

Summary of Division O – Division HH of the Consolidated Appropriations Act of 2022

DIVISION O—EXTENSIONS AND TECHNICAL CORRECTIONS

TITLE I—FLOOD INSURANCE

Sec.101.National Flood Insurance Program extension.

This provision would extend the National Flood Insurance Program authorization through the end of the fiscal year.

TITLE II—IMMIGRATION EXTENSIONS

Sec.201.E-Verify.

Extends through September 30, 2022 authority for the E-Verify employment authorization program.

Sec.202.Non-minister religious workers.

Extends through September 30, 2022 authority for the special immigrant status granted to religious workers other than ministers.

Sec.203.Rural healthcare workers.

Extends through September 30, 2022 authority for rural doctors employment visas.

Sec.204.H-2B supplemental visas exemption.

Extends through September 30, 2022 authority to grant the Secretary of Homeland Security discretion to add H-2B visas to the 66,000 H-2B visas currently authorized to be issued annually.

TITLE III—LIVESTOCK REPORTING EXTENSION

Sec.301.Livestock mandatory reporting extension.

Extends livestock mandatory reporting program through September 30, 2022.

TITLE IV—TVPA EXTENSION

Sec.401.Extension of additional special assessment.

Trafficking Victims Protection Act (TVPA) was first authorized in 2000. It establishes methods for prosecuting traffickers, preventing human trafficking, and protecting survivors of trafficking. The act also outlines human trafficking and related offenses as federal crimes. It's most recent authorization in 2013 created an emergency response provision for areas where individuals are more likely to fall victim to trafficking crimes.

TITLE V—BUDGETARY EFFECTS

Sec.501.Budgetary effects.

This section exempts this division’s – and all of the bill’s following divisions’ – spending from the Statutory PAYGO and Senate PAYGO scorecards.

Subsection (c) splits the discretionary appropriations from the mandatory spending of this bill for budget enforcement purposes. All spending in Division O and all subsequent divisions are scored as mandatory spending. Because Division N (Ukraine Supplemental Appropriations Act) does not have that direction, it would be scored as a discretionary supplemental.

DIVISION P—HEALTH PROVISIONS

TITLE I—PUBLIC HEALTH

Subtitle A—National Disaster Medical System

Sec.101.Extension of authority to make certain appointments for National Disaster Medical System.

Section 101 continues to allow the Assistant Secretary for Preparedness and Response to have direct hire authority for the National Disaster Medical System (NDMS) program at the Department of Health and Human Services (HHS) until September 30, 2023.

Subtitle B—Synthetic Nicotine

Sec.111.FDA authority over products containing nicotine.

Section 111 amends the definition of “tobacco product” in the Federal Food, Drug, and Cosmetic Act to provide the Food and Drug Administration (FDA) with authority over tobacco products containing nicotine from any source, including such products containing nicotine that is not made or derived from tobacco, such as synthetic nicotine. The provision shall take effect 30 days after the date of enactment and provides a transition period for certain tobacco products that contain nicotine from any source other than tobacco, including products made with synthetic nicotine, that are marketed in the United States within 30 days after the date of enactment.

Sec.112.Reporting on tobacco regulation activities.

Section 112 requires the FDA to prepare and submit to Congress an annual report for fiscal year (FY) 2022 and each subsequent FY containing certain information on tobacco regulation activities by FDA.

Subtitle C—Drug Discount Program

Sec.121.Eligibility exception for the drug discount program due to the COVID–19 public health emergency.

Section 121 allows certain hospitals that have experienced a change in the hospital’s disproportionate share adjustment percentage due to the COVID-19 public health emergency resulting in a loss of eligibility for the 340B drug pricing program, to be deemed a 340B covered entity through 2022, if all other qualifications are met.

Subtitle D—Maternal Health Quality Improvement

Chapter 1—Improvements to Maternal Health Care

Sec.131.Innovation for maternal health.

Section 131 amends Title III of the Public Health Service Act to continue a program at the Health Resources and Services Administration (HRSA) to award competitive grants for FY 2023-2027 to identify, develop, or disseminate best practices to improve maternal health care quality and outcomes, and improve infant health.

Sec.132.Training for health care providers.

Section 132 amends Title VII of the Public Health Service Act to establish a program at HRSA to award grants for FY 2023-2027 for the training of health care professionals to improve the provision of prenatal care, labor care, birthing, and postpartum care for racial and ethnic minority populations, including with respect to perceptions and biases that may affect the approach to, and provision, of care.

Sec.133.Study on improving training for health care providers.

Section 133 requires the Secretary of HHS to conduct a study and make recommendations on best practices related to training to improve the provision of prenatal care, labor care, birthing, and postpartum care for racial and ethnic minority populations, including with respect to perceptions and biases that may affect the approach to, and provision of, care.

Sec.134.Integrated services for pregnant and postpartum women.

Section authorizes HRSA to award grants to establish or continue evidence-based or evidence-informed programs to deliver integrated health care services to pregnant and postpartum women in order to reduce adverse maternal health outcomes, pregnancy-related deaths, and related health disparities.

Sec.135.Maternal vaccination awareness.

Section 135 directs the Centers for Disease Control and Prevention (CDC) to take into consideration the importance of increasing awareness and knowledge of the safety and effectiveness of vaccines to prevent disease in pregnant and postpartum women and in infants in existing vaccination awareness efforts.

Chapter 2—Rural Maternal and Obstetric Modernization of Services

Sec.141.Improving rural maternal and obstetric care data.

Section 141 amends provisions of the Public Health Service Act to improve rural maternal and obstetric care data.

Sec.142.Rural obstetric network grants.

Section 142 adds a section to the Public Health Service Act to authorize a program to award grants or cooperative agreements for FY 2023-2027 to establish collaborative improvement and innovation networks to improve maternal and infant health outcomes and reduce preventable maternal mortality and severe maternal morbidity

Sec.143.Telehealth network and telehealth resource centers grant programs.

Section 143 amends Section 330I of the Public Health Service Act, which authorizes the Telehealth Network Grant Program at the Health Resources and Services Administration (HRSA), to include providers of prenatal, labor care, birthing, and postpartum care services.

Sec.144.Rural maternal and obstetric care training demonstration.

Section 144 adds a section to the Public Health Service Act to authorize a demonstration program to train certain health care professionals to reduce preventable maternal mortality and severe maternal morbidity in rural community-based settings.

Subtitle E—Fentanyl Scheduling Extension

Sec.151.Extension of temporary order for fentanyl-related substances.

Subtitle F—Drug-Free Communities

Section 151 extends the current categorization of fentanyl-related substances in schedule 1 of the Controlled Substances Act to December 31, 2022.

Sec.161.Waiver of Federal fund limitation for the Drug-Free Communities Support Program.

The Drug-Free Communities (DFC) Support Program was created in 1997 and funds community-based coalitions that work to prevent youth substance use. Section 161 would allow the Drug-Free Communities program to waive a grantee’s matching requirement during the COVID-19 pandemic (FY 2020, 2021, and 2022) if the grantee is unable to meet the match.

TITLE II—MEDICAID

Sec.201.Certain Medicaid extensions for territories.

Section 201 increases the federal medical assistance percentage (FMAP) for Puerto Rico to 76 percent for the period from January 1, 2022, through December 13, 2022. It continues a policy to provide Puerto Rico with an additional \$200 million in its Medicaid allotment if Puerto Rico ensures providers are paid 70 percent of Medicare Part B rates to assist with provider retention, and it requires Puerto Rico to submit a report on contracting and procurement procedures by December 1, 2022. Finally, it extends the 83 percent FMAP for American Samoa, the Commonwealth of the Northern Mariana Islands, Guam, and the U.S. Virgin Islands through December 13, 2022.

Sec.202.Increasing State flexibility with respect to third party liability.

Section 202 specifies that, beginning January 1, 2024, third-party payers other than Medicare cannot use prior authorization as a means of rejecting a claim for an item or service for which the third party payer is otherwise legally liable and requires private insurance plans that cover individuals enrolled in Medicaid to accept, for prior authorization purposes, the authorization for services of the state Medicaid program. In general, as the payer of last resort, Medicaid is not liable for covering the costs of items or services when a beneficiary has coverage via a third-party payer (whether that be a private insurer, Medicare, or another payer) that can cover the costs of those items or services.

TITLE III—MEDICARE

Subtitle A—Telehealth Flexibility Extensions

Sec.301.Removing geographic requirements and expanding originating sites for telehealth services.

Section 301 allows for telehealth services to continue to be provided to Medicare beneficiaries in the home and in all areas of the country for 151 days after the end of the COVID-19 public health emergency.

Sec.302.Expanding practitioners eligible to furnish telehealth services.

Section 302 allows for occupational therapists, physical therapists, speech language pathologists, and audiologists to continue to provide telehealth services under Medicare for 151 days after the end of the COVID-19 public health emergency.

Sec.303.Extending telehealth services for federally qualified health centers and rural health clinics.

Section 303 allows for federally qualified health centers and rural health clinics to continue to be reimbursed for telehealth services as distant site providers under Medicare for 151 days after the end of the COVID-19 public health emergency.

Sec.304.Delaying the in-person requirements under Medicare for mental health services furnished through telehealth and telecommunications technology.

Section 304 delays the implementation of in-person requirements for Medicare telemental health services for 151 days after the end of the COVID-19 public health emergency.

Sec.305.Allowing for the furnishing of audio-only telehealth services.

Section 305 allows for audio-only telehealth services to continue to be provided to Medicare beneficiaries for 151 days after the end of the COVID-19 public health emergency.

Sec.306.Use of telehealth to conduct face-to-face encounter prior to recertification of eligibility for hospice care during emergency period.

Section 306 extends the flexibility for hospices to meet the requirement for a face-to-face visit for recertification of eligibility for the hospice benefit through a virtual visit for 151 days after the end of the COVID-19 public health emergency.

Sec.307.Extension of exemption for telehealth services.

Section 307 extends the flexibility allowing a high deductible health plan (HDHP) to cover telehealth benefits (for months beginning after March 31, 2022, through the end of 2022) pre-deductible and still qualify as a HDHP with a Health Savings Account (HSA).

Sec.308.Reports on telehealth utilization.

Section 308 requires the Medicare Payment Advisory Commission (MedPAC) to provide a report to Congress no later than June 15, 2023, examining Medicare telehealth utilization, expenditures, payment policy, and impacts on beneficiary access to care and quality. It requires the Secretary of HHS to make publicly available on a quarterly basis data on Medicare claims for

telemedicine services. It also requires the Office of the Inspector General of HHS to provide a report to Congress no later than June 15, 2023, on program integrity risks associated with Medicare telehealth services.

Sec.309.Program instruction authority.

Section 309 provides the Secretary of HHS with program instruction authority to implement sections 301 through 306.

Subtitle B—Additional Medicare Provisions

Sec.311.Revision of the timing of MEDPAC report on ambulance cost data.

Section 311 revises the deadline for a MedPAC report to Congress on the cost of furnishing ground ambulance services.

