tion $116(d)(2)$ , including—
10	"(i) subparagraph (B) of such section;
11	and
12	"(ii) subparagraphs (C), (D), (E),
13	(F), (G), and (J) of such section, as such
14	subparagraphs are applicable to activities
15	under the pilot project; and
16	"(C) containing a description of how the
17	State spent the amounts reserved under sub-
18	section $(b)(1)(C)$ or the local area or consor-
19	tium spent the amounts reserved under sub-
20	section $(b)(1)(D)$ , as applicable, and any evi-
21	dence-based practices developed with such
22	amounts.
23	"(6) Compliance with certain existing re-
24	QUIREMENTS.—Comply with the statutory or regu-

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1	latory requirements listed in subparagraphs (A) and
2	(B) of subsection $(b)(2)$ .
3	"(f) Performance Accountability.—
4	"(1) Establishment of baseline levels
5	FOR PERFORMANCE.—
6	"(A) IN GENERAL.—Each State shall de-
7	scribe in the application submitted under sub-
8	section (d), for each year of the pilot project pe-
9	riod—
10	"(i) with respect to participants who
11	are at least 25 years old, the expected
12	State levels of performance or expected
13	local levels of performance, as the case
14	may be, for each of the indicators of per-
15	formance under section 116(b)(2)(A)(i) for
16	the activities carried out under the project
17	under this section, which shall meet the re-
18	quirements of subparagraph (B); and
19	"(ii) with respect to participants who
20	are at least 16 years old and not older
21	than 24 years old, the expected State levels
22	of performance or expected local levels of
23	performance, as the case may be, for each
24	of the indicators of performance under sec-
25	tion 116(b)(2)(A)(ii) for the activities car-

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1	ried out under the project under this sec-
2	tion, which shall meet the requirements of
3	subparagraph (B).
4	"(B) FIFTH YEAR.—Each of the expected
5	levels of performance established pursuant to
6	subparagraph (A) for each of the indicators of
7	performance for the fifth year of the pilot
8	project period shall be higher than—
9	"(i) the highest State adjusted or ne-
10	gotiated local level of performance, as ap-
11	plicable, for the corresponding indicator of
12	performance for the programs described in
13	subparagraph (A) of section $3(13)$ , for the
14	most recent program year for such State
15	that ended prior to the beginning of the
16	first year of the pilot project period; or
17	"(ii) an alternate baseline level of per-
18	formance that—
19	"(I) shall not be lower than the
20	most recent State adjusted or nego-
21	tiated local level of performance (in-
22	cluding any revisions) for the cor-
23	responding indicator of performance
24	for the youth program under chapter
25	2 of subtitle B or the adult or dis-

1	located worker program under chapter
2	3 of such subtitle (using the program
3	determined most applicable by the
4	Governor of the State submitting the
5	application), taking into account the
6	goals the State intends to achieve
7	through the pilot project and the par-
8	ticipants the State intends to serve
9	through such project; and
10	"(II) is agreed upon between the
11	State and the Secretary—
12	"(aa) prior to the Sec-
13	retary's approval of the applica-
14	tion submitted under subsection
15	(d); and
16	"(bb) after the Secretary
17	takes into account—
18	"(AA) the goals the
19	State intends to achieve
20	through the pilot project;
21	and
22	"(BB) the participants
23	the State intends to serve
24	under such project.

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2 ON EXPECTED LEVELS OF PERFORMANCE.-3 Prior to approving an application for a pilot 4 project submitted by a State, and using the ex-5 pected levels of performance described in such 6 application, the Secretary shall reach an agree-7 ment with such State on the expected levels of 8 performance for each of the indicators of per-9 formance. In reaching an agreement on such 10 expected levels of performance, the Secretary 11 and the State may consider the factors de-12 scribed in section 116(b)(3)(A)(v).

## 13 "(2) SANCTIONS.—

1

14 "(A) IN GENERAL.—The sanctions de-15 scribed in section 116(f)(1)(B) shall apply to a 16 State, local area, or consortium of local areas 17 beginning on the third year of the pilot project 18 period (and, for failures described in clause (ii)(II) of that section, shall first apply for con-19 20 secutive failures in that third year and the fol-21 lowing year) for such State, local area, or con-22 sortium, except that the expected levels of per-23 formance established under paragraph (1) shall 24 be—

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1	"(i) deemed to be levels of perform-
2	ance agreed to under section
3	116(b)(3)(A)(iv), for purposes of this para-
4	graph; and
5	"(ii) adjusted at the end of each pro-
6	gram year to reflect the actual characteris-
7	tics of participants served and the actual
8	economic conditions experienced using a
9	statistical adjustment model similar to the
10	model described in section
11	116(b)(3)(A)(viii).
12	"(B) INELIGIBILITY FOR RENEWAL.—A
13	State, local area, or consortium that is subject
14	to such sanctions shall be ineligible to renew its
15	pilot project period under subsection (c).
16	"(3) Impact of local or consortium pilot
17	PROJECTS ON STATEWIDE ACCOUNTABILITY.—With
18	respect to a State with an approved pilot project for
19	a local area or consortium of local areas in the
20	State—
21	"(A) the performance of such local area or
22	consortium for the programs described in sub-
23	paragraph (A) of section $3(13)$ shall not be in-
24	cluded in the levels of performance for such
25	State for any of such programs for purposes of

1	section 116 for any program year that is appli-
2	cable to any year of the pilot project period;
3	and
4	"(B) with respect to any local areas of the
5	State that are not part of the pilot project, the
6	State shall reach a new agreement with the
7	Secretary, for purposes of section 116(b)(3)(A),
8	on levels of performance for such programs for
9	such program years.
10	"(g) TERMINATION.—Except as provided under sub-
11	section $(c)(1)(B)$ , the Secretary may not approve a pilot
12	project after December 31, 2030.".
13	SEC. 198. GENERAL PROGRAM REQUIREMENTS.
13 14	<b>SEC. 198. GENERAL PROGRAM REQUIREMENTS.</b> Section 194 of the Workforce Innovation and Oppor-
14 15	Section 194 of the Workforce Innovation and Oppor-
14 15	Section 194 of the Workforce Innovation and Oppor- tunity Act (29 U.S.C. 3254)) is amended by adding at
14 15 16	Section 194 of the Workforce Innovation and Oppor- tunity Act (29 U.S.C. 3254)) is amended by adding at the end the following:
14 15 16 17	Section 194 of the Workforce Innovation and Oppor- tunity Act (29 U.S.C. 3254)) is amended by adding at the end the following: "(16)(A) IN GENERAL.—Each recipient of
14 15 16 17 18	Section 194 of the Workforce Innovation and Oppor- tunity Act (29 U.S.C. 3254)) is amended by adding at the end the following: "(16)(A) IN GENERAL.—Each recipient of funds described in section 128(a), section 128(b), or
14 15 16 17 18 19	Section 194 of the Workforce Innovation and Oppor- tunity Act (29 U.S.C. 3254)) is amended by adding at the end the following: "(16)(A) IN GENERAL.—Each recipient of funds described in section 128(a), section 128(b), or section 133(b) or under subtitle C or D (including
<ol> <li>14</li> <li>15</li> <li>16</li> <li>17</li> <li>18</li> <li>19</li> <li>20</li> </ol>	Section 194 of the Workforce Innovation and Oppor- tunity Act (29 U.S.C. 3254)) is amended by adding at the end the following: "(16)(A) IN GENERAL.—Each recipient of funds described in section 128(a), section 128(b), or section 133(b) or under subtitle C or D (including a provider described in section 122(i) that is award-
<ol> <li>14</li> <li>15</li> <li>16</li> <li>17</li> <li>18</li> <li>19</li> <li>20</li> <li>21</li> </ol>	Section 194 of the Workforce Innovation and Oppor- tunity Act (29 U.S.C. 3254)) is amended by adding at the end the following: "(16)(A) IN GENERAL.—Each recipient of funds described in section 128(a), section 128(b), or section 133(b) or under subtitle C or D (including a provider described in section 122(i) that is award- ed such funds by a State or local area) shall provide

1	"(B) Appropriate Entity.—For the purposes of
2	this paragraph, the term 'appropriate entity' means—
3	"(i) in the case of any funds described in sec-
4	tion 128(a), the Governor of the State providing
5	such funds;
6	"(ii) in the case of any funds described in sec-
7	tion 128(b) or section 133(b), the local board pro-
8	viding such funds; and
9	"(iii) in the case of any funds under subtitle C
10	or D, the Secretary.
11	"(17) Regarding states with low popu-
12	LATION DENSITY.—
13	"(A) Low-density workforce area
14	CONSIDERATIONS.—In the case of a local area
15	located in a 'low-density workforce area', sec-
16	tion $129(c)(4)$ shall be applied—
17	"(i) by substituting '25 percent' for
18	'40 percent'; and
19	''(ii) by substituting '7 and $1/2$ per-
20	cent' for '12 and $1/2$ percent'.
21	"(B) Low-density workforce area
22	DEFINITION.—In this title, the term 'low-den-
23	sity workforce area' means a State with a popu-
24	lation density of less than 1.5 persons per

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1	square mile, as determined by the most recent
2	decennial census of the Bureau of the Census.".
3	TITLE II—ADULT EDUCATION
4	AND LITERACY
5	SEC. 201. PURPOSE.
6	Section 202 of the Workforce Innovation and Oppor-
7	tunity Act (29 U.S.C. 3271) is amended—
8	(1) in paragraph $(1)$ , by inserting "(including
9	digital literacy skills)" before "necessary";
10	(2) in paragraph $(3)$ , by striking "secondary
11	school diploma" and inserting "regular high school
12	diploma or its recognized equivalent"; and
13	(3) in paragraph (4), by striking "English lan-
14	guage learners" and inserting "English learners".
15	SEC. 202. DEFINITIONS.
16	Section 203 of the Workforce Innovation and Oppor-
17	tunity Act (29 U.S.C. 3272) is amended—
18	(1) in paragraph $(1)$ —
19	(A) in subparagraph (A)—
20	(i) by striking "and speak" and in-
21	serting "listen, speak, and comprehend";
22	and
23	(ii) by striking "secondary" and in-
24	serting "regular high";

1	(B) in subparagraph (B), by striking
2	"and" at the end;
3	(C) by redesignating subparagraph (C) as
4	subparagraph (D); and
5	(D) by inserting after subparagraph (B)
6	the following:
7	"(C) develop and use digital literacy skills;
8	and";
9	(2) by redesignating paragraphs $(3)$ through
10	(14), (15), (16),  and  (17),  as paragraphs  (4)
11	through (15), (17), (18), and (19), respectively;
12	(3) by inserting after paragraph $(2)$ the fol-
13	lowing:
14	"(3) DIGITAL LITERACY SKILLS.—The term
15	'digital literacy skills' has the meaning given the
16	term in section 202 of the Museum and Library
17	Services Act (20 U.S.C. 9101).";
18	(4) in paragraph $(5)(C)$ (as so redesignated)—
19	(A) by striking clause (i) and inserting the
20	following:
21	"(i) has foundational skill needs;";
22	(B) in clause (ii), by striking "secondary"
23	and inserting "regular high"; and

1

2	language learner" and inserting "English learn-
3	er'';
4	(5) in paragraph (7) (as so redesignated)—
5	(A) in subparagraph (A), by striking
6	"English language learners" and inserting
7	"English learners"; and
8	(B) in subparagraph (B)(i)(I), by striking
9	"secondary" and inserting "regular high";
10	(6) in paragraph (8) (as so redesignated)—
11	(A) in the paragraph heading, by striking
12	"LANGUAGE"; and
13	(B) in the matter preceding subparagraph
14	(A), by striking "English language learner" and
15	inserting "English learner";
16	(7) in the matter preceding subparagraph (A)
17	in paragraph (10) (as so redesignated), by inserting
18	"and educational" after "the economic";
19	(8) in paragraph (13) (as so redesignated)—
20	(A) by striking "English language learn-
21	ers" and inserting "English learners"; and
22	(B) by striking "and may include work-
23	force training." and inserting the following:
24	"and may—

1	"(A) include skills development, postsec-
2	ondary preparation activities, digital literacy
3	skills instruction, financial literacy instruction,
4	and workforce training; and
5	"(B) be provided concurrently with other
6	activities and services, such as adult edu-
7	cation.";
8	(9) in paragraph (14) (as so redesignated), by
9	striking "and speak in English, compute, and solve
10	problems," and inserting "speak, and comprehend in
11	English, compute, solve problems, and have digital
12	literacy skills,"; and
13	(10) by inserting after paragraph $(15)$ (as so
14	redesignated) the following:
15	"(16) Postsecondary preparation activi-
16	TIES.—The term 'postsecondary preparation activi-
17	ties' means academic counseling (which may be pro-
18	vided by a college and career navigator) and services
19	designed to support enrollment and success in post-
20	secondary education that include assisting individ-
21	uals to—
22	"(A) identify postsecondary educational op-
23	tions that prepare individuals for unsubsidized
24	employment;

1	"(B) navigate the transition from adult
2	education to postsecondary education;
3	"(C) navigate the transition from adult
4	education to workforce development programs
5	and services;
6	"(D) coenroll in adult education and work-
7	force development programs, if applicable;
8	"(E) improve academic skills so that indi-
9	viduals are prepared to participate in postsec-
10	ondary education without need for remediation;
11	or
12	"(F) learn notetaking, study skills, and
13	other skills that promote student success in
14	postsecondary education.".
15	SEC. 203. AUTHORIZATION OF APPROPRIATIONS.
16	Section 206 of the Workforce Innovation and Oppor-
17	tunity Act (29 U.S.C. 3275) is amended to read as follows:
18	<b>"SEC. 206. AUTHORIZATION OF APPROPRIATIONS.</b>
19	"There are authorized to be appropriated to carry out
20	this title \$751,042,100 for each of the fiscal years 2025
21	through 2030.".
22	SEC. 204. SPECIAL RULE.
23	Section 211 of the Workforce Innovation and Oppor-
24	tunity Act (29 U.S.C. 3291) is amended—

 (1) in subsection (d)(3), by striking "secondary" and inserting "regular high"; and
 (2) in subsection (e)(3), by striking "period described in section 3(45)" and inserting "period described in subparagraph (B) of section 3(50)".
 SEC. 205. PERFORMANCE ACCOUNTABILITY SYSTEM.
 Section 212 of the Workforce Innovation and Oppor-

8 tunity Act (29 U.S.C. 3292) is amended to read as follows:

## 9 "SEC. 212. PERFORMANCE ACCOUNTABILITY SYSTEM.

10 "(a) IN GENERAL.—Programs and activities authorized in this title are subject to the performance account-11 12 ability provisions described in section 116, except that the indicator described in subsection (b)(2)(A)(i)(VI) of such 13 14 section shall be applied as if it were the percentage of pro-15 gram participants who exited the program during the program year and completed an integrated education and 16 training program. 17

18 "(b) DATA COLLECTION.—Notwithstanding section 19 134(a) of the Higher Education Act of 1965 (20 U.S.C. 20Secretary is 1015c(a)), the authorized collect to 21 deidentified participant-level data for participants in pro-22 grams and activities funded under this title on the infor-23 mation required for State performance reports as de-24 scribed in section 116(d) for the sole purpose of administering the performance accountability system under sec tion 116.".

## 3 SEC. 206. MATCHING REQUIREMENT.

4 Section 222(b) of the Workforce Innovation and Op5 portunity Act (29 U.S.C. 3302(b)) is amended by adding
6 at the end the following:

7 "(3) PUBLIC AVAILABILITY OF INFORMATION 8 ON MATCHING FUNDS.—Each eligible agency shall 9 maintain, on a publicly accessible website of such 10 agency and in an easily accessible format, informa-11 tion documenting the non-Federal contributions 12 made available to programs that offer adult edu-13 cation and literacy activities or family literacy activi-14 ties pursuant to this subsection, including—

"(A) the sources of such contributions, except that in the case of private contributions,
names of the individuals or entities providing
such contributions may not be disclosed; and

19 "(B) in the case of funds made available
20 by a State or outlying area, an explanation of
21 how such funds are distributed to eligible pro22 viders.".

## 23 SEC. 207. STATE LEADERSHIP ACTIVITIES.

Section 223(a) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3303(a)) is amended—

1	(1) in paragraph $(1)$ —
2	(A) in subparagraph (A), by striking "ac-
3	tivities." and inserting "activities and the iden-
4	tification of opportunities to coordinate with ac-
5	tivities supported under the Carl D. Perkins
6	Career and Technical Education Act of 2006
7	(20 U.S.C. 2301 et seq.) to expand integrated
8	education and training programs.";
9	(B) in subparagraph (C)—
10	(i) in clause (i), by striking "based on
11	the most rigorous or scientifically valid re-
12	search available and appropriate, in read-
13	ing, writing, speaking, mathematics," and
14	inserting "based on evidence-based prac-
15	tices, in reading, writing, speaking,
16	English comprehension, mathematics,";
17	(ii) in clause (ii), by striking "and" at
18	the end;
19	(iii) in clause (iii), by striking the pe-
20	riod at the end and inserting "; and"; and
21	(iv) by adding at the end the fol-
22	lowing:
23	"(iv) assistance in reporting partici-
24	pant outcomes for the performance ac-
25	countability system described in section

1	212, including facilitating partnerships
2	with the appropriate State entities to con-
3	duct matches with State administrative
4	data (such as wage records) to determine
5	program performance on the indicators of
6	performance described in subclauses (I)
7	through (III) of section $116(b)(2)(A)(i)$
8	and which may include assistance in inte-
9	grating with statewide longitudinal data
10	systems.";
11	(C) by redesignating subparagraph (D) as
12	subparagraph (E); and
13	(D) by inserting after subparagraph (C)
14	the following:
15	"(D) The development, identification, ac-
16	quisition, and dissemination (which may be
17	done in coordination with other States) of evi-
18	dence-based instructional materials (to the ex-
19	tent available) that lead to literacy, English lan-
20	guage acquisition, a recognized postsecondary
21	credential, or any combination of such results;
22	and—
23	"(i) are designed to meet the needs of
24	adult learners, including English learners,
25	and may be developed for integrated edu-

1	cation and training in an in-demand indus-
2	try sector or occupation within the State;
3	and
4	"(ii) will improve the instruction pro-
5	vided pursuant to the local activities re-
6	quired under section 231(b)."; and
7	(2) in paragraph $(2)$ —
8	(A) by redesignating subparagraphs (E),
9	(F), (G), (H), (I), (J), (K), (L), and (M), as
10	subparagraphs (F), (G), (H), (I), (J), (K), (L),
11	(M), and (R), respectively;
12	(B) by inserting after subparagraph (D)
13	the following:
14	((E) Developing content and models for
15	programs that support family literacy activi-
16	ties.";
17	(C) in subparagraph $(J)(i)$ (as so redesig-
18	nated)—
19	(i) by striking "mathematics, and
20	English" and inserting "mathematics,
21	English"; and
22	(ii) by striking "acquisition;" and in-
23	serting "acquisition, and digital literacy
24	skills;'';

1	(D) by striking subparagraph (K) (as so
2	redesignated) and inserting the following:
3	"(K) Developing and piloting of strategies
4	for improving adult educator recruitment, qual-
5	ity, and retention, such as—
6	"(i) the provision of professional de-
7	velopment; and
8	"(ii) the development and mainte-
9	nance of policies for awarding recognized
10	postsecondary credentials to adult edu-
11	cators who demonstrate effectiveness at
12	improving the achievement of adult stu-
13	dents.";
14	(E) in subparagraph (L) (as so redesig-
15	nated), by striking "English language learners"
16	and inserting "English learners";
17	(F) in subparagraph (M) (as so redesig-
18	nated), by inserting ", which may include
19	through partnerships with local educational
20	agencies or public agencies to recruit eligible in-
21	dividuals" after "employers"; and
22	(G) by inserting after subparagraph (M)
23	(as so redesignated) the following:
24	"(N) Performance incentive payments to
25	eligible providers, including incentive payments

1	linked to increased use of integrated education
2	and training or other forms of instruction link-
3	ing adult education with the development of oc-
4	cupational skills for an in-demand industry sec-
5	tor or occupation in the State.
6	"(O) Strengthening the quality and effec-
7	tiveness of adult education and programs that
8	support family literacy activities in the State
9	through support for program quality standards
10	and accreditation requirements.
11	"(P) Raising public awareness (including
12	through public service announcements, such as
13	social media campaigns) about career and tech-
14	nical education programs and community-based
15	organizations, and other endeavors focused on
16	programs that prepare individuals for in-de-
17	mand industry sectors or occupations.
18	"(Q) Postsecondary preparation activi-
19	ties.".
20	SEC. 208. PROGRAMS FOR CORRECTIONS EDUCATION AND
21	OTHER INSTITUTIONALIZED INDIVIDUALS.
22	Section 225 of the Workforce Innovation and Oppor-
23	tunity Act (29 U.S.C. 3305) is amended—
24	(1) by striking subsection (a) and inserting the
25	following:

1	"(a) Program Authorized.—
2	"(1) IN GENERAL.—From funds made available
3	under section $222(a)(1)$ for a fiscal year, each eligi-
4	ble agency shall carry out corrections education and
5	education for justice-involved individuals and other
6	institutionalized individuals.
7	"(2) PRIORITY.—An eligible agency granting
8	awards from funds authorized under paragraph (1)
9	shall give priority to an eligible entity that proposes
10	to operate an educational program in a correctional
11	institution that is also served by a program author-
12	ized under section 172.";
13	(2) in subsection (b)—
14	(A) in the matter preceding paragraph (1),
15	by striking "for criminal offenders in correc-
16	tional institutions and for other institutional-
17	ized individuals" and inserting "for justice-in-
18	volved individuals in correctional institutions
19	and for other institutionalized individuals"; and
20	(B) in paragraph (3), by striking "sec-
21	ondary school credit" and inserting "attainment
22	of a regular high school diploma or its recog-
23	nized equivalent";
24	(3) in subsection (c), by striking "criminal of-
25	fenders" and inserting "justice-involved individuals";

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1	(4) by redesignating subsections (d) and (e) as
2	subsections (e) and (f), respectively;
3	(5) by inserting after subsection (c) the fol-
4	lowing:
5	"(d) COORDINATION.—Each eligible agency that is
6	using assistance provided under this section to carry out
7	a program for justice-involved individuals within a correc-
8	tional institution shall—
9	"(1) coordinate such educational programs with
10	career and technical education activities provided to
11	individuals in State institutions from funds reserved
12	under section $112(a)(2)(A)$ of the Carl D. Perkins
13	Career and Technical Education Act of 2006 (20
14	U.S.C. 2322(a)(2)(A));
15	"(2) identify opportunities to develop integrated
16	education and training opportunities for such indi-
17	viduals;
18	"(3) coordinate with institutions of higher edu-
19	cation operating a prison education program in the
20	State; and
21	"(4) if the correctional institution is also served
22	by a program authorized under section 172, provide
23	a description of how the award funds under this sec-
24	tion will be used to carry out the activities described

1	in section 172, in conjunction with the activities de-
2	scribed in subsection (b).";
3	(6) in subsection (e) (as so redesignated), by
4	striking "criminal offenders" and inserting "justice-
5	involved individuals"; and
6	(7) in subsection (f) (as so redesignated)—
7	(A) in paragraph $(1)(F)$ , by striking
8	"criminal offenders" and inserting "justice-in-
9	volved individuals"; and
10	(B) by striking paragraph (2) and insert-
11	ing the following:
12	"(2) JUSTICE-INVOLVED INDIVIDUAL.—The
13	term 'justice-involved individual' means any indi-
14	vidual who has been adjudicated delinquent or con-
15	victed of a crime and imprisoned under Federal or
16	State law.
17	"(3) PRISON EDUCATION PROGRAM.—The term
18	'prison education program' has the meaning given
19	the term in section 484 of the Higher Education Act
20	of 1965 (20 U.S.C. 1091).".
21	SEC. 209. GRANTS AND CONTRACTS FOR ELIGIBLE PRO-
22	VIDERS.
23	Section 231 of the Workforce Innovation and Oppor-
24	tunity Act (29 U.S.C. 3321) is amended—
25	(1) in subsection (a)—

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1	(A) by striking "From grant funds" and
2	inserting the following:
3	"(1) IN GENERAL.—From grant funds"; and
4	(B) by adding at the end the following:
5	"(2) PROMPT AVAILABILITY OF FUNDS.—Each
6	eligible agency shall ensure that funds are available
7	for reimbursement to an eligible provider that is
8	awarded a multiyear grant or contract under para-
9	graph $(1)$ not later than 45 days after the date on
10	which the multiyear grant or contract is awarded.";
11	(2) in subsection (d), by striking "section
12	203(4)" and inserting "section $203(5)$ ";
13	(3) in subsection (e)—
14	(A) in paragraph $(1)(B)(ii)$ , by striking
15	"English language learners" and inserting
16	"English learners";
17	(B) in paragraph $(5)$ —
18	(i) in subparagraph (A), by striking
19	"and" at the end;
20	(ii) in subparagraph (B), by adding
21	"and" at the end; and
22	(iii) by adding at the end the fol-
23	lowing:
24	"(C) uses instructional materials that are
25	designed to meet the needs of adult learners

1	and English learners and are evidence-based (to
2	the extent practicable), which may include, but
3	shall not be required to include, the instruc-
4	tional materials disseminated by the State
5	under section 223(a)(1)(D);";
6	(C) in paragraph (6)—
7	(i) by striking "speaking, mathe-
8	matics, and English" and inserting
9	"speaking and listening, mathematics,
10	comprehension, and English''; and
11	(ii) by inserting before the semicolon
12	at the end the following: ", which may in-
13	clude the application of the principles of
14	universal design for learning"; and
15	(D) in paragraph (10), by inserting "local
16	educational agencies," after "strong links
17	with"; and
18	(4) by adding at the end the following:
19	"(f) COST ANALYSIS.—In determining the amount of
20	funds to be awarded in grants or contracts under this sec-
21	tion, the eligible agency may consider the costs of pro-
22	viding learning in context, including integrated education
23	and training and workplace adult education and literacy
24	activities, and the extent to which the eligible provider in-

1	tends to serve individuals using such activities, in order
2	to align the amount of funds awarded with such costs.".
3	SEC. 210. LOCAL APPLICATION.
4	Section 232 of the Workforce Innovation and Oppor-
5	tunity Act (29 U.S.C. 3322) is amended—
6	(1) in paragraph (4), by inserting "and coordi-
7	nate with the appropriate State entity" after "data";
8	(2) in paragraph (6), by striking "; and" and
9	inserting ", such as how the eligible provider may
10	provide adult education and literacy activities in a
11	manner that is integrated with postsecondary prepa-
12	ration activities to enable students to prepare for op-
13	portunities to attain a recognized postsecondary cre-
14	dential;";
15	(3) by redesignating paragraph $(7)$ as para-
16	graph (8); and
17	(4) by inserting after paragraph (6) the fol-
18	lowing:
19	"(7) a description of how the eligible provider
20	will provide learning in context, including through
21	partnerships with employers to offer workplace adult
22	education and literacy activities and integrated edu-
23	cation and training; and".

