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Text of H.R. 8876, the Jackie Walorski Maternal and Child Home Visiting Reauthorization Act of 2022 [Showing the text of H.R. 8876, as reported by the Committee on Ways and Means, with modifications.]

SECTION 1. SHORT TITLE.

This Act may be cited as the "Jackie Walorski Maternal and Child Home Visiting Reauthorization Act of 2022".

SEC. 2. OUTCOMES DASHBOARD.

Section 511(d)(1) of the Social Security Act (42 U.S.C. 711(d)(1)) is amended—

(1) in the paragraph heading, by striking "BENCHMARK AREAS" and inserting "BENCHMARK AREAS RELATED TO INDIVIDUAL FAMILY OUTCOMES";

(2) in subparagraph (D)(i), by striking "(B)" and inserting "(C)"; and

(3) by redesignating subparagraphs (B) through (D) as subparagraphs (C) through (E), respectively, and inserting after subparagraph (A) the following:

"(B) OUTCOMES DASHBOARDS.—The Secretary shall, directly or by grant or contract, establish and operate a website accessible to the public that includes an annually updated dashboard that—

"(i) provides easy-to-understand information on the outcomes achieved by each eligible entity with respect to each of the benchmarks described in subparagraph (A) of this paragraph that apply to the eligible entity, which shall be based on only the data elements or types of data collected before the date of the enactment of this section unless administering agencies and the Secretary agree pursuant to subsection (h)(6) that additional data is required;

"(ii) includes a template provided by the Secretary that will enable comparison among eligible entities not referred to in subsection (k)(2)(A) of—

"(I) a profile of each eligible entity showing outcome indicators and how the outcomes compare to benchmarks described in subclause (II);

"(II) information on the outcome indicators and requisite outcome levels established for each eligible entity;

"(III) information on each model employed in the program operated by each eligible entity, and regarding each benchmark area described in subsection (d)(1)(A) in which the model used by the eligible entity is expected to affect participant outcomes;

"(IV) the most recently available information from the report required by subparagraph (E) of this paragraph;

"(V) an electronic link to the State needs assessment under subsection (b)(1); and

"(VI) information regarding any penalty imposed, or other corrective action taken, by the Secretary against a State for failing to achieve a requisite outcome level or any other requirement imposed by or under this section, and an indication as to whether the eligible entity is operating under a corrective action plan under subparagraph (E)(ii) of this paragraph, and if so, a link to the plan, an explanation of the reason for the implementation of the plan, and a report on any progress made in operating under the plan;

"(iii) includes information relating to those eligible entities for which funding is reserved under subsection (k)(2)(A), with modifications as necessary to reflect tribal sovereignty, data privacy, and participant confidentiality; and

"(iv) protects data privacy and confidentiality of participant families."

SEC. 3. FUNDING.

(a) GRANT AMOUNTS.—

(1) IN GENERAL.—Section 511(c)(4) of the Social Security Act (42 U.S.C. 711(c)(4)) is amended to read as follows:

"(4) GRANT AMOUNTS.—

"(A) BASE GRANTS.—

"(i) IN GENERAL.—

"(I) GENERAL RULE.—With respect to each of fiscal years 2023 through 2027 for which an eligible entity not referred to in subsection (k)(2)(A) is awarded a base grant under this section, the amount of the grant payable to the eligible entity for the fiscal year is the amount described by clause (ii) of this subparagraph with respect to the eligible entity, except as provided in subclause (II) of this clause.

"(II) SUBSTITUTION OF SUCCESSOR ELIGIBLE ENTITY FOR PREDECESSOR.—If the 1st fiscal year for which an eligible entity is awarded a base grant under this section for a program operated in a State is among fiscal years 2024 through 2027, the amount described by clause (ii) with respect to the eligible entity is the amount of the base grant for which a program operated in the State was eligible under this subparagraph for fiscal year 2023.