Sec.312.Adjusting calculation of hospice cap amount under Medicare.

Section 312 extends the change to the annual update to the hospice aggregate cap, applying the annual hospice payment update percentage rather than the Consumer Price Index for All Urban Consumers (CPI-U) for fiscal year 2031.

Sec.313.Medicare Improvement Fund.

Section 313 reduces funding for the Medicare Improvement Fund by \$94 million.

TITLE IV—HUMAN SERVICES

Sec.401.Extension of Temporary Assistance for Needy Families and related programs.

Section 401 continues current funding and policies under Title IV-A of the Social Security Act, which consists primarily of grants to states, tribes, and participating U.S. territories under the Temporary Assistance for Needy Families program, through the end of FY 2022. The section does not affect the Child Care Entitlement to States, which is permanently authorized, nor does it continue or reinstate any temporary pandemic funding provided in the past.

DIVISION Q—CONSUMER PROTECTION

TITLE I—FRAUD AND SCAM REDUCTION

Sec.101.Short title.

This section provides that the subtitle may be cited as the “Fraud and Scam Reduction Act.”
Subtitle A—Preventing Consumer Scams Directed at Seniors

Sec.111.Short title.

This section provides that this part may be cited as the “Stop Senior Scams Act.”

Sec.112.Senior Scams Prevention Advisory Group.

Paragraph (a) establishes a Senior Scams Prevention Advisory Group (“Advisory Group”).

Paragraph (b) states that the Advisory Group will be composed of: (1) the Chairman of the

Federal Trade Commission (“FTC”); (2) the Secretary of the Treasury; (3) the Attorney General; (4) the Director of the Bureau of Consumer Financial Protection; (5) FTC-chosen representatives from the retail, gift card, telecommunications, wire-transfer service, senior peer advocacy, consumer advocacy, financial service, and prepaid card sectors; (6) a member of the Board of Governors of the Federal Reserve System; (7) a prudential regulator as defined in section 1002 of the Consumer Financial Protection Act of 2010 (12 U.S.C. 5481); (8) the Director of the Financial Crimes Enforcement Network; and (9) any other representatives, advocates, or entities deemed appropriate by the FTC.

Paragraph (c) provides that the members of the Advisory Group will not receive compensation for their membership.

Paragraph (d) establishes the duties of the Advisory Group as the following: (1) collecting information on the existence, use, and success of educational materials and programs for retailers, financial services, and wire-transfer companies that could be used to educate employees on identifying and preventing scams affecting seniors; (2) identify inadequacies in these materials and programs and their execution to protect older adults, and create model materials, guidance, or recommendations to fix said inadequacies. The FTC Chairman is directed to make aforementioned materials, guidance, and recommendations publicly available, as well as encourage their use and distribution to help prevent scams affecting seniors.

Paragraph (e) amends Section 101(c)(2) of the Elder Abuse Prevention and Prosecution Act (34 U.S.C. 21711(c)(2)) so as to require the FTC Chairman’s report required under that section to include information on: (1) the materials, guidance, or recommendations created under (d), as well as any other relevant considerations by the Advisory Group that weren’t included in said items; (2) the Advisory Group’s findings about senior scams and industry educational materials and programs; and (3) any recommendations on how stakeholders can collaborate to reduce scams affecting seniors.

Paragraph (f) states that this part and all amendments made by it cease to be effective five years after this Act’s enactment.

Subtitle B—Senior Fraud Advisory Office

Sec.121.Short title.

This section provides that this part may be cited as the “Seniors Fraud Prevention Act of 2022.”

Sec.122.Office for the Prevention of Fraud Targeting Seniors.

Paragraph (a) directs the FTC to establish an office within the Bureau of Consumer Protection to advise the FTC on the preventing fraud targeting seniors. The advisory office would monitor the market for fraud targeting seniors. In consultation with the Attorney General, the Secretary of Health and Human Services, the Postmaster General, the Chief Postal Inspector for United States Postal Inspection Services, and other relevant agencies, the advisory office must: (1) disseminate information to seniors and their families and caregivers regarding fraud targeting seniors and how to report said scams; (2) publically provide information on enforcement actions by the FTC against fraud perpetrators; and (3) maintain a website providing information on fraud targeting

seniors. The advisory office would also, in consultation with the Attorney General, establish methods to log and acknowledge Consumer Sentinel Network complaints from individuals alleging they have been a victim of fraud, make those complaints available to law enforcement authorities, and provide information to those individuals on fraud.

Paragraph (b) requires the FTC to carry out this section’s requirements within one year of this Act’s enactment.

Paragraph (c) requires the FTC to use its existing funds to carry out this section.

TITLE II—NICHOLAS AND ZACHARY BURT MEMORIAL CARBON MONOXIDE POISONING PREVENTION ACT OF 2022

Sec.201.Short title.

This section provides that this subtitle may be cited as the “Nicholas and Zachary Burt Memorial Carbon Monoxide Poisoning Prevention Act of 2022.”

Sec.202.Findings and sense of Congress.

Paragraph (a) states Congress’ findings that unintentional instances of carbon monoxide poisoning – a health condition caused by exposure to carbon monoxide, which is emitted by burning any fuel – annually kill more than 400 people and hospitalize 15,000 people, and that research shows that installing carbon monoxide alarms near sleeping areas can help prevent deaths.

Paragraph (b) states the sense of Congress that Congress should promote the installation of carbon monoxide alarms.

Sec.203.Definitions.

This section defines “carbon monoxide alarm” as a device or system that detects carbon monoxide and is intended to sound an alarm at a carbon monoxide concentration that is below a concentration that could cause a loss of ability to react to the dangers of carbon monoxide exposure.

“Commission” means the Consumer Product Safety Commission.

“Compliant carbon monoxide alarm” is defined to mean a carbon monoxide alarm that complies with the most current version of: (1) the Standard for Single and Multiple Station Carbon Monoxide Alarms of the American National Standards Institute and UL (ANSI/UL 2034), or any successor standard; and (B) the Standard for Gas and Vapor Detectors and Sensors of the American National Standards Institute and UL (ANSI/UL 2075), or any successor standard.

“Dwelling unit” means a room or suite of rooms used for human habitation.

“Fire code enforcement officials” means officials of the fire safety code enforcement agency of a State or local government or a Tribal organization.

“IFC” means the 2015 or 2018 edition of the International Fire Code published by the International Code Council, or any amended or similar successor code pertaining to the proper installation of carbon monoxide alarms in dwelling units.

“IRC” means the 2015 or 2018 edition of the International Residential Code published by the International Code Council, or any amended or similar successor code pertaining to the proper installation of carbon monoxide alarms in dwelling units.

“NFPA 720” means the Standard for the Installation of Carbon Monoxide Detection and Warning Equipment issued by the National Fire Protection Association in 2012, and any amended or similar successor standard relating to the proper installation of carbon monoxide alarms in dwelling units.

“State” has the meaning given the term in section 3(a) of the Consumer Product Safety Act (15 U.S.C. 2052(a)).”

“Tribal Organization” has the meaning given the term in section 4(l) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304(l)).

Sec.204.Grant program for carbon monoxide poisoning prevention.

Paragraph (a) directs the Commission to establish a grant program to help eligible States and Tribal organizations carry out carbon monoxide poisoning prevention activities described in (e).

Paragraph (b) defines an eligible State or Tribal organization as any State or Tribal organization that: (1) adequately demonstrates that they have adopted a statute or rule, regulation, or similar measure requiring compliant carbon monoxide alarms to be installed in dwelling units in accordance with NFPA 72, the IFC, or the IRC; and (2) submits an application – that can be filed by that State or Tribal organization’s fire safety code enforcement agency on their behalf – that fits any requirements the Commission may require.

Paragraph (c) allows the Commission to determine the size of each grant awarded in this section.

Paragraph (d) states that, in selecting the States and Tribal organizations eligible for grants, the Commission shall favor eligible States or Tribal organizations that: (1) demonstrate reasonable need for funding; (2) require the installation of one or more compliant alarms in new or existing facilities within which a fuel-burning appliance is installed or which has an attached garage; and (3) have developed a strategy to protect vulnerable populations from carbon monoxide exposure.

Paragraph (e) permits grant recipients to use the grant: (1) to buy and install compliant carbon monoxide alarms in dwelling units of low-income families or elderly individuals, as well as facilities that commonly serve children or the elderly; (2) for development and distribution of training materials, instructors, and other costs for training sessions authorized under this subsection; or (3) to educate the public about risks associated with carbon monoxide and the importance of proper carbon monoxide alarm use. Grant recipients are barred from using more than 5 percent of the grant amount on administrative costs not directly related to the training described in (2). Recipients may not use more than 25 percent of the grant amount on costs of

activities described in (3). State recipients must provide non-Federal contributions equaling at least 25 percent of the Federal funds from the grant in order to administer programs under the grant.

Paragraph (f) directs the Commission to carry out this section using appropriations to the Commission for fiscal years 2022 through 2026; in each fiscal year, not more than 10 percent of appropriations or other amounts made available to carry out this section may be used on administrative expenses.

Paragraph (g) directs the Commission, no later than 1 year after the last day of each fiscal year in which grants are awarded under this section, to submit a report to Congress evaluating the implementation of the grant program.

TITLE III—UNITED STATES ANTI-DOPING AGENCY REAUTHORIZATION

Sec.301.Short title.

This section provides that the subtitle may be cited as the “United States Anti-Doping Agency Reauthorization Act of 2022.”

Sec.302.Findings.

This section provides Congressional findings related to the impact of the United States Anti-Doping Agency on sport in the United States.

Sec.303.Modifications of authority.

This section modifies Section 701 of the Office of National Drug Control Policy Reauthorization Act of 2006 (21 U.S.C. 2001) to include the responsibility for certifying testing conducted by international organizations under the World Anti-Doping Code for certain competitions occurring within the jurisdiction of the United States, and responsibility for promoting a positive youth sport experience.

This section also provides for due process in arbitration proceedings.

Sec.304.Authorization of appropriations.

This section authorizes appropriations to the United States Anti-Doping Agency through fiscal year 2031.

Sec.305.Information sharing.

This section provides for information sharing between the Attorney General, the Secretary of Homeland Security, the Commissioner of Food and Drugs regarding the prevention of the use of performance-enhancing drugs or the prohibition of performance-enhancing methods.

TITLE IV—PROTECTING INDIAN TRIBES FROM SCAMS

Sec.401.Short title.

This section provides that the subtitle may be cited as the “Protecting Indian Tribes from Scams Act.”

Sec.402.Protecting Indian Tribes from unfair or deceptive acts or practices.

