

Continuing Appropriations and Ukraine Supplemental Appropriations Act, 2023

Section-by-Section Summary

FRONT MATTER

Section 4. Payment to Widows and Heirs of Deceased Members of Congress.

Provides the traditional Congressional gratuity payment to the widower of Rep. Jackie Walorski.

DIVISION A—CONTINUING APPROPRIATIONS ACT, 2023

Section 101. Extension of FY 2022 Funding, with Exceptions.

Section 101 appropriates funding at the levels and under the conditions provided in fiscal year 2022 appropriations acts for continuing projects and activities, with exceptions including for technical budgetary issues and certain extensions and authorities.

Section 102. Prevention of New or Accelerated Production and New Multi-Year Activities at DOD.

Section 102 prevents the Department of Defense (DOD) from using funds provided by the CR for new or accelerated production of certain projects and other new starts and activities. It also prevents DOD from initiating certain multi-year procurements.

Section 103. Terms and Conditions.

Section 103 states that funds provided by section 101 shall be available to the extent and in the manner that would be provided in the pertinent appropriations Act.

Section 104. Prevention of New Starts and Activities.

Section 104 prevents appropriations provided by the CR from being used for new starts and new activities.

Section 105. Technical Budget Matter.

Section 105 contains technical budget matter providing that appropriations in the CR are to be used to conduct fiscal year 2023 activities and programs through December 16, 2022.

Section 106. End Date of CR.

Section 106 continues the appropriations and authorities provided by the CR through the earlier of December 16, 2022, or the enactment of the applicable appropriations Act.

Section 107. Requirement to Charge CR Spending to Enacted Full-Year Appropriations Bill.

Section 107 requires that spending under the CR be charged to the full-year appropriations bill when such bill is enacted.

Section 108. Apportionment Timing During the CR.

Section 108 waives the normal time limitations for submission and approval of apportionments of accounts given the duration of a part-year CR.

Section 109. Expenditures for Grant Programs and Similar Payments.

Section 109 prevents agencies from spending money too quickly for grant programs and similar payments to preserve Congress's final funding prerogatives, as Congress has not made final funding determinations for fiscal year 2023.

Section 110. Reiterating That Funding Should be Spent in the Most Limited Manner Possible.

Section 110 reiterates that funding should be spent in the most limited manner possible to continue projects and activities, as Congress has not made final funding determinations for fiscal year 2023.

Section 111. Operations of Mandatory Programs and Appropriated Entitlements.

Section 111 continues mandatory programs and appropriated entitlements. In the case of a government shutdown after December 16, 2022, provides some of those programs with funding for payments that are due on or about the first day of January 2023.

Section 112. Restrictions on Furloughs or Termination of Employees.

Section 112 permits funds provided by the CR to be apportioned up to a rate for operations necessary to avoid furloughs, after the agency has taken all necessary action to reduce or defer non-personnel-related administrative expenses.

Section 113. Waiver Language for Intelligence Programs.

Section 113 provides waiver language for certain intelligence programs as well as agencies that operate under the State Department Basic Authorities Act and Foreign Relations Authorization Act.

Section 114. Specially Designated Funds for Disaster Relief and Emergencies.

Section 114 dictates that specially designated funds in fiscal year 2022 appropriations Acts should be considered the same type of funding under the CR.

Section 115. Directions for OMB and Agencies on Executing a CR.

Section 115 directs the Office of Management and Budget (OMB) and agencies to execute a CR by accounting for the levels provided to them by this CR inclusive of any rescissions that were in last year's appropriations Acts.

Section 116. Agricultural Credit Insurance Fund Program.

Section 116 ensures USDA can fully meet the demand for Direct and Guaranteed Farm Ownership loans.

Section 117. Rural Microentrepreneur Assistance Program.

Section 117 enables USDA to continue to provide loans to help expand economic opportunity and create jobs in rural areas.

Section 118. Livestock Mandatory Reporting Act Extension.

Section 118 allows USDA to continue requiring reports on prices, contracts, and other purchasing information from cattle, swine, and sheep packers and processors to facilitate informed marketing decisions.