1	1404 SEC. 211. LOCAL ADMINISTRATIVE COST LIMITS.
2	Section 233(a) of the Workforce Innovation and Op-
3	portunity Act (29 U.S.C. 3323(a)) is amended—
4	(1) in paragraph $(1)$ , by striking "95" and in-
5	serting "85"; and
6	(2) by striking paragraph $(2)$ and inserting the
7	following:
8	"(2) the remaining amount—
9	"(A) not to exceed 10 percent, may be
10	used for professional development for adult edu-
11	cators; and
12	"(B) not to exceed 5 percent, shall be used
13	for planning, administration (including carrying
14	out the requirements of section 116), profes-
15	sional development of administrative staff, and
16	the activities described in paragraphs (3) and
17	(5) of section 232.".
18	SEC. 212. NATIONAL LEADERSHIP ACTIVITIES.
19	Section 242 of the Workforce Innovation and Oppor-
20	tunity Act (29 U.S.C. 3332) is amended—
21	(1) in subsection (b)(1), by striking "116;" and
22	inserting "116, including the dissemination of effec-
23	tive practices used by States to use statewide longi-
24	tudinal data systems or other sources of administra-
25	tive data to determine program performance and re-

1	duce the data collection and reporting burden on eli-
2	gible providers;"; and
3	(2) in subsection (c)—
4	(A) in paragraph (1)—
5	(i) in subparagraph (A), by inserting
6	"including, where appropriate, the applica-
7	tion of the principles of universal design
8	for learning and" after "literacy activi-
9	ties,";
10	(ii) in subparagraph (B), by striking
11	"English language learners" and inserting
12	"English learners"; and
13	(iii) in subparagraph (C), by inserting
14	"skills" after "digital literacy"; and
15	(B) in paragraph (2)—
16	(i) in subparagraph (C)—
17	(I) in clause (i), by striking "rig-
18	orous research" and inserting "evi-
19	dence-based practices"; and
20	(II) in clause (vii)—
21	(aa) in subclause (I), by
22	striking "adults with" and all
23	that follows through the semi-
24	colon and inserting "adults with
25	disabilities, including adults with

1 learning disabilities, and with 2 adults who are English learn-3 ers;"; 4 (bb) in subclause (III), by striking "and" after the semi-5 6 colon; 7 (cc) in subclause (IV), by inserting "and" after the semi-8 colon; and 9 10 (dd) by adding at the end 11 the following: 12 "(V) programs that offer family 13 literacy activities;"; 14 (ii) in subparagraph (F), by striking "and" after the semicolon; 15 (iii) by redesignating subparagraph 16 (G) as subparagraph (J); and 17 18 (iv) by inserting after subparagraph 19 (F) the following: "(G) developing and rigorously evaluating 20 21 programs for the preparation of effective adult 22 educators and disseminating the results of such 23 evaluations;

24 "(H) carrying out initiatives to support the25 effectiveness and impact of adult education,

1	that States may adopt on a voluntary basis,
2	through—
3	"(i) the development and dissemina-
4	tion of staffing models, which may include
5	full-time staffing models, that prioritize
6	demonstrated effectiveness and continuous
7	improvement in supporting the learning of
8	adult students; and
9	"(ii) the evaluation and improvement
10	of program quality standards and accredi-
11	tation requirements;
12	"(I) providing technical assistance to eligi-
13	ble agencies regarding effective professional de-
14	velopment for programs that offer adult edu-
15	cation and literacy activities or family literacy
16	activities; and".
17	SEC. 213. INTEGRATED ENGLISH LITERACY AND CIVICS
18	EDUCATION.
19	Section $243(c)(1)$ of the Workforce Innovation and
20	Opportunity Act (29 U.S.C. $3333(c)(1)$ ) is amended by
21	striking "English language learners" and inserting

# 1**TITLE III—AMENDMENTS TO**2**OTHER LAWS**

3 SEC. 301. AMENDMENTS TO THE WAGNER-PEYSER ACT.

4 (a) DEFINITIONS.—Section 2(5) of the Wagner5 Peyser Act (29 U.S.C. 49a(5)) is amended by inserting
6 "the Commonwealth of the Northern Mariana Islands,
7 American Samoa," after "Guam,".

8 (b) UNEMPLOYMENT COMPENSATION LAW REQUIRE9 MENT.—Section 5(b)(1) of the Wagner-Peyser Act (29
10 U.S.C. 49d(b)(1)) is amended by inserting "the Common11 wealth of the Northern Mariana Islands, or American
12 Samoa," after "Guam,".

13 (c) ALLOTMENTS.—Section 6 of the Wagner-Peyser
14 Act (29 U.S.C. 49e) is amended—

15 (1) in subsection (a)—

16 (A) by striking "except for Guam" and in17 serting "except for Guam, the Commonwealth
18 of the Northern Mariana Islands, and American
19 Samoa";

20 (B) by striking "first allot to Guam and
21 the Virgin Islands" and inserting the following:
22 "first allot—

23 "(1) to Guam and the Virgin Islands";

24 (C) by striking the period at the end and25 inserting "; and"; and

1	(D) by adding at the end the following:
2	((2)) beginning with the first fiscal year for
3	which the total amount available for allotments
4	under this section is greater than the total amount
5	available for allotments under this section for fiscal
6	year 2024, and for each succeeding fiscal year, to
7	each of the Commonwealth of the Northern Mariana
8	Islands and American Samoa, an amount which is
9	equal to one-half of the amount allotted to Guam
10	under paragraph $(1)$ for the corresponding fiscal
11	year."; and
12	(2) in subsection $(b)(1)$ , in the matter following
13	subparagraph (B), by inserting ", the Common-
14	wealth of the Northern Mariana Islands, American
15	Samoa," after "Guam".
16	(d) USE OF FUNDS.—Section 7 of the Wagner-
17	Peyser Act (29 U.S.C. 49f) is amended—
18	(1) in subsection (a)(1), by striking "and refer-
19	ral to employers" and inserting "referral to employ-
20	ers, and the services described in section
21	134(c)(2)(A)(ii) of the Workforce Innovation and
22	Opportunity Act (29 U.S.C. $3174(c)(2)(A)(ii)$ ) when
23	provided by the employment service office colocated
24	with the one-stop delivery system"; and

1	(2) in subsection (e), by inserting before the pe-	
2	riod at the end the following: "and in accordance	
3	with the requirements of section $134(c)(2)(A)(i)(I)$	
4	of the Workforce Innovation and Opportunity Act	
5	(29 U.S.C. 3174(c)(2)(A)(i)(I))".	
6	(e) Workforce and Labor Market Information	
7	System.—Section 15 of the Wagner-Peyser Act (29	
8	U.S.C. 491–2) is amended—	
9	(1) in subsection $(a)(1)$ —	
10	(A) in subparagraph (A)—	
11	(i) in the matter preceding clause (i),	
12	by striking "timely manner" and inserting	
13	"manner that is as close to real-time as	
14	practicable";	
15	(ii) in clause (i), by striking "part-	
16	time, and seasonal workers" and inserting	
17	"part-time, contingent, and seasonal work-	
18	ers, and workers engaged in alternative	
19	employment arrangements";	
20	(iii) by redesignating clauses (iii) and	
21	(iv) as clauses (iv) and (v), respectively;	
22	and	
23	(iv) by inserting after clause (ii), the	
24	following:	

1	"(iii) real-time trends in new and
2	emerging occupational roles, and in new
3	and emerging skills by occupation and in-
4	dustry, with particular attention paid to
5	State and local conditions;";
6	(B) in subparagraph (B)(i), by inserting
7	"(including, to the extent practicable, real-
8	time)" after "current"; and
9	(C) in subparagraph (G), by striking
10	"user-friendly manner and" and inserting
11	"manner that makes the data, information, and
12	analysis available on-demand and is user-friend-
13	ly,'';
14	(2) in subsection $(b)(2)(F)$ —
15	(A) in clause (i), by striking "; and" and
16	inserting "(including, to the extent practicable,
17	provided in real time);";
18	(B) by redesignating clause (ii) as clause
19	(iii); and
20	(C) by inserting after clause (i), as so
21	amended, the following:
22	"(ii) the capabilities of digital tech-
23	nology and modern data collection ap-
24	proaches are effectively utilized; and";

(3) in subsection (e)(2)(H), by striking "section

2 116(i)(2) of the Workforce Innovation and Oppor-3 tunity Act" and inserting "section 116(j)(2) of the 4 Workforce Innovation and Opportunity Act"; and 5 (4) by amending subsection (g) to read as fol-6 lows: "(g) AUTHORIZATION OF APPROPRIATIONS.—There 7 8 is authorized to be appropriated to carry out this section 9 \$64,532,600 for each of the fiscal years 2025 through 10 2030.". 11 SEC. 302. JOB TRAINING GRANTS. 12 Section 414(c) of the American Competitiveness and Workforce Improvement Act of 1998 (29 U.S.C. 3224a) 13 is amended to read as follows: 14 "(c) JOB TRAINING GRANTS.— 15 "(1) Allotment.— 16 17 "(A) IN GENERAL.—Of the funds available 18 under section 286(s)(2) of the Immigration and 19 Nationality Act (8 U.S.C. 1356(s)(2)), the Sec-20 retary of Labor shall, for each fiscal year— "(i) return permanently 12 percent of 21 22 such amounts in each fiscal year to the 23 general fund of the Treasury; 24 "(ii) use \$65,000,000 of such funds to 25 carry out the program established under

1	
1	section 173 of the Workforce Innovation
2	and Opportunity Act; and
3	"(iii) using the funds remaining after
4	carrying out clauses (i) and (ii), make al-
5	lotments to each State that receives an al-
6	lotment under section 132(b) of the Work-
7	force Innovation and Opportunity Act (29
8	U.S.C. 3172(b)) for the purpose of pro-
9	viding training services through individual
10	training accounts for eligible dislocated
11	workers as described in paragraph $(2)(A)$ .
12	"(B) RESERVATION; ALLOTMENT AMONG
13	STATES.—
14	"(i) RESERVATION.—From the
	$(1) \qquad 10 10 10 10 10 10 10 11 10 11 10 11 10 11 10 11 10 11 10 11 10 11 10 11 10 11 10 11 10 11 10 11 10 11 10 11 10 11 10 11 10 11 10 11 10$
15	amount made available under subpara-
15	amount made available under subpara-
15 16	amount made available under subpara- graph (A)(iii) for a fiscal year, the Sec-
15 16 17	amount made available under subpara- graph (A)(iii) for a fiscal year, the Sec- retary shall reserve not more than $\frac{1}{4}$ of 1
15 16 17 18	amount made available under subpara- graph (A)(iii) for a fiscal year, the Sec- retary shall reserve not more than $\frac{1}{4}$ of 1 percent of such amount to provide assist-
15 16 17 18 19	amount made available under subpara- graph (A)(iii) for a fiscal year, the Sec- retary shall reserve not more than $\frac{1}{4}$ of 1 percent of such amount to provide assist- ance to the outlying areas for the purpose
15 16 17 18 19 20	amount made available under subpara- graph (A)(iii) for a fiscal year, the Sec- retary shall reserve not more than $\frac{1}{4}$ of 1 percent of such amount to provide assist- ance to the outlying areas for the purpose described in paragraph (2)(A).
<ol> <li>15</li> <li>16</li> <li>17</li> <li>18</li> <li>19</li> <li>20</li> <li>21</li> </ol>	amount made available under subpara- graph (A)(iii) for a fiscal year, the Sec- retary shall reserve not more than <sup>1</sup> / <sub>4</sub> of 1 percent of such amount to provide assist- ance to the outlying areas for the purpose described in paragraph (2)(A). "(ii) ALLOTMENT AMONG STATES.—
<ol> <li>15</li> <li>16</li> <li>17</li> <li>18</li> <li>19</li> <li>20</li> <li>21</li> <li>22</li> </ol>	amount made available under subpara- graph (A)(iii) for a fiscal year, the Sec- retary shall reserve not more than <sup>1</sup> / <sub>4</sub> of 1 percent of such amount to provide assist- ance to the outlying areas for the purpose described in paragraph (2)(A). "(ii) ALLOTMENT AMONG STATES.— Subject to clause (iii) of this subpara-

1	graph referred to as the 'remainder
2	amount') for a fiscal year to make allot-
3	ments to States described in subparagraph
4	(A)(iii) on the following basis:
5	"(I) 33 and $\frac{1}{3}$ percent shall be
6	allotted on the basis of the relative
7	number of unemployed individuals in
8	each such State, compared to the total
9	number of unemployed individuals in
10	all such States.
11	"(II) 33 and $\frac{1}{3}$ percent shall be
12	allotted on the basis of the relative
13	number of disadvantaged adults in
14	each such State, compared to the total
15	number of disadvantaged adults in all
16	such States.
17	"(III) 33 and $\frac{1}{3}$ percent shall be
18	allotted on the basis of the relative
19	number of individuals in the civilian
20	labor force in each such State, com-
21	pared to the total number in the civil-
22	ian labor force in all such States.
23	"(iii) Small state minimum.—The
24	Secretary shall ensure that no State shall

1	receive an allotment under this subpara-
2	graph for a fiscal year that is less than—
3	"(I) in the case of a fiscal year
4	for which the remainder amount is
5	not more than $$180,000,000, \frac{3}{10}$ of 1
6	percent of such remainder amount;
7	and
8	"(II) in the case of a fiscal year
9	for which the remainder amount ex-
10	ceeds \$180,000,000, the total of—
11	"(aa) <sup>3</sup> /10 of 1 percent of
12	\$180,000,000; and
13	((bb)) $2/5$ of 1 percent of
14	such excess amount.
15	"(iv) DISADVANTAGED ADULT DE-
16	FINED.—For purposes of this subpara-
17	graph and subparagraph (C), the term
18	'disadvantaged adult' has the meaning
19	given such term in section
20	132(b)(1)(B)(v)(IV) of the Workforce In-
21	novation and Opportunity Act (29 U.S.C.
22	3172(b)(1)(B)(v)(IV)).
23	"(v) Reallotment.—
24	"(I) IN GENERAL.—The Sec-
25	retary of Labor shall, in accordance

1	with this clause, reallot to eligible
2	States amounts that are made avail-
3	able to States from allotments made
4	under this subparagraph (referred to
5	individually in this subsection as a
6	'State allotment') and that are avail-
7	able for reallotment.
8	"(II) Amount.—The amount
9	available for reallotment for a pro-
10	gram year is equal to the amount by
11	which the unobligated balance of the
12	State allotment, at the end of the pro-
13	gram year prior to the program year
14	for which the determination under
15	this subclause is made, exceeds 20
16	percent of such allotment for the prior
17	program year.
18	"(III) REALLOTMENT.—In mak-
19	ing reallotments to eligible States of
20	amounts available pursuant to sub-
21	clause (II) for a program year, the
22	Secretary shall allot to each eligible
23	State an amount based on the relative
24	amount of the State allotment for the
25	program year for which the deter-

1	mination is made, as compared to the
2	total amount of the State allotments
3	for all eligible States for such pro-
4	gram year.
5	"(IV) ELIGIBILITY.—For pur-
6	poses of this subsection, an 'eligible
7	State' means a State that does not
8	have an amount available for reallot-
9	ment under subclause (II) for the pro-
10	gram year for which the determina-
11	tion under subclause (II) is made.
12	"(C) WITHIN STATE ALLOCATIONS.—
13	"(i) In general.—The Governor
14	shall allocate the funds allotted to the
15	State under subparagraph (B) for a fiscal
16	year to the local areas in the State on the
17	following basis:
18	"(I) 33 and $\frac{1}{3}$ percent of the
19	funds on the basis described in sub-
20	paragraph (B)(ii)(I).
21	"(II) 33 and $\frac{1}{3}$ percent of the
22	funds on the basis described in sub-
23	paragraph (B)(ii)(II).

1	"(III) 33 and $\frac{1}{3}$ percent of the
2	funds on the basis described in sub-
3	paragraph (B)(ii)(III).
4	"(ii) Application.—For purposes of
5	carrying out clause (i)—
6	"(I) references in subparagraph
7	(B)(ii) to a State shall be deemed to
8	be references to a local area; and
9	"(II) references in subparagraph
10	(B)(ii) to all States shall be deemed to
11	be references to all local areas in the
12	State involved.
13	"(iii) REALLOCATION AMONG LOCAL
14	AREAS.—
15	"(I) IN GENERAL.—The Gov-
16	ernor may, in accordance with this
17	clause and after consultation with the
18	State board, reallocate to eligible local
19	areas within the State amounts that
20	are made available to local areas from
21	allocations made under this subpara-
22	graph (referred to individually in this
23	subsection as a 'local allocation') and
24	that are available for reallocation.

1	"(П) Amount.—The amount
2	available for reallocation for a pro-
3	gram year is equal to the amount by
4	which the unobligated balance of the
5	local allocation, at the end of the pro-
6	gram year prior to the program year
7	for which the determination under
8	this subclause is made, exceeds 20
9	percent of such allocation for the
10	prior program year.
11	"(III) REALLOCATION.—In mak-
12	ing reallocations to eligible local areas
13	of amounts available pursuant to sub-
14	clause (II) for a program year, the
15	Governor shall allocate to each eligible
16	local area within the State an amount
17	based on the relative amount of the
18	local allocation for the program year
19	for which the determination is made,
20	as compared to the total amount of
21	the local allocations for all eligible
22	local areas in the State for such pro-
23	gram year.
24	"(IV) ELIGIBILITY.—For pur-
25	poses of this subsection, an eligible

1	local area means a local area that
2	does not have an amount available for
3	reallotment under subclause (II) for
4	the program year for which the deter-
5	mination under subclause (II) is
6	made.
7	"(2) Use of funds.—
8	"(A) IN GENERAL.—Funds allocated pur-
9	suant to paragraph (1) to a local area shall be
10	used to pay, through the use of an individual
11	training account in accordance with section
12	134(c)(3)(F)(iii) of the Workforce Innovation
13	and Opportunity Act (29 U.S.C.
14	3174(c)(3)(F)(iii)), an eligible provider of train-
15	ing services from the list of eligible providers of
16	training services described in section 122(d) of
17	such Act (29 U.S.C. 3152(d)) for training serv-
18	ices provided to eligible dislocated workers in
19	the local area.
20	"(B) REQUIREMENTS FOR LOCAL
21	AREAS.—As a condition of receipt of funds
22	under paragraph (1), a local area shall agree to
23	each of the following:
24	"(i) REQUIRED NOTICE TO WORK-
25	ERS.—Prior to an eligible dislocated work-

1	er selecting a program of training services
2	from the list of eligible providers of train-
3	ing services under section 122(d) of the
4	Workforce Innovation and Opportunity Act
5	(29  U.S.C.  3152(d)), the local area shall
6	inform such dislocated worker of any op-
7	portunities the dislocated worker may have
8	to participate in on-the-job training or em-
9	ployer-directed skills development funded
10	through such local area.
11	"(ii) Amounts available.—Except
12	as provided in clause (iv)(II), a local
13	area—
14	"(I) may not limit the maximum
15	amount available for an individual
16	training account for an eligible dis-
17	located worker under subparagraph
18	(A) to an amount that is less than
19	\$5,000; and
20	"(II) may not pay an amount,
21	through the use of an individual train-
22	ing account under subparagraph (A),
23	for training services provided to an el-
24	igible dislocated worker that exceeds
25	the costs of such services.

1	"(iii) WIOA FUNDS.—A local area
2	may not use funds made available to the
3	local area for a fiscal year pursuant to sec-
4	tion $134(c)(1)(B)$ of the Workforce Innova-
5	tion and Opportunity Act (29 U.S.C.
6	3174(c)(1)(B)) to make payments under
7	subparagraph (A) until the funds allocated
8	to the local area pursuant to paragraph $(1)$
9	of this subsection for such fiscal year have
10	been exhausted.
11	"(iv) EXHAUSTION OF ALLOCA-
12	TIONS.—Upon the exhaustion of the funds
13	allocated to the local area pursuant to
14	paragraph (1) of this subsection, for the
15	purpose of paying, through the use of indi-
16	vidual training accounts under subpara-
17	graph (A), the costs of training services for
18	eligible dislocated workers in the local area
19	seeking such services, the local area—
20	"(I) shall use any funds made
21	available to the local area pursuant to
22	section $134(c)(1)(B)$ of the Workforce
23	Innovation and Opportunity Act (29
24	U.S.C. $3174(c)(1)(B)$ ) to pay for such
25	costs under subparagraph (A) (other

	-
1	than any costs that exceed the limit
2	set by the local area pursuant to
3	clause (ii) or subclause (II)); and
4	"(II) for any eligible dislocated
5	worker who is not a low-income indi-
6	vidual, may limit the maximum
7	amount available for the individual
8	training account under subparagraph
9	(A) for such worker to an amount
10	that is less than \$5,000.
11	"(3) ELIGIBLE DISLOCATED WORKER.—A dis-
12	located worker shall be an eligible dislocated worker
13	for purposes of this subsection if the dislocated
14	worker—
15	"(A) meets the requirements under section
16	134(c)(3)(A)(i) of the Workforce Innovation
17	and Opportunity Act (29 U.S.C.
18	3174(c)(3)(A)(i)) to be eligible for training
19	services; and
20	"(B) has not received training services
21	through an individual training account under
22	this subsection or under section
23	134(c)(3)(F)(iii) of the Workforce Innovation
24	and Opportunity Act (29 U.S.C.
25	3174(c)(3)(F)(iii)) during the preceding 5-year

1	period or, if such a worker has received such
2	training services during such period, the worker
3	has been granted an exception by the local area
4	due to an exceptional circumstance, as deter-
5	mined by the local area.
6	"(4) EXCESS DEMAND.—Upon the exhaustion
7	of the funds allocated to a local area pursuant to
8	paragraph (1) of this subsection and any funds that
9	may be available to such local area pursuant to sec-
10	tion $134(c)(1)(B)$ of the Workforce Innovation and
11	Opportunity Act (29 U.S.C. $3174(c)(1)(B)$ ) for the
12	purpose described in paragraph (2)(A) of this sub-
13	section, the local area—
14	"(A) may request additional funds for such
15	purpose from the Governor under section
16	134(a)(2)(A)(i)(III) of the Workforce Innova-
17	tion and Opportunity Act (29 U.S.C.
18	3174(a)(2)(A)(i)(III)); and
19	"(B) shall not be required to pay for train-
20	ing services or establish an individual training
21	account for an eligible dislocated worker.
22	"(5) DEFINITIONS.—Except as otherwise speci-
23	fied, a term used in this subsection shall have the

force Innovation and Opportunity Act (29 U.S.C.
 3102).