This section provides that not later than 1 year after the date of enactment of the Act, the Federal Trade Commission shall write a report on unfair or deceptive acts or practices targeted at Indian Tribes or members of Indian Tribes. This report shall include a description of the types of unfair or deceptive acts or practices identified by the Commission as being targeted at Indian Tribes or members of Indian Tribes; a description of the consumer education activities of the Commission with respect to such acts or practices; a description of the efforts of the Commission to collaborate with Indian Tribes to prevent such acts or practices or to pursue persons using such acts or practices; a summary of the enforcement actions taken by the Commission related to such acts or practices; and any recommendations for legislation to prevent such acts or practices. This section mandates that the Commission shall update its website to include information for consumers and businesses on identifying and avoiding unfair or deceptive acts or practices targeted at Indian Tribes or members of Indian Tribes. This section also defines “Commission” and “Indian Tribe.”

DIVISION R—FAFSA SIMPLIFICATION

Sec.102.Extending the implementation timeline of FAFSA Simplification Act by one year.

This section extends the deadline for implementation of the FAFSA Simplification Act by one year, to take effect on July 1, 2024 and apply to award year 2024-2025 (unless otherwise indicated) and each subsequent year. However, this section also allows ED to maintain the on-time implementation of specified provisions of the FAFSA Simplification Act so that they can still take effect during the 2023-2024 award year. Those provisions include updates to the following provisions of the FAFSA Simplification Act:

- The definition of cost of attendance (Section 702(b));
- The discretion of student financial aid administrators (Section 702(i));
- Dependency status determinations for unaccompanied homeless and foster youth (Section 702(1)); and
- The Pell Grant Lifetime Eligibility Used definition (Section 703)

Sec.103.Technical corrections to the FAFSA Simplification Act.

This section makes necessary amendments to ensure orderly implementation of the FAFSA Simplification Act by doing the following:

- Maintaining the current law option for institutions to use the average cost of a loan fee rather than the student’s actual loan fee when calculating cost of attendance;
- Clarifying that an institution can consider a dependency determination made by another institution in the same award year as adequate documentation for the purposes of determining whether a student qualifies as independent; and
- Combining and aligning eligibility for the Iraq and Afghanistan Service Grant program and the Children of Fallen Heroes Scholarship program.

Sec.104.Conforming changes to Public Health Service Act loans.

This section makes conforming amendments to the health professions program loans authorized under the Public Health Service Act to reflect the elimination of the Selective Service question on the FAFSA.

DIVISION S—VETERANS MATTERS

TITLE I—RAISE ACT

Sec.102.Pay for nurses and certain other medical positions of the Department of Veterans Affairs.

Clarifies Podiatrists are a “covered position” along with other health care staff, raises the maximum pay of APRNs, PAs, and RNs, and continues maximum rate of basic pay for CRNAs to exceed other APRNs and RNs. Allows RNs and PAs serving in Chief Nursing Officer roles (50 VA employees nationwide) to be paid according with the 38 USC 7404 Senior Executive Schedule, bringing them on par with other VA Senior Executives

TITLE II—OUTDOOR INDUSTRY VETERANS CAREERS GAO STUDY

Sec.201.Outdoor industry veterans careers GAO study.

Directs GAO to study career opportunities for veterans in the outdoor recreation industry.

DIVISION T—CREDIT UNION GOVERNANCE MODERNIZATION ACT

Sec.101.Short title.

The Credit Union Member and Employee Safety Act would improve the safety of credit union members and employees by simplifying the expulsion process for credit union members who engage in unacceptable, sometimes dangerous behavior, such as harassing or assaulting staff. It also includes provisions intended to prevent unfair expulsions.

NFIP: This provision would extend the National Flood Insurance Program authorization through the end of the fiscal year.

Sec.102.Expulsion of Federal credit union members for cause.

DIVISION U—ADJUSTABLE INTEREST RATE (LIBOR) ACT

The Adjustable Interest Rate (LIBOR) Act allows for the transition from LIBOR by creating a path for the use of an alternative interest measure in loans and other contracts once LIBOR is no longer published beginning in July 2023.

Industry estimates that \$16 trillion worth of contracts (including \$1 trillion in consumer loans and contracts) do not contemplate or provide for the cessation of LIBOR. This bill provides for an alternative rate in those loans and contracts based on interest rates in overnight Treasury markets (which addresses the underlying defects in LIBOR that allowed for manipulation). It also provides a safe harbor from litigation for lenders. Industry representatives and consumer groups that testified at the Nov. 2021 Banking Committee hearing support it.

DIVISION V—HAITI DEVELOPMENT, ACCOUNTABILITY, AND INSTITUTIONAL TRANSPARENCY INITIATIVE ACT

Sec. 2. Statement of Policy. Defines U.S. policy in support of the reconstruction of Haiti, inclusive economic development, the defense of human rights, and restore democratic institutions in Haiti.

Sec. 4. Strengthening Human Rights and Anticorruption Efforts and Holding Perpetrators of the La Saline Massacre Accountable. Requires the Secretary of State to prioritize initiatives to address human rights and anti-corruption efforts in Haiti, including initiatives to increase accountability for the perpetrators of the 2018 La Saline massacre in Haiti.

Sec. 5. Promoting Freedom of the Press and Assembly in Haiti. Requires the Secretary of State to prioritize engagement with Haitian Government officials and independent civil society groups in order to promote press freedom and freedom of assembly in Haiti.

Sec. 6. Supporting Post-Earthquake, Post-Hurricane and Post COVID-19 Recovery and Development in Haiti. Requires the Secretary of State and Administrator of the U.S. Agency for International Development to prioritize efforts to advance post-earthquake, post hurricane and post COVID-19 recovery, and analyze, in collaboration with the Haitian government, efforts to support development goals in Haiti since 2015.

Sec. 7. Report on Developments in Haiti. Requires a report to assess 1) major corruption committed by Haiti's public and private sectors; 2) U.S. security assistance to the Haitian government and Leahy Law compliance; and 3) the impact of Haitian presidential decrees on Haiti's democratic institutions and human rights in the country, among other issues.

Sec. 8. Report on the Assassination of President Jovenel Moïse. Requires the Secretary of State, Attorney General, Secretary of Homeland Security, and Director of Central Intelligence to submit a report to Congress on the assassination of President Moïse including the identification of key dates and names of foreign person related to the assassination, United States support for the efforts of Haitian authorities to investigate, any threats and acts of intimidation against Haitian authorities involved in the investigation.

Sec. 9. Repeal. Repeals the Assessing Progress in Haiti Act of 2014 (P.L. 113-162)

Sec. 10. Termination. Sunsets the Haiti Development, Accountability, and Institutional Transparency Act on December 31, 2025.

S.1104, the Haiti Development, Accountability, and Institutional Transparency Initiative Act, was introduced in April 2021 by Senators Cardin and Rubio. A House companion bill led by Representative Jefferies was passed in June 2021.

Description: This bill requires the Secretary of State to prioritize the protection of human rights and anticorruption efforts in Haiti by fostering strong relationships with independent civil society groups, and by supporting the efforts of the Haitian Government to identify persons involved in human rights violations and significant acts of corruption in Haiti and hold them accountable for their actions. The bill also requires a State Department briefing on the November 2018 attacks in the Port-au-Prince neighborhood of La Saline and its aftermath. Additionally, the bill requires the State Department to develop a report that features a number of elements, including

- Report on the assassination of President Moïse including the identification of key dates and names of foreign person related to the assassination, United States support for the efforts of Haitian authorities to investigate, any threats and acts of intimidation against Haitian authorities involved in the investigation, and
- An assessment of major corruption committed among the public and private sectors, and on all corruption prosecutions investigated by the Haitian judiciary since January 2015;
- A description of United States Government efforts to consult and engage with Haitian Government officials and independent civil society groups focused on monitoring corruption and human rights abuses and promoting democracy and press freedom in Haiti since January 2015;
- A description of the Haitian Government’s response to civic protests that have taken place since July 2018 and any allegations of human rights abuses, including attacks on journalists;
- An assessment of United States security assistance to Haiti, including the United States support to the Haitian National Police and an assessment of Leahy Law compliance;
- An assessment of the impact of presidential decrees on the health of Haiti’s democratic institutions and safeguarding of human rights
- An analysis in collaboration with the Haitian Government on efforts to support development goals since January 2015
- Support post-earthquake, post hurricane and post COVID-19 recovery in coordination with USAID

As amended, this bill would measure the progress of post-disaster recovery and efforts to address corruption, governance, rule of law, and media freedoms in Haiti. The bill would require State to brief Congress on the La Saline massacre that took place in 2018 and the assassination of President Moïse. It would also require a report with a strategy on developments in Haiti with regards to post-earthquake, post-hurricane, and post-COVID-19 recovery, assessment of corruption, review of alleged coup and assassination of President Moïse, health of Haiti’s democratic institutions, and assessment of United States security assistance to Haiti.

DIVISION W—VIOLENCE AGAINST WOMEN ACT REAUTHORIZATION ACT OF 2022

TITLE I—ENHANCING LEGAL TOOLS TO COMBAT DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

Sec. 101 improves the Services, Training, Officers, and Prosecutors (STOP) grant program, which was established to assist state, territorial, local, and Tribal governments in responding to violent crimes against women and other protected individuals. This section expands eligibility for individuals and grantees, including expanding services that assist individuals 50 years of age or over, individuals with disabilities, and deaf individuals. This section expands the authorized uses of grants to include:

- Culturally specific victim service programs to improve the response to and prevention of female genital mutilation and cutting;
- Supportive services for Indian victims of domestic violence, dating violence, sexual assault, and stalking;
- Programs that improve evidence collection methods for victims of domestic violence,

- including technology that better detects bruising across skin tones; and
- Assistance in paying fees charged by a government to obtain identification documents such as a birth certificate or State or Tribal identification card.

This section also requires prosecutors' offices to certify as a condition of grant funding that they will use best practices to develop policies and protocols for alternative practices prior to obtaining victim-witness testimony in an investigation or prosecution related to domestic violence or sexual assault without employing material witness petitions and bench warrants. This section extends the existing authorization of appropriations through 2026.

Sec. 102 clarifies the uses of the existing grant program to improve the criminal justice response to domestic violence, including for grants that are intended to promote offender accountability and homicide reduction, and for grants that strengthen the law enforcement response to instances of domestic violence or sexual assault against individuals who are 50 years of age or over and deaf individuals. This section also allows grant funding to be used to:

- Develop statewide databases containing information about where sexual assault nurse examiners are located;
- Develop and implement laws that ensure the recovery and storage of prohibited contraband from an adjudicated perpetrator; and
- Develop and implement alternative methods for reducing crime in communities by revising policies or programs that impose a penalty on a domestic violence victim that results from a law enforcement response to a request for assistance by the victim.

This section adjusts existing grant conditions to provide law enforcement with additional discretion in choosing how to manage arrests in domestic violence situations, promote the use of victim-centered policies and protocols by prosecutors, and require certification regarding whether state laws prohibit the prosecution of a minor with respect to prostitution. This section extends the existing authorization of appropriations through 2026.

