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(Original Signature of Member)

117TH CONGRESS  
2D SESSION

**H. R.** \_\_\_\_\_

Making emergency supplemental appropriations for coronavirus response and relief for the fiscal year ending September 30, 2022, and for other purposes.

\_\_\_\_\_  
IN THE HOUSE OF REPRESENTATIVES

Ms. DELAURO introduced the following bill; which was referred to the Committee on \_\_\_\_\_

\_\_\_\_\_  
**A BILL**

Making emergency supplemental appropriations for coronavirus response and relief for the fiscal year ending September 30, 2022, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That the following sums are appropriated, out of any  
4       money in the Treasury not otherwise appropriated, for the  
5       fiscal year ending September 30, 2022, and for other pur-  
6       poses, namely:

1 TITLE I  
2 DEPARTMENT OF HEALTH AND HUMAN  
3 SERVICES  
4 OFFICE OF THE SECRETARY  
5 PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY  
6 FUND  
7 (INCLUDING TRANSFER OF FUNDS)

8 For an additional amount for “Public Health and So-  
9 cial Services Emergency Fund”, \$10,600,000,000, to re-  
10 main available until September 30, 2025, to prevent, pre-  
11 pare for, and respond to coronavirus, including for nec-  
12 essary expenses with respect to the research and develop-  
13 ment, manufacturing, production, purchase, and distribu-  
14 tion of vaccines, therapeutics, diagnostics, and medical  
15 products, services, and supplies: *Provided*, That of the  
16 amount provided under this heading in this Act, up to  
17 \$9,850,000,000 shall be available to the Biomedical Ad-  
18 vanced Research and Development Authority for necessary  
19 expenses of advanced research and development, manufac-  
20 turing, production, and purchase, at the discretion of the  
21 Secretary of Health and Human Services, of vaccines,  
22 therapeutics, diagnostics, and supplies necessary for the  
23 administration of such vaccines, therapeutics, and  
24 diagnostics: *Provided further*, That from the amount made  
25 available in the preceding proviso, not less than

1 \$5,000,000,000 shall be available for necessary expenses  
2 to research, develop, manufacture, produce, purchase, and  
3 administer therapeutics: *Provided further*, That from the  
4 amount made available under this heading in this Act, not  
5 less than \$750,000,000 shall be available for research and  
6 clinical trials related to research on, clinical trials for, and  
7 development and procurement of, vaccines for emerging  
8 coronavirus variants, and to support the sustainment and  
9 expansion of vaccine manufacturing capacity, including  
10 fill-finish capacity: *Provided further*, That products, sup-  
11 plies, and equipment purchased with amounts provided  
12 under this heading in this Act may, at the discretion of  
13 the Secretary of Health and Human Services, be deposited  
14 in the Strategic National Stockpile under section 319F–  
15 2(a) of the Public Health Service Act: *Provided further*,  
16 That amounts provided under this heading in this Act may  
17 be used for the construction, alteration, or renovation of  
18 non-federally owned U.S.-based facilities for the produc-  
19 tion of vaccines, therapeutics, diagnostics, and ancillary  
20 medical supplies where the Secretary determines that such  
21 a contract is necessary to secure sufficient amounts of  
22 such supplies: *Provided further*, That amounts provided  
23 under this heading in this Act may be transferred to, and  
24 merged with, the fund authorized by section 319F–4, the  
25 Covered Countermeasure Process Fund, of the Public

1 Health Service Act: *Provided further*, That the transfer  
2 authority provided under this heading in this Act is in ad-  
3 dition to any other transfer authority provided by law:  
4 *Provided further*, That the Secretary shall notify the Com-  
5 mittees on Appropriations of the House of Representatives  
6 and the Senate at least 2 days in advance of any obligation  
7 in excess of \$50,000,000, including but not limited to con-  
8 tracts and interagency agreements, from amounts pro-  
9 vided under this heading in this Act: *Provided further*,  
10 That the Secretary shall provide a report to the Commit-  
11 tees on Appropriations of the House of Representatives  
12 and the Senate not later than 30 days after the date of  
13 enactment of this Act, and every 30 days thereafter until  
14 all amounts provided under this heading in this Act have  
15 been expended, detailing obligations of such amounts in  
16 excess of \$20,000,000, with annotation of which Depart-  
17 ment or agency, and component thereof is managing the  
18 contract; the current inventory of COVID–19 vaccines,  
19 therapeutics, and diagnostics; and the distribution of  
20 COVID–19 vaccines, therapeutics, and diagnostics during  
21 the previous month, reported by State and other jurisdic-  
22 tion.