"(ii) Amount described.—

"(I) GENERAL RULE.—Subject to the succeeding provisions of this clause, the amount described by this clause with respect to an eligible entity is—

"(aa) the amount made available under subsection (k) for base grants for fiscal year 2023 that remains after making the reservations required by subsection (k)(2) or any other reductions required by Federal law for fiscal year 2023; multiplied by

"(bb) the percentage of children in all States who have not attained 5 years of age (as determined by the Secretary on the basis of the data most recently available before fiscal year 2023) that is represented by the number of such children in the State in which the eligible entity is operating a program pursuant to this section (as so determined).

"(II) ADJUSTMENTS TO ENSURE STABLE FUNDING.—If the amount otherwise payable to an eligible entity under subclause (I) for fiscal year 2023 is less than 90 percent, or greater than 110 percent, of the amount payable under this section to the eligible entity for the program for fiscal year 2021, the Secretary shall increase the amount otherwise so payable to 90 percent, or decrease the amount otherwise so payable to 110 percent, as the case may be, of the amount otherwise so payable.

"(III) ADJUSTMENT TO ENSURE ALL BASE GRANT FUNDS ARE ALLOCATED.—If the amount described by subclause (I)(aa) is different than the total of the amounts otherwise described by subclause (I) after applying subclause (II), the Secretary shall increase or decrease the amounts otherwise so described after applying subclause (II) by such equal percentage as is necessary to reduce that difference to zero.

"(IV) MINIMUM BASE GRANT AMOUNT.—Notwithstanding the preceding provisions of this clause, the amount described by this clause with respect to an eligible entity shall be not less than \$1,000,000.

"(B) MATCHING GRANTS.—

"(i) Amount of grant.—

"(I) GENERAL RULE.—With respect to each of fiscal years 2024 through 2027 for which an eligible entity not referred to in subsection (k)(2)(A) is awarded a grant under this section, the Secretary shall increase the amount of the grant payable to the eligible entity for the fiscal year under subparagraph (A) of this paragraph by the matching amount (if any) determined under subclause (II) of this clause with respect to the eligible entity for the fiscal year and the additional matching amount (if any) determined under clause (iii) of this subparagraph with respect to the eligible entity for the fiscal year.

"(II) MATCHING AMOUNT.—

"(aa) IN GENERAL.—Subject to item (bb) of this subclause, the matching amount with respect to an eligible entity for a fiscal year is 75 percent of the sum of—

"(AA) the total amount obligated by the eligible entity for home visiting services in the State for the fiscal year, from Federal funds made available for the fiscal year under this subparagraph; and

"(BB) the total amount so obligated by the eligible entity from non-Federal funds, determined under subclause (III).

"(bb) LIMITATION.—The matching amount with respect to an eligible entity for a fiscal year shall not exceed the allotment under subclause (IV) for the State in which the eligible entity is operating a program under this section for the fiscal year.

"(III) DETERMINATION OF OBLIGATIONS FROM NON-FEDERAL FUNDS.—For purposes of this clause, the total amount obligated by an eligible entity from non-Federal funds is the total of the amounts that are obligated by the eligible entity from non-Federal sources, to the extent that—

"(aa) the services are delivered in compliance with subsections (d)(2) and (d)(3);

"(bb) the eligible entity has reported the obligations to the Secretary; and

"(cc) the amount is not counted toward meeting the maintenance of effort requirement in subsection (f).

"(IV) STATE ALLOTMENTS.—The amount allotted under this subclause for a State in which an eligible entity is operating a program under this section for a fiscal year is—

"(aa) the minimum matching grant allocation amount for the fiscal year; plus "(bb)

(AA) the amount (if any) by which the amount made available under subsection (k) for matching grants for the fiscal year that remains after making the reservations required by subsection (k)(2) or any other reduction required by Federal law for the fiscal year exceeds the sum of the minimum matching grant allocation amounts for all eligible entities for the fiscal year; multiplied by

"(BB) the percentage of children in all States who have not attained 5 years of age and are members of families with income not exceeding the poverty line (as determined by the Secretary on the basis of the most recently available data) that is represented by the number of such children in the State (as so determined).