3 "(6) RULE OF CONSTRUCTION.—Nothing in 4 this subsection shall be construed to provide an indi-5 vidual with an entitlement to a service under this 6 subsection or under title I of the Workforce Innova-7 tion and Opportunity Act (29 U.S.C. 3111 et seq.) 8 or to mandate a State or local area to provide a 9 service if Federal funds are not available for such 10 service.". 11 SEC. 303. ACCESS TO NATIONAL DIRECTORY OF NEW 12 HIRES. 13 Section 453(j)(8) of the Social Security Act (42) U.S.C. 653(j)(8)) is amended— 14 15 (1) in subparagraph (A)— (A) by inserting "or conducting the report-16 17 ing and evaluation activities required under sec-18 tion 116 of the Workforce Innovation and Op-19 portunity Act (29 U.S.C. 3141)" after "State law"; and 20 (B) by striking "such program" and in-21 22 serting "such programs"; and

(2) in subparagraph (C)(i), by striking "purposes of administering a program referred to" and
inserting "the purposes specified".

### 1 SEC. 304. REFERENCES TO OTHER LAWS.

2 (a) REFERENCES TO PROVISIONS OF THE WORK3 FORCE INNOVATION AND OPPORTUNITY ACT.—

4 (1) Section 8041(g)(2)(C) of the SUPPORT for 5 Patients and Communities Act (29)U.S.C. 6 3225a(g)(2)(C) is amended by striking "section 7 172(f) of such Act (29 U.S.C. 3227(f))" and insert-8 ing "section 175(h) of such Act (29 U.S.C. 9 3227(h))".

(2) Section 60302(23) of the Digital Equity Act
of 2021 (47 U.S.C. 1721(23)) is amended by striking "section 3(66) of the Workforce Innovation and
Opportunity Act (29 U.S.C. 3102(66))" and inserting "section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102)".

16 (b) Related Provisions.—

(1) Section 286(s)(2) of the Immigration and
Nationality Act (8 U.S.C. 1356(s)(2)) is amended by
striking "demonstration programs and projects" and
inserting "the programs, activities, and uses".

21 (2) Section 1154 of title 10, United States
22 Code, is amended—

(A) in paragraphs (2)(C) and (3)(D) of
subsection (a), by striking "Job Corps center as
defined" and inserting "Job Corps campus as
described";

1	(B) in subsection $(d)(4)(A)(ii)$ , by striking
2	"Job Corps centers" and inserting "Job Corps
3	campuses''; and
4	(C) in subsection $(e)(2)(E)$ , by striking
5	"Job Corps center" and inserting "Job Corps
6	campus''.
7	(3) Section 7102(c) of the SUPPORT for Pa-
8	tients and Communities Act (42 U.S.C. 290bb-
9	7a(c)) is amended—
10	(A) in paragraph (2)(I), by striking "(I)"
11	and all that follows through "meaning", and in-
12	serting the following:
13	"(I) Opportunity youth.—The term
14	'opportunity youth' has the meaning"; and
15	(B) in paragraph (3)(A), by striking "out-
16	of-school" and inserting "opportunity".
17	TITLE IV—DEPARTMENT OF
18	LABOR TECHNICAL ASSISTANCE
19	SEC. 401. TECHNICAL ASSISTANCE FOR TRANSFORMING TO
20	COMPETITIVE INTEGRATED EMPLOYMENT.
21	(a) IN GENERAL.—From the amounts appropriated
22	under subsection (c), the Secretary (acting through the
23	Office of Disability Employment Policy in partnership
24	with the Employment and Training Administration), in
25	partnership with the Administration for Community Liv-

ing of the Department of Health and Human Services and
 the Office of Special Education and Rehabilitative Serv ices of the Department of Education, shall establish a
 Center for Technical Assistance for Transforming to Com petitive Integrated Employment to—

6 (1) provide technical assistance to employers 7 who are transitioning from employing individuals 8 with disabilities using special certificates on such 9 transition, which shall include technical assistance 10 on providing services that result in competitive inte-11 grated employment;

(2) provide technical assistance to State agencies seeking to support such employers described in
paragraph (1) on such transition described in paragraph (1) on coordination and alignment of services
and funding in support of such transition, including
technical assistance on how such services and funding can result in competitive integrated employment;

(3) in providing the technical assistance describing in paragraphs (1) and (2), coordinate such
technical assistance with education materials and opportunities made available through existing technical
assistance provided by—

24 (A) the Office of Disability Employment25 Policy;

	-
1	(B) the Employment and Training Admin-
2	istration;
3	(C) the Administration for Community
4	Living of the Department of Health and
5	Human Services; and
6	(D) the Office of Special Education and
7	Rehabilitative Services of the Department of
8	Education; and
9	(4) in providing the technical assistance de-
10	scribed in paragraphs $(1)$ and $(2)$ , make use of tech-
11	nical assistance that is in existence on the date of
12	enactment of this Act, including the CIE Trans-
13	formation Hub, the Advancing State Policy Integra-
14	tion for Recovery and Employment Initiative, and
15	the National Expansion of Employment Opportuni-
16	ties Network.
17	(b) DEFINITIONS.—In this section:
18	(1) Competitive integrated employ-
19	MENT.—The term "competitive integrated employ-
20	ment" has the meaning given the term in section
21	7(5) of the Rehabilitation Act of 1973 (29 U.S.C.
22	705(5)).
23	(2) DISABILITY.—The term "disability" in-
24	cludes any intellectual, developmental, mental health,
25	or other disability.

1	(3) INDIVIDUALS WITH DISABILITIES.—The
2	term "individuals with disabilities" means individ-
3	uals described in section $14(c)(1)$ of the Fair Labor
4	Standards Act of 1938 (29 U.S.C. 214(c)(1)).
5	(4) Secretary.—The term "Secretary" means
6	the Secretary of Labor.
7	(5) Special certificate.—The term "special
8	certificate" means a special certificate issued under
9	section 14(c) of the Fair Labor Standards Act of
10	1938 (29 U.S.C. 214(c)).
11	(6) STATE.—The term "State" means each of
12	the 50 States, the District of Columbia, the Com-
13	monwealth of Puerto Rico, and the territory of
14	Guam.
15	(c) Authorization of Appropriations.—There is
16	authorized to be appropriated to carry out this section,
17	\$10,000,000 for each of fiscal years 2025 through 2030.
18	TITLE V—GENERAL PROVISIONS
19	SEC. 501. REPORT ON DATA CAPABILITY AND INTEROPER-
20	ABILITY OF FEDERAL AND STATE DATABASES
21	AND DATA EXCHANGE AGREEMENTS.
22	The Workforce Innovation and Opportunity Act (29
23	U.S.C. 3101 et seq.) is amended by striking section 505
24	and inserting the following:

# "SEC. 505. REPORT ON DATA CAPABILITY AND INTEROPER ABILITY OF FEDERAL AND STATE DATABASES AND DATA EXCHANGE AGREEMENTS.

4 "(a) IN GENERAL.—The Comptroller General of the 5 United States shall prepare and submit an interim report and a final report to Congress regarding existing Federal 6 7 and State databases and data exchange agreements, as of 8 the date of the report, and the interoperability of data in 9 such databases and agreements, that contain job training information relevant to the administration of programs 10 authorized under this Act (as amended by the A Stronger 11 Workforce for America Act) and the amendments made 12 13 by this Act (as so amended).

14 "(b) REQUIREMENTS.—The report required under15 subsection (a) shall—

"(1) list existing Federal and State databases
and data exchange agreements described in subsection (a) and, for each, describe—

19 "(A) the purposes of the database or20 agreement;

21 "(B) the data elements, such as wage and
22 employment outcomes, contained in the data23 base or accessible under the agreement;

24 "(C) the data elements described in sub-25 paragraph (B) that are shared between States;

1	"(D) the Federal and State workforce
2	training programs from which each Federal and
3	State database derives the data elements de-
4	scribed in subparagraph (B);
5	"(E) the number and type of common data
6	elements across such databases and data ex-
7	change agreements;
8	"(F) the number and type of Federal and
9	State agencies having access to such data;
10	"(G) the number and type of private re-
11	search organizations having access to, through
12	grants, contracts, or other agreements, such
13	data;
14	"(H) whether the database or data ex-
15	change agreement provides for opt-out proce-
16	dures for individuals whose data is shared
17	through the database or data exchange agree-
18	ment; and
19	"(I) the volume of data being shared and
20	applied to improve performance accountability
21	and effectiveness of programs under this Act;
22	"(2) study the effects that access by State
23	workforce agencies and the Secretary of Labor to
24	the databases and data exchange agreements de-
25	scribed in subsection (a) would have on efforts to

1	carry out this Act and the amendments made by this
2	Act, and on individual privacy;
3	"(3) explore opportunities to enhance—
4	"(A) the quality, reliability, timeliness, and
5	reporting frequency of the data included in such
6	databases and data exchange agreements; and
7	"(B) the commonality and interoperability
8	of data elements included in such databases and
9	data exchange agreements;
10	"(4) describe, for each database or data ex-
11	change agreement considered by the study described
12	in subsection (a), the number of individuals whose
13	data is contained in each database or accessible
14	through the data agreement, and the specific data
15	elements contained in each that could be used to
16	personally identify an individual;
17	"(5) include the number of data breaches hav-
18	ing occurred since 2014 to data systems adminis-
19	tered by Federal and State agencies;
20	"(6) include the number of data breaches re-
21	garding any type of personal data having occurred
22	since 2014 to private research organizations with
23	whom Federal and State agencies contract for stud-
24	ies;

1	"(7) include a survey of the security protocols
2	used for protecting personal data, including best
3	practices shared amongst States for access to, and
4	administration of, data elements stored and rec-
5	ommendations for improving security protocols for
6	the safe warehousing of data elements;
7	"(8) include an evaluation of the State wage
8	interchange system developed by the Department of
9	Labor and report on the effectiveness of the system
10	in facilitating data exchange between State agencies
11	for the purpose of assessing and reporting on State
12	and local performance for the programs authorized
13	under this Act;
14	"(9) include an assessment of the feasibility,
15	costs, and potential impacts of establishing federally-
16	designated, transparent, interoperable, and non-
17	proprietary data exchange standards using human
18	readable and machine actionable data formats for
19	necessary categories of information that a State
20	agency operating a program under this Act may re-
21	ceive through each database or data exchange agree-
22	ment described in subsection (a);

23 "(10) include a survey of—

1	"(A) customer service and outcome man-
2	agement systems utilized by States for pro-
3	grams under each title of this Act;
4	"(B) the level of interoperability (if any) of
5	such systems;
6	"(C) whether any State has successfully
7	connected such a system serving a program
8	under a title of this Act with such a system
9	serving a program under another title of this
10	Act; and
11	"(D) the benefits achieved through any
12	such connection; and
13	"(11) describe the most significant develop-
14	ments and advancements pertaining to Federal and
15	State databases and data exchange agreements de-
16	scribed in subsection (a) since the final report was
17	submitted by the Comptroller General to Congress
18	under this section, as in effect on the day before the
19	date of enactment of the A Stronger Workforce for
20	America Act.
21	"(c) TIMING OF REPORTS.—
22	"(1) INTERIM REPORT.—Not later than 18
23	months after the date of enactment of the A Strong-
24	er Workforce for America Act, the Comptroller Gen-
25	eral shall prepare and submit to Congress an interim

	1400
1	report regarding the initial findings of the report re-
2	quired under this section.
3	"(2) FINAL REPORT.—Not later than 2 years
4	after the date of enactment of the A Stronger Work-
5	force for America Act, the Comptroller General shall
6	prepare and submit to Congress the final report re-
7	quired under this section.".
8	SEC. 502. EFFECTIVE DATES; TRANSITION AUTHORITY.
9	(a) Effective Dates.—
10	(1) IN GENERAL.—This division, and the
11	amendments made by this division, shall take effect
12	on the first day of the first full program year after
13	the date of enactment of this Act, except as other-
14	wise provided in this division.
15	(2) Performance accountability sys-
16	TEM.—The amendments made to section 116 of the
17	Workforce Innovation and Opportunity Act (29
18	U.S.C. 3141) by this division shall take effect on the
19	first day of the second full program year after the
20	date of enactment of this Act, except that—
21	(A) the amendments to clauses (iii)
22	through (v) of subsection $(b)(3)(A)$ of that sec-
23	tion 116 shall take effect on January 1, 2026;
24	and

1	(B) the amendment to paragraph (1) of
2	subsection (d) of that section 116, the amend-
3	ments to subsections (i) and (j) of that section
4	116 that are made by section 119(g) of this di-
5	vision, and the amendment to subsection (k) of
6	that section 116, shall take effect on the day
7	that is 1 year after the date of enactment of
8	this Act.
9	(3) One-stop delivery system.—The amend-
10	ments made to section 121 of the Workforce Innova-
11	tion and Opportunity Act (29 U.S.C. 3151) by this
12	division shall take effect on the first day of the sec-
13	ond full program year after the date of enactment
14	of this Act.
15	(4) Youth workforce investment activi-
16	TIES.—The amendments made to section 129 of the
17	Workforce Innovation and Opportunity Act (29
18	U.S.C. 3164) by this division shall take effect on the
19	first day of the second full program year after the
20	date of enactment of this Act.
21	(5) Adult and dislocated worker activi-
22	TIES.—The amendments made to section 134 of the
23	Workforce Innovation and Opportunity Act (29
24	U.S.C. 3174) by this division shall take effect on the

1	first day of the second full program year after the
2	date of enactment of this Act.
3	(6) Job corps management information
4	REQUIREMENTS.—The amendments made to section
5	159 of the Workforce Innovation and Opportunity
6	Act (29 U.S.C. 3209) by this division shall take ef-
7	fect on the first day of the second full program year
8	after the date of enactment of this Act.
9	(b) TRANSITION AUTHORITY.—
10	(1) IN GENERAL.—Pursuant to section 503(a)
11	of the Workforce Innovation and Opportunity Act
12	(29 U.S.C. 3343(a)), the Secretary of Labor and the
13	Secretary of Education shall, effective on the date of
14	enactment of this Act, have the authority to take
15	such steps as are necessary to provide for the or-
16	derly implementation of the amendments to the
17	Workforce Innovation and Opportunity Act (29
18	U.S.C. 3101 et seq.) by this division, including ad-
19	dressing cross references to provisions specified in
20	subparagraphs (A) and (B) of subsection (a)(2).
21	(2) TERMINATION.—The authority described in
22	paragraph (1) shall terminate on the first day of the
23	second full program year after the date of enactment
24	of this Act.
25	(c) Transition Period for Implementation.—

1	(1) ELIGIBLE PROVIDERS OF TRAINING SERV-
2	ICES.—Each Governor and local board shall imple-
3	ment the requirements of section 122 of the Work-
4	force Innovation and Opportunity Act (29 U.S.C.
5	3152), as amended by this division, not later than
6	the first day of the second full program year after
7	the date of enactment of this Act. In order to facili-
8	tate early implementation of that section 122, the
9	Governor may establish transition procedures under
10	which eligible providers of training services under
11	chapter 1 of subtitle B of title I of the Workforce
12	Innovation and Opportunity Act (29 U.S.C. 3151 et
13	seq.), as such chapter was in effect on the day be-
14	fore the date of enactment of this Act, may continue
15	to be eligible to provide such services until December
16	31, 2026, or until such earlier date as the Governor
17	determines to be appropriate.
18	(2) STATE PLANS AND LOCAL PLANS.—
19	(A) MODIFICATION OF PLANS.—Not later
20	than the first day of the second full program
21	year after the date of enactment of this Act—
22	(i) each Governor of a State shall sub-
23	mit to the Secretary of Labor any modi-
24	fications to the State plan in effect for
25	such State that are necessary for the State

1 plan to comply with the amendments made 2 by this division to section 102 of the Work-3 force Innovation and Opportunity Act (29) 4 U.S.C. 3112); and 5 (ii) each local board shall submit to 6 the Governor of a State any modifications 7 to the local plan in effect for the local area 8 served by the local board that are nec-9 essary for the local plan to comply with the 10 amendments made by this division to sec-11 tion 108 of the Workforce Innovation and 12 Opportunity Act (29 U.S.C. 3123). 13 (B) NEW PLANS.—Not later than the first 14 day of the fourth full program year after the 15 date of enactment of this Act— 16 (i) each Governor of a State shall sub-17 mit to the Secretary of Labor a new State 18 plan for such State that complies with the 19 requirements of section 102 of the Work-20 force Innovation and Opportunity Act (29) 21 U.S.C. 3112), as amended by this division; 22 and 23 (ii) each local board shall submit to 24 the Governor of a State a new local plan

for the local area served by the local board

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1	that complies with the requirements of sec-
2	tion 108 of the Workforce Innovation and
3	Opportunity Act (29 U.S.C. 3123), as
4	amended by this division.
5	(3) DEFINITIONS.—In this subsection, the
6	terms "local board", "local plan", "State", "State
7	plan", and "training services" have the meanings
8	given the terms in section 3 of the Workforce Inno-
9	vation and Opportunity Act (29 U.S.C. 3102).
10	(d) Conforming Amendments.—
11	(1) Repeal.—Subsections (a) through (e) of
12	section 503 of the Workforce Innovation and Oppor-
13	tunity Act (29 U.S.C. 3343) are repealed.
14	(2) REGULATIONS.—Section 503 of such Act is
15	amended—
16	(A) by redesignating subsections (f) and
17	(g) as subsections (a) and (b), respectively;
18	(B) by amending subsection (a) to read as
19	follows:
20	"(a) REGULATIONS.—
21	"(1) Proposed regulations.—Not later than
22	180 days after the date of enactment of the A
23	Stronger Workforce for America Act, the Secretary
24	of Labor, and the Secretary of Education, as appro-
25	priate, shall develop and publish in the Federal Reg-

1	ister proposed regulations relating to the transition
2	to, and implementation of, the A Stronger Work-
3	force for America Act, including the amendments to
4	this Act made by the A Stronger Workforce for
5	America Act.
5	America Act.
6	"(2) FINAL REGULATIONS.—Not later than 12
7	months after the date of enactment of the A Strong-
8	er Workforce for America Act, the Secretaries de-
9	scribed in paragraph (1), as appropriate, shall de-
10	velop and publish in the Federal Register final regu-
11	lations relating to the transition to, and implementa-
12	tion of, the A Stronger Workforce for America Act,
13	including the amendments to this Act made by the
14	A Stronger Workforce for America Act."; and
15	(C) in subsection (b), as so redesignated,
16	by striking "subsection (f)" and inserting "sub-
17	section (a)".
18	(3) EFFECTIVE DATE.—The amendments made
19	by this subsection shall take effect on the date of en-
20	actment of this Act.

# DIVISION G—OLDER AMERICANS ACT REAUTHORIZATION ACT OF 2024

# 4 SEC. 1. SHORT TITLE.

5 This division may be cited as the "Older Americans

6 Act Reauthorization Act of 2024".

# 7 SEC. 2. TABLE OF CONTENTS.

8 The table of contents for this division is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. References.
- Sec. 4. Definitions.

# TITLE I—STRENGTHENING THE AGING NETWORK TO MEET THE NEEDS OF OLDER INDIVIDUALS

- Sec. 101. Declaration of objectives.
- Sec. 102. Addressing mental health and substance use disorders and cognitive impairments of older individuals.
- Sec. 103. List of national resource centers.
- Sec. 104. Awareness of relevant Federal programs.
- Sec. 105. Evaluations and surveys.
- Sec. 106. Contracting.
- Sec. 107. Guidance on reallocation of funding between area agencies on aging.
- Sec. 108. Right to first refusal.
- Sec. 109. Area agency on aging capabilities.
- Sec. 110. Supporting older individuals with disabilities through improved coordination.
- Sec. 111. Business acumen, fiscal training, and technical assistance.
- Sec. 112. Enhancing access to assistive technology.
- Sec. 113. White House Conference on Aging.
- Sec. 114. Technical amendments.

## TITLE II—IMPROVING HEALTH OUTCOMES AND ENCOURAGING INDEPENDENCE FOR OLDER INDIVIDUALS

- Sec. 201. Disease prevention and health promotion services.
- Sec. 202. Improving health outcomes.
- Sec. 203. Technical assistance on evidence-based programs.
- Sec. 204. Enhancing multipurpose senior centers.
- Sec. 205. Addressing home modifications.
- Sec. 206. National resource center for engaging older adults.
- Sec. 207. Multigenerational and civic engagement activities.
- Sec. 208. Report relating to health outcomes for older individuals living with or near family members.
- Sec. 209. Improving broadband coordination and reducing social isolation.

### TITLE III—ENHANCING INNOVATION AND FLEXIBILITY IN NUTRITION SERVICES

- Sec. 301. Medically tailored meals.
- Sec. 302. Grab-and-go meals.
- Sec. 303. GAO study on Nutrition Services Incentive Program.
- Sec. 304. Innovations in nutrition programs and services.

## TITLE IV—SUPPORTING FAMILY CAREGIVERS

- Sec. 401. Improving the National Family Caregiver Support Program.
- Sec. 402. Emphasizing respite care.
- Sec. 403. Clarifying supportive services.
- Sec. 404. Direct care workforce resource center.
- Sec. 405. Supporting Grandparents Raising Grandchildren Act.
- Sec. 406. RAISE Family Caregivers Act.

#### TITLE V—COMMUNITY SERVICE SENIOR OPPORTUNITIES ACT

- Sec. 501. Improving the Community Service Employment Program.
- Sec. 502. GAO report on alignment within the Community Service Employment Program.

# TITLE VI—IMPROVING SERVICES FOR NATIVE ELDERS

- Sec. 601. Older Americans Tribal Advisory Committee.
- Sec. 602. Supportive services; set aside.
- Sec. 603. GAO report on Tribal services.
- Sec. 604. Technical amendments.

# TITLE VII—STRENGTHENING THE LONG-TERM CARE OMBUDSMAN PROGRAMS AND ELDER ABUSE PREVENTION

- Sec. 701. Director of the Office of Long-Term Care Ombudsman Programs.
- Sec. 702. Legal assistance training resources relating to elder abuse prevention.
- Sec. 703. Improving training of volunteers under the State Long-Term Care Ombudsman Program.
- Sec. 704. Reporting on State Long-Term Care Ombudsman Programs.
- Sec. 705. Study on State Long-Term Care Ombudsman Programs.

#### TITLE VIII—AUTHORIZATIONS OF APPROPRIATIONS

- Sec. 801. Administration on Aging.
- Sec. 802. Grants for State and community programs on aging.
- Sec. 803. Activities for health, independence, and longevity.
- Sec. 804. Community Service Senior Opportunities Act.
- Sec. 805. Grants for Native Americans.
- Sec. 806. Allotments for elder rights protection activities.

# 1 SEC. 3. REFERENCES.

- 2 Except as otherwise expressly provided in this divi-
- 3 sion, wherever in this division an amendment or repeal is
- 4 expressed in terms of an amendment to, or a repeal of,

a section or other provision, the reference shall be consid ered to be made to that section or other provision of the
 Older Americans Act of 1965 (42 U.S.C. 3001 et seq.).