1           GENERAL PROVISIONS—THIS TITLE  
2                           (INCLUDING TRANSFER OF FUNDS)

3           SEC. 1101. Funds appropriated by this title under  
4 the heading “Public Health and Social Services Emer-  
5 gency Fund” may be transferred to, and merged with,  
6 other appropriation accounts under the heading “National  
7 Institutes of Health” to prevent, prepare for, and respond  
8 to coronavirus: *Provided*, That the Committees on Appro-  
9 priations of the House of Representatives and the Senate  
10 shall be notified 10 days in advance of any such transfer:  
11 *Provided further*, That the transfer authority provided by  
12 this section is in addition to any other transfer authority  
13 provided by law: *Provided further*, That, upon a deter-  
14 mination that all or part of the funds transferred from  
15 an appropriation by this Act are not necessary, such  
16 amounts may be transferred back to that appropriation:  
17 *Provided further*, That none of the funds made available  
18 by this Act may be transferred pursuant to the authority  
19 in section 205 of the Departments of Labor, Health and  
20 Human Services, and Education, and Related Agencies  
21 Appropriations Act, 2022 or section 241(a) of the Public  
22 Health Service Act.

23           SEC. 1102. Not later than 30 days after the date of  
24 enactment of this Act, the Secretary of Health and  
25 Human Services shall provide a detailed spend plan of an-

1 ticipated uses of funds made available in this title, includ-  
2 ing estimated personnel and administrative costs, to the  
3 Committees on Appropriations of the House of Represent-  
4 atives and the Senate: *Provided*, That such plans shall be  
5 updated and submitted to such Committees every 60 days  
6 until all funds are expended: *Provided further*, That the  
7 spend plans shall be accompanied by a listing of each con-  
8 tract obligation incurred that exceeds \$5,000,000 which  
9 has not previously been reported, including the amount of  
10 each such obligation: *Provided further*, That the Commit-  
11 tees on Appropriations of the House of Representatives  
12 and the Senate shall be briefed on obligations quarterly  
13 until all funds are expended.

14 SEC. 1103. Not later than 60 days after the date of  
15 enactment of this Act, the Secretary of Health and  
16 Human Services shall provide biweekly obligation reports,  
17 including anticipated use of funds made available in this  
18 title, to the Committees on Appropriations of the House  
19 of Representatives and the Senate: *Provided*, That such  
20 reports shall be updated and submitted biweekly to the  
21 Committees until all funds are expended.

22 SEC. 1104. Not later than 30 days after the date of  
23 enactment of this Act, the Secretary of Health and  
24 Human Services shall provide monthly reports on obliga-  
25 tions made with these supplemental funds related to: (1)

1 research; (2) advanced development; (3) procurement; or  
2 (4) administration activities to the Committees on Appro-  
3 priations of the House of Representatives and the Senate  
4 and the Committee on Energy and Commerce of the  
5 House of Representatives and Committee on Health, Edu-  
6 cation, Labor, and Pensions of the Senate: *Provided*, That  
7 such report shall include for procurement contracts: (1)  
8 recipient; (2) total number of units purchased; (3) delivery  
9 dates; (4) any options on such contracts; and (5) location  
10 of manufactured product: *Provided further*, That such re-  
11 port shall include projections of the supply of and domestic  
12 need for vaccines, therapeutics, tests, and ancillary med-  
13 ical supplies over the next 90 days to prepare for and re-  
14 spond to coronavirus, to the extent such information is  
15 available: *Provided further*, That such reports shall be up-  
16 dated and submitted monthly to the Committees until all  
17 funds are expended.

18 TITLE II  
19 DEPARTMENT OF STATE AND RELATED  
20 AGENCY  
21 DEPARTMENT OF STATE  
22 ADMINISTRATION OF FOREIGN AFFAIRS  
23 DIPLOMATIC PROGRAMS  
24 For an additional amount for “Diplomatic Pro-  
25 grams”, \$15,000,000, to remain available until September

1 30, 2024, to prevent, prepare for, and respond to  
2 coronavirus.

3 UNITED STATES AGENCY FOR INTERNATIONAL  
4 DEVELOPMENT

5 FUNDS APPROPRIATED TO THE PRESIDENT

6 OPERATING EXPENSES

7 For an additional amount for “Operating Expenses”,  
8 \$35,000,000, to remain available until September 30,  
9 2024, to prevent, prepare for, and respond to coronavirus.