Sec. 103 clarifies that grants made available for legal assistance to victims of domestic violence include legal assistance services provided by a licensed attorney, an accredited Board of Immigration Appeals representative, an accredited representative for Veterans' Administration claims, an attorney or lay advocate in Tribal court, or a person with a demonstrated expertise in providing legal assistance to victims of domestic violence, dating violence, sexual assault, or stalking. This section authorizes appropriations of \$60 million per fiscal year through 2026.

Sec. 104 updates a grant program to support families involved in the civil and criminal justice system who have a history of domestic violence, dating violence, sexual assault, or stalking within the family. It states that services provided by grant funds from this program should be provided in a culturally relevant manner. This section extends the existing authorization of appropriations through 2026.

Sec. 105 reauthorizes funding for grants that ensure outreach and services to victims in underserved populations. This section authorizes grants for culturally specific services regarding responses to and the prevention of female genital mutilation and cutting, and population-specific training for service providers on domestic violence in underserved populations. This section expands grant eligibility to include victim service providers that work in partnership with Native Hawaiian organizations. This section authorizes appropriations of \$6 million per fiscal year

through 2026.

Sec. 106 prohibits the internet publication of a protection or restraining order or associated information, including for all Alaska Tribes.

Sec. 107 reauthorizes an existing increase in formula grants available to states that permit a mother to terminate all custodial rights of the father if the child was conceived through rape and clear and convincing evidence of rape was demonstrated. This section extends the existing authorization of appropriations through 2026.

Sec. 108 reauthorizes grant funding to enhance culturally specific services for victims of domestic violence, dating violence, sexual assault, and stalking, and dedicates a portion of those funds to address non-intimate partner sexual assault. This section authorizes additional appropriations of \$25 million per fiscal year through 2026.

Sec. 109 establishes a pilot program on restorative practices. The pilot program provides funding for governments, victim service providers, nonprofit organizations, and institutions of higher education to develop and implement a program on restorative practices that seeks to prevent or address domestic violence, dating violence, sexual assault, or stalking. This section defines a restorative practice as a community-based effort initiated by the victim to seek accountability from the person who committed the harm against them, based on a written action plan that is responsive to the needs of the victim. The section requires that, as a condition of participation, grantees deny eligibility to any individual who committed the harm where there is a currently pending prosecution or restraining order for an offense against the victim. Grantees are required to submit an annual report on the effectiveness of the restorative practices program.

TITLE II—IMPROVING SERVICES FOR VICTIMS

Sec. 201 reauthorizes grants awarded to rape crisis centers and organizations that assist victims of sexual assault. This section requires the Attorney General to provide technical assistance to potential grant recipients that incorporates the feedback of organizations focused on working with victims from culturally specific communities. This section authorizes appropriations of \$100 million to remain available until expended for each fiscal year through 2026.

Sec. 202 reauthorizes and strengthens existing grant programs to states, territories and Indian Tribes to carry out programs serving rural communities that that address domestic violence, dating violence, sexual assault, stalking, and child abuse enforcement assistance. This section allows grant funds to be used to improve access to sexual assault forensic medical examinations in rural communities. This section authorizes appropriations of \$100 million per fiscal year through 2026.

Sec. 203 reauthorizes existing grant programs to provide support and prevention efforts focused on supporting victims of domestic violence who have disabilities. This section extends the application of these programs to specifically include deaf people who are victims of domestic violence. This section extends the existing authorization of appropriations through 2026.

Sec. 204 reauthorizes and strengthens existing grant programs to improve training and services for victims of abuse in later life, including by requiring enhanced, coordinated community response teams and advanced services for older victims of abuse. This section requires that grantees work in partnership with other designated entities to improve services or training for victims of abuse who are 50 years of age or older. This section extends the existing authorization of appropriations through 2026.

Sec. 205 creates a grant program within the Office on Violence Against Women (OVW) to promote the use of trauma-informed victim-centered training for law enforcement that prevents re-traumatization of victims, improves communication between victims and law enforcement officers, and ensures the use of evidence-based practices in responding to cases of domestic violence, dating violence, sexual assault, and stalking. This section clarifies that the training should be conducted through a partnership between a national, regional, or local victim services organization and a law enforcement agency. This section authorizes appropriations of \$5 million per fiscal year through 2026.

Sec. 206 authorizes a grant to provide community-specific services for LGBT victims of domestic violence, sexual assault, dating violence, and stalking. This section directs OVW to provide technical assistance and training to victim service providers and organizations that are seeking to work with LGBT victims. This section authorizes appropriations of \$8 million per fiscal year through 2026.

TITLE III—SERVICES, PROTECTION, AND JUSTICE FOR YOUNG VICTIMS

Sec. 301 improves the Rape Prevention and Education Grant program, administered by the Centers for Disease Control and Prevention’s (CDC) Injury Center. Grantees are permitted to use grant funds for other technologies that serve the same purpose as a hotline to help improve resources for victims. Grants are available to professionals, including “school-based professionals,” that can help refer students to victim services.

This section requires the Secretary of Health and Human Services (HHS) to ensure that grantees adequately represent under-served and culturally specific communities. This section requires HHS to submit a report to Congress about activities funded by the grants and best practices relating to rape prevention and education. This section authorizes appropriations of \$100 million per fiscal year through 2026.

Sec. 302 clarifies that funding under the Creating Hope through Outreach, Options, Services, and Education (CHOOSE) program for children and youth is dedicated to the core areas of VAWA—domestic violence, dating violence, sexual assault, and stalking— and that services targeting youth should also include youth in underserved communities. The section allows grant funds to be used to clarify State or local mandatory reporting policies and practices regarding peer-to-peer dating violence, sexual assault, stalking, and sex trafficking. This section also allows grant funds to be used to develop and enhance programs to prevent and respond to exposure to domestic violence in the home by children, and to the prevention of teen dating violence. This section authorizes appropriations of \$30 million per fiscal year through 2026.

Sec. 303 improves existing campus grant programs to support institutions of higher education in

developing and disseminating comprehensive prevention education for all students. This section expands training for school-based personnel and campus health centers to meet the needs of young victims of violence, including by using a victim-centered, trauma-informed interview technique. This section authorizes appropriations of \$15 million per fiscal year through 2026.

Sec. 304 requires the Government Accountability Office (GAO) to issue a report on State requirements and funding for forensic exams following a sexual assault in order to ensure individuals do not receive bills for such exams and ancillary costs. States are required to include information on medical expenses related to a sexual assault including coverage, cost, and any funding sources the State uses to pay for such expenses.

TITLE IV—VIOLENCE REDUCTION PRACTICES

Sec. 401 reauthorizes a CDC grant program to entities that research sexual violence against adults and youth, and expands the study so it no longer focuses on violence only against women. This section extends the existing authorization of appropriations through 2026.

Sec. 402 reauthorizes the Saving Money and Reducing Tragedies Through Prevention (SMART Prevention) grant program, which helps provide a comprehensive approach to preventing domestic violence, dating violence, sexual assault, and stalking that focuses on youth and men as leaders and influencers of social norms. This section authorizes appropriations of \$20 million per fiscal year through 2026.

TITLE V—STRENGTHENING THE HEALTH CARE SYSTEM’S RESPONSE

Sec. 501 strengthens grant programs that allow the health care system to best respond to victims of sexual violence. This section authorizes appropriations of \$15 million per fiscal year through 2026.

Sec. 502 directs the Secretary of HHS and the Director of the CDC, in collaboration with the Attorney General, the Director of the Indian Health Service, and stakeholders, to conduct a study on whether victims of domestic violence, sexual assault, dating violence, or stalking are at higher risk for maternal mortality or morbidity.

Sec. 503 authorizes a grant program for States and Indian Tribes to create and implement surveys that identify how medical forensic examinations are conducted, administered, and covered by the health care system. The survey is required to be released publicly and can be used to help increase public awareness and recruit trained medical forensic examiners. This section authorizes appropriations of \$7 million per fiscal year through 2026.

Sec. 504 requires the Agency for Healthcare Research and Quality, in consultation with several other federal government agencies, to submit a report to the Secretary of HHS regarding existing Federal, Indian Tribe, and State practices related to medical forensic examinations. The Secretary is required to submit a report to Congress on how to improve sexual assault forensic examination competencies—including on providing comprehensive medical care, conducting the examination for evidence collection, showing compassion and sensitivity, testifying in court, and

any other competency deemed appropriate.

Sec. 505 requires the Secretary of HHS to establish a National Continuing and Clinical Education Pilot Program for sexual assault forensic examiners, sexual assault nurse examiners, and other individuals who perform medical forensic examinations. The pilot program applies to physicians, nurse practitioners, nurse midwives, physician assistants, certified nurse specialists, registered nurses, and community health aides with necessary certification and training. This section authorizes appropriations of \$5 million per fiscal year through 2024.

Sec. 506 requires the Secretary of HHS to establish a grant program to promote the training of sexual assault forensic examiners. Eligible grantees include safety net clinics, nonprofit organizations that provide legal training, and Indian Tribes. This section authorizes appropriations of \$10 million per fiscal year through 2026. This section requires that 15 percent of grant funds be reserved for entities affiliated with Indian Tribes or Tribal organizations.

Sec. 507 requires the Secretary of HHS to create a demonstration grant program for institutions of higher education for comprehensive forensic training to help train health care providers with the necessary skills to support forensic assessments in a trauma-informed approach. This section authorizes appropriations of \$5 million per fiscal year through 2027 for the grant program, and additional appropriations of \$2 million per fiscal year through 2027 to provide technical assistance for health care providers.

TITLE VI—SAFE HOMES FOR VICTIMS

Sec. 601 updates the definition of “covered housing program” for additional housing and homelessness programs.

Sec. 602 requires the Secretary of Housing and Urban Development to establish a Gender-based Violence Prevention Office with a Violence Against Women Act Director and authorizes appropriations of such sums as may be necessary to carry out these duties. This section also requires appropriate agencies to establish a process to review compliance with VAWA requirements. This section also prohibits retaliation against persons exercising their rights or participating in processes related to VAWA housing protections.

Sec. 603 protects the right of landlords, homeowners, tenants, residents, occupants, guests, and applicants to report crimes and emergencies and prohibits covered governmental entities receiving federal community development grants from imposing penalties based on requests for assistance or based on criminal activity of which they are a victim or not at fault. This section requires covered governmental entities to report any laws or policies that involve prohibited penalties and certify compliance or describe compliance efforts as part of their HUD annual grant plans. The section also authorizes additional grant activities to support development and implementation of effective, alternative crime reduction methods to supplant punitive programs and policies for victims.

Sec. 604 reauthorizes funding for fiscal years through 2026 for transitional housing grants for victims of domestic violence, dating violence, sexual assault, or stalking. It also makes such

funds available to population-specific organizations and makes technical assistance funding consistent with other VAWA programs.

Sec 605 amends the definition of homelessness under the McKinney-Vento Homeless Assistance Act to better address the needs of sexual assault survivors and permits additional VAWA-related activities under McKinney-Vento Homeless Assistance Grants. The bill reauthorizes funding for fiscal years 2022 through 2026 for collaborative grants to increase the long-term stability of victims who are homeless or at risk of becoming homeless and grants to combat violence against women in public and assisted housing. This section also authorizes such sums as may be necessary for fiscal years 2022 through 2026 for training and technical assistance to support implementation of this chapter.