# 4 SEC. 4. DEFINITIONS.

In this division, the terms "area agency on aging", 5 "Assistant Secretary", "older individual", and "Sec-6 7 retary" have the meanings given such terms in section 102 8 of the Older Americans Act of 1965 (42 U.S.C. 3002). TITLE I—STRENGTHENING THE 9 AGING NETWORK TO MEET 10 THE NEEDS OF OLDER INDI-11

# 12 VIDUALS

# 13 SEC. 101. DECLARATION OF OBJECTIVES.

14 Section 101 (42 U.S.C. 3001) is amended—

(1) in the matter preceding paragraph (1), by
striking "of the following objectives:" and inserting
"of the objectives of—";

18 (2) in each of paragraphs (1) through (10), by
19 amending the first word so that it begins with a low20 ercase letter;

(3) in each of paragraphs (1) through (8), by
striking the period at the end and inserting a semicolon;

24 (4) in each of paragraphs (9) and (10), by
25 striking the period at the end and inserting "; and";

1	(5) in paragraph (2), by inserting "to improve
2	health outcomes and reduce health care expendi-
3	tures" after "economic status";
4	(6) by redesignating paragraphs $(1)$ through
5	(10) as subparagraphs (A) through (J), respectively,
6	and adjusting the margins accordingly;
7	(7) in the matter preceding subparagraph (A)
8	(as so redesignated), by striking "our democratic so-
9	ciety, the older people" and inserting the following:
10	"our democratic society—
11	"(1) the older people"; and
12	(8) by adding at the end the following:
13	((2) the families of older individuals and com-
14	munity-based organizations, including faith-based or-
15	ganizations, also play a vital role in supporting and
16	honoring older individuals and their happiness, dig-
17	nity, and independence.".
18	SEC. 102. ADDRESSING MENTAL HEALTH AND SUBSTANCE
19	USE DISORDERS AND COGNITIVE IMPAIR-
20	MENTS OF OLDER INDIVIDUALS.
21	Section 201(f) (42 U.S.C. 3011(f)) is amended to
22	read as follows:
23	$\ensuremath{^{\prime\prime}}(f)(1)$ The Assistant Secretary may designate an of-
24	ficer or employee who shall be responsible for the adminis-
25	tration of services for mental health and substance use

disorders and cognitive impairments authorized under this
Act and serve as an effective and visible advocate for the
related needs of older individuals within the Department
of Health and Human Services, including by ensuring that
relevant information disseminated and research conducted
or supported by the Department takes into consideration
such services.

8 "(2) It shall be the duty of the Assistant Secretary, 9 acting through the individual designated under paragraph 10 (1), and in consultation with the heads of relevant agencies within the Department of Health and Human Serv-11 ices, including the Substance Abuse and Mental Health 12 13 Services Administration, to develop objectives, priorities, and a long-term plan for supporting State and local efforts 14 15 under this Act involving education about, and prevention, detection, and treatment of, mental health and substance 16 17 use disorders and cognitive impairments, including age-related dementia, depression, and Alzheimer's disease and 18 related neurological disorders with neurological and or-19 20 ganic brain dysfunction.

"(3) Not later than 2 years after the date of enactment of the Older Americans Act Reauthorization Act of
2024, the Assistant Secretary shall report to the Committee on Health, Education, Labor, and Pensions of the
Senate, the Special Committee on Aging of the Senate,

and the Committee on Education and the Workforce of 1 2 the House of Representatives on the activities of the offi-3 cer or employee designated under paragraph (1) in car-4 rying out the requirements under this subsection, includ-5 ing any activities to identify and reduce duplication and gaps across the Department in such information dissemi-6 nated and research conducted or supported by the Depart-7 8 ment.".

# 9 SEC. 103. LIST OF NATIONAL RESOURCE CENTERS.

10 Section 202 (42 U.S.C. 3012) is amended—

(1) in subsection (d)(4), by striking "Resource
Center on Elder Abuse" and inserting "Center"; and
(2) by striking subsection (h) and inserting the
following:

15 "(h)(1) The Assistant Secretary shall publish online
16 in a publicly accessible format, on an annual basis, a list
17 of national resource centers and demonstration projects
18 authorized under, or administratively established through
19 funds provided under, this Act.

20 "(2) The Assistant Secretary shall ensure that the
21 list published pursuant to paragraph (1)—

22 "(A) includes—

23 "(i) a description of each such center and dem24 onstration project, including the projected goals and

1	activities of each such center and demonstration
2	project;
3	"(ii) a citation to the statutory authorization of
4	each such center and demonstration project, or a ci-
5	tation to the statutory authority that the Assistant
6	Secretary relies upon to administratively establish
7	each such center and demonstration project;
8	"(iii) the award amount for each such center
9	and demonstration project; and
10	"(iv) a summary of any evaluations required
11	under this Act for each such center, including a de-
12	scription of any measures of effectiveness; and
13	"(B) is directly provided to State agencies, area agen-
14	cies on aging, and the Committee on Health, Education,
15	Labor, and Pensions and the Special Committee on Aging
16	of the Senate and the Committee on Education and the
17	Workforce of the House of Representatives.".
18	SEC. 104. AWARENESS OF RELEVANT FEDERAL PROGRAMS.
19	Title II (42 U.S.C. 3011 et seq.) is amended by in-
20	serting after section 203A (42 U.S.C. 3013a) the fol-
21	lowing:
22	"SEC. 203B. AWARENESS OF RELEVANT FEDERAL PRO-
23	GRAMS.
24	"In carrying out section 203(a)(1), the Assistant Sec-
25	retary shall coordinate with the heads of relevant Federal

departments and agencies to ensure that the aging net-1 2 work and individuals served under this Act are aware of, 3 and, subject to applicable eligibility criteria, have access 4 to, Federal programs that may advance the objectives of 5 this Act, including programs described in section 203(b) and other programs to meet housing, health care, and 6 7 other supportive service needs to help such individuals age 8 in place.".

# 9 SEC. 105. EVALUATIONS AND SURVEYS.

10 Section 206 (42 U.S.C. 3017) is amended—

(1) by striking subsection (d) and inserting thefollowing:

13 "(d)(1) In carrying out evaluations under this sec-14 tion, the Secretary shall—

15 "(A) award grants to, or enter into contracts with, 16 public or nonprofit private organizations or academic or 17 research institutions to survey State agencies, area agen-18 cies on aging, and other program and project participants 19 about the strengths and weaknesses of the programs and 20 projects; and

21 "(B) conduct, where appropriate, evaluations that
22 compare the effectiveness of related programs in achieving
23 common objectives.

24 "(2) The surveys and evaluations under paragraph25 (1) shall include information on programs, services, use

and sources of funding (including any transfer of funding
 between area agencies on aging), identified unmet need
 for services and related indicators, and any other chal lenges faced by State agencies and area agencies on aging
 in carrying out the activities of this Act.

6 "(3) The Secretary shall, in carrying out the evalua-7 tions under paragraph (1), consult with organizations con-8 cerned with older individuals, including organizations that 9 represent minority individuals, older individuals residing 10 in rural areas, and older individuals with disabilities."; 11 and

12 (2) in subsection (g), by striking "him" and in-13 serting "the Secretary".

# 14 SEC. 106. CONTRACTING.

15 (a) IN GENERAL.—Section 212 (42 U.S.C. 3020c) is
16 amended—

17 (1) in the section heading, by striking "AND
18 GRANT AUTHORITY";

19 (2) by striking subsection (a) and inserting the20 following:

21 "(a) IN GENERAL.—Subject to subsection (b), this
22 Act shall not be construed to prevent a recipient of a grant
23 or a contract under this Act (other than title V) from en24 tering into a contract, commercial relationship, or other
25 business arrangement (referred to in this section as an

1	'agreement') with a profitmaking organization for the re-
2	cipient to provide services to individuals or entities not
3	otherwise receiving services under this Act, provided
4	that—
5	"(1) in the case funds provided under this Act
6	are used in developing or carrying out the agree-
7	ment—
8	"(A) such agreement guarantees that the
9	cost is reimbursed to the recipient;
10	"(B) if such agreement provides for the
11	provision of 1 or more services, of the type pro-
12	vided under this Act by or on behalf of such re-
13	cipient, to an individual or entity seeking to re-
14	ceive such services—
15	"(i) the individuals and entities may
16	only purchase such services at their fair
17	market rate;
18	"(ii) all costs incurred by the recipient
19	in providing such services (and not other-
20	wise reimbursed under subparagraph (A)),
21	are reimbursed to such recipient; and
22	"(iii) except in the case of an agree-
23	ment with a health plan or health care pro-
24	vider, the recipient reports the rates for
25	providing such services under such agree-

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1	ment in accordance with subsection (c) and
2	the rates are consistent with the prevailing
3	market rate for provision of such services
4	in the relevant geographic area as deter-
5	mined by the State agency or area agency
6	on aging (as applicable); and
7	"(C) any amount of payment to the recipi-
8	ent under the agreement that exceeds reim-
9	bursement under this subsection of the recipi-
10	ent's costs is used to provide, or support the
11	provision of, services under this Act; and
12	((2) subject to subsection (e), in the case no
13	funds provided under this Act are used in developing
14	or carrying out the agreement—
15	"(A) not later than 45 days after the
16	agreement first goes into effect, and annually
17	thereafter until the termination of such agree-
18	ment, the recipient of a grant or contract under
19	this Act shall, in writing—
20	"(i) notify the State agency of—
21	"(I) the existence of the agree-
22	ment; and
23	"(II) the services provided and
24	populations served under the agree-
25	ment; and

1	"(ii) provide assurances to the State
2	agency that—
3	"(I) nothing in the agreement—
4	"(aa) undermines—
5	"(AA) the duties of the
6	recipient under this Act; or
7	"(BB) the provision of
8	services in accordance with
9	this Act; or
10	"(bb) violates any other
11	terms and conditions of an award
12	received by the recipient under
13	this Act; and
14	"(II) any potential real or per-
15	ceived conflict of interest with respect
16	to the agreement has been prevented,
17	mitigated, or otherwise addressed, in-
18	cluding providing a description of any
19	such conflicts of interest and a de-
20	scription of the actions taken to miti-
21	gate such conflicts of interest; and
22	"(B) not later than 45 days after the pop-
23	ulation or services under the agreement sub-
24	stantially change due to an amendment to the
25	agreement, the recipient shall, in writing—

1	"(i) notify the State agency of such
2	change; and
3	"(ii) provide the assurances described
4	in subparagraph (A)(ii) with respect to
5	such change.";
6	(3) by striking subsection (b) and inserting the
7	following:
8	"(b) Ensuring Appropriate Use of Funds.—An
9	agreement—
10	"(1) described in subsection $(a)(1)$ may not—
11	"(A) be made without the prior approval of
12	the State agency (or, in the case of a grantee
13	under title VI, without the prior recommenda-
14	tion of the Director of the Office for American
15	Indian, Alaska Native, and Native Hawaiian
16	Programs and the prior approval of the Assist-
17	ant Secretary), after timely submission of all
18	relevant documents related to the agreement in-
19	cluding information on all costs incurred; or
20	"(B) directly or indirectly provide for, or
21	have the effect of, paying, reimbursing, sub-
22	sidizing, or otherwise compensating an indi-
23	vidual or entity in an amount that exceeds the
24	fair market value of the services subject to such
25	agreement; and

1	"(2) described in subsection (a) may not—
2	"(A) result in the displacement of services
3	otherwise available to an older individual with
4	greatest social need, an older individual with
5	greatest economic need, or an older individual
6	who is at risk for institutional placement; or
7	"(B) in any other way compromise, under-
8	mine, or be inconsistent with the objective of
9	serving the needs of older individuals, as deter-
10	mined by the Assistant Secretary.";
11	(4) by striking subsection (c) and inserting the
12	following:
13	"(c) Monitoring and Reporting.—To ensure that
14	any agreement described in subsection $(a)(1)$ complies
15	with the requirements of this section and other applicable
16	provisions of this Act, the Assistant Secretary shall de-
17	velop and implement uniform monitoring procedures and
18	reporting requirements consistent with the provisions of
19	subparagraphs (A) through (E) of section $306(a)(13)$ in
20	consultation with the State agencies and area agencies on
21	aging. The Assistant Secretary shall conduct a review on
22	the impact of such agreements on the provision of services
23	under this Act, including the number of agreements per
24	State, summaries of such agreements, and the impact of
25	such agreements on access to services consistent with the

goals of this Act. The Assistant Secretary shall annually
 prepare and submit to the Committee on Health, Edu cation, Labor, and Pensions of the Senate, the Special
 Committee on Aging of the Senate, and the Committee
 on Education and the Workforce of the House of Rep resentatives the findings of such review."; and

7 (5) by striking subsection (e) and inserting the8 following:

9 "(e) REQUESTING ADDITIONAL INFORMATION FOR
10 CERTAIN NON-OAA AGREEMENTS.—

11 "(1) IN GENERAL.—In the case of an agree-12 ment described in subsection (a)(2), if the State 13 agency has a reasonable belief that an agreement 14 may violate the assurances provided under sub-15 section (a)(2)(A)(ii), the State agency may request 16 additional information from the recipient of funds 17 under this Act that is a party to such agreement, 18 which may include a request for a copy of such 19 agreement. Such recipient shall make a good faith 20 effort to address such request for additional infor-21 mation, except that such recipient shall not provide 22 agreements or other data that are restricted under 23 the terms of a non-disclosure agreement signed by 24 such recipient. If such recipient declines to provide 25 a copy of an agreement to a State agency, such re-

1	cipient shall provide a justification to the State
2	agency within 30 days of receiving such request.
3	"(2) Confidentiality.—A State agency shall
4	keep confidential, as required by applicable Federal
5	and State law, all information received under this
6	subsection that is—
7	"(A) a trade secret;
8	"(B) commercial or financial information;
9	and
10	"(C) information obtained from an indi-
11	vidual that is privileged and confidential.
12	"(f) DEFINITIONS.—In this section:
13	"(1) COST.—The term 'cost' means an expense,
14	including an administrative expense, incurred by a
15	recipient in developing or carrying out an agreement
16	described in subsection (a), whether the recipient
17	contributed funds, staff time, or other plant, equip-
18	ment, or services to meet the expense.
19	"(2) RECIPIENT.—The term 'recipient' means
20	an area agency on aging in a State with multiple
21	planning and service areas.".
22	(b) Area Plans.—Section 306 (42 U.S.C. 3026) is
23	amended—
24	(1) in subsection (a)(13)—

1	(A) in subparagraph (B)(i), by striking
2	"any service to older individuals" and inserting
3	"any service under this Act to older individuals
4	or caregivers"; and
5	(B) in subparagraph (E), by inserting "or
6	caregivers under this Act" after "older individ-
7	uals"; and
8	(2) in subsection (g), by inserting ", except as
9	provided under section 212(a)(2)," after "Nothing
10	in this Act".
11	SEC. 107. GUIDANCE ON REALLOCATION OF FUNDING BE-
12	TWEEN AREA AGENCIES ON AGING.
13	(a) IN GENERAL.—Not later than 1 year after the
14	date of enactment of this Act, the Assistant Secretary
15	shall disseminate one-time guidance to State agencies (as
16	defined in section 102 of the Older Americans Act of 1965
17	(42 U.S.C. 3002)) and area agencies on aging on cir-
18	cumstances under which funds appropriated pursuant to
19	part B and subparts 1 and 2 of part C of title III of the
20	Older Americans Act (42 U.S.C. 3030d et seq., 42 U.S.C.
21	3030e et seq., 42 U.S.C. 3030f et seq.) may be appro-
22	priate to reallocate between area agencies on aging within
23	a single State, with the approval of the State agency and
24	the concurrence of any involved area agencies on aging,
25	within a budget year.

(b) CONSIDERATIONS.—In disseminating the guid ance under subsection (a), the Assistant Secretary may
 consider circumstances that affect the expenditure of the
 funds described in such subsection.

# 5 SEC. 108. RIGHT TO FIRST REFUSAL.

6 Section 305(b)(5)(B) (42 U.S.C. 3025(b)(5)(B)) is
7 amended to read as follows:

8 "(B) Whenever a State agency designates a new area 9 agency on aging after the date of enactment of the Older 10 Americans Act Reauthorization Act of 2024, the State 11 agency shall give the right to first refusal to a unit of 12 general purpose local government if—

13 "(i) such unit can meet the requirements of14 subsection (c);

15 "(ii)(I) such unit has demonstrated experience
16 administering services for older individuals; or

"(II) the State agency determines that there is not
another entity eligible under subsection (c)(1) within the
planning and service area with such demonstrated experience; and

21 "(iii) the boundaries of such unit and the
22 boundaries of the planning and service area are rea23 sonably contiguous.".

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1	SEC. 109. AREA AGENCY ON AGING CAPABILITIES.
2	(a) Organization.—Section 305(c) (42 U.S.C.
3	3025(c)) is amended—
4	(1) by redesignating paragraphs $(1)$ through
5	(5) as subparagraphs (A) through (E), respectively,
6	and moving such subparagraphs 2 ems to the right;
7	(2) by striking "shall be" and inserting the fol-
8	lowing: "shall—
9	"(1) be—";
10	(3) in subparagraph (E), as so redesignated—
11	(A) by striking " $(b)(5)$ " and inserting
12	"(b)(5)(A)"; and
13	(B) by inserting "and" after the semicolon;
14	and
15	(4) by striking "and shall provide assurance,
16	determined adequate by the State agency, that the
17	area agency on aging will have the ability to develop
18	an area plan and to carry out, directly or through
19	contractual or other arrangements, a program in ac-
20	cordance with the plan within the planning and serv-
21	ice area." and inserting the following:
22	"(2) provide assurance, determined adequate by
23	the State agency, that the area agency on aging will
24	have the ability, and maintain the capabilities nec-
25	essary, to develop an area plan as required under
26	section 306(a), and carry out, directly or through
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1	contractual or other arrangements, and oversee ac-
2	tivities in accordance with—
3	"(A) the plan within the planning and
4	service area;
5	"(B) any other relevant requirements of
6	this Act;
7	"(C) other applicable Federal and State
8	laws; and
9	"(D) other terms and conditions of awards
10	received under this Act.".
11	(b) PLANS.—Section $306(f)(1)$ (42 U.S.C.
12	3026(f)(1)) is amended—
13	(1) by inserting "the assurances required under
14	section 305(c)(2)," after "of this section,"; and
15	(2) by striking the period at the end and insert-
16	ing ", and if the State agency determines, in the dis-
17	cretion of the State agency, that an area agency on
18	aging failed in 2 successive years to comply with the
19	requirements under this title, then the State agency
20	may require the area agency on aging to submit a
21	plan for a 1-year period that meets such require-
22	ments, for subsequent years until the State agency
23	determines that the area agency on aging is in com-
24	pliance with such requirements.".

# 1 SEC. 110. SUPPORTING OLDER INDIVIDUALS WITH DISABIL-

2

# ITIES THROUGH IMPROVED COORDINATION.

3 (a) Area Plans.—Section 306(a)(5) (42 U.S.C. 3026(a)(5)) is amended by striking "with agencies that 4 5 develop or provide services for individuals with disabilities" and inserting "with entities that develop or provide 6 services for individuals with disabilities, which may include 7 8 centers for independent living, relevant service providers, 9 and other community-based organizations, as appro-10 priate".

11 (b) SUPPORTING OLDER INDIVIDUALS WITH DIS-12 ABILITIES THROUGH IMPROVED COORDINATION.—

(1) IN GENERAL.—The Administrator of the
Administration for Community Living of the Department of Health and Human Services (referred to in
this section as the "Administrator") shall identify—

(A) opportunities to improve coordination
between the aging and disability networks,
which may include the formation of partnerships to serve individuals eligible for programs
under the Older Americans Act of 1965 (42)
U.S.C. 3001 et seq.);

(B) lessons learned from disability networks, including centers for independent living,
State developmental disabilities councils, university centers for excellence in developmental dis-

1	abilities education, research, and service, and
2	State protection and advocacy agencies that
3	could improve operations and service delivery
4	within the aging network; and
5	(C) any technical assistance needs related
6	to subparagraphs (A) and (B).
7	(2) GUIDANCE.—Not later than 2 years after
8	the date of enactment of this Act, the Administrator
9	shall issue guidance to State agencies and area
10	agencies on aging on strategies to leverage disability
11	networks, including centers for independent living,
12	State developmental disabilities councils, university
13	centers for excellence in developmental disabilities,
14	education, research, and service, and State protec-
15	tion and advocacy agencies, as appropriate, to
16	strengthen the provision of services under the Older
17	Americans Act of 1965 (42 U.S.C. 3001 et seq.).
18	(3) TECHNICAL ASSISTANCE.—The Adminis-
19	trator shall coordinate across the Administration for
20	Community Living to address any technical assist-
21	ance needs identified under paragraph $(1)(C)$ in a
22	manner that does not unnecessarily duplicate other

technical assistance activities carried out prior to the

24 date of enactment of this Act.

23

1 (c) DEFINITIONS.—Section 102 (42 U.S.C. 3002) is 2 amended—

3 (1) in paragraph (4), by striking "(as defined 4 in section 3 of the Americans with Disabilities Act 5 of 1990 (42 U.S.C. 12102))"; 6 (2) in paragraph (13), by striking "The term" and all that follows through "adjustment." and in-7 8 serting "The term 'disability' has the meaning given 9 such term in section 3 of the Americans with Dis-10 abilities Act of 1990 (42 U.S.C. 12102)."; and 11 (3) in paragraph (49)(B), by striking "of the 12 major life activities specified in subparagraphs (A) 13 through (G) of paragraph (8)" and inserting "major 14 life activities specified in section 3(2) of the Ameri-15 cans with Disabilities Act of 1990 (42 U.S.C. 16 12102(2)).".

# 17 SEC. 111. BUSINESS ACUMEN, FISCAL TRAINING, AND TECH18 NICAL ASSISTANCE.

19 Section 307(a) (42 U.S.C. 3027(a)) is amended by20 adding at the end the following:

21 "(31) The plan shall provide assurances that 22 the State agency, to the extent feasible and when 23 applicable and appropriate, provides technical assist-24 ance for area agencies on aging related to the devel-25 opment of business acumen, sound fiscal practices, capacity building, organizational development, inno vation, and other methods of growing and sustaining
 the capacity of the aging network to carry out activi ties funded under this Act to serve older individuals
 and caregivers most effectively.".

6 SEC. 112. ENHANCING ACCESS TO ASSISTIVE TECHNOLOGY.

7 Section 307(a) (42 U.S.C. 3027(a)), as amended by
8 section 111 of this division, is further amended by adding
9 at the end the following:

10 "(32) The plan shall provide assurances that 11 the State will coordinate services, to the extent fea-12 sible, with lead agencies designated to carry out 13 State assistive technology programs under the As-14 sistive Technology Act of 1998 (29 U.S.C. 3001 et 15 seq.) and with area agencies on aging to assist eligi-16 ble older individuals, including older individuals with 17 disabilities, in accessing and acquiring assistive tech-18 nology.".

# 19 SEC. 113. WHITE HOUSE CONFERENCE ON AGING.

Title II of the Older Americans Act Amendments of
1987 (42 U.S.C. 3001 note; Public Law 100–175) is
amended by striking title II and inserting the following:

# **"TITLE II—WHITE HOUSE CONFERENCE ON AGING**

3 "SEC. 201. AUTHORIZATION OF THE CONFERENCE.

1

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"(a) AUTHORITY TO CALL CONFERENCE.—Not ear-4 lier than January 21, 2025 and not later than December 5 31, 2025, the President shall convene the White House 6 Conference on Aging in order to fulfill the purpose set 7 8 forth in subsection (c) and to make fundamental policy recommendations regarding programs that are important 9 10 to older individuals and to the families and communities 11 of such individuals.

12 "(b) PLANNING AND DIRECTION.—The Conference 13 described in subsection (a) shall be planned and conducted 14 under the direction of the Secretary, in cooperation with the Assistant Secretary for Aging, the Director of the Na-15 tional Institute on Aging, the Administrator of the Centers 16 for Medicare and Medicaid Services, the Social Security 17 18 Administrator, and the heads of such other Federal agen-19 cies serving older individuals as are appropriate. Planning 20and conducting the Conference includes the assignment of 21personnel.