Section 119. Economic Development Administration Salaries and Expenses.

Section 119 provides flexibility to spend at a rate necessary to support staff administering and conducting oversight of economic development grants.

Section 120. NTIA Public Safety Communications Programs.

Section 120 ensures that the National Telecommunications and Information Administration (NTIA) can continue to fund oversight of public safety communications efforts, including the First Responder Network Authority (FirstNet) program to allow first responders to quickly and seamlessly communicate with each other, particularly in mass-casualty events or other large disasters.

Section 121. Federal Bureau of Investigation (FBI).

Section 121 provides \$15.3 million for investigative activities associated with Afghan resettlement operations.

Section 122. OHDACA Transfer Authority and Reporting Requirement.

Section 122 permits the transfer of up to \$3 billion in Department of Defense Overseas Humanitarian, Disaster, and Civic Aid (OHDACA) funds to the Department of State to support Operation Allies Welcome or any successor Afghan resettlement program.

Section 123. Protection and Personal Security Extension.

Section 123 extends the limitation of personal security provided to certain former Department of Defense personnel from two to three years through December 16, 2022.

Section 124. Afghanistan Security Forces Fund.

Section 124 rescinds and appropriates \$100 million to pay contract close out costs.

Section 125. Corps of Engineers Water and Wastewater Infrastructure.

Section 125 provides \$20 million in emergency funding for previously authorized water and wastewater infrastructure improvements, which can be used in Jackson, Mississippi.

Section 126. Bureau of Reclamation CALFED Bay-Delta Authorities.

Section 126 extends authorities for the CALFED Bay-Delta Program.

Section 127. Extension of Expiring Bureau of Reclamation Authorities.

Section 127 extends dates in the Reclamation States Emergency Drought Relief Act of 1991 and section 9106(g)(2) of the Omnibus Public Land Management Act of 2009, ensuring the continuation of these Reclamation programs in 17 western states, including emergency drought relief.

Section 128. Treasury Alcohol & Tobacco Tax and Trade Bureau.

Section 128 provides additional funding for Treasury's Alcohol and Tobacco Tax and Trade Bureau to administer the new Craft Beverage Modernization Act import claims program.

Section 129. National Cyber Director Funding.

Section 129 provides continued funding for salaries and expenses of the newly created Office of the National Cyber Director at the rate provided in the Infrastructure Investment and Jobs Act (P.L. 117-58).

Section 130. Judiciary Fees of Jurors.

Section 130 provides additional funding for Judiciary Fees of Jurors due to jury activity returning to near pre-pandemic levels.

Section 131. Court Security.

Section 131 provides additional funding for Judiciary's Court Security program to harden courthouses to withstand potential hostile intrusions.

Section 132. DC Local Funds.

Section 132 authorizes the District of Columbia to spend its locally raised revenue at rates provided for in D.C.'s Fiscal Year 2022 Local Budget Act of 2021 with the same conditions as the prior fiscal year.

Section 133. SBA, Veterans Small Business Certification.

Section 133 provides the Small Business administration (SBA) with additional funding to support the transfer of the certification program for service-disabled veteran-owned small businesses and veteran-owned small businesses from the Department of Veterans Affairs to SBA.

Section 134. SBA, Business Loans Program.

Section 134 allows the SBA flexibility to spend at the rate necessary to accommodate potential demand increases for commitments for business loans through the 7(a) and 504 business loans, for the Secondary Market Guarantee Program, and for the Small Business Investment Company (SBIC) program.

Section 135. Disaster Relief Program.

Section 135 allows the Federal Emergency Management Agency to obligate up to the full year amount available under the CR for the Disaster Relief Fund if needed to respond to declared disasters.

Section 136. Hermit's Peak/Calf Canyon Fire Assistance

Section 136 directs \$2.5 billion in previously provided funding to carry out the Hermit's Peak/Calf Canyon Fire Assistance Act.

Section 137. DHS Joint Task Forces.

Section 137 extends the authorization for Department of Homeland Security (DHS) Joint Task Forces through December 16, 2022.