Section 606 requires the Secretary of Housing and Urban Development to conduct a study assessing the availability and accessibility of housing and services for individuals experiencing homelessness or housing instability who are survivors of trafficking or at risk of being trafficked.

TITLE VII—ECONOMIC SECURITY FOR VICTIMS

Sec. 701 provides findings related to the economic impact of sexual violence on victims.

Sec. 702 adds sexual harassment victims to the list of victims that can be supported by the National Resource Center on Workplace Responses. This section creates a “Pathways to Opportunities” pilot program that provides trauma-informed programming to support domestic violence victims seeking employment. The pilot program needs to be centered around culturally specific organizations or organizations primarily serving traditionally marginalized populations in the workplace. This section authorizes appropriations of \$2 million per fiscal year through 2026.

Sec. 703 adds new certification requirements related to the Temporary Assistance for Needy Families (TANF) program, pursuant to which states would be required to certify that they have established appropriate standards to ensure that potential applicants for assistance who are survivors of domestic violence or sexual assault are aware that TANF assistance may be available to them. This section ensures that caseworkers and other TANF agency personnel are adequately trained on how to best work with victims of sexual violence. This section authorizes appropriations of \$3 million per fiscal year through 2026.

Sec. 704 requires the Secretary of HHS, in consultation with the Secretary of Labor, to conduct a study related to the barriers that victims of sexual violence face in maintaining economic security. The report is required to include information related to geographic areas that best serve victims of sexual violence, geographic areas that lack resources to serve victims, particular barriers facing rural victims, and recommendations, best practices, and factors based on industries and workplace settings.

Sec. 705 requires the GAO to submit a report to Congress that examines the relationship between victims of sexual violence and their ability to repay student loans. The report is required to include information related to a victim’s ability to repay their Federal student loans, the various

Federal student loan policies that are in place to help defer loan payments, institutional policies for retaining and transferring credits when a victim may have to end or suspend enrollment, the options made available to victims if an institution of higher education misrepresents information to students related to student loan payments, and other limitations to victims due to Federal student loan debt.

TITLE VIII—SAFETY FOR INDIAN WOMEN

Subtitle A—Tools to Enhance Public Safety for Indian Tribes

Sec. 801 provides findings and purposes related to violence against American Indian women—including the extraordinarily high rates of murder committed and violent crimes perpetrated against American Indian and Alaska Native women. This section clarifies that Federal, State, Tribal, and local governments have a responsibility to respond to these cases of violence against American Indian women.

Sec. 802 requires the Attorney General to allow Tribal law enforcement to have access to national crime databases, such as the National Crime Information Center. This section creates the “Tribal Access Program” to enhance access, enter information to, and obtain information from Federal criminal information databases. Any information reported or obtained will be shared with each Indian tribe of jurisdiction. The Federal Bureau of Investigation (FBI) is permitted to use funds appropriated for sharing identification records to states, to also extend to Tribal jurisdictions. This section authorizes appropriations of \$6 million per fiscal year through 2026 to remain available until expended.

Sec. 803 converts into a non-pilot program an existing pilot program that requires the Bureau of Prisons (BOP) to accept any offender that is convicted in Tribal court. This program is limited to offenders who have committed violent crimes and have been sentenced to one or more years.

Sec. 804 expands the jurisdiction of Tribal authorities over non-Indian persons who commit a crime in Indian country, including the jurisdiction of tribes in the State of Maine. Under current law, Tribal authorities only have jurisdictional power over offenses involving domestic violence that are committed by an individual that resides or is employed in Indian country, or is the spouse, intimate partner, or dating partner of a member of a tribe or resident of Indian country. This section clarifies that a Tribe may exercise criminal jurisdiction for certain covered crimes including: assault of Tribal justice personnel, child violence, domestic violence, obstruction of justice, sexual violence, sex trafficking, stalking, and violations of protection orders. This also clarifies that an Indian Tribe may not exercise jurisdictional power if both the victim and defendant are non-Indian. This section requires the Attorney General to establish a grant program to assist Indian tribes in strengthening Tribal criminal justice systems that allow them to exercise jurisdiction over covered crimes established in this title. This section authorizes appropriations of \$25 million per fiscal year through 2026.

Subtitle B—Alaska Tribal Public Safety Empowerment

Sec 811 provides findings and purposes related to violence against Alaska Native women. This

section also provides that Indian Tribes should be empowered to combat these violent crimes against women.

Sec. 812 provides definitions related to the Alaska Tribal Public Safety Empowerment subtitle.

Sec. 813 establishes a pilot program that permits an Alaska Indian tribe to exercise civil jurisdiction to enforce protection orders. This jurisdiction is not permitted if both the defendant and victim are non-Indians. This pilot program is only available for up to 30 tribes, unless the Attorney General applies for additional tribes to be included. The Attorney General, in consultation with the Secretary of the Interior, affected Indian tribes, and the State are required to establish the “Alaska Tribal Public Safety Advisory Committee” that will focus on ways to improve the justice systems, crime prevention, and victim services of Indians Tribes and the State. The Committee will also work to increase coordination between applicable law enforcement agencies. This section authorizes appropriations of such sums as may be necessary to carry out this subtitle through 2026, to remain available until expended.

TITLE IX—OFFICE ON VIOLENCE AGAINST WOMEN

Sec. 901 changes the name of the office responsible for administering VAWA to the “Office on Violence Against Women.”

Sec. 902 establishes the position of Senior Policy Advisor for Culturally Specific Communities within OVW. The Senior Policy Advisor is tasked to oversee, coordinate, and advise on programs and grants that help culturally specific communities.

TITLE X—IMPROVING CONDITIONS FOR WOMEN IN FEDERAL CUSTODY

Sec. 1001 establishes an office within the BOP that is responsible for determining the placement of prisoners. If an inmate has a child, BOP is required to consider the proximity to the child as a factor in determining the placement of the inmate. BOP is prohibited from placing a pregnant prisoner in post-partum recovery that into a segregated housing unit, unless such a placement is deemed necessary for health reasons. This section requires BOP to administer family-focused programs during intake and assessment and provides parenting classes to any prisoner who is a primary caretaker. Training is required for BOP personnel related to trauma screening of inmates, and for any BOP personnel who engage with prisoners’ families regarding how to interact with children in an age-appropriate manner. BOP is required to ensure that inmates are provided with adequate health care.

Sec. 1002 requires BOP to establish a pilot program to allow incarcerated women and their children who are born during incarceration to reside together in a separate prison- housing unit. To participate in this pilot program, an inmate will be required to apply, demonstrate an interest in serving in an active role with their child, participate in education and counseling opportunities, and abide by court decisions related to custody.

Sec. 1003 requires the National Institutes of Justice, in consultation with the Bureau of Justice Statistics and BOP, to prepare a report on the status of women in Federal incarceration. The report will include data on women held in Federal facilities, including demographic data and

information about past exposure to sexual violence and domestic violence. The report will also include information regarding the Federal facilities where women are incarcerated, including the availability of trauma treatment, rates of mental illness, and a list of available vocational education programs provided to inmates.

Sec. 1004 requires the Attorney General, in coordination with the Director of the Office of Probation and Pretrial Services and the BOP Director, to create a model for reentry for incarcerated women that are transitioning out of the Federal prison system, including a national standard on preventing domestic and sexual violence. The model is required to include relevant services that can aid previously incarcerated women in reentering society, including housing, parenting classes, and support tailored to the needs of Indigenous women.

Sec. 1005 authorizes appropriations of \$8 million per fiscal year through 2026 to carry out the programs established in this title.

TITLE XI—LAW ENFORCEMENT TOOLS TO ENHANCE PUBLIC SAFETY

Sec. 1101 incorporates the bipartisan “NICS Denial Notification Act,” which requires the Attorney General to issue a notice to State, local, or Tribal law enforcement and prosecutors if an individual has attempted to purchase a firearm and been denied pursuant to the national instant criminal background check system. Reports are required to be made to the relevant parties within 24 hours and must include the date and time of the notice, the location where the purchaser attempted to obtain the firearm, and the identity of the person. The Attorney General is required to notify the relevant parties if it is determined that the person was not prohibited from obtaining a firearm.

Sec. 1102 requires the Attorney General to provide an annual report to Congress regarding statistics related to the number of denials pursuant to this title and other related information.

Sec. 1103 requires the Attorney General to appoint prosecutors and attorneys within the federal government to serve as special assistant U.S. Attorneys who are tasked with helping prosecute individuals who violate the prohibition in 18 U.S.C. 922(g)(8) and (9).

Sec. 1104 requires the Attorney General to conduct a review of law enforcement and crime prevention programs that help combat criminal offenses against Native Hawaiians.

TITLE XII—CLOSING THE LAW ENFORCEMENT CONSENT LOOPHOLE

Sec. 1201 provides the short title for Title XII, which is “Closing the Law Enforcement Consent Loophole Act of 2021.”

Sec. 1202 establishes penalties for civil rights offenses involving sexual misconduct that are committed by any person under color of any law, statute, ordinance, regulation, or custom. This section establishes criminal penalties for any person who commits such a civil rights violation involving sexual misconduct.

Sec. 1203 establishes a grant program for states that enact a law that makes it a criminal offense

for any person to engage in a sexual act with an individual who is under arrest, in detention, or otherwise in law enforcement custody, and that prohibits the use of consent as a defense to qualifying sexual misconduct. This section authorizes appropriations of \$5 million per fiscal year through 2026.

Sec. 1204 requires an annual report to Congress by the Attorney General on the number of federal law enforcement officers who engage in sexual misconduct in violation of this new prohibition, and the disposition of each case of sexual misconduct. The GAO is also required to submit an annual report on violations of 18 U.S.C. 2243(c). The Attorney General is also required to submit an annual report to Congress on the inconsistencies between State laws on marriage-age and State laws on age-based sex offenses.

Sec. 1205 defines “sexual act” in this title as it is defined in 18 U.S.C. 2246.

TITLE XIII—OTHER MATTERS

Sec. 1301 reauthorizes existing appropriations for program to improve processes for entering data related to stalking and domestic violence into State, local, and national crime information databases through 2026.

Sec. 1302 authorizes appropriations for United States Attorneys to appoint victim and witness coordinators for the prosecution of sex crimes and domestic violence crimes. This section authorizes appropriations of \$1 million per fiscal year through 2026.

Sec. 1303 reauthorizes appropriations for programs to improve the judicial system’s handling of child abuse and neglect cases through training programs for judicial personnel and practitioners. This section authorizes appropriations of \$2.3 million per fiscal year through 2026.

Sec. 1304 reauthorizes appropriations for training programs to assist probation and parole officers with case management, supervision, and relapse prevention for released sex offenders. This section authorizes appropriations of \$5 million per fiscal year through 2026.