"(c) PURPOSE.—The purpose of the Conference described in subsection (a) shall be to gather individuals representing the spectrum of thought and experience in the
field of aging to—

1	"(1) evaluate the manner in which the objec-
2	tives of the Older Americans Act of 1965 (42 U.S.C.
3	3001 et seq.) can be met by using the resources and
4	talents of older individuals, of families and commu-
5	nities of such individuals, and of individuals from
6	the public and private sectors;
7	"(2) evaluate the manner in which Federal poli-
8	cies, programs, and activities meet and respond to
9	the needs of older individuals, including an examina-
10	tion of innovative and fiscally responsible strategies
11	relating to retirement security, caregiving, nutrition
12	and supportive services, health care, elder justice,
1 🖬	
12	and long-term services and supports;
13	and long-term services and supports;
13 14	and long-term services and supports; "(3) be informed by the work and recommenda-
13 14 15	and long-term services and supports; "(3) be informed by the work and recommenda- tions of the Interagency Coordinating Committee on
13 14 15 16	and long-term services and supports; "(3) be informed by the work and recommenda- tions of the Interagency Coordinating Committee on Healthy Aging and Age-Friendly Communities,
13 14 15 16 17	and long-term services and supports; "(3) be informed by the work and recommenda- tions of the Interagency Coordinating Committee on Healthy Aging and Age-Friendly Communities, evaluate the recommendations of the Committee,
13 14 15 16 17 18	and long-term services and supports; "(3) be informed by the work and recommenda- tions of the Interagency Coordinating Committee on Healthy Aging and Age-Friendly Communities, evaluate the recommendations of the Committee, and, as appropriate, suggest implementation strate-
13 14 15 16 17 18 19	and long-term services and supports; "(3) be informed by the work and recommenda- tions of the Interagency Coordinating Committee on Healthy Aging and Age-Friendly Communities, evaluate the recommendations of the Committee, and, as appropriate, suggest implementation strate- gies for such recommendations; and
<ol> <li>13</li> <li>14</li> <li>15</li> <li>16</li> <li>17</li> <li>18</li> <li>19</li> <li>20</li> </ol>	and long-term services and supports; "(3) be informed by the work and recommenda- tions of the Interagency Coordinating Committee on Healthy Aging and Age-Friendly Communities, evaluate the recommendations of the Committee, and, as appropriate, suggest implementation strate- gies for such recommendations; and "(4) develop recommendations to guide the
<ol> <li>13</li> <li>14</li> <li>15</li> <li>16</li> <li>17</li> <li>18</li> <li>19</li> <li>20</li> <li>21</li> </ol>	and long-term services and supports; "(3) be informed by the work and recommenda- tions of the Interagency Coordinating Committee on Healthy Aging and Age-Friendly Communities, evaluate the recommendations of the Committee, and, as appropriate, suggest implementation strate- gies for such recommendations; and "(4) develop recommendations to guide the President, Congress, and Federal agencies in im-

1	ness, and economic insecurity, including food insecu-
2	rity, and promotion of healthy aging in place.
3	"(d) Conference Participants and Dele-
4	GATES.—
5	"(1) PARTICIPANTS.—In order to carry out the
6	purposes of this section, the Conference shall bring
7	together—
8	"(A) representatives of Federal, State,
9	Tribal, and local governments;
10	"(B) professionals and volunteers who are
11	working in the field of aging; and
12	"(C) representatives of the general public,
13	particularly older individuals.
14	"(2) Selection of delegates.—The dele-
15	gates shall be selected without regard to political af-
16	filiation or past partisan activity and shall, to the
17	best of the appointing authority's ability, be rep-
18	resentative of the spectrum of thought in the field
19	of aging. Delegates shall include older individuals,
20	individuals who are professionals in the field of
21	aging, individuals who are community leaders, mi-
22	nority individuals, individuals from rural areas, low-
23	income individuals, and representatives of Federal,
24	State, Tribal, and local governments.

# 1 "SEC. 202. CONFERENCE ADMINISTRATION.

2 "(a) ADMINISTRATION.—In administering this sec-3 tion, the Secretary shall—

4 "(1) consult with relevant State, Tribal, and
5 local officials, stakeholders, and subject matter ex6 perts in planning the Conference;

"(2) request the cooperation and assistance of
the heads of such other Federal departments and
agencies, including such officials of the Interagency
Coordinating Committee on Healthy Aging and AgeFriendly Communities, as may be appropriate in the
carrying out of this section;

"(3) make available for public comment a proposed agenda for the Conference, which will reflect
to the greatest extent possible the major issues facing older individuals, consistent with the provisions
of section 201(c);

18 "(4) prepare and make available such back19 ground materials for the use of delegates to the Con20 ference as the Secretary deems necessary; and

"(5) engage such additional personnel as may
be necessary to carry out the provisions of this section without regard to provisions of title 5, United
States Code, governing appointments in the competitive service, and without regard to chapter 51 and

1 subchapter III of chapter 53 of such title, relating 2 to classification and General Schedule pay rates. 3 "(b) DUTIES.—The Secretary shall, in carrying out 4 the Secretary's responsibilities and functions under this 5 section, and as part of the White House Conference on 6 Aging, ensure that— "(1) the agenda prepared under subsection 7 8 (a)(3) for the Conference is published in the Federal 9 Register not later than 30 days after such agenda

"(2) the personnel engaged under subsection
(a)(5) shall be fairly balanced in terms of points of
views represented and shall be appointed without regard to political affiliation or previous partisan activities;

is approved by the Secretary;

"(3) the recommendations of the Conference
are not inappropriately influenced by any appointing
authority or by any special interest, but will instead
be the result of the independent judgment of the
Conference; and

"(4) current and adequate statistical data, including decennial census data, and other information
on the well-being of older individuals in the United
States, are readily available, in advance of the Conference, to the delegates of the Conference, together

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with such information as may be necessary to evalu ate Federal programs and policies relating to aging.
 In carrying out this subparagraph, the Secretary is
 authorized to make grants to, and enter into cooper ative agreements with, public agencies and nonprofit
 private organizations.

"(c) GIFTS.—The Secretary may accept, on behalf of
the United States, gifts (in cash or in kind, including voluntary and uncompensated services) that shall be available
to carry out this title. Gifts of cash shall be available in
addition to amounts appropriated to carry out this title.
Gifts may be earmarked by the donor for a specific purpose.

14 "(d) RECORDS.—The Secretary shall maintain
15 records regarding—

16 "(1) the sources, amounts, and uses of gifts ac-17 cepted under subsection (c); and

18 "(2) the identity of each person receiving assist19 ance to carry out this title, and the amount of such
20 assistance received by each such person.

# 21 "SEC. 203. REPORT OF THE CONFERENCE.

"(a) PRELIMINARY REPORT.—Not later than 100
days after the date on which the Conference adjourns, the
Secretary shall publish and deliver to the States a preliminary report on the Conference. Comments on the prelimi-

1 nary report of the Conference shall be accepted by the Secretary. 2

3 "(b) FINAL REPORT.—Not later than 180 days after the date on which the Conference adjourns, the Secretary 4 5 shall publish and transmit to the President and to Congress recommendations resulting from the Conference and 6 suggestions for any administrative action and legislation 7 necessary to implement the recommendations contained 8 within the report. 9

#### 10 **"SEC. 204. DEFINITIONS.**

11	"In this title:
12	"(1) CONFERENCE.—The term 'Conference'
13	means the White House Conference on Aging.
14	"(2) Secretary.—The term 'Secretary' means
15	the Secretary of Health and Human Services.
16	"(3) STATE.—The term 'State' means any of
17	the several States, the District of Columbia, the
18	Commonwealth of Puerto Rico, Guam, American
19	Samoa, the Virgin Islands of the United States, the
20	Trust Territory of the Pacific Islands, or the Com-
21	monwealth of the Northern Mariana Islands.".
22	SEC. 114. TECHNICAL AMENDMENTS.

23 The Older Americans Act of 1965 (42 U.S.C. 3001) et seq.) is amended— 24

1	(1) in section $201(d)(3)(J)$ (42 U.S.C.
2	3011(d)(3)(J)), by striking "Speaker of the House
3	of Representatives and the President pro tempore of
4	the Senate" and inserting "Committee on Health,
5	Education, Labor, and Pensions of the Senate and
6	the Committee on Education and the Workforce of
7	the House of Representatives';
8	(2) in section $202(b)(8)(E)$ (42 U.S.C.
9	3012(b)(8)(E)), by striking "preventative health
10	benefits under the provisions of, and amendments
11	made by, the Medicare Prescription Drug, Improve-
12	ment, and Modernization Act of 2003" and inserting
13	"preventive health benefits under such program";
14	(3) in section $203(c)(7)$ (42 U.S.C.
15	3013(c)(7))—
16	(A) in the matter preceding subparagraph
17	(A), by striking "the Committee on Education
18	and Labor of the House of Representatives"
19	and inserting "the Committee on Education
20	and the Workforce of the House of Representa-
21	tives"; and
22	(B) in subparagraph (C), by striking
23	"chairman" and inserting "chairperson";

1	(4) in section $339$ (42 U.S.C. $3030g-21$ ), by
2	striking "this chapter" each place it appears and in-
3	serting "this part"; and
4	(5) in section $432(b)(1)$ (42 U.S.C.
5	3033a(b)(1)), by striking "Speaker of the House of
6	Representatives and the President pro tempore of
7	the Senate" and inserting "Committee on Health,
8	Education, Labor, and Pensions of the Senate and
9	the Committee on Education and the Workforce of
10	the House of Representatives".
11	TITLE II—IMPROVING HEALTH
12	OUTCOMES AND ENCOUR-
13	AGING INDEPENDENCE FOR
13 14	AGING INDEPENDENCE FOR OLDER INDIVIDUALS
-	
14	<b>OLDER INDIVIDUALS</b>
14 15	<b>OLDER INDIVIDUALS</b> SEC. 201. DISEASE PREVENTION AND HEALTH PROMOTION
14 15 16	OLDER INDIVIDUALS SEC. 201. DISEASE PREVENTION AND HEALTH PROMOTION SERVICES.
14 15 16 17	OLDER INDIVIDUALS SEC. 201. DISEASE PREVENTION AND HEALTH PROMOTION SERVICES. Section 102(14) (42 U.S.C. 3002(14)) is amended—
14 15 16 17 18	OLDER INDIVIDUALS SEC. 201. DISEASE PREVENTION AND HEALTH PROMOTION SERVICES. Section 102(14) (42 U.S.C. 3002(14)) is amended— (1) in subparagraph (B), by inserting "heart
14 15 16 17 18 19	OLDER INDIVIDUALS SEC. 201. DISEASE PREVENTION AND HEALTH PROMOTION SERVICES. Section 102(14) (42 U.S.C. 3002(14)) is amended— (1) in subparagraph (B), by inserting "heart rate, respiratory function," after "hearing,";
14 15 16 17 18 19 20	OLDER INDIVIDUALS SEC. 201. DISEASE PREVENTION AND HEALTH PROMOTION SERVICES. Section 102(14) (42 U.S.C. 3002(14)) is amended— (1) in subparagraph (B), by inserting "heart rate, respiratory function," after "hearing,"; (2) in subparagraph (K), by inserting "pro-
<ol> <li>14</li> <li>15</li> <li>16</li> <li>17</li> <li>18</li> <li>19</li> <li>20</li> <li>21</li> </ol>	OLDER INDIVIDUALS SEC. 201. DISEASE PREVENTION AND HEALTH PROMOTION SERVICES. Section 102(14) (42 U.S.C. 3002(14)) is amended— (1) in subparagraph (B), by inserting "heart rate, respiratory function," after "hearing,"; (2) in subparagraph (K), by inserting "pro- viding" before "information";

3	"(L) providing information concerning
4	testing, diagnosis, and treatment of infectious
5	diseases, taking into consideration infectious
6	diseases for which older individuals are at in-
7	creased risk of infection or serious health out-
8	comes;"; and

9 (5) in subparagraph (P), as so redesignated, by
10 striking "subparagraphs (A) through (N)" and in11 serting "subparagraphs (A) through (O)".

# 12 SEC. 202. IMPROVING HEALTH OUTCOMES.

13 (a) RESEARCH AND EVALUATION ACTIVITIES.—Sec14 tion 201 (42 U.S.C. 3011) is amended—

15 (1) in subsection (c)(3)(B), by striking "in be-half" and inserting "on behalf"; and

# 17 (2) in subsection (g)—

18 (A) in paragraph (3)(A)(ii), by inserting
19 "reduction of health care expenditures," after
20 "quality of life,"; and

(B) in paragraph (7), by inserting "and
recommendations relating to further research,
evaluation, and demonstration projects conducted under this section" after "title IV".

1

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lowing:

1	(b) Falls Prevention Programs.—Section
2	411(a)(15) (42 U.S.C. 3032(a)(15)) is amended to read
3	as follows:
4	"(15) bringing to scale and sustaining evidence-
5	based falls prevention programs to reduce the num-
6	ber of falls, fear of falling, and fall-related injuries
7	affecting older individuals, including older individ-
8	uals with disabilities, which shall—
9	"(A) provide training and technical assist-
10	ance to the aging network; and
11	"(B) share best practices with the aging
12	network, including the Aging and Disability Re-
13	source Centers;".
14	(c) INTERAGENCY COORDINATING COMMITTEE ON
15	HEALTHY AGING AND AGE-FRIENDLY COMMUNITIES.—
16	Section 203(c) (42 U.S.C. 3013(c)) is amended—
17	(1) in paragraph $(6)(B)$ —
18	(A) in clause (ii), by striking "and" after
19	the semicolon;
20	(B) in clause (iii), by inserting "and" after
21	the semicolon; and
22	(C) by adding at the end the following:
23	"(iv) strategies to address social isolation,
24	including by promoting strong and stable con-

1	nections across different generations in a family
2	and in the community;"; and
3	(2) in paragraph $(7)$ , as amended by section
4	114(3) of this division—
5	(A) in subparagraph (B), by striking
6	"and" at the end;
7	(B) by redesignating subparagraph (C) as
8	subparagraph (D); and
9	(C) by inserting after subparagraph (B)
10	the following:
11	"(C) contains an assessment of the effec-
12	tiveness of relevant Federal efforts and pro-
13	grams, including implementation of best prac-
14	tices described in paragraph $(6)(B)$ ; and".
15	SEC. 203. TECHNICAL ASSISTANCE ON EVIDENCE-BASED
16	PROGRAMS.
17	(a) TECHNICAL ASSISTANCE.—The Assistant Sec-
18	retary, at the request of a State agency (as defined in sec-
19	tion 102 of the Older Americans Act of 1965 (42 U.S.C.
20	3002)) or area agencies on aging, may provide technical
21	assistance on the requirements of evidence-based pro-
22	grams under the Older Americans Act of 1965 (42 U.S.C.
23	3001 et seq.).

consider whether there are evidence-informed practices,

1 based on the best available science, that may improve2 health outcomes.

#### 3 SEC. 204. ENHANCING MULTIPURPOSE SENIOR CENTERS.

4 (a) IN GENERAL.—Section 202(a)(30) (42 U.S.C. 3012(a)(30)) is amended by inserting ", access to services 5 provided at multipurpose senior centers, and (where ap-6 7 propriate) the establishment and maintenance of multipurpose senior centers" before the semicolon at the end. 8 9 (b) AREA AGENCY ON AGING PLANS.—Section 10 306(a)(2)(A) (42 U.S.C. 3026(a)(2)(A)) is amended by inserting ", including those services provided at multipur-11 pose senior centers, where appropriate" before the semi-12 colon at the end. 13

(c) STATE PLANS.—Section 307(a)(2)(A) (42 U.S.C.
3027(a)(2)(A)) is amended by inserting "and, to the extent feasible, make such evaluation public" before the
semicolon at the end.

#### 18 SEC. 205. ADDRESSING HOME MODIFICATIONS.

(a) INDOOR AIR QUALITY.—Section 361(c) (42
U.S.C. 3030m(c)) is amended by striking "buildings" and
all that follows and inserting "buildings and residences
where older individuals congregate or live".

23 (b) WEATHERIZATION.—Section 321(a)(4) (42
24 U.S.C. 3030d(a)(4)) is amended by striking subparagraph
25 (A) and inserting "(A) to assist older individuals in ob-

taining and maintaining adequate housing, including resi-1 2 dential repair and renovation projects, and (if assistance 3 for weatherization projects does not unnecessarily dupli-4 cate other Federal assistance available) weatherization 5 projects, designed to enable older individuals to maintain 6 their homes in conformity with minimum housing and (as 7 applicable and appropriate) other relevant standards, in 8 order to support such older individuals in aging in place 9 and maintaining their health;".

# 10 SEC. 206. NATIONAL RESOURCE CENTER FOR ENGAGING 11 OLDER ADULTS.

12 Section 411(a)(18) (42 U.S.C. 3032(a)(18)) is 13 amended by inserting ", such as providing appropriate 14 training, resources, and best practices to the aging net-15 work" after "older individuals".

#### 16 SEC. 207. MULTIGENERATIONAL AND CIVIC ENGAGEMENT

17 ACTIVITIES.

18 Section 417 (42 U.S.C. 3032f) is amended—

19 (1) in subsection (a)—

20 (A) in the matter preceding paragraph (1),
21 by striking "projects," and all that follows
22 through "to—" and inserting the following:
23 "projects to serve individuals in younger gen24 erations and older individuals by developing,

1	carrying out, and promoting participation in
2	multigenerational activities to—";
3	(B) in paragraph (2), by adding "and" at
4	the end;
5	(C) in paragraph (3), by striking "opportu-
6	nities for older individuals to become a mentor
7	to individuals in younger generations; and" and
8	inserting "opportunities—
9	"(A) for older individuals to become men-
10	tors to individuals in younger generations; and
11	"(B) at facilities that serve older individ-
12	uals or individuals in younger generations, at
13	which multigenerational activities might
14	occur."; and
15	(D) by striking paragraph (4);
16	(2) in subsection (c)(2), by striking " $(4)$ " and
17	inserting "(3)";
18	(3) in subsection (d)—
19	(A) by striking paragraph (1); and
20	(B) by redesignating paragraphs (2)
21	through $(5)$ as paragraphs $(1)$ through $(4)$ , re-
22	spectively;
23	(4) in subsection (g)—
24	(A) in paragraph (1), in the matter pre-
25	ceding subparagraph (A), by striking "of enact-

	110-
1	ment of the Supporting Older Americans Act of
2	2020," and inserting "on which the first grant
3	is awarded under this section following the date
4	of enactment of the Older Americans Act Reau-
5	thorization Act of 2024,"; and
6	(B) in paragraph (2), in the matter pre-
7	ceding subparagraph (A), by striking "the
8	Speaker of the House of Representatives and
9	the President pro tempore of the Senate" and
10	inserting "the Committee on Health, Edu-
11	cation, Labor, and Pensions of the Senate and
12	the Committee on Education and the Workforce
13	of the House of Representatives"; and
14	(5) in subsection $(h)(1)$ , by striking "or a fam-
15	ily support program." and inserting "or a family
16	support program, or a program at a multipurpose
17	senior center, long-term care facility, or any other
18	residential facility for older individuals.".
19	SEC. 208. REPORT RELATING TO HEALTH OUTCOMES FOR
20	OLDER INDIVIDUALS LIVING WITH OR NEAR
21	FAMILY MEMBERS.
22	(a) IN GENERAL.—The Secretary shall prepare a re-
23	port that assesses—
24	(1) the health outcomes for older individuals
25	who live with, on the same property as, or otherwise

1	in the community in close geographic proximity, rel-
2	ative to the area, to family members; and
3	(2) the degree to which programs under the
4	Older Americans Act of 1965 (42 U.S.C. 3001 et
5	seq.) promote living in the settings described in
6	paragraph (1), as appropriate.
7	(b) INCLUSION.—The report described under sub-
8	section (a) shall include—
9	(1) an assessment of physical and mental health
10	outcomes of older individuals who live in the settings
11	described in subsection $(a)(1)$ in comparison to phys-
12	ical and mental health outcomes of older individuals
13	who do not live in such settings;
14	(2) an assessment of the extent to which living
15	in such settings mitigates social isolation and loneli-
16	ness in older adults; and
17	(3) a description of the different types of such
18	settings and whether, and to what extent, findings
19	under paragraphs $(1)$ and $(2)$ vary across such dif-
20	ferent types.
21	(c) SUBMISSION.—Not later than 2 years after the
22	date of enactment of this Act, the Secretary shall submit
23	to the Committee on Health, Education, Labor, and Pen-
24	sions and the Special Committee on Aging of the Senate
25	and the Committee on Education and the Workforce of

the House of Representatives the report required by sub section (a).

## 3 SEC. 209. IMPROVING BROADBAND COORDINATION AND 4 REDUCING SOCIAL ISOLATION.

5 (a) IN GENERAL.—The Assistant Secretary shall, as appropriate, coordinate with the Assistant Secretary of 6 7 Commerce for Communications and Information of the 8 National Telecommunications and Information Adminis-9 tration to ensure that the aging network (as defined in section 102 of the Older Americans Act of 1965 (42 10 U.S.C. 3002)) and other relevant stakeholders are aware 11 12 of, and, subject to applicable eligibility criteria, have ac-13 cess to, Federal programs relating to digital literacy and the adoption of broadband that may support healthy aging 14 15 and aging in place for older individuals.

16 (b) REPORT.—Not later than 90 days after the date 17 of enactment of this Act, the Assistant Secretary shall prepare, and submit to the Committee on Health, Education, 18 19 Labor, and Pensions, the Special Committee on Aging, and the Committee on Commerce, Science, and Transpor-20 21 tation of the Senate and the Committee on Education and 22 the Workforce of the House of Representatives, a report 23 regarding any coordination efforts carried out pursuant to subsection (a). 24

# TITLE III—ENHANCING INNOVA TION AND FLEXIBILITY IN NU TRITION SERVICES

4 SEC. 301. MEDICALLY TAILORED MEALS.

5 (a) DEFINITIONS.—Section 102(14) (42 U.S.C.
6 3002(14)) is amended—

7 (1) in subparagraph (C), by inserting ", which
8 may include counseling related to the provision of
9 medically tailored meals," after "counseling"; and

10 (2) in subparagraph (D), by inserting "(includ11 ing from medically tailored meals)" after "improved
12 nutrition".

13 (b) ADMINISTRATION OF NUTRITION SERVICES.—
14 Section 205(a)(2)(A) (42 U.S.C. 3016(a)(2)(A)) is
15 amended—

16 (1) in clause (vi), by inserting ", including
17 through the use of innovative approaches" after
18 "systems"; and

19 (2) in clause (viii), by inserting "and innovative20 interventions" after "including strategies".

(c) NUTRITION EDUCATION.—Section 214(2)(C) (42
U.S.C. 3020e(2)(C)) is amended by inserting ", including
interventions," after "other activities".

24 (d) NUTRITION SERVICES PURPOSES.—Section
25 330(3) (42 U.S.C. 3030d–21(3)) is amended by inserting

1 ", tailored to their individual medical and nutritional2 needs to the extent feasible," after "services".

#### 3 SEC. 302. GRAB-AND-GO MEALS.

4 Section 308(b)(4) (42 U.S.C. 3028(b)(4)) is amended
5 by adding at the end the following:

6 "(E) A State may elect in its plan under section 307 7 to allow use of not more than 25 percent of the funds 8 received by such State under subpart 1 of part C, cal-9 culated after any transfers under subparagraphs (A) and 10 (B) are completed, to make meals available at congregate meal sites or other community locations for consumption 11 by older individuals outside such sites and locations, such 12 13 as carry-out or similar meals. A State electing to allow 14 use of funds under the preceding sentence shall—

"(i) ensure that such allowable use complements the delivery of services through the congregate meals program under section 331; and

"(ii) notify the Assistant Secretary of such election, including a description of the amount and percentage of funds received by such State under subpart 1 of part C to be used for such purposes.".