Section 138. National Computer Forensics Institute.

Section 138 extends the authorization for the National Computer Forensics Institute through December 16, 2022.

Section 139. National Flood Insurance Program.

Section 139 extends the authorization for the National Flood Insurance Program through December 16, 2022.

Section 140. Pilot Programs to Acquire Innovative Commercial Items.

Section 140 extends the authority for DHS and the General Services Administration to carry out pilot programs for requiring innovative commercial items through December 16, 2022.

Section 141. Protection of Facilities from Unmanned Aircraft.

Section 141 extends the authority for DHS and the Department of Justice to protect certain facilities from unmanned aircraft systems through December 16, 2022.

Section 142. Heritage Areas.

Section 142 allows the Secretary of the Interior to provide financial assistance through December 16, 2022, to any National Heritage Area established as of September 1, 2022.

Section 143. DOI Working Capital Fund.

Section 143 allows amounts for the Department of the Interior (DOI) Working Capital Fund to be apportioned up to the rate for operations necessary to implement enterprise cybersecurity safeguards.

Section 144. Indian Health Service (IHS) Staffing for New Facilities.

Section 145 allows for a higher rate for operations for costs of staffing and operating new IHS facilities.

Section 145. 988 Suicide and Crisis Lifeline.

Section 145 allows a higher spending rate for the Substance Abuse and Mental Health Services Administration's 988 Suicide and Crisis Lifeline to continue to expand suicide prevention services, including the use of call, text, and chat messaging, and behavioral health services associated with the new three-digit number (9-8-8) connecting users to the Lifeline.

Section 146. LIHEAP.

Section 146 provides additional funding for the Low Income Home Energy Assistance Program (LIHEAP) to help lower-income families cover the costs of home heating and cooling.

Section 147. Refugee and Entrant Assistance.

Section 147 provides additional funding to support shelter and services for unaccompanied minors referred to the Department of Health and Human Services, as well as provide services to refugees.

Section 148. SSA Operating Expenses.

Section 148 allows a higher spending rate for the Social Security Administration's operating expenses through December 16, 2022, to maintain current levels of customer services and to prevent cuts to IT modernization investments.

Section 149. Afghan Resettlement Parolee Benefits.

Section 149 extends authority for evacuees from Afghanistan through December 16, 2022, to be eligible for the same resettlement assistance provided to evacuees in fiscal year 2022, including food assistance and other benefits.

Section 150. TANF.

Section 150 extends funding for the Temporary Assistance for Needy Families program through December 16, 2022, which will allow the Department of Health and Human Services to make first-quarter payments to States.

Section 151. Deferred Military Construction Projects.

Section 151 extends the authority for the Department of Defense to obligate funds for military construction projects that first received funding in fiscal year 2018.

Section 152. Department of State and USAID Funds.

Section 152 maintains funding for certain accounts at the Department of State and USAID through December 16, 2022.

Section 153. Mark-to-Market Program Extension.

Section 153 extends the Project-Based Rental Assistance Mark-to-Market program to ensure that the Department of Housing and Urban Development (HUD) can continue to perform certain affordable housing preservation activities which would otherwise expire on October 1, 2022.

Section 154. Native Hawaiian Housing Loan Guarantee Program.

Section 154 ensures HUD can continue to process loans to fully meet the demand for the Native Hawaiian Housing Loan Guarantee Program, which helps Native Hawaiians achieve homeownership, complete property rehabilitation, and undertake new construction opportunities on Hawaiian home lands.

Section 155. Community Development Block Grant Disaster Recovery (CDBG-DR).

Section 155 provides \$2 billion to HUD’s CDBG-DR program for the long-term housing, infrastructure, and economic recovery needs for areas impacted by a natural disaster in 2021 or 2022.

Section 156. HUD Deficiency.

Section 156 allows HUD to use available prior-year Project-Based Rental Assistance funding to pay previously incurred obligations in order to continue to support housing for low-income senior citizens.

Section 157. National Infrastructure Investments.