10 BILATERAL ECONOMIC ASSISTANCE

11 FUNDS APPROPRIATED TO THE PRESIDENT

12 GLOBAL HEALTH PROGRAMS

13 For an additional amount for “Global Health Pro-  
14 grams”, \$4,450,000,000, to remain available until ex-  
15 pended, to prevent, prepare for, and respond to  
16 coronavirus: *Provided*, That funds may be made available  
17 as contributions, including to the Global Fund to Fight  
18 AIDS, Tuberculosis, and Malaria, and to Gavi, the Vac-  
19 cine Alliance: *Provided further*, That any contribution to  
20 the Global Fund to Fight AIDS, Tuberculosis and Malaria  
21 made pursuant to the preceding proviso shall be made  
22 available notwithstanding section 202(d)(4)(A)(i) of the  
23 United States Leadership Against HIV/AIDS, Tuber-  
24 culosis, and Malaria Act of 2003 (22 U.S.C.  
25 7622(d)(4)(A)(i)), and such contribution shall not be con-



1 sidered a contribution for the purpose of applying such  
2 section 202(d)(4)(A)(i).

3 INTERNATIONAL DISASTER ASSISTANCE

4 For an additional amount for “International Disaster  
5 Assistance”, \$425,000,000, to remain available until ex-  
6 pended, to prevent, prepare for, and respond to  
7 coronavirus, and for humanitarian needs.

8 DEPARTMENT OF STATE

9 MIGRATION AND REFUGEE ASSISTANCE

10 For an additional amount for “Migration and Ref-  
11 ugee Assistance”, \$75,000,000, to remain available until  
12 expended, to prevent, prepare for, and respond to  
13 coronavirus, and for humanitarian needs.

14 GENERAL PROVISIONS—THIS TITLE

15 (INCLUDING TRANSFERS OF FUNDS)

16 SEC. 1201. The reporting requirement provided by  
17 section 406(b) of the Coronavirus Preparedness and Re-  
18 sponse Supplemental Appropriations Act, 2020 (division  
19 A of Public Law 116–123) shall apply to funds appro-  
20 priated by this title, except that such section 406(b) shall  
21 be applied to such funds by substituting “September 30,  
22 2023” for “September 30, 2022”.

23 SEC. 1202. (a) Funds appropriated by this title under  
24 the headings “Global Health Programs”, “International  
25 Disaster Assistance”, and “Migration and Refugee Assist-

1 ance” may be transferred to, and merged with, funds ap-  
2 propriated by this title under such headings to prevent,  
3 prepare for, and respond to coronavirus, and for humani-  
4 tarian needs.

5 (b) The authorities and limitations provided by sec-  
6 tions 402(d), 402(e), and 402(f) of the Coronavirus Pre-  
7 paredness and Response Supplemental Appropriations  
8 Act, 2020 (division A of Public Law 116–123) shall apply  
9 to the funds appropriated and authorities provided by this  
10 title.

### 11 TITLE III

#### 12 GENERAL PROVISIONS—THIS ACT

13 SEC. 1301. Each amount appropriated or made avail-  
14 able by this Act is in addition to amounts otherwise appro-  
15 priated for the fiscal year involved.

16 SEC. 1302. No part of any appropriation contained  
17 in this Act shall remain available for obligation beyond  
18 the current fiscal year unless expressly so provided herein.

19 SEC. 1303. Unless otherwise provided for by this Act,  
20 the additional amounts appropriated by this Act to appro-  
21 priations accounts shall be available under the authorities  
22 and conditions applicable to such appropriations accounts  
23 for fiscal year 2022.

24 SEC. 1304. Each amount provided by this Act is des-  
25 ignated by the Congress as being for an emergency re-

1 quirement pursuant to section 4001(a)(1) and section  
2 4001(b) of S. Con. Res. 14 (117th Congress), the concur-  
3 rent resolution on the budget for fiscal year 2022.

4 SEC. 1305. In this Act, the term “coronavirus”  
5 means SARS-CoV-2 or another coronavirus with pan-  
6 demic potential.

7 SEC. 1306. (a) Of the unobligated balances from  
8 amounts made available to the Department of Agriculture  
9 in section 1001(a) of subtitle A of title I of the American  
10 Rescue Plan Act of 2021 (Public Law 117–2),  
11 \$1,000,000,000 are hereby permanently rescinded.