## 22 SEC. 303. GAO STUDY ON NUTRITION SERVICES INCENTIVE 23 PROGRAM.

(a) IN GENERAL.—The Comptroller General of theUnited States shall conduct a study to evaluate the Nutri-

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1	tion Services Incentive Program under section $311$ (42
2	U.S.C. 3030a) (referred to in this section as the "Pro-
3	gram'').
4	(b) INCLUSIONS.—The study under this section—
5	(1) shall—
6	(A) include an assessment of how States
7	and Tribal organizations use funding provided
8	under the Program, including the degree to
9	which States and Tribal organizations use such
10	funding to procure food products from local or
11	regional producers for meals supported under
12	the Program; and
13	(B) identify any challenges or barriers to
14	increasing the use of local and regional pro-
15	ducers under the Program; and
16	(2) may make recommendations related to im-
17	proving the effectiveness of the Program, including
18	with respect to the use of local and regional pro-
19	ducers.
20	(c) Report to Congress.—Not later than 18
21	months after the date of enactment of this Act, the Comp-
22	troller General of the United States shall submit to the
23	Committee on Health, Education, Labor, and Pensions
24	and the Special Committee on Aging of the Senate and
25	the Committee on Education and the Workforce of the

House of Representatives a report on the results of the
 study under this section.

## 3 SEC. 304. INNOVATIONS IN NUTRITION PROGRAMS AND 4 SERVICES.

Subpart 3 of part C of title III (42 U.S.C. 3030g–
21 et seq.) is amended by adding at the end the following: **"SEC. 340. INNOVATIONS IN NUTRITION PROGRAMS AND**8 SERVICES.

9 "(a) DEMONSTRATION TO REDUCE HUNGER, FOOD10 INSECURITY, AND MALNUTRITION.—

"(1) IN GENERAL.—From 11 funds available 12 under paragraph (5), the Assistant Secretary shall 13 make grants, on a competitive basis, to eligible enti-14 ties, to achieve the purposes of section 330(1) by de-15 veloping, testing, implementing, and evaluating inno-16 vative local or regional approaches to improve the 17 quality, effectiveness, efficiency, and outcomes of nu-18 trition projects and services described in sections 19 311, 331, and 336.

20 "(2) ELIGIBILITY.—In order to be eligible for a
21 grant under paragraph (1), an entity shall—

22 "(A) be—

23 "(i) a State agency, an area agency
24 on aging, an Indian Tribe, a Tribal organi25 zation, or another public or nonprofit pri-

1	vate entity, including a nutrition service
2	provider, a multipurpose senior center, a
3	health care entity, or an institution of
4	higher education; or
5	"(ii) a partnership between any enti-
6	ties described in clause (i); and
7	"(B) submit an application at such time
8	and in such manner as the Assistant Secretary
9	may require, including—
10	"(i) a description of an innovative ap-
11	proach referred to in paragraph $(1)$ that
12	the entity proposes to implement under the
13	grant;
14	"(ii) a plan for evaluating the effec-
15	tiveness, including cost-effectiveness, of the
16	innovative approach proposed; and
17	"(iii) a plan for the publication of the
18	results of such evaluation.
19	"(3) PRIORITY.—In selecting eligible entities
20	for grants under this subsection, the Assistant Sec-
21	retary shall give priority to eligible entities proposing
22	to carry out a grant in 1 or more rural areas.
23	"(4) REPORT.—Not later than 1 year after the
24	date of enactment of the Older Americans Act Reau-
25	thorization Act of 2024, and annually thereafter, the

1 Assistant Secretary shall submit a report to the 2 Committee on Health, Education, Labor, and Pensions and the Special Committee on Aging of the 3 4 Senate and the Committee on Education and the 5 Workforce of the House of Representatives describ-6 ing any activities carried out under paragraph (1), 7 an assessment of the outcomes of such activities 8 using rigorous methodologies, and recommendations 9 for inclusion of any successful innovative approaches 10 within nutrition programs established under this 11 Act.

12 "(5) RESERVATION.—From the total of the 13 amounts made available for a fiscal year under para-14 graphs (1) and (2) of section 303(b) and in section 15 311(e), the Assistant Secretary shall reserve an 16 amount equal to not more than 1 percent to carry 17 out activities described in paragraph (1) of this sub-18 section.

19 "(b) INNOVATIVE APPROACHES TO REDUCE HUN-20 GER, FOOD INSECURITY, AND MALNUTRITION.—

"(1) IN GENERAL.—Subject to paragraph (6),
in carrying out nutrition projects established under
this Act, a State agency or title VI grantee may implement innovative approaches, including any applicable approaches implemented previously by the As-

1	sistant Secretary or pursuant to subsection (a), that
2	are demonstrated to be effective, to achieve the pur-
3	poses described in section $330(1)$ by improving—
4	"(A) the quality, composition, preparation,
5	modality, delivery, or location of meals provided
6	to older individuals under this Act; or
7	"(B) the efficiency and effectiveness of dis-
8	tributing, delivering, or otherwise making meals
9	available to older individuals under this Act.
10	"(2) WAIVER.—At the request of a State agen-
11	cy implementing an approach under paragraph $(1)$ ,
12	the Assistant Secretary may waive any requirements
13	of subpart 1 or 2 with respect to such State agency
14	if such requirements impede the ability of such State
15	agency to successfully implement such an approach.
16	"(3) FLEXIBILITY.—The Secretary shall pro-
17	vide maximum flexibility to a title VI grantee imple-
18	menting an approach under paragraph $(1)$ in the
19	same manner as the Secretary provides maximum
20	flexibility in accordance with section $614(c)(3)$ .
21	"(4) SUNSET.—The authority to carry out ac-
22	tivities described in paragraph (1) shall expire on
23	October 1, 2029.
24	"(5) REPORT.—Not later than September 30,
25	2028, the Assistant Secretary shall submit a report

1	to the Committee on Health, Education, Labor, and
2	Pensions and the Special Committee on Aging of the
3	Senate and the Committee on Education and the
4	Workforce of the House of Representatives describ-
5	ing any activities carried out by State agencies or
6	title VI grantees under paragraph (1), an assess-
7	ment of the outcomes of such activities using rig-
8	orous methodologies, and recommendations for inclu-
9	sion of any successful innovative approaches within
10	nutrition programs established under this Act.
11	"(6) Use of allotment.—If the amount ap-
12	propriated to carry out section 311 for a fiscal year
13	exceeds the amount appropriated to carry out sec-
14	tion 311 for the prior fiscal year or fiscal year 2024,
15	whichever is greater, a State agency and title VI
16	grantee in receipt of an allotment under section

16 grantee in receipt of an allotment under section
17 311(b) may elect to use the difference between the
18 allotment received for the fiscal year and the allot19 ment received for the prior fiscal year or fiscal year
20 2024, whichever is greater, for activities described in
21 paragraph (1).

22 "(7) RULE OF CONSTRUCTION.—Nothing in
23 this subsection shall be construed as limiting or pro24 hibiting the requirements described in section 339

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1	from applying to nutrition projects utilizing an inno-
2	vative approach under this subsection.".
3	TITLE IV—SUPPORTING FAMILY
4	CAREGIVERS
5	SEC. 401. IMPROVING THE NATIONAL FAMILY CAREGIVER
6	SUPPORT PROGRAM.
7	(a) STATE REQUIREMENTS FOR STATE AND COMMU-
8	NITY PROGRAMS ON AGING GRANTS.—Section
9	305(a)(3)(E) (42 U.S.C. 3025(a)(3)(E)) is amended—
10	(1) in clause (i), by striking "and" at the end;
11	(2) in clause (ii), by striking the period at the
12	end and inserting "; and"; and
13	(3) by adding at the end the following:
14	"(iii) available supports for family
15	caregivers and older relative caregivers (as
16	defined in section 372(a)).".
17	(b) Area Plan Requirements.—Section
18	306(a)(7)(D) (42 U.S.C. 3026(a)(7)(D)) is amended—
19	(1) in clause (i), by striking "and" at the end;
20	(2) in clause (ii), by adding "and" after the
21	semicolon; and
22	(3) by adding at the end the following:
23	"(iii) available supports for family
24	caregivers and older relative caregivers (as
25	defined in section 372(a));".

1	(c) Definitions Relating to the National Fam-
2	ily Caregiver Support Program.—
3	(1) IN GENERAL.—Section 372(a) (42 U.S.C.
4	3030s(a)) is amended—
5	(A) in paragraph (1)—
6	(i) in the first sentence, by striking
7	"The term" and inserting the following:
8	"(A) IN GENERAL.—The term"; and
9	(ii) in subparagraph (A) (as so des-
10	ignated), in the second sentence—
11	(I) by striking the period at the
12	end and inserting "; and";
13	(II) by striking "Such assess-
14	ment shall be administered through"
15	and inserting the following:
16	"(B) Administration of assess-
17	MENTS.—A caregiver assessment under sub-
18	paragraph (A) shall—
19	"(i) be administered through"; and
20	(III) by adding at the end the
21	following:
22	"(ii) take into account—
23	"(I) linguistic and cultural dif-
24	ferences;

1	"(II) the ease for the caregiver to
2	access information, supports, or serv-
3	ices, and the timeliness of access to
4	such information, supports, or serv-
5	ices;
6	"(III) barriers to accessing infor-
7	mation, supports, or services;
8	"(IV) the availability of informa-
9	tion, supports, or services in accessible
10	formats; and
11	"(V) the quality of information,
12	supports, or services received, and the
13	degree to which it is helpful to the
14	caregiver.";
15	(B) by striking paragraph (2) and insert-
16	ing the following:
17	"(2) CHILD OR YOUTH.—The term 'child or
18	youth' means an individual who is not more than—
19	"(A) 18 years of age; or
20	"(B) 22 years of age, in the case of an in-
21	dividual who is enrolled in any form of school-
22	ing (including on a part-time basis), includ-
23	ing—
24	"(i) in high school or secondary school
25	(as such terms are defined in section 8101

1	of the Elementary and Secondary Edu-
2	cation Act of 1965 (20 U.S.C. 7801)); or
3	"(ii) in an institution of higher edu-
4	cation (as defined in section 102 of the
5	Higher Education Act of 1965 (20 U.S.C.
6	1002))."; and
7	(C) in paragraph $(4)(B)$ —
8	(i) in clause (i), by inserting "adult"
9	after "or other"; and
10	(ii) by amending clause (iii) to read as
11	follows:
12	"(iii)(I) has a legal relationship to the
13	child or youth, such as legal custody, adop-
14	tion, or guardianship, or is raising the
15	child or youth informally; and
16	"(II) in the case of a child or youth de-
17	scribed in paragraph (2)(B) who is 18 years of
18	age or older, had established such a legal rela-
19	tionship, or began raising such child or youth
20	informally, prior to the child or youth reaching
21	the age of 18; and".
22	(2) Conforming Amendments.—Part E of
23	title III (42 U.S.C. 3030s et seq.) is amended—
24	(A) by inserting "or youth" after "child"
25	each place it appears (other than in sections

1	372(a)(2) (as amended by paragraph (1)(B))
2	and 372(a)(4)(B)(iii) (as amended by para-
3	graph $(1)(C)(ii))$ ; and
4	(B) in section $373(c)(2)(B)$ (42 U.S.C.
5	3030s-1(c)(2)(B)), by inserting "or youth"
6	after "children".
7	(d) Program Authorized.—Section 373 (42
8	U.S.C. 3030s–1) is amended—
9	(1) in subsection $(b)(3)$ —
10	(A) by inserting "which may include trau-
11	ma-informed services, peer supports," after "in-
12	dividual counseling,"; and
13	(B) by inserting "elder abuse prevention,"
14	after "nutrition,";
15	(2) in subsection (c)—
16	(A) in the subsection heading, by striking
17	"PRIORITY" and inserting "PRIORITY; CONSID-
18	ERATION"; and
19	(B) by adding at the end the following:
20	"(3) Consideration.—In providing services
21	under this part, the State shall consider—
22	"(A) that older relative caregivers caring
23	for multiple children or youth may need greater

1	"(B) the circumstances and unique needs
2	of different types of caregivers, including the
3	needs of children or youth and their older rel-
4	ative caregivers whose families have been af-
5	fected by substance use disorder, including
6	opioid use disorder.";
7	(3) in subsection (e)—
8	(A) in the matter preceding paragraph (1),
9	by striking "Not later than" and all that fol-
10	lows through "the Assistant Secretary shall"
11	and inserting "The Assistant Secretary shall,
12	on a regular basis'';
13	(B) in paragraph (1)—
14	(i) in subparagraph (B), by striking
15	"and" at the end;
16	(ii) by redesignating subparagraph
17	(C) as subparagraph (D); and
18	(iii) by inserting after subparagraph
19	(B) the following:
20	"(C) the use of caregiver assessments;
21	and"; and
22	(C) in paragraph (2), by striking "make
23	available" and inserting "prepare, publish, and
24	disseminate";
25	(4) in subsection (i)—

1	(A) in paragraph (1), by inserting ", which
2	may include the improvement of the quality and
3	consistency of caregiver assessments and access
4	to other information, supports, or services"
5	after "section 631"; and
6	(B) in paragraph (2), by inserting "(in-
7	cluding outcome measures)" after "program
8	evaluation"; and
9	(5) in subsection (j)—
10	(A) in the matter preceding paragraph (1),
11	by striking "Not later than" and all that fol-
12	lows through "shall provide technical assist-
13	ance" and inserting "Beginning not later than
14	1 year after the date of enactment of the Older
15	Americans Act Reauthorization Act of 2024,
16	the Assistant Secretary, in consultation with
17	stakeholders with appropriate expertise and, as
18	appropriate, informed by the most recent strat-
19	egy developed under the RAISE Family Care-
20	givers Act (42 U.S.C. 3030s note) and the most
21	recent report developed under the Supporting
22	Grandparents Raising Grandchildren Act (Pub-
23	lic Law 115–196; 132 Stat. 1511), shall pro-
24	vide ongoing technical assistance";

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1	(B) in paragraph (2), by striking "and" at
2	the end;
3	(C) by redesignating paragraph $(3)$ as
4	paragraph (4); and
5	(D) by inserting after paragraph $(2)$ the
6	following:
7	"(3) the quality and consistency of caregiver as-
8	sessments used across States; and".
9	SEC. 402. EMPHASIZING RESPITE CARE.
10	Section $321(a)(19)$ (42 U.S.C. $3030d(a)(19)$ ) is
11	amended to read as follows:
12	"(19) services, which may include respite care
13	through various models, designed to support family
14	members and other persons providing voluntary care
15	to older individuals that need long-term care serv-
16	ices, which may include older individuals with cog-
17	nitive impairments such as Alzheimer's disease and
18	related disorders with neurological and organic brain
19	dysfunction;".
20	SEC. 403. CLARIFYING SUPPORTIVE SERVICES.
21	Section 321(a)(18) (42 U.S.C. 3030d(a)(18)) is
22	amended by striking "mentally impaired older individuals"
23	and inserting "older individuals with cognitive, physical,
24	or mental impairments".

1	1501
1	SEC. 404. DIRECT CARE WORKFORCE RESOURCE CENTER.
2	Section $411(a)(13)$ (42 U.S.C. $3032(a)(13)$ ) is
3	amended—
4	(1) in subparagraph (B), by adding "and" at
5	the end;
6	(2) by redesignating subparagraphs (A) and
7	(B) as clauses (i) and (ii), respectively, and adjust-
8	ing the margins accordingly;
9	(3) in the matter preceding clause (i) (as so re-
10	designated)—
11	(A) by inserting "and, as appropriate, the
12	heads of other relevant Federal departments
13	and agencies" after "Labor"; and
14	(B) by striking "workers, and the solic-
15	iting," and inserting the following: "workers,
16	including—
17	"(A) the soliciting,"; and
18	(4) by adding at the end the following:
19	"(B) the establishment and operation of a
20	national resource center that supports the
21	growth and professionalization of the direct
22	care workforce necessary to meet the needs of
23	older individuals and individuals with disabil-
24	ities, and, in a manner that does not unneces-
- ·	
25	sarily duplicate the activities of other resource

1	that addresses training and other educational
2	needs of family caregivers, which activities of
3	the center may include—
4	"(i) the provision of training and
5	technical assistance, including through the
6	development and dissemination of edu-
7	cational materials, to States, long-term
8	services and supports providers, direct care
9	workers, and family caregivers; and
10	"(ii) promoting existing, and sup-
11	porting the demonstration of new, strate-
12	gies for the recruitment, retention, career
13	development, or advancement of direct care
14	workers to reduce barriers to entry for a
15	diverse and high-quality direct care work-
16	force, including providing wages, benefits,
17	and advancement opportunities needed to
18	attract or retain direct care workers;".
19	SEC. 405. SUPPORTING GRANDPARENTS RAISING GRAND-
20	CHILDREN ACT.
21	(a) FINDINGS.—The Supporting Grandparents Rais-
22	ing Grandchildren Act (Public Law 115–196; 132 Stat.
23	1511) is amended by striking section 2.
24	(b) DEFINITIONS.—The Supporting Grandparents
25	Raising Grandchildren Act is amended by redesignating

1	section 4 as section 2 and moving the section so as to
2	follow section 1.
3	(c) Advisory Council.—Section 3 of the Sup-
4	porting Grandparents Raising Grandchildren Act is
5	amended—
6	(1) in subsection (b)—
7	(A) in paragraph (1)—
8	(i) by redesignating subparagraphs
9	(G) through (I) as subparagraphs (H)
10	through (J);
11	(ii) by inserting after subparagraph
12	(F) the following:
13	"(G) The Assistant Secretary for Health.";
14	(iii) in subparagraph (I), as so redes-
15	ignated, by striking "of children"; and
16	(iv) in subparagraph (J), as so redes-
17	ignated, by striking "relatives" and insert-
18	ing "relative caregivers"; and
19	(B) by adding at the end the following:
20	"(3) LIMITATION ON NON-FEDERAL MEM-
21	BERS.—Not more than 10 members of the Advisory
22	Council may be individuals who are not Federal offi-
23	cers or employees.";
24	(2) in subsection (c)—
25	(A) in paragraph (1)—

1	(i) in subparagraph (A)—
2	(I) in the matter preceding clause
3	(i), by striking "relatives" and insert-
4	ing "relative caregivers"; and
5	(II) in clause (i)—
6	(aa) by striking "the
7	health," and inserting "the near-
8	and long-term health, including
9	mental health,"; and
10	(bb) by striking "care; and"
11	and inserting "care, including
12	any needs related to the cir-
13	cumstances that caused such
14	children to be raised by a grand-
15	parent or older relative caregiver;
16	and"; and
17	(ii) in subparagraph (B)—
18	(I) by striking "(B)" and all that
19	follows through "In" and inserting
20	the following:
21	"(B) CONSIDERATIONS.—In"; and
22	(II) by striking "needs of those
23	affected by the opioid crisis" and in-
24	serting "needs and challenges of indi-
25	viduals affected by substance use dis-

1	order, including opioid use disorder,
2	or, as applicable and appropriate,
3	needs and challenges of individuals re-
4	lated to other circumstances, which
5	may include public health emer-
6	gencies'';
7	(B) in paragraph (2)—
8	(i) in subparagraph (A), in the matter
9	preceding clause (i), by striking "enact-
10	ment of this Act" and inserting "enact-
11	ment of the Older Americans Act Reau-
12	thorization Act of 2024"; and
13	(ii) in subparagraph (B)—
14	(I) in clause (i)—
15	(aa) by striking "relatives"
16	and inserting "relative care-
17	givers"; and
18	(bb) by striking "needs of
19	children" and all that follows
20	through "epidemic;" and insert-
21	ing "needs of children and their
22	older relative caregivers who have
23	been affected by substance use
24	disorder, including opioid use dis-
25	order;'';

- 1506 (II) in clause (ii), by striking the 1 2 "and" at the end; 3 (III) by redesignating clause (iii) 4 as clause (iv); and 5 (IV) by inserting after clause (ii) 6 the following: "(iii) a description of any activities of 7 8 the Department of Health and Human 9 Services to evaluate the effectiveness of 10 supportive services in addressing the needs 11 of children and their older relative care-12 givers, including those who have been af-13 fected by substance use disorder, including 14 opioid use disorder, and any related find-15 ings; and"; 16 (C) in paragraph (3)— 17 (i) in the matter preceding subpara-18 graph (A)— 19 (I) by striking "(3)" and all that follows through "Not" and inserting 20 21 the following:
- 22 "(3) FOLLOW-UP REPORTS.—Not";
  23 (II) by striking "2 years" and in24 serting "180 days"; and

1	(III) by inserting after "sub-
2	mitted," the following: "and every $2$
3	years thereafter until the Advisory
4	Council terminates under subsection
5	(f),''; and
6	(D) in paragraph (4) by striking "rel-
7	atives" each place it appears and inserting "rel-
8	ative caregivers'';
9	(3) in subsection (d), by striking "the Federal
10	Advisory Committee Act (5 U.S.C. App.)." and in-
11	serting "chapter 10 of title 5, United States Code.";
12	and
13	(4) in subsection (f), by striking "terminate"
14	and all that follows through "Act." and inserting
15	"terminate on September 30, 2029.".
16	SEC. 406. RAISE FAMILY CAREGIVERS ACT.
17	(a) STRATEGY.—Section 3 of the RAISE Family
18	Caregivers Act (42 U.S.C. 3030s note) is amended—
19	(1) in subsection (c)—
20	(A) in the matter preceding paragraph (1),
21	by inserting "(or the Secretary's designee)"
22	after "The Secretary"; and
23	(B) in paragraph (1), by inserting "and
24	made publicly available by the Secretary," after
25	"caregiver programs,"; and

(2) in subsection (d)(2), by inserting "in" after
 "caregiver programs".

3 (b) COUNCIL.—Section 4(e) of that Act (42 U.S.C.
4 3030s note) is amended by striking "The Federal Advi5 sory Committee Act (5 U.S.C. App.)" and inserting
6 "Chapter 10 of title 5, United States Code,".

7 (c) SUNSET EXTENSION.—Section 6 of that Act (42
8 U.S.C. 3030s note) is amended by striking "terminate"
9 and all that follows through "Act." and inserting "termi10 nate on September 30, 2029.".

# 11 TITLE V—COMMUNITY SERVICE 12 SENIOR OPPORTUNITIES ACT

13 SEC. 501. IMPROVING THE COMMUNITY SERVICE EMPLOY-

#### 14 MENT PROGRAM.

15 (a) PROGRAM.—Section 502(b)(1) (42 U.S.C.
16 3056(b)(1)) is amended—

17 (1) in subparagraph (C)(ii), by striking "section
18 513(a)(2)(E)" and inserting "section 513(a)(2)(F)";
19 and

20 (2) in subparagraph (E), by inserting "older in21 dividuals," after "youth,".

22 (b) PERFORMANCE.—Section 513 (42 U.S.C. 3056k)

23 is amended—

24 (1) in subsection (a)(2)—

1	(A) in subparagraph (D)(iii), by inserting
2	", including toward the long-term performance
3	goals determined by the Department of Labor
4	under the Government Performance and Re-
5	sults Act of 1993 (Public Law 103-62; 107
6	Stat. 285) and the amendments made by such
7	Act," after "core measures";
8	(B) by redesignating subparagraph (E) as
9	subparagraph (F); and
10	(C) by inserting after subparagraph (D)
11	the following:
12	"(E) BIENNIAL REPORT.—Not later than
13	2 years after the date of enactment of the Older
14	Americans Act Reauthorization Act of 2024,
15	and every 2 years thereafter during the period
16	of the program described in section $502(a)(1)$ ,
17	the Secretary shall prepare, make publicly avail-
18	able, and submit to the Committee on Health,
19	Education, Labor, and Pensions and the Spe-
20	cial Committee on Aging of the Senate and the
21	Committee on Education and the Workforce of
22	the House of Representatives a report regard-
23	ing the methodology used to arrive at the ex-
24	pected levels of performance described in sub-
25	paragraph (B) for each grantee, including the

1	particular statistical model used and other fac-
2	tors taken into account, as described in sub-
3	paragraph (D).";
4	(2) in subsection $(b)(1)(C)$ , by striking "fourth
5	quarter after exit from the project" and inserting
6	"second quarter after exit from the project and re-
7	main in unsubsidized employment during the fourth
8	quarter after exit from the project";
9	(3) in subsection (c) and paragraphs $(1)(A)$ ,
10	(2)(A), and $(3)(A)$ of subsection (d), by striking
11	"subsection $(a)(2)(E)$ " and inserting "subsection
12	(a)(2)(F)"; and
13	(4) in subsection (d)—
14	(A) in paragraph (2)(B)(iii), by adding at
15	the end the following: "For grants awarded on
16	or after the date that is 2 years after the date
17	of enactment of the Older Americans Act Reau-
18	thorization Act of 2024, any grantee who has
19	failed to meet the expected levels of perform-
20	ance for the 2 consecutive years prior to the
21	subsequent grant competition under section 514
22	shall not be allowed to compete in the subse-
23	quent grant competition under section 514 fol-
24	lowing the second consecutive year of failure
25	but may compete in the next such grant com-

petition after that subsequent competition."; and

3 (B) in paragraph (3)(B)(iii), by adding at 4 the end the following: "For grants awarded on 5 or after the date that is 2 years after the date 6 of enactment of the Older Americans Act Reau-7 thorization Act of 2024, if the Secretary deter-8 mines that the State fails to meet the expected 9 levels of performance described in subparagraph 10 (A) for 2 consecutive program years, the Sec-11 retary shall provide for the conduct by the 12 State of a competition to award the funds allot-13 ted to the State under section 506(e) for the 14 first full program year following the Secretary's 15 determination.".