Section 157 provides the Department of Transportation with the authority to extend the availability of funding awarded for National Infrastructure Investments grants that would otherwise expire on September 30, 2022, for one additional year, which will help state, local, and tribal governments and other grant recipients complete their planning or capital infrastructure projects.

DIVISION B—UKRAINE SUPPLEMENTAL APPROPRIATIONS ACT, 2023

Title I—Department of Defense

Ukraine Security Assistance Initiative – \$3 billion to provide assistance, including training, equipment, weapons, logistics support, supplies and services, salaries and stipends, sustainment, and intelligence support to the military and national security forces of Ukraine.

Replenishment of US stocks – \$1.5 billion to replenish US stocks of equipment sent to Ukraine through drawdown authority and \$540 million to increase production of critical munitions to replace defense articles sent to Ukraine or foreign countries that have provided support to Ukraine at the request of the United States.

European Command operations – \$2.8 billion for mission support, intelligence support, special duty pay for troops deployed to the region, and equipment.

Oversight – \$2 million for the Inspector General to report on activities to executive funds in the bill, a comprehensive list of all defense articles and services provided to Ukraine, and a report on the end-use monitoring of defense articles sent to Ukraine.

Title II—Department of Energy

National Nuclear Security Administration, Defense Nuclear Nonproliferation – \$35 million to prepare for and respond to potential nuclear and radiological incidents in Ukraine.

Title III—Bilateral Economic Assistance

Continuity of Government – \$4.5 billion for the Economic Support Fund for additional budget support to maintain the operations of Ukraine’s national government, including to enable the government to maintain macroeconomic stability and provide basic citizen services, which are necessary for Ukraine’s effort to repel Russia’s invasion. Includes oversight requirements, including third-party monitoring of such support.

Military Assistance – Authorizes the President to direct the drawdown of up to \$3.7 billion worth of defense articles from U.S. stocks and defense services to provide additional essential support to Ukraine’s armed forces.

DIVISION C—OTHER MATTERS

Title I—Extensions, Technical Corrections, and Other Matters

Section 101. Extension of FCC Auction Authority.

Section 101 amends the Communications Act of 1934 to extend the expiration of the Federal Communications Commission’s (FCC) general spectrum auction authority from September 30, 2022, to December 16, 2022.

Section 102. Extension of Authorization for Special Assessment of Domestic Trafficking Victim’s Fund.

Section 102 extends the special assessment on any non-indigent person or entity convicted of an offense under section 3014(a) of title 18, United States Code (concerning sexual abuse, trafficking, and related matters) from September 30, 2022, through December 16, 2022.

Section 103. United States Parole Commission Extension.

Section 103 extends the authorization for the U.S. Parole Commission from September 30, 2022, through December 16, 2022.

Section 104. Extension of CFTC’s Whistleblower Office and the Office of Customer Education & Outreach.

Section 104 extends the authority of the Commodity Futures Trading Commission (CFTC) to maintain a separate account from the Customer Protection Fund to ensure the continued operation and fund the administrative costs of the CFTC’s Whistleblower Office and the Office of Customer Education & Outreach.

Title II—Energy Independence and Security Act of 2022

Includes the Energy Independence and Security Act of 2022.

Title III—Budgetary Effects

Section 201. Budgetary Effects.

Section 201 includes technical budgetary provisions.

DIVISION D—HEALTH AND HUMAN SERVICES EXTENSIONS

Title I— Medicare and Medicaid

Section 101. Extension of increased inpatient hospital payment adjustment for certain low-volume hospitals.

Section 101 extends the low-volume payment adjustment to Medicare hospital payments through December 16, 2022.

Section 102. Extension of the Medicare-dependent hospital (MDH) program.

Section 102 extends the Medicare Dependent Hospital Program through December 16, 2022.

Section 103. Extension of increased FMAPs for the territories.

Section 103 extends the increased federal medical assistance percentage (FMAP) for Puerto Rico, American Samoa, the Commonwealth of the Northern Mariana Islands (CNMI), Guam, and the U.S. Virgin Islands through December 16, 2022.

Section 104. Reduction of Medicare Improvement Fund.