"(V) MINIMUM MATCHING GRANT ALLOCATION AMOUNT.—Subject to subclause (VI), for purposes of subclause (IV), the minimum matching grant allocation amount for a fiscal year is—

"(aa) in the case of fiscal year 2024, \$776,000;

"(bb) in the case of fiscal year 2025, \$1,000,000;

"(cc) in the case of fiscal year 2026, \$1,500,000; and

"(dd) in the case of fiscal year 2027, \$2,000,000.

"(VI) SPECIAL RULE.—If, after making any reductions otherwise required by law for a fiscal year, the amount made available for matching grants under this clause for the fiscal year is insufficient to provide the minimum matching grant allocation amount to each eligible entity operating a program under this section for the fiscal year, the Secretary may make a proportionate adjustment to the minimum matching grant allocation grant allocation amount for the fiscal year to accommodate the reductions.

"(ii) SUBMISSION OF STATEMENT EXPRESSING INTEREST IN ADDITIONAL MATCHING FUNDS IF AVAILABLE.—Before the beginning of a fiscal year for which an eligible entity desires a matching grant under this subparagraph for a program operated under this section, the eligible entity shall submit to the Secretary a statement as to whether the eligible entity desires additional matching grant funds that may be made available under clause (iii) for the fiscal year.

"(iii) CARRYOVER AND REALLOCATION OF UNOBLIGATED FUNDS.—

"(I) IN GENERAL.—If the Secretary determines that an amount allotted under clause (i)(IV) of this subparagraph for a fiscal year will not be awarded during the fiscal year, or that an amount made available under subsection (k)(1) for a fiscal year for matching grants will not be obligated by an eligible entity for the fiscal year, the amount shall be available for matching grants under this subparagraph for the succeeding fiscal year for eligible entities that have made submissions under clause (ii) of this subparagraph for additional matching grant funds from the amount.

"(II) STATE ALLOTMENTS.—The Secretary shall allot to each eligible entity that has made such a submission for a fiscal year—

"(aa) the total amount (if any) made available under subclause (I) for the fiscal year; multiplied by

"(bb) the percentage of children who have not attained 5 years of age and are members of families with income not exceeding the poverty line (as determined by the Secretary on the basis of the most recently available data) in all of the States in which any eligible entity that has made such a submission is so operating a program, that is represented by the number of such children in the State (as so determined) in which the eligible entity is operating such a program.

"(III) Additional matching amount.—

"(aa) IN GENERAL.—Subject to item (bb) of this subclause, the additional matching amount with respect to an eligible entity for a fiscal year is 75 percent of the sum of—

"(AA) the total amount obligated by the eligible entity for home visiting services in the State for the fiscal year, from Federal funds made available for the fiscal year under this subparagraph; and

"(BB) the total amount so obligated by the eligible entity from non-Federal funds, determined under clause (i)(III),

that are not taken into account in determining the matching amount with respect to the eligible entity under clause (i).

"(bb) LIMITATION.—The additional matching amount with respect to an eligible entity for a fiscal year shall not exceed the allotment under subclause (II) for the State in which the eligible entity is operating a program under this section for the fiscal year."

(2) MAINTENANCE OF EFFORT.—Section 511(f) of such Act (42 U.S.C. 711) is amended to read as follows:

"(f) MAINTENANCE OF EFFORT.—

"(1) IN GENERAL.—Notwithstanding any other provision of this section, the Secretary may not make a grant to an eligible entity under this section for a fiscal year if the total amount of non-Federal funds obligated by the eligible entity in the State in the fiscal year for a program operated pursuant to this section is less than the total amount of non-Federal funds reported to have been expended by any eligible entity for such a program in the State in fiscal year 2019 or 2021, whichever is the lesser.

"(2) PUBLICATION OF AMOUNTS.—Not later than June 30, 2023, the Secretary shall cause to have published in the Federal Register the amount of non-Federal funds expended as described in this section that has been reported by each eligible entity not referred to in subsection (k)(2)(A) for each of fiscal years 2019 and 2021.