Sec. 1305 reauthorizes existing appropriations for grants to initiate and support state and local court-appointed special advocate programs that focus on supporting minors through 2026.

Sec. 1306 requires the Secretary of HHS to submit a report to Congress regarding the link between being a victim of sexual violence and the likelihood of having a substance use disorder.

Sec. 1307 requires the Attorney General to establish an interagency working group to study Federal efforts to collect data on sexual violence and make recommendations regarding the coordination of data collection efforts across agencies. The working group is required to have representatives from the CDC, the Department of Education, HHS, the Department of Justice, and the Equal Employment Opportunity Commission. The working group is required to submit a report to Congress within two years of enactment.

Sec. 1308 requires that the National Resource Center on Workplace Response, which assists

victims of domestic and sexual violence and is only available to public-sector entities, also provide support to businesses with fewer than 20 employees.

Sec. 1309 establishes a civil right of action for an individual who has an intimate visual depiction of themselves disclosed without their consent. If the individual is under 18 years of age, incompetent, incapacitated, or deceased, this section allows a legal guardian or representative for the individual to file a civil rights action on the individual's behalf. An individual can recover damages of up to \$150,000 and legal fees as damages if the civil action succeeds. Courts are authorized to provide other forms of appropriate legal relief, including a temporary restraining order, a preliminary injunction, or a permanent injunction. A civil action cannot be brought if the image was commercial pornographic content (unless that content was produced by force, fraud, misrepresentation, or coercion), if the disclosure was made in good faith to law enforcement or in a legal proceeding, if the disclosure involved a matter of public concern or interest, or if the disclosure was reasonably intended to assist the individual.

Sec. 1310 incorporates the "Choose Respect Act," and designates October 1 as Choose Respect Day. This section directs OVW to fund and oversee a public service media campaign directed at young men that focuses on changing the broader culture around the mistreatment of women. This section authorizes appropriations of \$5 million per fiscal year through 2026 to remain available until expended.

Sec. 1311 makes a technical correction to the Victims of Crime Act.

Sec. 1312 eliminates the marriage defense as an exception to the existing law governing federal statutory rape.

Sec. 1313 establishes a new position within the Office of Justice Programs at the U.S. Department of Justice: the Deputy Assistant Attorney General on Culturally Specific Communities. This position is responsible for overseeing, coordinating, and advising on issues related to culturally specific programs established under VAWA, and ensuring that appropriate technical assistance and grants are made available for culturally specific communities.

Sec. 1314 requires the Secretary of Education, the Secretary of HHS, and the Attorney General to establish an interagency task force to provide information, recommendations, solicit information from relevant stakeholders, and create a plan to address sexual violence in education. The interagency task force is required to issue a report to Congress on recommendations to recruit, retain, and train Department of Education employees that carry out title IX investigations. The task force is also required to submit an annual report to Congress on complaints regarding sexual violence at education institutions and information on those investigations.

Sec. 1315 provides the short title of this section, which is "Bree's Law". The Secretary of HHS can make grants to carry out demonstration projects to improve adolescent health, including by reducing teen dating violence. The Departments of HHS, Education, and Justice are required to create an interagency working group to address teen dating violence, in collaboration with family members of teens who were killed by a dating partner. The working group is required to submit

an annual report to the Secretary of HHS with recommendations to reduce and prevent teen dating violence. This section authorizes appropriations of \$5 million per fiscal year through 2026.

TITLE XIV—CYBERCRIME ENFORCEMENT

Sec. 1401 creates a grant program for State, Tribal, and local governments to help with the prevention, enforcement, and prosecution of cybercrimes committed against individuals. These funds can be used to train and assist state or local law enforcement, prosecutors, judges, and emergency responders to prevent and respond to victims of cybercrimes. A cybercrime is defined as the use of a computer to cause personal harm to an individual by another individual, including through harassment, threats, stalking, extortion, coercion, causing fear, intimidation, distributing intimate images without consent, or violating the privacy of an individual. Grantees are required to submit an annual report to the Attorney General regarding activities carried out pursuant to the grant and an evaluation of the results of the activities. This section authorizes appropriations of \$10 million per fiscal year through 2026.

Sec. 1402 authorizes a grant to establish a National Resource Center on Cybercrimes Against Individuals. This National Resource Center will provide information, resources, training, and technical assistance to help prevent, enforce, and prosecute cybercrimes against individuals. Grant recipients must submit an annual report to the Attorney General regarding activities carried out pursuant to the grant and an evaluation of the results of the activities. This section authorizes appropriations of \$4 million per fiscal year through 2026.

Sec. 1403 requires the Attorney General to develop a national strategy to reduce cybercrimes, improve investigation coordination, and develop an evaluation process that measures rates of cybercrime victimization and prosecutorial rates. The FBI is required to establish a framework for classifying cybercrimes.

TITLE XV—KEEPING CHILDREN SAFE FROM FAMILY VIOLENCE

Sec. 1501 provides the short title of Title XV, which is the “Keeping Children Safe from Family Violence Act” or “Kayden’s Law.”

Sec. 1502 provides Congressional findings related to child abuse and the impacts on children who are exposed to sexual violence.

Sec. 1503 provides that the purposes of this title are to prioritize child safety in private custody proceedings in State court, to strengthen the ability of courts to recognize and adjudicate domestic violence and child abuse, and to ensure that court personnel are appropriately trained in the dynamics, signs, and impact of domestic violence, using a trauma-informed approach.

Sec. 1504 allows for increased STOP grant funding for State, local, Tribal, and territorial governments that pass or have laws to help create uniformed standards for child custody hearings that involve child abuse, and require judges to undergo 20 hours of initial training and 15 hours of ongoing training every five years focused on domestic and sexual violence and child abuse.

This section authorizes appropriations of \$5 million per fiscal year through 2026
Sec. 1505 extends a sexual assault survivor’s rights to include the right to be informed of the status and location of any evidence collection kit related to the sexual assault they experienced.

Sec. 1506 establishes a new grant program for State and Tribal courts that are part of a multidisciplinary partnership with law enforcement and victim service providers to create a pilot program on how to best service protection orders through electronic communication methods.
This section authorizes appropriations of \$10 million per fiscal year through 2026.

Sec. 1507 requires that the Secretary of Education, in consultation with other federal government officials and experts in combatting sexual violence, develop and implement a survey tool to track the experiences of sexual violence among postsecondary students.

Sec. 1608 requires the Attorney General to conduct a study to review state laws, regulations, and practices on how child neglect and custody situations are handled in domestic violence situations, and provide recommendations on how to improve state laws and regulations to better protect victims of domestic violence and their children.

DIVISION X—INTELLIGENCE AUTHORIZATION FOR FISCAL YEAR 2022

The Intelligence Authorization Act for Fiscal Year 2022 (IAA) provides critical authorities and funding for the U.S. Intelligence Community (IC) and its dedicated personnel. This year’s IAA provides increased capabilities to confront the range of threats that face our nation, including the Chinese Communist Party, Russia, and Iran, as well as the multitude of terrorist and cyber threats. The IAA also provides the tools for leveraging the commercial sector’s innovation to address intelligence challenges, and it ensures that we properly and comprehensively address the reported “Havana Syndrome” cases. For example, the IAA includes:

I. Increased Oversight of Chinese Activities

- Requires reporting on the Chinese Communist Party’s (CCP’s) influence operations and campaigns;
- Requires assessments on the People’s Republic of China’s (PRC’s) genomic collection capabilities and efforts;
- Requires reporting on PRC influence through Belt & Road projects;
- Requires reporting on China’s efforts to create and use digital currency; and
- Requires reporting on CCP efforts to stifle political freedoms in Hong Kong.

II. Improved IC Collection, Analysis, and Intelligence-related Authorities

- Improves commercial geospatial intelligence data, services, and investments;
- Increases oversight of intelligence collection to confront foreign adversaries’ efforts to undermine the U.S. abroad;
- Requires reporting on strengthening all-source intelligence integration relating to foreign cyber threats, with an emphasis on supply chain risks;
- Enhances requirements for the Director of National Intelligence (DNI) and Secretary of Defense regarding Unidentified Aerial Phenomena (UAPs) reporting and data sharing; and
- Increases efforts to enhance agriculture and commercial intelligence.

III. *Technology Advancements and Assessments*

- Establishes requirements for an AI digital ecosystem and strategic emerging technologies;
- Requires reporting on Project Maven’s transition to the NGA and the IC’s efforts to build an integrated hybrid space architecture; and
- Requires periodic reports on the IC’s technology strategy.

IV. *Improved Response to Anomalous Health Incidents (AHI), also known as “Havana Syndrome”*

- Establishes an independent medical advisory board within the CIA;
- Ensures benefits eligibility and access to expert medical advice and facilities; and
- Requires protocols on medical testing, information safeguards, and reporting mechanisms.

V. *Security Clearance Process Improvements*

- Requires the DNI to issue a policy to facilitate sharing cleared contractor information with private companies; and
- Requires DNI-established policies on measuring personnel clearance transfers and implementation of Trusted Workforce 2.0.

VI. *IC Agency and Personnel Improvements*

- Improves efforts to ensure science and engineering recruitment;
- Prohibits IC collection and analysis of U.S. Persons’ information based on First Amendment activities;
- Establishes a Chaplain Corps within CIA;
- Establishes pilot program at the Department of Treasury’s OIA to enhance recruitment and retention for financial and cyber intelligence analysts;
- Requires a plan for IC elements to contract with SCIF providers for use by small businesses at multiple security levels; and
- Enables efficient transportation procedures for IC explosive detection canine teams.

VII. *IC Inspectors General Procedures and Oversight of Whistleblower Actions*

- Establishes uniformity among IC whistleblower statutes; and
- Ensures strong congressional oversight of, and protections for, IC whistleblowers who report waste, fraud, and abuse.

DIVISION Y—CYBER INCIDENT REPORTING FOR CRITICAL INFRASTRUCTURE ACT OF 2022

Section 201: Short Title

This section designates the name of the bill as the “Cyber Incident Reporting for Critical Infrastructure Act of 2022.”

Section 202. Definitions

This section defines “covered cyber incident,” “covered entity,” “cyber incident,” “director,” “ransom payment,” “ransomware attack,” “Director,” “information system,” and “security

vulnerability.”

Section 203. Cyber incident reporting

This section amends the Homeland Security Act, in section 2209(c), (6 U.S.C. 659(c), by adding language that describes the receiving, aggregating, and analyzing reports related to covered cyber incidents and reports related to ransom payments.

This section also creates “Subtitle C-Cyber Incident Reporting for Critical Infrastructure Act of 2021” in the Homeland Security Act and creates the following new sections

Sec. 2240. Definitions

This section defines “center,” “council,” “covered cyber incident,” “covered entity,” “cyber incident,” “cyber threat,” “federal entity,” “information system,” “security control,” “significant cyber incident.”

Sec. 2241. Cyber Incident Review

This section requires Cybersecurity and Infrastructure Security Agency (CISA) to receive, aggregate, and analyze reports related to covered cyber incidents submitted by covered entities.