Section 104 reduces the Medicare Improvement Fund from \$7.5 billion to \$7.308 billion.

Title II—Human Services

Section 201. Extension of maternal, infant, and early childhood home visiting programs.

Section 201 authorizes and funds the continuation of the federal home visiting program through December 16, 2022.

Section 202. Extension of child and family services programs.

Section 202 authorizes the continuation of child welfare programs authorized under Title IV-B of the Social Security Act, including the MaryLee Allen Promoting Safe and Stable Families Program, through December 16, 2022.

Title III—Public Health

Section 301. Extension of the program to deem certain health professional volunteers employees of the Public Health Service under certain circumstances.

Section 301 permanently extends the application of Federal Tort Claims Act protections for certain health professional volunteers at community health centers.

Section 302. Extension of authorization for a commissioned officer of the Public Health Service To accumulate excess annual leave.

Section 302 authorizes the retention of excess annual leave for United States Public Health Service (USPHS) Commissioned Corps officers accumulated in fiscal year 2022 to ensure consistency with the other uniformed services.

Title IV—Indian Health

Section 401. Extension of moratorium.

Section 401 extends the moratorium which prohibits the Indian Health Service from disbursing funds for the provision of health care services pursuant to Public Law 93–638 (25 U.S.C. 450 et seq.) to any Alaska Native

village or Alaska Native village corporation that is located within the area served by an Alaska Native regional health entity.

DIVISION E— VETERANS AFFAIRS EXTENSIONS

TITLE I—Extensions of Authorities Relating to Health Care

Section 101. Extension of authority for collection of copayments for hospital care and nursing home care.

Section 101 allows VA to continue collecting copayments for inpatient hospital and nursing home care. VA currently operates with the authority to collect copayments for inpatient hospital and nursing home care. A lapse in that authority jeopardizes an important funding stream for the Department. Without action, this authority would expire at the end of September. Section 101 would extend it through September 2024.

Section 102. Extension of requirement to provide nursing home care to certain veterans with service-connected disabilities.

Section 102 allows VA to provide nursing home care to more veterans with service-connected disabilities. VA currently provides nursing home care to veterans who have a service-connected disability rated at 70 percent or more, or who require nursing home care for their service-connected disability. Without action, the ability to provide this essential long-term care for disabled veterans would stop at the end of September. Section 102 would extend nursing home care coverage until September 2024.

Section 103. Extension of authority to continue DOD-VA Health Care Sharing Incentive Fund.

Section 103 allows DOD and VA to continue a joint health care sharing initiative that fosters collaboration between the Departments. The Joint Incentive Fund provides funding for the Department of Defense (DoD) and VA to identify and incentivize programs that implement creative sharing initiatives. Section 103 would extend this fund until September 2026, mirroring a provision in the FY2023 National Defense Authorization Act for DoD.

Section 104. Extension of authority for joint Department of Defense-Department of Veterans Affairs medical facility demonstration fund.

Section 104 allows DOD and VA to continue their joint medical facility fund. The Joint DOD-VA Medical Facility Demonstration Fund funds the Captain James A. Lovell Federal Health Care Center. This fund provides comprehensive patient centered care to VA and DoD beneficiaries, while being managed by a cooperative management team. Section 104 would extend the authority to continue operations at this joint facility until September 2024.

Section 105. Extension of temporary expansion of payments and allowances for beneficiary travel in connection with veterans receiving care from Vet Centers.

Section 105 extends a VA program to provide reimbursement benefits for veterans traveling to access mental health services at Vet Centers. VA currently operates a pilot program that reimburses eligible veterans for some of the costs of transportation to and from in-person mental health care appointments at Vet Centers. For eligible veterans in these pilot sites who lack access to virtual options due to technology barriers or who respond best to in-person care, this mileage reimbursement can be the deciding factor in a veteran seeking essential readjustment care. This is especially true in rural areas where the cost of traveling to these appointments could be a full tank of gas. Without action, this program would expire at the end of September. Section 105 would extend the program until September 2023.