12 (b) Of the unobligated balances from amounts made  
13 available under the heading “Small Business Administra-  
14 tion—Business Loans Program Account, CARES Act” in  
15 section 323(d)(1)(A) of division N of the Consolidated Ap-  
16 propriations Act, 2021 (Public Law 116–260) for the cost  
17 of guaranteed loans as authorized under paragraphs (36)  
18 and (37) of section 7(a) of the Small Business Act (15  
19 U.S.C. 636(a)), \$2,950,000,000 are hereby permanently  
20 rescinded.

21 (c) Of the unexpended balances remaining from  
22 amounts made available under the heading “Small Busi-  
23 ness Administration—Business Loans Program Account,  
24 CARES Act” in section 1107(a)(1) of the Coronavirus  
25 Aid, Relief, and Economic Security Act (Public Law 116–

1 136), as amended by section 101(a)(2) of division A of  
2 the Paycheck Protection Program and Health Care En-  
3 hancement Act (Public Law 116–139), \$1,904,000,000  
4 shall be returned to the Treasury.

5 (d) Of the unobligated balances from amounts made  
6 available to the Department of Education in section 2003  
7 of title II of the American Rescue Plan Act of 2021 (Pub-  
8 lic Law 117–2) and allocated to institutions of higher edu-  
9 cation as defined in section 102(b) of the Higher Edu-  
10 cation Act of 1965, \$100,000,000 are hereby permanently  
11 rescinded.

12 (e) Of the unobligated balances from amounts made  
13 available to the Department of Transportation in section  
14 7202(a) of title VII of the American Rescue Plan Act of  
15 2021 (Public Law 117–2), \$2,000,000,000 are hereby  
16 permanently rescinded.

17 (f) Of the unobligated balances from amounts made  
18 available to the Secretary of the Treasury (referred to in  
19 this subsection as “Secretary”) for administrative ex-  
20 penses pursuant to section 4003(f) of the Coronavirus Aid,  
21 Relief, and Economic Security Act (Public Law 116–136),  
22 up to \$55,000,000 shall be available to the Secretary for  
23 any administrative expenses of the Department of the  
24 Treasury determined by the Secretary to be necessary to  
25 implement section 501 of division N of the Consolidated

1 Appropriations Act, 2021 (Public Law 116–260), section  
2 3201 of the American Rescue Plan Act of 2021 (Public  
3 Law 117–2), or title VI of the Social Security Act (42  
4 U.S.C. 801 et seq.), in addition to amounts otherwise  
5 available for such purposes.

6 (g)(1) STATUTORY PAYGO SCORECARDS.—The  
7 budgetary effects of this section shall not be entered on  
8 either PAYGO scorecard maintained pursuant to section  
9 4(d) of the Statutory Pay-As-You-Go Act of 2010.

10 (2) SENATE PAYGO SCORECARDS.—The budgetary  
11 effects of this section shall not be entered on any PAYGO  
12 scorecard maintained for purposes of section 4106 of H.  
13 Con. Res. 71 (115th Congress).

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

21 (A) for purposes of section 251 of such Act;

22 (B) for purposes of an allocation to the Com-  
23 mittee on Appropriations pursuant to section 302(a)  
24 of the Congressional Budget Act of 1974; and

1 (C) for purposes of paragraph (4)(C) of section  
2 3 of the Statutory Pay-As-You-Go Act of 2010 as  
3 being included in an appropriation Act.

4 SEC. 1307. Of the unobligated balances from  
5 amounts made available to the Department of Agriculture  
6 under the heading “Agricultural Programs—Office of the  
7 Secretary” in title I of division B of the Coronavirus Aid,  
8 Relief, and Economic Security Act (Public Law 116–136),  
9 \$650,000,000 are hereby permanently rescinded: *Pro-*  
10 *vided*, That the amounts rescinded pursuant to this sec-  
11 tion that were previously designated by the Congress as  
12 an emergency requirement pursuant to section  
13 251(b)(2)(A)(i) of the Balanced Budget and Emergency  
14 Deficit Control Act of 1985 are designated by the Con-  
15 gress as an emergency requirement pursuant to section  
16 4001(a)(1) and section 4001(b) of S. Con. Res. 14 (117th  
17 Congress), the concurrent resolution on the budget for fis-  
18 cal year.

19 This Act may be cited as the “COVID Supplemental  
20 Appropriations Act, 2022”.