The Center shall:

- enhance the quality and effectiveness of information sharing and coordination efforts with appropriate stakeholders;
- provide appropriate stakeholders with timely, actionable, and anonymized reports of cyber attack campaigns and trends;
- coordinate and share information with appropriate Federal departments and agencies to identify and track cyber security incident trends and ransom payments, including virtual currencies;
- enhance the quality and effectiveness of information sharing and coordination efforts with appropriate entities, including agencies, councils, and appropriate organizations;
- establish mechanisms to receive feedback from stakeholders on how the Agency can most effectively receive covered incident reports, ransom payment reports, and other voluntarily provided information;
- facilitate the timely sharing, on a voluntary basis, between relevant critical infrastructure owners and operators of information relating to covered cyber incidents and ransom payments;
- conduct reviews of the details surrounding the covered cyber incidents, including ransomware, or groups of those incidents and identify and disseminate ways to prevent or mitigate similar incidents in the future review those reports for cyber threat indicators, with defensive measures, to appropriate stakeholders;
- publish quarterly unclassified, public reports that may be based on the unclassified information contained in the reports required under this Act;
- no later than 24 hours after receiving a covered cyber incident or ransomware payment, share the reported information with the appropriate Sector Risk Management Agency and other appropriate Federal agencies.

The President has the authority to define which ‘other appropriate agencies’ should receive

reported information.

No later than 60 days after the effective date of the final rule, this section requires the Director of CISA, in consultation with the NCD, the Attorney General, and the Director of National Intelligence to provide monthly briefings to Congress on the characteristics of the current cyber threat facing Federal agencies and covered entities, and applicable intelligence and law enforcement information, covered cyber incidents, and ransomware attacks.

Sec. 2242. Required Reporting of Certain Cyber Incidents:

This section requires covered entities to report covered cyber incidents to the Director of CISA within 72 hours after the covered entity reasonably believes that a covered cyber incident has occurred. The section also requires a covered entity that makes a ransom payment, as the result of a ransomware attack against the covered entity, report the payment to the Director not later than 24 hours after the ransom payment has been made. The section states that a covered entity shall not have to submit a report if that covered entity is required to report substantially similar information pursuant to another regulatory requirement, so long as the other regulator provides the information to CISA through an established agreement. Data relevant to the covered cyber incident or ransom payment shall be preserved when applicable.

The section requires CISA to issue a Notice for Proposed Rule Making no later than 2 years after the date of enactment of this section. No later than 18 months after the publication of proposed rulemaking, the Director shall issue a final rule.

The final rule shall include a clear description of the types of entities that constitute covered entities that are based on certain characteristics; a clear description of the types of substantial cyber incidents that constitute covered cyber incidents that include minimum thresholds and requires CISA to consider certain characteristics that would constitute a covered cyber incident; a clear description of the specific required contents of a report a covered entity would submit; a clear description of the specific required contents of a ransomware payment report submitted by a covered entity that makes a ransomware payment; a clear description of the types of data required to be preserved; and deadlines for submitting reports to the Director of CISA.

This section also states that a covered entity that makes a ransom payment may use a third party to submit their required report and requires third parties to advise their client if they knowingly make a ransomware payment on behalf of their client about the reporting requirements.

The Director of CISA shall also conduct an outreach and education campaign to inform likely covered entities, entities that offer or advertise as a service to customers to make or facilitate ransom payments on behalf of covered entities impacted by ransomware attacks, and other appropriate entities of the requirements about the requirements of this section.

Sec. 2243. Voluntary Reporting of Other Cyber Incidents

This section specifies that entities may voluntarily report incidents or ransom payments to CISA that are not required pursuant to this Act and that they will receive the protections within this Act.

Sec. 2244. Noncompliance With Required Reporting

This section specifies that if a covered entity that is required to submit a report pursuant to this act and fails to comply, the Director of CISA may obtain information about the incident or ransom payment by engaging the covered entity directly to request information about the incident or ransom payment, and if the Director is unable to obtain information through such engagement, by issuing a subpoena to the covered entity to gather information sufficient to determine whether a covered cyber incident or ransom payment has occurred, and, if so, whether additional action is warranted. If the Director of CISA determines based on the information provided in response to the subpoena constitute grounds for regulatory enforcement action or criminal prosecution, the Director may provide that information to the Attorney General or appropriate regulator.

Sec. 2245. Information Shared With or Provided to the Federal Government

This section stipulates the authorized activities the Federal government can perform with the reported information. The section applies privacy and civil liberties protections; requires CISA to protect the reports; institutes a prohibition of the use of information in regulatory actions; includes a no waiver of privilege or protection clause; an exemption from disclosure; implements an ex parte communication clause; and certain liability protections. This section also stipulates that CISA shall anonymize the victim who reports the information when sharing the information to critical infrastructure owners and operators and the general public.

Sec. 2246. Cyber Incident Reporting Council

This section requires the DHS Secretary to lead an intergovernmental Cyber Incident Reporting Council, in consultation with the Director of the Office of Management Budget, the Attorney General, the National Director Cyber Director, Sector Risk Management Agencies, and other appropriate Federal agencies, to coordinate, deconflict, and harmonize Federal incident reporting requirements, including those issued through regulations.

Section 204: Federal sharing of Incident Reports

This section requires any Federal agency that receives a report from an entity of a cyber-attack to provide that information to the Director of CISA no later than 24 hours after receiving the notification. The section also provides protection of that information.

Section 205: Ransomware Vulnerability Warning Pilot Program

This section requires the Director of CISA to establish a ransomware vulnerability warning pilot program to leverage existing authorities and technology to specifically develop processes and procedures, and to dedicate resources, to identifying information systems that contain security vulnerabilities associated with common ransomware attacks, and to notify the owners of those vulnerable systems of their security vulnerability.

Section 206: Ransomware Threat Mitigation Activities

This section requires the Director of CISA, in consultation with the National Cyber Director, Attorney General, and the Director of the FBI, to create an interagency “Joint Ransomware Task Force” to coordinate an ongoing, nationwide campaign against ransomware attacks, and identify and pursue opportunities for international cooperation. The Task Force shall prioritize intelligence-driven operations to disrupt ransomware actors; identify a list of the highest threat

ransomware entities; disrupt ransomware criminal actors, associated infrastructure, and their finances; facilitate coordination and collaboration between the public and private sector to improve federal actions against ransomware threats; and share information on ransomware trends.

Section 207: Congressional Reporting

This section requires the Director of CISA to submit to Congress a report on their stakeholder engagement in developing the final rule; a report on identifying opportunities to strengthen security research; a report on the ransomware vulnerability warning program; a report on the harmonization of reporting regulations; and a report on the effectiveness of enforcement mechanisms. This section also requires the Government Accountability Office to submit a report to Congress on the implementation of this Act.

DIVISION Z—ISRAEL RELATIONS NORMALIZATION ACT OF 2022

Section 2: Findings

- Notes longstanding, bipartisan support for the U.S.-Israel relationship.
- Highlights the recent peace and normalization agreements between Israel and several Arab countries, emphasizing their potential to enhance regional growth and security and advance the Israeli-Palestinian peace process.

Section 4: Statement of Policy

- States that it is the policy of the U.S. to:
 - Expand and strengthen the Abraham Accords
 - Implement a regional strategies to encourage economic, security, and other types of cooperation among Israel, Arab states, and the Palestinians
 - Support initiatives aimed at promoting people-to-people contact between Israelis and Arabs
 - Oppose efforts to delegitimize Israel or obstruct normalization
 - Work to eliminate anti-Semitism

Section 5: United States Strategy to Strengthen and Expand Abraham Accords

- Requires Secretary of State to submit a report that assesses:
 - Staffing and budgets within agencies responsible for coordinating the expansion and strengthening of Abraham Accords
 - Bilateral and multilateral cooperation between Israel, the United States, and Arab and Muslim-majority states that have normalized relations with Israel
 - Additional Arab and Muslim-majority countries to normalize relations with Israel
 - How the U.S. will leverage diplomatic engagement and resources from other stakeholders to promote normalization
 - Creating an “Abrahamic Center for Pluralism” to prepare educational materials and bring together scholars
 - Expanding existing exchange programs for young people between Israel and Arab and Muslim-majority countries
 - Inter-parliamentary exchange programs for Members of Congress, Knesset, and parliamentarians from Arab and Muslim-majority countries

- A proposal to utilize USHMM’s resources to combat anti-Semitism in the Arab world
- Recommendations to improve cooperation between the Special Envoy to Monitor Anti-Semitism and the Special Representative to Muslim Communities to combat racism, xenophobia, and anti-Semitism

Section 6: Breaking Down Barriers to Normalization with Israel [based on the *Strengthening Reporting of Actions Taken Against the Normalization of Relations with Israel Act*, introduced by Senators Portman and Booker in August, 2020]

- Notes the existence of “anti-normalization” laws and practices in several Arab countries, which prevent Arab citizens and governments from developing relations with Israel.
- Requires the State Department to include the following in their annual human rights report:
 - The status of “anti-normalization laws” in each country within countries comprising the Arab League.
 - Instances of prosecution or unlawful retribution against citizens or residents of Arab countries for calling for peace or attempting to engage with Israel

DIVISION AA—TRANS-SAHARA COUNTERTERRORISM PARTNERSHIP PROGRAM

Section 2

Expresses the Sense of Congress that violent extremist organizations have been immensely destructive in North and West Africa; that systemic problems such as poor governance and marginalization of communities are drivers of extremism; and that it is in the national security interest of the U.S. to stop the spread of terrorism, which can be accomplished through the creation of an interagency strategy.

Section 3

Articulates a policy to assist allies and partners in North and West Africa in the fight against terrorism and violent extremism, by ensuring careful coordination between US agencies and creating a consistent strategy that uses diplomatic, development, and security tools to address the wide range of issues that contribute to terrorism and violent extremism.

Section 4

- (a) Establishes in law the Trans-Sahara Counterterrorism Partnership Program (TSCTP) to coordinate all programs, projects, and activities of the US Government that are designed to address terrorism in the Sahel-Maghreb region. These include activities to improve governance, address social and development issues, and improve the military and law enforcement capacity of partner governments.
- (a) Creates an assistance framework requiring that counterterrorism programs in the region be carried out in countries that have the appropriate levels of capacity and commitment, and are closely coordinated between US agencies on the ground, who share a clearly defined set of plans and outcomes.

Requires the Secretary of State to provide a detailed notification to Congress at least 15 days before any funds related to TSCTP are obligated.