TITLE II—Extensions of Authorities Relating to Benefits

Section 201. Extension of authority to transport individuals to and from Department of Veterans Affairs facilities.

Section 201 allows VA to continue providing transportation to and from medical appointments. Through its Veterans Transportation Services Program, VA provides critical transportation services for veterans traveling to and from medical appointments. This program supports veterans otherwise unable to travel for essential care because of financial hardship, unavailability of public transportation, lack of personal transportation, or inability to travel independently due to the nature of care they are receiving. Without action, these services would be unavailable to veterans after September, resulting in vital medical care and preventative care assessments being indefinitely postponed. Section 201 would extend these services until September 2024.

Section 202. Extension of authority to maintain regional office in the Republic of the Philippines.

Section 202 allows VA to maintain a regional office in the Philippines. VA's presence in the Philippines ensures immediate VA care and services are available to US veterans residing in the Philippines. Without action, these services would no longer be available after the end of this month. Section 202 would extend this presence until September 2024.

Section 203. Extension of authority for report on equitable relief provided due to administrative error.

Section 203 extends a reporting requirement to bolster Congressional oversight. VA is currently required to report to Congress on the cost of administrative errors made by the Department and any relief provided in response - bolstering oversight on government funds and preventing errors that potentially harm veterans. This requirement expires at the end of December. Section 203 would extend the requirement until December 2024.

Section 204. Extension of authority to provide assistance for specially adapted housing for disabled veterans residing temporarily in housing owned by a family member.

Section 204 allows VA to continue assistance for home modifications for disabled veterans. VA currently has the authority to provide assistance to certain disabled veterans who are temporarily residing with family members to specially modify their home to meet their unique disability needs. Without action, this assistance would expire at the end of December. Section 204 would extend it until December 2024.

Section 205. Extension of specially adapted housing assistive technology grant program: Extends a VA program that allows more disabled veterans to live independently.

Section 205 VA currently operates a grant program that encourages the development of specially adapted house assistive technology that enables more disabled veterans to live independently. Without action, this program would expire at the end of September. Section 205 would extend the program to September 2024.

TITLE III—Extensions of Authorities Relating to Homeless Veterans

Section 301. Extension of authorization of appropriations for homeless veterans reintegration programs.

Section 301 allows the Department of Labor to better connect homeless veterans with long-term, meaningful employment. DOL currently operates a grant program to assist organizations who connect homeless veterans with long-term, meaningful employment as part of ending cycles of chronic homelessness. The Homeless Veteran Reintegration Program expects to serve 18,000 veterans in FY 2023. A program lapse would affect current participants' employment and pay, which could jeopardize their housing and other resources dependent

on employment and income requirements. Without action, this program would expire at the end of September. Section 301 would extend the program until September 2024.

Section 302. Extension of authorization of appropriations for homeless women veterans and homeless veterans with children reintegration grant program.

Section 302 allows DOL to continue an employment program for homeless women veterans and homeless veterans with children. DOL also operates a grant program dedicated to serving homeless women veterans, who are twice as likely to experience homelessness as their non-veteran counterparts, and those with dependents. Women veterans and veterans with dependents often have unique circumstances and employment needs compared to other veterans. Child care services are an additional service offered by this program. Without action, the program would expire at the end of September. Section 302 would extend the program until September 2024.

Section 303. Extension of authority for treatment and rehabilitation for seriously mentally ill and homeless veterans.

Section 303 allows VA to continue providing life-saving treatment to homeless veterans. VA currently operates the Health Care for Homeless Veterans program, which provides outreach, case management, residential treatment, and community partner coordination and resources to homeless veterans. Often the veterans served by this program are among the most vulnerable of homeless veterans and experience serious mental illnesses or substance use disorders. HCHV is the top entry point for connecting homeless veterans with critical VA services, community housing and health services, and permanent housing. The program is expected to serve 140,000 veterans in FY 2023. Without action, this program would expire at the end of September. Section 303 would extend the program until September 2024.

Section 304. Extension of funding for financial assistance for supportive services for very low-income veteran families in permanent housing.