"(3) GRACE PERIOD.—The Secretary may, in exceptional circumstances, allow an eligible entity a period to come into compliance with this subsection. The Secretary shall provide technical assistance to any eligible entity to assist the entity in doing so."

(b) Reservations of Funds for Certain Purposes.—Section 511(j)(2) of such Act (42 U.S.C. 711(j)(2)) is amended—

(1) in the matter preceding subparagraph (A), by striking "the amount" and inserting "each amount made available for base grants and each amount made available for matching grants";

(2) in subparagraph (A)—

(A) by striking "3" and inserting "6"; and

(B) by striking "and" at the end; and

(3) by striking subparagraph (B) and inserting the following:

"(B) 2 percent of such amount for purposes of providing technical assistance, directly or through grants or contracts, for purposes as otherwise described in subsections (c)(5), (d)(1)(C)(iii), (d)(1)(E) (iii), and (d)(4)(E);

"(C) 2 percent of such amount for purposes of workforce support, retention, and case management, including workforce-related technical assistance, research and evaluation, and program administration, directly or through grants or contracts, of which the Secretary shall use not more

than \$1,500,000 to establish and operate the Jackie Walorski Center for Evidence-Based Case Management; and

"(D) 3 percent of such amount for purposes of research and evaluation (directly or through grants or contracts), and for administering this section (directly, through contracts, or otherwise)."

(c) APPROPRIATIONS.—Section 511(j)(1) of such Act (42 U.S.C. 711(j)(1)) is amended by striking subparagraphs (A) through (H) and inserting the following:

"(A) for fiscal year 2023, \$500,000,000 for base grants;

"(B) for fiscal year 2024, \$550,000,000, of which \$500,000,000 shall be for base grants and \$50,000,000 shall be for matching grants;

"(C) for fiscal year 2025, \$600,000,000, of which \$500,000,000 shall be for base grants and \$100,000,000 shall be for matching grants;

"(D) for fiscal year 2026, \$650,000,000, of which \$500,000,000 shall be for base grants and \$150,000,000 shall be for matching grants; and

"(E) for fiscal year 2027, \$800,000,000, of which \$500,000,000 shall be for base grants and \$300,000,000 shall be for matching grants."

(d) DISPOSITION OF EXCESS FUNDS RESERVED FOR RESEARCH, EVALUATION, AND ADMINISTRATION.—Section 511(j) of such Act (42 U.S.C. 711(j)) is amended by adding at the end the following:

"(5) DISPOSITION OF EXCESS FUNDS RESERVED FOR RESEARCH, EVALUATION, AND ADMINISTRATION.—To the extent that the amounts reserved under paragraph (2)(D) for a fiscal year are not obligated in the fiscal year, the Secretary may use the funds for any purpose described in this section or to offset any reduction with respect to this section that is required by Federal law."

SEC. 4. REQUIREMENT THAT HOME VISITING PROGRAMS BE TARGETED AND INTENSIVE.

Section 511(d)(3) of the Social Security Act (42 U.S.C. 711(d)(3)) is amended by redesignating subparagraph (B) as subparagraph (C) and inserting after subparagraph (A) the following:

"(B) Use of grant to provide or support targeted, intensive home visiting services.—The program uses the grant to provide or support targeted, intensive home visiting services for the populations described in paragraph (5)."

SEC. 5. LIMITATION ON USE OF FUNDS FOR ADMINISTRATION.

(a) IN GENERAL.—Section 511(d) of the Social Security Act (42 U.S.C. 711(d)) is amended by adding at the end the following:

"(5) LIMITATION ON USE OF FUNDS FOR ADMINISTRATIVE COSTS.—

"(A) IN GENERAL.—Except as provided in subparagraph (B) of this paragraph, an eligible entity to which funds are provided under subsection (c) or (h)(2)(B) shall not use more than 10 percent of the funds to cover the costs of administration.

"(B) AUTHORITY TO GRANT EXCEPTIONS.—

"(i) IN GENERAL.—The Secretary may authorize an eligible entity that meets a condition of clause (ii) of this subparagraph to exceed the percentage limitation in subparagraph (A) with respect to a program conducted under this subsection by not more than 5 percentage points, subject to such terms and conditions as the Secretary deems appropriate.