- (b) Requires the US to ensure careful coordination with international partners, including (to the extent practicable) the alignment of counterterrorism strategies and coordination of defense, diplomacy, and development activities.
- (c)(1) Requires the President to submit to Congress a number of strategies (described below) to improve the development and implementation of US policy in the region.
- (c)(2) Requires the development of a comprehensive, 5-year strategy for security, diplomacy, and development activities in the Sahel-Maghreb region, which will include a specific strategy for implementation of the Algiers Peace Agreement in Mali.
- (c)(3) Requires the development of a comprehensive, 5-year strategy for counterterrorism efforts in North and West Africa, including a range of non-military activities, which will have a strong monitoring and evaluation component.
- (c)(4) Requires the Secretary of State to consult with Congress about progress made towards developing the two 5-year strategies described under (c)(2) and (c)(3).
- (d) Requires the Secretary of State to include a description of the requirements, activities, and planned allocation amounts related to the TSCTP program in the President's annual budget request, and states that this requirement will not apply to the Department of Defense.
- (e) In order to improve monitoring and evaluation of TSCTP, requires the President to submit an annual report to Congress that evaluates: progress towards meeting the objectives of the two 5-year strategies under (c)(2) and (c)(3), efforts to maximize resource effectiveness, partner countries' capabilities and progress on key indicators, details on previous US assistance, and any changes to the two strategies.
- (f) Requires the Secretary of State to regularly report to Congress on the Department's progress towards resolving issues identified by the Office of the Inspector General regarding TSCTP, which included 13 specific recommendations to improve management of the program.
- (g) Requires the Secretary of State to report to Congress about plans to improve administration of the TSCTP program, including a sample of security assistance programs that can identify potential waste, fraud, and abuse, as well as human resources requirements at the Bureau of African Affairs.
- (h) Requires the strategies required under paragraphs (2) and (3) of subsection (c) and the report required under subsection (e) to be submitted in unclassified form, with a classified annex, as necessary.

DIVISION BB—EB-5 REFORM AND INTEGRITY ACT OF 2022

Sec.101.Short title.

Names the division the “EB-5 Reform and Integrity Act of 2022”

Sec.102.EB-5 visa reforms.

- Targeted Employment Areas (TEAs)
 - Defines TEAs as rural areas or areas designated by DHS as high unemployment areas.
 - Defines and provides for designation of TEAs using the same model/census tract configurations found in the 2019 EB-5 Immigrant Investor Program Modernization Rule.
 - Specifies that a “high unemployment area” designation can last for two years and is eligible for additional two-year renewals as long as relevant criteria continue to be met.
 - Makes clear that an immigrant investor who invested at the TEA level will not be required to increase their investment due to the expiration of such a designation.
 - Puts in place specific visa set asides for rural, high unemployment area, and infrastructure projects.
- Investment Levels
 - Sets new investment thresholds of \$1,050,000 for non-TEA projects and \$800,000 for TEA projects.
 - Provides for automatic inflation adjustments beginning on January 1, 2027, and every five years thereafter.
- Provides definitions for terms used throughout the bill, which includes tightening the definition of EB-5 “capital” to ensure the integrity of investor capital.
- Protects against the age-out of the children of certain EB-5 investors whose petitions are terminated or whose applications to remove conditions are denied, by providing that if the immigrant investor petitions again, an unmarried son or daughter who has reached age 21 may still be considered a child of the EB-5 petitioner.

Sec.103.Reauthorization and reform of the Regional Center Program.

- Reauthorizes the EB-5 Regional Center program through 2027;
- Requires regional centers, which are responsible for overseeing EB-5 projects, to have policies and procedures in place to protect against fraud;
- Requires that regional centers file proposed EB-5 project business plans with DHS, including offering documents and marketing materials;
- Requires more disclosures to investors regarding material business risks and conflicts of interest in EB-5 projects;
- DHS approval of business plans is binding for subsequent investors in the same project unless there is evidence of fraud, misrepresentation, or a material change;
- Strengthens the definition of “created jobs” to ensure that job creation statistics are supported by validated methodologies and created jobs are new and not simply re-located or estimated to be created through the purchase of publicly available bonds;
- Requires that regional centers notify DHS of significant changes to their structure;

- Requires DHS to audit regional centers every 5 years;
- Requires DHS to perform site visits to EB-5 projects;
- Requires regional centers to provide annual statements to DHS and to their investors accounting for investor capital and certifying compliance with program requirements;
- Requires background checks of regional center and certain project principals, and requires that regional center principals, responsible for overseeing the foreign investor's participation in this visa program, be U.S. persons or lawful permanent residents;
- Clarifies that EB-5 project offerings are subject to U.S. securities laws and regional centers must use commercially reasonable efforts to ensure compliance with securities laws;
- Establishes an "EB-5 Integrity Fund" in which regional centers and investors would pay fees to be used by DHS to conduct audits and site visits to detect and investigate fraud in the United States and abroad;
- Requires that foreign agents and third-party promoters of the EB-5 program abroad register with DHS and adhere to guidelines for representing the visa process and complying with the law;
- Strengthens DHS's ability to vet foreign investor capital to ensure it is lawfully sourced, including any capital gifted or loaned to the investor;
- Allows good-faith investors who were defrauded the ability to continue participating in the program if they were not involved with the fraud and they associate with EB-5 entities in good standing and meet all other program requirements;
- Provides increased authority to DHS to deny or revoke the approval of applications where there is fraud, criminal misuse, or a threat to public safety or national security;
- Provides investors and petitioners with administrative appellate review of certain DHS decisions and adjudications;
- Requires that investor capital be maintained in non-comingled accounts in U.S. banks to prevent the misuse of investor funds;
- Requires that EB-5 projects utilize a fund administrator or commission an independent annual audit to prevent the misuse of investor funds;
- Integrity measures and program reauthorization take effect 60 days after enactment.

Sec.104.Conditional permanent resident status for alien investors, spouses, and children.
Makes corresponding, technical, and otherwise efficiency-based changes to the EB-5 adjudication process.

Sec.105.Procedure for granting immigrant status.

Allows investors who have already filed or approved petitions to be adjudicated for program eligibility under existing law.

Sec.106.Timely processing.

Decreases petition processing times, which have been plagued by massive delays, by requiring that fees be adjusted to the rate necessary to achieve quicker processing.

Sec.107.Transparency.

Improves accountability and transparency by requiring that DHS employees document certain communications and by prohibiting preferential treatment.

Sec.108.Protection from expired legislation.

Allows grandfathering/continued processing of all EB-5 petitions filed through September 30, 2026, in the event of a future EB-5 Regional Center program lapse.

DIVISION CC—BURIAL EQUITY FOR GUARDS AND RESERVES ACT

Sec.102.Prohibitions on restricting interment of certain individuals in certain State veterans’ cemeteries.

Allows states to determine eligibility for Reserve members’ interment in state cemeteries without losing Veterans Cemetery Grants Program or plot allowance funding. Allows states to extend eligibility to the spouses and children of any member eligible under the new requirements. Requires the Secretary to pay tribes a burial plot allowance for veterans interred in tribal cemeteries.

DIVISION DD—AUTHORIZATION OF APPROPRIATIONS FOR HIGH TECHNOLOGY PILOT PROGRAM

Sec.101.Authorization of appropriations for high technology pilot program.

DIVISION EE—EXTENSION OF VISA WAIVER PROGRAM FEES

Sec.101.Extension of visa waiver program fees.

DIVISION FF—AVAILABILITY OF TRAVEL PROMOTION FUND FOR BRAND USA

Sec.101.Availability of travel promotion fund for Brand USA.

Inbound international travel has historically been the nation’s second largest industry export—generating \$233 billion and directly supporting 1.2 million jobs in 2019—but since the pandemic began in March through the end of 2020, there was a 91 percent decrease in international visitors.

As a result of the coronavirus pandemic, overall travel spending in the U.S. is estimated to have declined by nearly \$766 billion in 2020. Behind statistics like these are thousands of tourism workers and local restaurants, and hotels struggling to make ends meet. Small businesses alone make up 85 percent of the travel and tourism industry.

Brand USA is a public-private partnership that promotes international travel to the U.S. and helps the U.S. compete globally by boosting tourism here at home. The partnership has generated \$56 billion to our economy since 2013 and has historically supported more than 45,000 jobs each year. In 2019, Klobuchar, Blunt, Cortez Masto, and Gardner led a bipartisan group of 43 senators to secure the reauthorization of Brand USA through 2027.

Problem: Due to the pandemic, Brand USA has lost significant funding as a result of the drop in international visitors. ESTA collections have been stagnant, resulting in potentially as little as \$10 million next year. In addition, Brand USA’s partner base and the travel industry more broadly continue to face significant hurdles to making pre-COVID levels of contributions.

Brand USA funding mechanism: Brand USA is funded by international visitors and private contributions—not U.S. taxpayers. Half of its budget comes from the private sector through cash and in-kind contributions. The rest of the budget – up to a maximum of \$100 million—is funded by a nominal fee assessed on visa-free international visitors screened by the U.S. Department of Homeland Security’s Electronic System for Travel Authorization (ESTA).

Solution: As we prepare to reopen our borders for inbound international travelers, the Restoring Brand USA Act (S. 2424) would direct the Secretary of Treasury to temporarily allow the Department of Commerce to access \$250 million from the Travel Promotion Fund (TPF) at the Treasury Department to help fund Brand USA for Fiscal Year 2022.

DIVISION GG—COOPERATIVE PROJECT AGREEMENT

Sec.101.Authority to enter into cooperative project agreement.

This provision makes a technical fix to congressional notification requirements regarding a Department of Defense cooperative program.

DIVISION HH—OTHER MATTERS

TITLE I—CONTINUING EDUCATION AT AFFECTED FOREIGN INSTITUTIONS

Sec.101.Covered periods for affected foreign institutions.

This provision extends a waiver provided through the Coronavirus, Aid, Relief, and Economic Security Act to allow federal student loans to finance programs of study at foreign institutions of higher education that include online coursework until June 30, 2023.

TITLE II—NASA ENHANCED-USE LEASING EXTENSION ACT OF 2022

Extends the NASA enhanced-use leasing until December 31, 2022.

TITLE III—CARES ACT SEMIANNUAL TESTIMONY

Sec.301.Congressional testimony.

This section would modify the CARES Act requirement for the Secretary of the Treasury and the Chair of the Board of Governors of the Federal Reserve System to testify before the Senate Committee on Banking, Housing, and Urban Affairs, and the House Financial Services Committee to semi-annually (from quarterly) and terminate as of December 31, 2027 (currently no termination date). The funding for the original CARES Act emergency lending programs supported by the CARES Act was rescinded in Dec. 2020.

TITLE IV—HIDDEN FIGURES CONGRESSIONAL GOLD MEDAL

Sec.401.Hidden Figures Congressional Gold Medal.

The provision transfers the gold medal awarded in honor of Katherine Johnson under Public Law 116-68, subsection (a)(1) to her daughter, Katherine Goble Moore.

TITLE V—CONGRESSIONAL OVERSIGHT OF SENSITIVE PROGRAMS NOT COVERED BY OTHER PROVISIONS OF LAW

Sec.501.Congressional oversight of sensitive programs not covered by other provisions of law.

Special Programs: Makes a technical correction regarding Executive Branch reporting requirements.

TITLE VI—FIREFIGHTER PAY

Sec.601.Firefighter pay.