16 (c) DEFINITIONS AND RULE.—

17 (1) DEFINITIONS.—Section 518(a)(1)(A) (42
18 U.S.C. 3056p(a)(1)(A)) is amended to read as follows:

20 "(A) social, health, welfare, and edu21 cational services (including literacy tutoring and
22 services provided by the aging network), legal
23 and other counseling services and assistance
24 (including tax counseling and assistance and fi-

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	1012
1	nancial counseling), and library, recreational,
2	and other similar services;".
3	(2) RULE.—Section $518(b)(2)(F)$ (42 U.S.C.
4	3056p(b)(2)(F)) is amended to read as follows:
5	"(F) has failed to find employment after receiv-
6	ing any combination of training services or the fol-
7	lowing career services provided under title I of the
8	Workforce Innovation and Opportunity Act (29
9	U.S.C. 3111 et seq.)—
10	"(i) initial or comprehensive skills assess-
11	ment;
12	"(ii) labor exchange services;
13	"(iii) provision of workforce and labor mar-
14	ket information or job search assistance;
15	"(iv) development of an individual employ-
16	ment plan;
17	"(v) group or individual counseling;
18	"(vi) career planning;
19	"(vii) internship, work experience, work-
20	force preparation activities, or prevocational
21	services;
22	"(viii) English language acquisition and in-
23	tegrated education and training; or
24	"(ix) followup services;".

# 1SEC. 502. GAO REPORT ON ALIGNMENT WITHIN THE COM-2MUNITY SERVICE EMPLOYMENT PROGRAM.

3 (a) REVIEW.—Not later than 18 months after the
4 date of enactment of this Act, the Comptroller General
5 of the United States shall complete a review in which the
6 Comptroller General—

7 (1) evaluates—

8 (A) the distinct differences and similarities 9 between the older American community service 10 employment program as authorized under title 11 V of the Older Americans Act of 1965 (42) 12 U.S.C. 3056 et seq.) and the programs carried out under title I of the Workforce Innovation 13 14 and Opportunity Act (29 U.S.C. 3111 et seq.); 15 and

16 (B) how the programs described in sub17 paragraph (A) serve older individuals in seeking
18 and obtaining community service employment;

19 (2) analyzes the expected levels of performance 20 described in section 513(a) of the Older Americans 21 Act of 1965 (42 U.S.C. 3056k(a)), the efficacy and 22 impacts of the indicators of performance described 23 in section 513(b) of the Older Americans Act of 24 1965 (42 U.S.C. 3056k(b)), and corrective measures 25 described in section 513(d) of the Older Americans 26 Act of 1965 (42 U.S.C. 3056k(d)) for the older •HR 10445 IH

1 American community service employment program, 2 compared with the expected levels of performance, 3 efficacy and impacts of the indicators of perform-4 ance, and corrective measures described in section 5 116 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3141) for programs authorized 6 7 under title I of such Act, including the efficacy of 8 the indicators of performance described in section 9 513(b) of the Older Americans Act of 1965 (42) 10 U.S.C. 3056k(b)) for individuals described in sub-11 section (a)(3)(B)(ii) or subsection (b) of section 518 12 of the Older Americans Act of 1965 (42 U.S.C. 13 3056p);

14 (3) develops recommendations for any alternative measures that may better measure the effi-15 16 cacy of the older American community service em-17 ployment program as authorized under title V of the 18 Older Americans Act of 1965 (42 U.S.C. 3056 et 19 seq.) described for individuals in subsection 20 (a)(3)(B)(ii) or subsection (b) of section 518 of the 21 Older Americans Act of 1965 (42 U.S.C. 3056p) to 22 achieve the objectives described in section 101 of the 23 Older Americans Act of 1965 (42 U.S.C. 3001); and 24 (4) evaluates how the Department of Labor co-25 ordinates delivery of services with State and national

1 grantees under title V of the Older Americans Act 2 of 1965 (42 U.S.C. 3056 et seq.) and with States 3 and local workforce development areas under title I 4 of the Workforce Innovation and Opportunity Act 5 (29 U.S.C. 3111 et seq.) to serve older individuals. 6 (b) REPORT TO CONGRESS.—Not later than 180 days 7 after the review required under this section is completed, 8 the Comptroller General shall submit to the Committee 9 on Health, Education, Labor, and Pensions and the Spe-10 cial Committee on Aging of the Senate and the Committee 11 on Education and the Workforce of the House of Rep-12 resentatives a report on the results of such review. TITLE VI—IMPROVING SERVICES 13 FOR NATIVE ELDERS 14 15 SEC. 601. OLDER AMERICANS TRIBAL ADVISORY COM-16 MITTEE. 17 Section 201(c) (42 U.S.C. 3011(c)) is amended by 18 adding at the end the following: 19 "(4)(A) In addition to other methods of govern-20 ment-to-government consultation between the Ad-21 ministration and Indian Tribes and conferring with 22 organizations representing Native Hawaiians, the 23 Assistant Secretary shall establish an advisory com-24 mittee, to be known as the 'Older Americans Tribal 25 Advisory Committee' (referred to in this paragraph

1	as the 'Committee') to provide advice and guidance
2	to the Assistant Secretary on matters relating to the
3	needs of older individuals who are Native Americans
4	and implementation of related programs and activi-
5	ties under this Act.
6	"(B) The Committee shall be composed of 11 voting,
7	non-Federal members, including—
8	"(i) geographically diverse individuals with ex-
9	pertise on the range of issues affecting Indian
10	Tribes, organizations representing Native Hawai-
11	ians, and older individuals who are Native Ameri-
12	cans;
13	"(ii) not less than 1 member who is an Alaska
14	Native; and
15	"(iii) not less than 1 member who is a Native
16	Hawaiian.
17	"(C) The Committee shall include non-voting, ex offi-
18	cio representatives of relevant Federal departments and
19	agencies, including—
20	"(i) the Administration;
21	"(ii) the Indian Health Service;
22	"(iii) the Centers for Medicare & Medicaid
23	Services;
24	"(iv) the Department of the Interior;
25	"(v) the Department of Labor; and

"(vi) any other agency or office with subject
 matter expertise that the Assistant Secretary deter mines appropriate.

4 "(D) The Committee shall meet in person not less5 frequently than twice each year.

6 "(E) The Committee shall coordinate, as appropriate,
7 with the Secretary's Tribal Advisory Committee of the De8 partment of Health and Human Services.

9 "(F)(i) Not less frequently than once each year, the
10 Committee shall submit to the Assistant Secretary and
11 make publicly available a report that describes—

12 "(I) the activities of the Committee during the pre-13 vious year; and

"(II) recommendations for administrative action, including the identification of any statutory barriers to carrying out such recommendations, for the following year.
"(ii) Not later than 60 days after the date on which
the Assistant Secretary receives a report under clause (i),
the Assistant Secretary shall submit to the Committee a
written response to such report.

21 "(G) Chapter 10 of title 5, United States Code, shall22 not apply to the Committee.

23 "(H) In establishing, developing procedures for, and
24 operating the Committee, the Assistant Secretary shall—

"(i) consult with Indian Tribes and confer with orga-1 2 nizations representing Native Hawaiians; and 3 "(ii) take into consideration best practices of other 4 Tribal advisory committees operated by the Department 5 of Health and Human Services before the date of enact-6 ment of the Older Americans Act Reauthorization Act of 7 2024.". 8 SEC. 602. SUPPORTIVE SERVICES; SET ASIDE. 9 (a) SUPPORTIVE SERVICES.—Section 636 (42 U.S.C. 3057k-21) is amended— 10 11 (1) in subsection (a), by striking "may" and in-12 serting "shall, as practicable,"; and 13 (2) in subsection (b)(2), by striking "in-home 14 assistance" and inserting "in-home services". 15 (b) FUNDING SET ASIDE.—Section 644 (42 U.S.C. 30570) is amended— 16 17 (1) by striking "Of" and inserting the fol-18 lowing: "(a) IN GENERAL.—Of"; and 19 20 (2) by adding at the end the following: "(b) REPORT.—Not later than 1 year after the date 21 22 of enactment of the Older Americans Act Reauthorization 23 Act of 2024, the Assistant Secretary shall submit to the 24 Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the 25

1	Workforce of the House of Representatives, a report on
2	the use of funds under part D. Such report shall include—
3	((1) the total amount of funds made available
4	under subsection (a) to carry out part D for each
5	fiscal year;
6	"(2) a list of award recipients under part D;
7	and
8	"(3) a summary of supportive services for
9	healthy aging and independence provided under part
10	D.".
11	SEC. 603. GAO REPORT ON TRIBAL SERVICES.
12	Not later than 18 months after the date of enactment
13	of this Act, the Comptroller General of the United States
14	shall submit to Congress a report that—
15	(1) evaluates and identifies barriers to Indian
16	Tribes (as defined in section 4 of the Indian Self-
17	Determination and Education Assistance Act (25
18	U.S.C. 5304)) and organizations serving Native Ha-
18 19	
	U.S.C. 5304)) and organizations serving Native Ha-
19	U.S.C. 5304)) and organizations serving Native Ha- waiians accessing programs under title VI of the
19 20	U.S.C. 5304)) and organizations serving Native Ha- waiians accessing programs under title VI of the Older Americans Act of 1965 (42 U.S.C. 3057 et
19 20 21	U.S.C. 5304)) and organizations serving Native Ha- waiians accessing programs under title VI of the Older Americans Act of 1965 (42 U.S.C. 3057 et seq.), and coordination of such programs under such

1	(A) estimating the number of Native
2	Americans unserved by programs under such
3	title VI;
4	(B) identifying States and area agencies
5	on aging making grants to Indian Tribes under
6	such title III; and
7	(C) providing estimates of funding nec-
8	essary to support programs under such title VI
9	for all Tribal organizations (as defined in sec-
10	tion 4 of the Indian Self-Determination and
11	Education Assistance Act (25 U.S.C. 5304))
12	and organizations serving Native Hawaiians
13	that are not eligible under such title VI (as in
14	effect on the date of enactment of this Act);
15	and
16	(2) details how grantees under title V of the
17	Older Americans Act of 1965 (42 U.S.C. 3056 et
18	seq.) are serving older individuals who are Native
19	Americans with funds received under such title V,
20	including by evaluating how the Secretary of Labor
21	coordinates with State and national grantees under
22	such title V to serve older individuals who are Native
23	Americans.

1	SEC. 604. TECHNICAL AMENDMENTS.
2	The Older Americans Act of 1965 (42 U.S.C. 3001
3	et seq.) is amended—
4	(1) in section 102 (42 U.S.C. 3002)—
5	(A) in paragraph (27), by striking "the
6	term 'Indian tribe' means any tribe" and insert-
7	ing "the term 'Indian Tribe' means any Tribe";
8	and
9	(B) in paragraph (56), by striking "the
10	term 'tribal organization' means" and inserting
11	"the term 'Tribal organization' means";
12	(2) in section $418(a)(2)(6)$ (42 U.S.C.
13	3032g(a)(2)(6)), by striking "Speaker of the House
14	of Representatives and the President pro tempore of
15	the Senate" and inserting "Committee on Health,
16	Education, Labor, and Pensions of the Senate and
17	the Committee on Education and the Workforce of
18	the House of Representatives";
19	(3) in section 612(c) (42 U.S.C. 3057c(c))—
20	(A) by striking "terms 'Indian tribe' and
21	'tribal organization' have'' and inserting ''terms
22	'Indian Tribe' and 'Tribal organization' have'';
23	and
24	(B) by striking " $(25 \text{ U.S.C. } 450b)$ " and
25	inserting "(25 U.S.C. 5304)"; and

(4) by striking "tribe", "tribes", and "tribal" 1 2 each place such terms appear and inserting "Tribe", 3 "Tribes", and "Tribal", respectively. VII—STRENGTHENING TITLE 4 LONG-TERM CARE THE OM-5 BUDSMAN PROGRAMS AND 6 **ELDER ABUSE PREVENTION** 7 8 SEC. 701. DIRECTOR OF THE OFFICE OF LONG-TERM CARE 9 **OMBUDSMAN PROGRAMS.** 10 Section 201(d)(2)(A) (42 U.S.C. 3011(d)(2)(A)) is 11 amended, in the second sentence, by inserting "serve on a full-time basis and" after "shall". 12 13 SEC. 702. LEGAL ASSISTANCE TRAINING RESOURCES RE-14 LATING TO ELDER ABUSE PREVENTION. 15 Section 201(e)(2)(A) (42 U.S.C. 3011(e)(2)(A)) is amended by striking clause (v) and inserting the following: 16 17 "(v) establishing an information clear-18 inghouse to collect, maintain, and dissemi-19 nate information concerning best practices 20 and resources for training, technical assist-21 ance, and other activities, which may in-22 clude training resources for paralegals or 23 law students who are under the direct su-24 pervision of an attorney, to assist State 25 Long-Term Care Ombudsman programs,

1	adult protective services programs, and
2	other legal services relating to defense of
3	guardianship, promotion of self-determina-
4	tion, and the matters described in clause
5	(ii)(I), and to assist States and commu-
6	nities to carry out evidence-based programs
7	to prevent and address elder abuse, ne-
8	glect, and exploitation;".
9	SEC. 703. IMPROVING TRAINING OF VOLUNTEERS UNDER
10	THE STATE LONG-TERM CARE OMBUDSMAN
11	PROGRAM.
12	Section 712 (42 U.S.C. 3058g) is amended—
13	(1) in subsection $(h)(5)$ —
14	(A) in the matter preceding subparagraph
15	(A)—
16	(i) by striking "the representatives"
17	and inserting "each type of representa-
18	tive"; and
19	(ii) by inserting "types of" before
20	"unpaid volunteers";
21	(B) in subparagraph (A), by inserting "for
22	each such type of representative" before the
23	semicolon at the end;
24	(C) in subparagraph (B)(iii), by striking
25	"and" at the end;

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1	(D) in subparagraph (C), by adding "and"
2	at the end; and
3	(E) by adding at the end the following:
4	"(D) with respect to representatives of the
5	Office who are unpaid volunteers, take into con-
6	sideration the degree to which each such type of
7	unpaid volunteer performs activities requiring
8	specialized training, with a goal of reducing un-
9	necessary training requirements for prospective
10	unpaid volunteers;"; and
11	(2) by adding at the end the following:
12	"(k) Training Requirements for Unpaid Vol-
13	UNTEERS.—
14	"(1) IN GENERAL.—In providing the model
15	standards described in subsection $(h)(5)$ , the Direc-
16	tor of the Office of Long-Term Care Ombudsman
17	Programs shall review and, as necessary, update
18	such model standards on a regular basis to tailor
19	such model standards to the individualized training
20	needs of each type of representative of the Office, in-
21	cluding each type of unpaid volunteer.
22	"(2) Considerations.—In carrying out para-
23	graph (1), the Director of the Office of Long-Term
24	Care Ombudsman Programs shall take into consider-
25	ation the degree to which each type of representative

1 of the Office performs activities that require special-2 ized training, with a goal of reducing unnecessary 3 training requirements for unpaid volunteers.". 4 SEC. 704. REPORTING ON STATE LONG-TERM CARE OM-5 **BUDSMAN PROGRAMS.** 6 Chapter 2 of subtitle A of title VII (42 U.S.C. 3058f 7 et seq.) is amended by adding at the end the following: 8 "SEC. 714. REPORTS TO CONGRESS. 9 "Each year, the Assistant Secretary shall submit to 10 the Committee on Health, Education, Labor, and Pensions and the Special Committee on Aging of the Senate 11 12 and the Committee on Education and the Workforce of 13 the House of Representatives, and make publicly available, a report that— 14 15 "(1) aggregates all reports submitted under sec-16 tion 712(h) for such year; and 17 "(2) provides a summary of the findings of 18 such reports.". 19 SEC. 705. STUDY ON STATE LONG-TERM CARE OMBUDSMAN 20 PROGRAMS. 21 (a) IN GENERAL.—The Assistant Secretary shall 22 seek to enter into a contract with the National Academies 23 of Sciences, Engineering, and Medicine (referred to in this

section as the "National Academies") to conduct a study 25 on the State Long-Term Care Ombudsman programs car-

ried out under the Older Americans Act of 1965 (42
 U.S.C. 3001 et seq.), including an assessment of the effec tiveness of such programs and any related challenges and
 recommendations. The study shall include an assessment
 of the current (as of the date on which the contract is
 entered into) recommended staff-to-bed ratio for such pro grams, as appropriate.

8 (b) REPORT.—Not later than 18 months after the 9 date on which a contract is entered into under subsection 10 (a), the National Academies shall publicly issue a report 11 on the findings of the study under this section.

# 12 TITLE VIII—AUTHORIZATIONS 13 OF APPROPRIATIONS

#### 14 SEC. 801. ADMINISTRATION ON AGING.

15 Section 216 (42 U.S.C. 3020f) is amended—

16 (1)in subsection (a), by striking 17 "\$43,937,410" and all that follows through "fiscal 18 year 2024" and inserting "\$55,469,968 for fiscal 19 \$55,469,968 for fiscal year 2026, year 2025, 20 \$55,469,968 for fiscal year 2027, \$55,469,968 for 21 fiscal year 2028, and \$55,469,968 for fiscal year 22 2029"; and

(2) in subsection (b)—

24 (A) in paragraph (1), by striking
25 "\$2,180,660" and all that follows through "fis-

1	cal year 2024" and inserting "\$2,753,033 for
2	fiscal year 2025, \$2,753,033 for fiscal year
3	2026, \$2,753,033 for fiscal year 2027,
4	\$2,753,033 for fiscal year 2028, and
5	\$2,753,033 for fiscal year 2029";
6	(B) in paragraph (2), by striking
7	"\$1,988,060" and all that follows through "fis-
8	cal year 2024" and inserting "\$2,509,880 for
9	fiscal year 2025, \$2,509,880 for fiscal year
10	2026, \$2,509,880 for fiscal year 2027,
11	\$2,509,880 for fiscal year 2028, and
12	\$2,509,880 for fiscal year 2029";
13	(C) in paragraph (3), by striking
13 14	(C) in paragraph (3), by striking "\$1,371,740" and all that follows through "fis-
14	"\$1,371,740" and all that follows through "fis-
14 15	"\$1,371,740" and all that follows through "fis- cal year 2024" and inserting "\$1,731,790 for
14 15 16	"\$1,371,740" and all that follows through "fis- cal year 2024" and inserting "\$1,731,790 for fiscal year 2025, \$1,731,790 for fiscal year
14 15 16 17	"\$1,371,740" and all that follows through "fis- cal year 2024" and inserting "\$1,731,790 for fiscal year 2025, \$1,731,790 for fiscal year 2026, \$1,731,790 for fiscal year 2027,
14 15 16 17 18	"\$1,371,740" and all that follows through "fis- cal year 2024" and inserting "\$1,731,790 for fiscal year 2025, \$1,731,790 for fiscal year 2026, \$1,731,790 for fiscal year 2027, \$1,731,790 for fiscal year 2028, and
14 15 16 17 18 19	"\$1,371,740" and all that follows through "fis- cal year 2024" and inserting "\$1,731,790 for fiscal year 2025, \$1,731,790 for fiscal year 2026, \$1,731,790 for fiscal year 2027, \$1,731,790 for fiscal year 2028, and \$1,731,790 for fiscal year 2029"; and
14 15 16 17 18 19 20	<ul> <li>"\$1,371,740" and all that follows through "fiscal year 2024" and inserting "\$1,731,790 for fiscal year 2025, \$1,731,790 for fiscal year 2026, \$1,731,790 for fiscal year 2027, \$1,731,790 for fiscal year 2028, and \$1,731,790 for fiscal year 2029"; and</li> <li>(D) in paragraph (4), by striking</li> </ul>
14 15 16 17 18 19 20 21	<ul> <li>"\$1,371,740" and all that follows through "fiscal year 2024" and inserting "\$1,731,790 for fiscal year 2025, \$1,731,790 for fiscal year 2026, \$1,731,790 for fiscal year 2027, \$1,731,790 for fiscal year 2028, and \$1,731,790 for fiscal year 2029"; and</li> <li>(D) in paragraph (4), by striking "\$8,687,330" and all that follows through "fis-</li> </ul>

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1	\$10,967,554 for fiscal year 2028, and
2	\$10,967,554 for fiscal year 2029".
3	SEC. 802. GRANTS FOR STATE AND COMMUNITY PROGRAMS
4	ON AGING.
5	(a) IN GENERAL.—Section 303 (42 U.S.C. 3023) is
6	amended—
7	(1) in subsection $(a)(1)$ , by striking
8	"\$412,029,180" and all that follows through "fiscal
9	year 2024" and inserting "\$520,177,347 for fiscal
10	year 2025, \$520,177,347 for fiscal year 2026,
11	\$520,177,347 for fiscal year 2027, \$520,177,347 for
12	fiscal year 2028, and $$520,177,347$ for fiscal year
13	2029'';
14	(2) in subsection (b)—
15	(A) in paragraph $(1)$ , by striking
16	"\$530,015,940" and all that follows through
17	"fiscal year 2024" and inserting "\$669,132,913
18	for fiscal year 2025, \$669,132,913 for fiscal
19	year 2026, \$669,132,913 for fiscal year 2027,
20	\$669,132,913 for fiscal year 2028, and
21	\$669,132,913 for fiscal year 2029"; and
22	(B) in paragraph (2), by striking
23	" $$268,935,940$ " and all that follows through
24	"fiscal year 2024" and inserting "\$381,342,000
25	for fiscal year 2025, \$381,342,000 for fiscal

year 2026, \$381,342,000 for fiscal year 2027,
 \$381,342,000 for fiscal year 2028, and
 \$381,342,000 for fiscal year 2029";

4 (3)in subsection (d), by striking 5 "\$26,587,360" and all that follows through "fiscal year 2024" and inserting "\$33,565,929 for fiscal 6 7 vear 2025. \$33,565,929 for fiscal year 2026, 8 \$33,565,929 for fiscal year 2027, \$33,565,929 for 9 fiscal year 2028, and \$33,565,929 for fiscal year 10 2029"; and

11 (4)in subsection (e), by striking 12 "\$193,869,020" and all that follows through "fiscal 13 year 2024" and inserting "\$244,755,171 for fiscal 14 vear 2025, \$244,755,171 for fiscal year 2026, 15 \$244,755,171 for fiscal year 2027, \$244,755,171 for 16 fiscal year 2028, and \$244,755,171 for fiscal year 17 2029".

(b) NUTRITION SERVICES INCENTIVE PROGRAM.—
Section 311(e) (42 U.S.C. 3030a(e)) is amended by striking "\$171,273,830" and all that follows through "fiscal
year 2024" and inserting "\$216,229,264 for fiscal year
2025, \$216,229,264 for fiscal year 2026, \$216,229,264
for fiscal year 2027, \$216,229,264 for fiscal year 2028,
and \$216,229,264 for fiscal year 2029".