"(ii) CONDITIONS.—An eligible entity meets a condition of this clause if the eligible entity—

"(I) conducts the program by directly providing home visits to eligible families and without a sub-recipient;

"(II) in the fiscal year for which the grant for the program is made under this section, proposes to expand services in 1 or more communities identified in the statewide needs assessment under subsection (b) and in which home visiting services are not provided; or

"(III) has conducted the program for fewer than 3 years."

(b) CONFORMING AMENDMENTS.—Section 511(i)(2) of such Act (42 U.S.C. 711(i)(2)) is amended by striking subparagraph (C) and redesignating subparagraphs (D) through (G) as subparagraphs (C) through (F), respectively.

SEC. 6. ANNUAL REPORT TO CONGRESS.

(a) IN GENERAL.—Section 511 of the Social Security Act (42 U.S.C. 711) is amended by redesignating subsections (j) and (k) as subsections (k) and (l), respectively, and inserting after subsection (i) the following:

"(j) ANNUAL REPORT TO CONGRESS.—By December 31, 2023, and annually thereafter, the Secretary shall submit to the Congress a written report on the grants made under this section for the then preceding fiscal year, which shall include—

"(1) an eligible entity-by-eligible entity summary of the outcomes measured by the entity with respect to each benchmark described in subsection (e)(5) that apply to the entity;

"(2) information regarding any technical assistance funded under subparagraph (B) or (C) of subsection (k)(2), including the type of any such assistance provided;

"(3) information on the demographic makeup of families served by each such entity to the extent possible while respecting participant confidentiality, including race, ethnicity, educational attainment at enrollment, household income, and other demographic markers as determined by the Secretary;

"(4) the information described in subsection (d)(1)(E);

"(5) the estimated share of the eligible population served using grants made under this section;

"(6) a description of each service delivery model funded under this section by the eligible entities in each State, and the share (if any) of the grants expended on each model;

"(7) a description of non-Federal expenditures by eligible entities to qualify for matching funds under subsection (c)(4);

"(8) information on the uses of funds reserved under subsection (k)(2)(C);

"(9) information relating to those eligible entities for which funding is reserved under subsection (k) (2)(A), with modifications as necessary to reflect tribal data sovereignty, data privacy, and participant confidentiality; and

"(10) a list of data elements collected from eligible entities, and the purpose of each data element in measuring performance or enforcing requirements under this section."

(b) CONFORMING AMENDMENTS.—

(1) Section 511 of such Act (42 U.S.C. 711) is amended—

(A) in subsection (b)(1)(B)(iii), by striking "(k)(2)" and inserting "(l)(2)"; and

(B) in subsection (h)(2)(B)—

(i) by striking "(j)" and inserting "(k)"; and

(ii) by striking "(k)(1)(B)" and inserting "(l)(1)(B)".

(2) Section 511A(c) of such Act (42 U.S.C. 711a(c)) is amended in each of paragraphs (5) and (7) by striking "511(k)(2)" and inserting "511(l)(2)".

SEC. 7. REDUCTION OF ADMINISTRATIVE BURDEN.

Section 511(h) of the Social Security Act (42 U.S.C. 711(h)) is amended by adding at the end the following:

"(6) REDUCTION OF ADMINISTRATIVE BURDEN.—

"(A) IN GENERAL.—The Secretary shall reduce the burden, on States and public and private implementing agencies at the local level, of administering this section, by—

"(i) reviewing and revising administrative data collection instruments and forms to eliminate duplication and streamline reporting requirements for States, eligible entities referred to in subsection (k)(2)(A), and nonprofit organizations referred to in subsection (l)(1)(B), including timelines for submitting reports;

"(ii) conducting an analysis of the total number of hours reported by administering agencies on complying with paperwork requirements, and exploring, in consultation with administering agencies, ways to reduce the number of hours spent by at least 15 percent;

"(iii) conducting a review of paperwork and data collection requirements for tribal grantees, and exploring, in consultation with tribes and tribal organizations, ways to reduce administrative burden, respect sovereignty, and acknowledge the different focus points for tribal grantees;

"(iv) collecting input from relevant State fiscal officials to align fiscal requirements and oversight for States and eligible entities to ensure consistency with standards and guidelines for other Federal formula grant programs; and

"(v) consulting with administering agencies and service delivery model representatives on needed and unneeded data elements regarding the dashboards provided for in subsection (d)(1) (B), consistent with the data requirements of such subsection.