Section 304 allows VA to continue providing supportive services to veterans in poverty or at risk of homelessness. VA currently operates the Supportive Services for Veteran Families program - a grant program for community organizations that provide support to very low-income veteran families experiencing or at-risk of homelessness through rapid housing, rental assistance, case management, and more. Currently, this program serves more than 100,000 individuals each year, including veterans' family members, and places more than 77% of those individuals into permanent housing. Without action, this program would expire at the end of September. Section 304 would extend the program until September 2024.

Section 305. Extension of funding for grant program for homeless veterans with special needs.

Section 305 allows VA to continue serving homeless veterans with special needs. VA currently operates a grant program to assist community organizations who serve homeless veterans with special needs, including women veterans, veterans who are elderly, terminally ill, mentally ill, or care for children. Without action, this program would expire at the end of September. Section 305 would extend the program until September 2024.

Section 306. Extension of authority for the Advisory Committee on Homeless Veterans.

Section 306 reauthorizes the Advisory Committee on Homeless Veterans. VA currently relies upon an Advisory Committee on Homeless Veterans, which is comprised of experts, community service providers, advocates, and stakeholders who make recommendations to the VA Secretary on how best serve veterans who are experiencing or at-risk of homelessness and ultimately end veteran homelessness. Without action, the authority for this advisory committee would expire at the end of September. Section 306 would extend it until September 2026.

TITLE IV—Extensions of Other Authorities

Section 401. Extension of authorization of appropriations for monthly assistance allowance under the Office of National Veterans Sports Programs and Special Events.

Section 401 reauthorizes VA's Office of National Veterans Sports Programs and Special Events. VA's Office of National Veterans Sports Programs and Special Events provides monthly stipends to disabled veterans participating in athletic events at national or Olympic/Paralympic levels. This funding helps offset the cost of training, equipment, and nutritional needs for these disabled athletes competing at top-tier levels. Without action, this assistance would expire at the end of September. Section 401 would extend it through September 2026.

Section 402. Extension and authorization of appropriations for adaptive sports programs for disabled veterans and members of the Armed Forces.

Section 402 allows VA to continue providing assistance to organizations offering recreational and athletic events to disabled veterans. VA's Office of National Veterans Sports Programs and Special Events provides grant opportunities for organizations to provide recreational and athletic events to disabled veterans. Without action, this assistance would expire at the end of September. Section 402 would extend these grant opportunities through September 2026.

Section 403. Extension of Advisory Committee on Minority Veterans.

Section 403 reauthorizes the Advisory Committee on Minority Veterans. VA currently relies upon an Advisory Committee on Minority Veterans, which provides advice and recommendations to the VA Secretary on how to best serve and provide care and benefits for minority veterans. In FY 2021, the Committee made recommendations on priorities such as expanding telehealth capabilities to rural areas, improving data collection on VHA health disparities, and improving National Cemetery Administration services and data. Without action, the authority for this advisory committee would expire at the end of September. Section 403 would extend it until September 2026.

Section 404. Extension of Veterans' Advisory Committee on Education.

Section 404 reauthorizes the Advisory Committee on Education. VA currently relies upon a Veterans' Advisory Committee on Education, which provides advice and recommendations to the VA Secretary on the administration of education and job training programs (GI Bill, Veterans Readiness and Employment, etc) for veterans, reservists, and dependents. In FY 2021, the Committee made recommendations on priorities such as the modernization of Education Services IT systems, distance learning, and on-the-job training and apprenticeships. Without action, the authority for this advisory committee would expire at the end of September. Section 404 would extend it until September 2026.

Section 405. Extension of authority for transfer of real property.

Section 405 allows VA to continue efforts to support homeless veterans and effectively manage excess property. VA currently utilizes an existing authority to transfer unneeded or unused Department property to organizations, including those that offer services to homeless veterans, organizations engaged in historic preservation, or Native American Tribes. Without action, this authority would expire at the end of September. Section 405 would extend it until September 2024.

DIVISION F—FOOD AND DRUG ADMINISTRATION USER FEE EXTENSIONS

Title I: Fees Relating to Drugs

Sections 1001 – 1007.