1 SEC. 803. ACTIVITIES FOR HEALTH, INDEPENDENCE, AND 2 LONGEVITY. 3 Section 411(b) (42 U.S.C. 3032(b)) is amended— 4 (1)in (1),by paragraph striking 5 "\$14,514,550" and all that follows through "fiscal 6 year 2024" and inserting "\$26,564,974 for fiscal 7 vear 2025, \$26,564,974 for fiscal vear 2026, 8 \$26,564,974 for fiscal year 2027, \$26,564,974 for 9 fiscal year 2028, and \$26,564,974 for fiscal year 10 2029"; and 11 (2)(2),in paragraph by striking 12 "\$15,613,440" and all that follows through "fiscal 13 year 2024" and inserting "\$19,711,608 for fiscal

year 2024 and inserting \$19,711,008 for fiscal
year 2025, \$19,711,608 for fiscal year 2026,
\$19,711,608 for fiscal year 2027, \$19,711,608 for
fiscal year 2028, and \$19,711,608 for fiscal year
2029".

18 SEC. 804. COMMUNITY SERVICE SENIOR OPPORTUNITIES

19

## ACT.

20 Section 517(a) (42 U.S.C. 3056o(a)) is amended by 21 striking "\$428,000,000" and all that follows through "fis-22 cal year 2024" and inserting "\$540,340,139 for fiscal 23 year 2025,\$540,340,139 for fiscal year 2026,24 \$540,340,139 for fiscal year 2027, \$540,340,139 for fis-25 cal year 2028, and \$540,340,139 for fiscal year 2029".

1	5	3	1

### 1 SEC. 805. GRANTS FOR NATIVE AMERICANS.

2 Section 643 (42 U.S.C. 3057n) is amended—

3	(1) in paragraph (1), by striking
4	"\$37,102,560" and all that follows through "fiscal
5	year 2024" and inserting "\$47,028,435 for fiscal
6	year 2025, \$47,028,435 for fiscal year 2026,
7	\$47,028,435 for fiscal year 2027, \$47,028,435 for
8	fiscal year 2028, and \$47,028,435 for fiscal year
9	2029"; and

10 (2)(2),in paragraph by striking 11 "\$10,759,920" and all that follows through "fiscal year 2024" and inserting "\$13,584,151 for fiscal 12 13 year 2025, \$13,584,151 for fiscal year 2026, 14 \$13,584,151 for fiscal year 2027, \$13,584,151 for 15 fiscal year 2028, and \$13,584,151 for fiscal year 16 2029".

17 SEC. 806. ALLOTMENTS FOR ELDER RIGHTS PROTECTION
18 ACTIVITIES.

19 Section 702 (42 U.S.C. 3058a) is amended—

20 (1)in subsection (a), by striking "\$18,066,950" and all that follows through "fiscal 21 22 year 2024" and inserting "\$22,809,108 for fiscal 23 year 2025, \$22,809,108 for fiscal year 2026, \$22,809,108 for fiscal year 2027, \$22,809,108 for 24 25 fiscal year 2028, and \$22,809,108 for fiscal year 26 2029": and

(2) in subsection (b), by striking "\$5,107,110" 1 2 and all that follows through "fiscal year 2024" and 3 **``\$6.447.609** for inserting fiscal vear 2025.4 \$6,447,609 for fiscal year 2026, \$6,447,609 for fis-5 cal year 2027, \$6,447,609 for fiscal year 2028, and 6 \$6,447,609 for fiscal year 2029".

# 7 DIVISION H—EXTENSION OF 8 AGRICULTURAL PROGRAM

9 SEC. 1. EXTENSION OF AGRICULTURAL PROGRAMS.

10 (a) EXTENSION.—

11 (1) IN GENERAL.—Except as otherwise pro-12 vided in this section and the amendments made by 13 this section, notwithstanding any other provision of 14 law, the authorities (including any limitations on 15 such authorities) provided by each provision of the 16 Agriculture Improvement Act of 2018 (Public Law 17 115–334; 132 Stat. 4490) and each provision of law 18 amended by that Act (and for mandatory programs 19 at such funding levels) as in effect (including pursu-20 ant to section 102 of division B of the Further Con-21 tinuing Appropriations and Other Extensions Act, 22 2024 (Public Law 118–22)) on September 30, 2024, 23 shall continue and be carried out until the date spec-24 ified in paragraph (2).

1	(2) DATE SPECIFIED.—With respect to an au-
2	thority described in paragraph (1), the date specified
3	in this paragraph is the later of—
4	(A) September 30, 2025;
5	(B) the date specified with respect to such
6	authority in the Agriculture Improvement Act
7	of 2018 (Public Law 115–334; 132 Stat. 4490)
8	or a provision of law amended by that Act
9	(Public Law 115–334; 132 Stat. 4490); or
10	(C) the date in effect with respect to such
11	authority pursuant to section 102 of division B
12	of the Further Continuing Appropriations and
13	Other Extensions Act, 2024 (Public Law 118–
14	22).
15	(b) Discretionary Programs.—Programs carried
16	out using the authorities described in subsection $(a)(1)$
17	that are funded by discretionary appropriations (as de-
18	fined in section 250(c) of the Balanced Budget and Emer-
19	gency Deficit Control Act of 1985 (2 U.S.C. 900(c))) shall
20	be subject to the availability of appropriations.
21	(c) Commodity Programs.—
22	(1) IN GENERAL.—The provisions of law appli-
23	cable to a covered commodity (as defined in section
24	1111 of the Agricultural Act of 2014 (7 U.S.C.
25	9011)), a loan commodity (as defined in section

1	1201 of that Act (7 U.S.C. 9031)), sugarcane, or
2	sugar beets for the 2024 crop year pursuant to title
3	I of that Act (7 U.S.C. 9011 et seq.), each amend-
4	ment made by subtitle C of title I of the Agriculture
5	Improvement Act of 2018 (Public Law 115–334;
6	132 Stat. 4511), and section 102 of division B of
7	the Further Continuing Appropriations and Other
8	Extensions Act, 2024 (Public Law 118–22) shall be
9	applicable to the 2025 crop year for that covered
10	commodity, loan commodity, sugarcane, or sugar
11	beets.
12	(2) EXTRA LONG STAPLE COTTON.—Section
13	1208(a) of the Agricultural Act of 2014 (7 U.S.C.
14	9038 (a)) is amended by striking "2024" and insert-
15	ing "2026".
16	(3) EXTENSION OF PAYMENT AMOUNT.—Sec-
17	tion $1116(d)$ of the Agricultural Act of 2014 (7
18	U.S.C. 9016(d)) is amended, in the matter pre-
19	ceding paragraph (1), by striking "2024" and in-
20	serting "2025".
21	(4) DAIRY.—
22	(A) DAIRY MARGIN COVERAGE.—
23	(i) DURATION.—Section 1409 of the
24	Agricultural Act of 2014 (7 U.S.C. 9059)
25	is amended by striking "December 31,

2024" 1 and inserting "December 31, 2 2025". 3 (ii) AVAILABILITY OF PREMIUM DIS-4 COUNT.—With respect to coverage for cal-5 endar year 2025, section 1407(g) of the Agricultural Act of 2014 (7 6 U.S.C. 7 9057(g)) shall only apply to a participating 8 dairy operation with respect to which the 9 premium was reduced in accordance with 10 that section (as applied to such partici-11 pating dairy operation pursuant to section 12 102(c)(2)(B)(ii) of division B of the Fur-13 ther Continuing Appropriations and Other 14 Extensions Act, 2024 (Public Law 118-15 (22)) for calendar year 2024. 16 (B) DAIRY FORWARD PRICING PROGRAM.— 17 Section 1502(e)(2) of the Food, Conservation, 18 and Energy Act of 2008 (7 U.S.C. 8772(e)(2)) 19 is amended by striking "2027" and inserting 20 *"2028"*.

(5) SUSPENSION OF PERMANENT PRICE SUPPORT AUTHORITIES.—The provisions of law specified
in—

1	(A) subsections (a) and (b) of section $1602$
2	of the Agricultural Act of 2014 (7 U.S.C.
3	9092)—
4	(i) shall not be applicable to the 2025
5	crops of covered commodities (as defined
6	in section 1111 of that Act (7 U.S.C.
7	9011)), cotton, and sugar; and
8	(ii) shall not be applicable to milk
9	through December 31, 2025; and
10	(B) section $1602(c)$ of that Act (7 U.S.C.
11	9092(c)) shall not be applicable to the crops of
12	wheat planted for harvest in calendar year
13	2025.
13 14	2025. (d) Other Programs.—
14	(d) Other Programs.—
14 15	(d) Other Programs.— (1) Grassroots source water protection
14 15 16	<ul> <li>(d) OTHER PROGRAMS.—</li> <li>(1) GRASSROOTS SOURCE WATER PROTECTION PROGRAM.—Section 1240O(b)(3) of the Food Secu-</li> </ul>
14 15 16 17	<ul> <li>(d) OTHER PROGRAMS.—</li> <li>(1) GRASSROOTS SOURCE WATER PROTECTION PROGRAM.—Section 1240O(b)(3) of the Food Secu- rity Act of 1985 (16 U.S.C. 3839bb-2(b)(3)) is</li> </ul>
14 15 16 17 18	<ul> <li>(d) OTHER PROGRAMS.—</li> <li>(1) GRASSROOTS SOURCE WATER PROTECTION</li> <li>PROGRAM.—Section 1240O(b)(3) of the Food Security Act of 1985 (16 U.S.C. 3839bb-2(b)(3)) is amended—</li> </ul>
14 15 16 17 18 19	<ul> <li>(d) OTHER PROGRAMS.—</li> <li>(1) GRASSROOTS SOURCE WATER PROTECTION PROGRAM.—Section 1240O(b)(3) of the Food Secu- rity Act of 1985 (16 U.S.C. 3839bb-2(b)(3)) is amended—</li> <li>(A) in subparagraph (A), by striking the</li> </ul>
14 15 16 17 18 19 20	<ul> <li>(d) OTHER PROGRAMS.—</li> <li>(1) GRASSROOTS SOURCE WATER PROTECTION PROGRAM.—Section 1240O(b)(3) of the Food Secu- rity Act of 1985 (16 U.S.C. 3839bb-2(b)(3)) is amended—</li> <li>(A) in subparagraph (A), by striking the "and" at the end;</li> </ul>
14 15 16 17 18 19 20 21	<ul> <li>(d) OTHER PROGRAMS.—</li> <li>(1) GRASSROOTS SOURCE WATER PROTECTION PROGRAM.—Section 1240O(b)(3) of the Food Secu- rity Act of 1985 (16 U.S.C. 3839bb-2(b)(3)) is amended—</li> <li>(A) in subparagraph (A), by striking the "and" at the end;</li> <li>(B) in subparagraph (B), by striking the</li> </ul>
<ol> <li>14</li> <li>15</li> <li>16</li> <li>17</li> <li>18</li> <li>19</li> <li>20</li> <li>21</li> <li>22</li> </ol>	<ul> <li>(d) OTHER PROGRAMS.—</li> <li>(1) GRASSROOTS SOURCE WATER PROTECTION PROGRAM.—Section 1240O(b)(3) of the Food Security Act of 1985 (16 U.S.C. 3839bb-2(b)(3)) is amended—</li> <li>(A) in subparagraph (A), by striking the "and" at the end;</li> <li>(B) in subparagraph (B), by striking the period at the end and inserting "; and"; and</li> </ul>

1	(2) Voluntary public access and habitat
2	INCENTIVE PROGRAM.—Section $1240R(f)(1)$ of the
3	Food Security Act of 1985 (16 U.S.C. 3839bb-
4	5(f)(1)) is amended—
5	(A) by striking the "and" after "2023,";
6	and
7	(B) by inserting ", and \$10,000,000 for
8	fiscal year 2025" before the period at the end.
9	(3) Feral swine eradication and control
10	PILOT PROGRAM.—Section 2408(g)(1) of the Agri-
11	culture Improvement Act of 2018 (7 U.S.C. 8351
12	note; Public Law 115–334) is amended—
13	(A) by striking "and" and inserting a
14	comma; and
15	(B) by inserting ", and \$15,000,000 for
16	fiscal year 2025" before the period at the end.
17	(4) Commodity trust.—Section $302(h)(2)$ of
18	the Bill Emerson Humanitarian Trust Act (7 U.S.C.
19	1736f-1(h)(2)) is amended by striking "September
20	30, 2024" and inserting "September 30, 2025".
21	(5) NUTRITION.—
22	(A) STATE AND LOCAL SUPPLEMENTATION
23	OF COMMODITIES.—Section $203D(d)(5)$ of the
24	Emergency Food Assistance Act of 1983 (7

1	U.S.C. 7507(d)(5)) is amended by striking
2	"2024" and inserting "2025".
3	(B) REPLACEMENT EXTENSION.—Section
4	501(b)(2)(C) of division HH of the Consoli-
5	dated Appropriations Act, 2023 (7 U.S.C.
6	2016a(b)(2)(C)) is amended by striking "De-
7	cember 20, 2024" and inserting "September
8	30, 2028".
9	(6) Research.—
10	(A) Scholarships for students.—Sec-
11	tion 1446 of the National Agricultural Re-
12	search, Extension, and Teaching Policy Act of
13	1977 (7 U.S.C. 3222a) is amended—
14	(i) in subsection (a)—
15	(I) in paragraph (1), in the mat-
16	ter preceding subparagraph (A), by
17	inserting "(to be known as David A.
18	Scott 1890 Scholarships)" after
19	"scholarships";
20	(II) by striking paragraph $(3)$ ;
21	and
22	(III) by redesignating paragraph
23	(4) as paragraph $(3)$ ; and
24	(ii) by amending subsection $(b)(1)$ to
25	read as follows:

1	"(1) MANDATORY FUNDING.—Of the funds of
2	the Commodity Credit Corporation, the Secretary
3	shall make available to carry out this section
4	\$15,000,000 for fiscal year 2025 and each fiscal
5	year thereafter.".
6	(B) URBAN, INDOOR, AND OTHER EMERG-
7	ING AGRICULTURAL PRODUCTION RESEARCH,
8	EDUCATION, AND EXTENSION INITIATIVE.—Sec-
9	tion $1672E(d)(1)$ of the Food, Agriculture,
10	Conservation, and Trade Act of 1990 (7 U.S.C.
11	5925g(d)(1)) is amended—
12	(i) in subparagraph (A), by striking
13	"and" at the end;
14	(ii) in subparagraph (B), by striking
15	the period at the end and inserting ";
16	and"; and
17	(iii) by adding at the end the fol-
18	lowing:
19	"(C) \$2,000,000 for fiscal year 2025, to
20	remain available until expended.".
21	(C) FOUNDATION FOR FOOD AND AGRI-
22	CULTURE RESEARCH.—Section 7601(g)(1)(A)
23	of the Agricultural Act of 2014 (7 U.S.C.
24	5939(g)(1)(A)) is amended—

1	(i) by striking clauses (ii) and (iii);
2	and
3	(ii) by adding at the end the fol-
4	lowing:
5	"(ii) Additional funding.—Of the
6	funds of the Commodity Credit Corpora-
7	tion, the Secretary shall transfer to the
8	Foundation to carry out this section, to re-
9	main available until expended—
10	"(I) on the date on which the
11	strategic plan described in subsection
12	(f)(3)(B)(iv) is submitted,
13	\$185,000,000;
14	"(II) not later than 30 days after
15	November 17, 2023, \$37,000,000;
16	and
17	"(III) not later than 30 days
18	after the date of enactment of this
19	subclause, \$37,000,000.''.
20	(D) GRAZINGLANDS RESEARCH LABORA-
21	TORY.—Section 7502 of the Food, Conserva-
22	tion, and Energy Act of 2008 (Public Law
23	110–246; 122 Stat. 2019; 132 Stat. 4817) is
24	amended to read as follows:

### 1 "SEC. 7502. GRAZINGLANDS RESEARCH LABORATORY.

2 "Except as otherwise specifically authorized by law 3 and notwithstanding any other provision of law, the Federal land and facilities at El Reno, Oklahoma, adminis-4 5 tered by the Secretary (as of the date of enactment of this Act) as the Grazinglands Research Laboratory, shall not 6 7 at any time, in whole or in part, be declared to be excess 8 or surplus Federal property under chapter 5 of subtitle 9 I of title 40, United States Code, or otherwise be conveyed 10 or transferred in whole or in part, for the period beginning 11 on the date of the enactment of this Act and ending on September 30, 2025.". 12

13 (7) ENERGY.—

14 (A) BIOBASED MARKETS PROGRAM.—Sec15 tion 9002(k)(1) of the Farm Security and
16 Rural Investment Act of 2002 (7 U.S.C.
17 8102(k)(1)) is amended by striking "2024" and
18 inserting "2025".

(B) BIOENERGY PROGRAM FOR ADVANCED
BIOFUELS.—Section 9005(g)(1)(F) of the Farm
Security and Rural Investment Act of 2002 (7
U.S.C. 8105(g)(1)(F)) is amended by striking
"2024" and inserting "2025".

24 (C) FEEDSTOCK FLEXIBILITY PROGRAM.—
25 Section 9010(b) of the Farm Security and
26 Rural Investment Act of 2002 (7 U.S.C.

	1012
1	8110(b)) is amended in paragraphs (1)(A) and
2	(2)(A) by striking "2024" each place it appears
3	and inserting "2025".
4	(8) HORTICULTURE.—
5	(A) Organic production and market
6	DATA INITIATIVES.—Section $7407(d)(1)$ of the
7	Farm Security and Rural Investment Act of
8	2002 (7 U.S.C. 5925c(d)(1)) is amended—
9	(i) in subparagraph (B), by striking
10	"and" at the end;
11	(ii) in subparagraph (C), by striking
12	the period at the end and inserting ";
13	and"; and
14	(iii) by adding at the end the fol-
15	lowing:
16	"(D) \$1,000,000 for fiscal year 2025.".
17	(B) MODERNIZATION AND IMPROVEMENT
18	OF INTERNATIONAL TRADE TECHNOLOGY SYS-
19	TEMS AND DATA COLLECTION.—Section
20	2123(c)(4) of the Organic Foods Production
21	Act of 1990 (7 U.S.C. 6522(c)(4)) is amended,
22	in the matter preceding subparagraph (A)—
23	(i) by striking "2019 and" and insert-
24	ing "2019,"; and

1	(ii) by striking "2024" and inserting
2	"2024, and \$1,000,000 for fiscal year
3	2025''.
4	(C) NATIONAL ORGANIC CERTIFICATION
5	COST-SHARE PROGRAM.—Section
6	10606(d)(1)(C) of the Farm Security and
7	Rural Investment Act of 2002 (7 U.S.C.
8	6523(d)(1)(C)) is amended by striking "2024"
9	and inserting "2025".
10	(D) Multiple crop and pesticide use
11	SURVEY.—Section 10109(c)(1) of the Agri-
12	culture Improvement Act of 2018 (Public Law
13	115–334; 132 Stat. 4906) is amended—
14	(i) by striking "2019 and" and insert-
15	ing "2019,"; and
16	(ii) by striking "2024" and inserting
17	2024, and $100,000$ for fiscal year
18	2025''.
19	(9) Miscellaneous.—
20	(A) PIMA AGRICULTURE COTTON TRUST
21	FUND.—Section 12314 of the Agricultural Act
22	of 2014 (7 U.S.C. 2101 note; Public Law 113–
23	79) is amended—

1	(i) in subsection (b), in the matter
2	preceding paragraph (1), by striking
3	"2024" and inserting "2025"; and
4	(ii) in subsection (h), by striking
5	"2024" and inserting "2025".
6	(B) AGRICULTURE WOOL APPAREL MANU-
7	FACTURERS TRUST FUND.—Section 12315 of
8	the Agricultural Act of 2014 (7 U.S.C. 7101
9	note; Public Law 113–79) is amended by strik-
10	ing "2024" each place it appears and inserting
11	<i>"2025"</i> .
12	(C) WOOL RESEARCH AND PROMOTION.—
13	Section 12316(a) of the Agricultural Act of
14	2014 (7 U.S.C. 7101 note; Public Law 113–79)
15	is amended by striking "2024" and inserting
16	<i>"2025"</i> .
17	(D) EMERGENCY CITRUS DISEASE RE-
18	SEARCH AND DEVELOPMENT TRUST FUND.—
19	Section 12605(d) of the Agriculture Improve-
20	ment Act of 2018 (7 U.S.C. 7632 note; Public
21	Law 115–334) is amended by striking "2024"
22	and inserting "2025".
23	(E) Sheep production and marketing
24	GRANT PROGRAM.—Section 209(c) of the Agri-
25	cultural Marketing Act of 1946 (7 U.S.C.

1	1627a(c)) is amended by striking "for fiscal
2	year 2024" and inserting "for each of fiscal
3	years 2024 and 2025".
4	(10) Exceptions.—
5	(A) MANDATORY FUNDING.—Subsection
6	(a) does not apply with respect to mandatory
7	funding under the following provisions of law:
8	(i) Section $1614(c)(4)$ of the Agricul-
9	tural Act of 2014 (7 U.S.C. 9097(c)(4)).
10	(ii) Subparagraphs (A) and (B) of
11	section $1241(a)(1)$ of the Food Security
12	Act of 1985 (16 U.S.C. 3841(a)(1)).
13	(B) LIMITATIONS.—Subsection (a) does
14	not apply with respect to limitations under the
15	following provisions of law in fiscal year 2025:
16	(i) Section 1240G of the Food Secu-
17	rity Act of 1985 (16 U.S.C. 3839aa-7).
18	(ii) Section 1240L(f) of the Food Se-
19	curity Act of 1985 (16 U.S.C. 3839aa-
20	24(f)).
21	(e) Reports.—
22	(1) IN GENERAL.—Subject to paragraph $(2)$ ,
23	any requirement under a provision of law described
24	in paragraph (1) of subsection (a) to submit a re-

port on a recurring basis, and the final report under

which was required to be submitted during fiscal
year 2024, shall continue, and the requirement shall
be carried out, on the same recurring basis, until the
later of the dates specified in paragraph (2) of that
subsection.

6 (2)APPROPRIATIONS REQUIRED.—If discretionary appropriations (as defined in section 250(c) 7 8 of the Balanced Budget and Emergency Deficit Con-9 trol Act of 1985 (2 U.S.C. 900(c))) are required to 10 carry out a reporting requirement described in para-11 graph (1), the application of that paragraph to that 12 reporting requirement shall be subject to the avail-13 ability of appropriations.

(f) EFFECTIVE DATE.—Except with respect to subparagraph (C) of subsection (d)(6) and the amendments
made by such subparagraph, this section and the amendments made by this section shall be applied and administered as if this section and those amendments had been
enacted on September 30, 2024.

### 20 SEC. 2. RESCISSIONS.

(a) RURAL DEVELOPMENT LOANS AND GRANTS.—
Of the unobligated balances of amounts made available
under section 313B(e)(2) of the Rural Electrification Act
of 1936 (7 U.S.C. 940c-2(e)(2)), \$3,835,000 is rescinded.

(b) BIOREFINERY, RENEWABLE CHEMICAL, AND
 BIOBASED PRODUCT MANUFACTURING ASSISTANCE.—Of
 the unobligated balances of amounts made available under
 section 9003(g)(1)(A) of the Farm Security and Rural In vestment Act of 2002 (7 U.S.C. 8103(g)(1)(A)),
 \$115,610,000 is rescinded.

7 (c) OFFICE OF THE SECRETARY.—Of the unobligated
8 balances of amounts made available under the heading
9 "Department of Agriculture—Agricultural Programs—
10 Office of the Secretary" in title I of division B of the
11 Coronavirus Aid, Relief, and Economic Security Act (Pub12 lic Law 116–136; 134 Stat. 505), \$18,500,000 is re13 scinded.

14 (d) DISTANCE LEARNING, TELEMEDICINE, AND 15 BROADBAND PROGRAM.—Of the unobligated balances of amounts made available under the heading "Rural Devel-16 opment Programs—Rural Utilities Service—Distance 17 learning, telemedicine, and broadband program" in title 18 I of division B of the Coronavirus Aid, Relief, and Eco-19 nomic Security Act (Public Law 116–136; 134 Stat. 507), 20 21 \$4,750,000 is rescinded.