Sections 1001 – 1007 reauthorize the prescription drug user fee program through 2027 to continue to expedite new drug development and review and fund postmarket drug safety activities. Prioritizes preparing the Food and Drug Administration (FDA) for development and innovation of cell and gene therapy products. Incorporates allergenic extract products licensed after October 1, 2022, into the user fee program. Maintains existing fee structure and Congressional reporting requirements. FDA’s commitments on product review timelines, hiring estimates, and program enhancements are contained in the [performance goal letter](#).

Title II: Fees Relating to Devices

Sections 2001 – 2009.

Sections 2001 – 2009 reauthorize the medical device user fee program through 2027 to continue to expedite device development and review and assure the safety and effectiveness of devices. Generally maintains existing fee structure, but includes a new performance improvement adjustment provision, which provides for increased fees in later years if FDA meets review goal timelines. Updates the payment requirement to include de novo classification requests. Maintains existing Congressional reporting requirements. Reauthorizes third-party 510(k) review of certain devices and program for accreditation of testing laboratories to assess conformance of a device with certain recognized standards through December 16, 2022. FDA’s commitments on product review timelines, hiring estimates, and program enhancements are contained in the [performance goal letter](#).

Title III: Fees Relating to Generic Drugs

Sections 3001 – 3006.

Sections 3001 – 3006 reauthorize the generic drug user fee program through 2027 to continue to expedite generic drug development and review, increasing competition and lowering drug costs. Maintains existing fee structure and Congressional reporting requirements. FDA’s commitments on product review timelines, hiring estimates, and program enhancements are contained in the [performance goal letter](#).

Title IV: Fees Relating to Biosimilar Biological Products

Sections 4001 – 4007.

Sections 4001 – 4007 reauthorize the biosimilar user fee program through 2027 to continue to expedite biosimilar development and review and fund postmarket safety activities. Removes applications for allergenic extract products from the list of applications excluded from the scope of the term biosimilar biological product applications. Increases fees and maintains existing fee structure and Congressional reporting requirements. FDA’s commitments on product review timelines, hiring estimates, and program enhancements are contained in the [performance goal letter](#).

Title V: Reauthorization of Other Provisions

Section 5001. Reauthorization of the best pharmaceuticals for children program.

Section 5001 reauthorizes Best Pharmaceuticals for Children Program, which allows the National Institutes of Health to fund studies of off-patent drugs in children, through December 16, 2022.

Section 5002. Reauthorization of the humanitarian device incentive.

Section 5002 reauthorizes through December 16, 2022, the exemption, subject to certain conditions, from the profit limitation on devices granted a humanitarian device exemption under section 520(m) of the Federal Food, Drug, and Cosmetic Act (FFDCA).

Section 5003. Reauthorization of the pediatric device consortia program.

Section 5003 reauthorizes demonstration grants for improving development of pediatric medical devices through December 16, 2022.

Section 5004. Reauthorization of provision pertaining to drugs containing single enantiomers.

Section 5004 reauthorizes the provision allowing for exclusivity for certain single enantiomer drugs under certain conditions through December 16, 2022.

Section 5005. Reauthorization of the critical path public-private partnership.

Section 5005 reauthorizes the Critical Path Public-Private Partnership through December 16, 2022.

Section 5006. Reauthorization of orphan drug grants.

Section 5006 reauthorizes orphan drug grants through December 16, 2022.

Section 5007. Reauthorization of certain device inspections.

Section 5007 reauthorizes the third-party inspections program through December 16, 2022.

Section 5008. Reauthorization of reporting requirements related to pending generic drug applications and priority review applications.

Section 5008 reauthorizes reporting on pending generic drug applications and priority review applications through December 16, 2022.

DIVISION G—HERMIT’S PEAK/CALF CANYON FIRE ASSISTANCE ACT

Establishes a compensation program for individuals who suffered losses from the Hermit’s Peak/Calf Canyon fire in New Mexico, which were the result of prescribed burns on federal land. The program is modeled on one established following the 2000 Cerro Grande Fire.