"(B) FINDINGS ON PAPERWORK REDUCTION.—

"(i) INCLUSION IN REPORT.—In the 1st report submitted pursuant to subsection (j) more than 18 months after the date of the enactment of this Act, the Secretary shall include the findings of the Secretary with respect to the matters described in subparagraph (A).

"(ii) IMPLEMENTATION.—Within 2 years after complying with clause (i), the Secretary shall implement the findings referred to in clause (i)."

SEC. 8. VIRTUAL HOME VISITING AUTHORIZATION AND RESTRICTIONS.

(a) VIRTUAL HOME VISITS.—

(1) APPLICATION REQUIREMENTS.—Section 511(e) of the Social Security Act (42 U.S.C. 711(e)) is amended by redesignating paragraph (10) as paragraph (11) and inserting after paragraph (9) the following:

"(10) At the option of the eligible entity—

"(A) a description of any limitations or constraints on virtual home visits under the program, including—

"(i) a description of the plan of the eligible entity to encourage in-person home visits; and

"(ii) a description of the considerations to be used in determining when a virtual home visit is appropriate, including client consent, client preference, geographic limitations, model fidelity, and hazardous conditions including public health emergencies, weather events, health concerns for home visitors and client families, and other local issues;

"(B) an assurance that—

"(i) the virtual home visit is implemented as a model enhancement; or

"(ii) the Secretary has identified the home visit as part of an effective model or model adaptation, based on an evidence of effectiveness review conducted using the criteria established under subsection (d)(3)(A)(iii); and

"(C) an assurance to the Secretary that at least 1 in-person home visit shall be conducted for each client family under the program during the 12-month period that begins with the entry of the client family into the program, and during each succeeding 12-month period, except that any such period in which a public health emergency declared under Federal law, or under the law of the State in which the program is conducted, is in effect shall be extended by the length of time in which the declaration is in effect."

(2) APPLICABLE RULES.—Section 511(d) of such Act (42 U.S.C. 711(d)) is amended by redesignating paragraph (4) and paragraph (5) (as added by section 5(a) of this Act) as paragraphs (5) and (6), respectively, and inserting after paragraph (3) the following:

"(4) VIRTUAL HOME VISITS.—

"(A) IN GENERAL.—A virtual home visit conducted under the program shall be considered a home visit for purposes of this section if the application for funding of the program submitted pursuant to this section most recently after the effective date of this paragraph includes the material described in subsection (e)(10).

"(B) STANDARDS FOR TRAINING APPLICABLE TO VIRTUAL SERVICE DELIVERY.—The standards for training requirements applicable to virtual service delivery under a home visiting model shall be equivalent to those that apply to in-person service delivery under the model.

"(C) REPORTING REQUIREMENT.—A grant made under this section for the program may not be used for any virtual home visit during a year, unless the eligible entity to which the grant is made submits the report described in subsection (e)(8)(A) for the year.

"(D) VIRTUAL HOME VISIT DEFINED.—In this section, the term 'virtual home visit' means a visit conducted solely by use of electronic information and telecommunications technologies.

"(E) TECHNICAL ASSISTANCE.—If the Secretary finds that an eligible entity has not complied with the assurance described in subsection (e)(10)(C), the Secretary shall, directly or through grants, contracts, or cooperative agreements, provide the eligible entity with such technical assistance as is necessary to assist the eligible entity in doing so."

(3) PROGRAM REQUIREMENT.—Section 511(d)(3)(C) of such Act (42 U.S.C. 711(d)(3)(C)), as so redesignated by section 4 of this Act, is amended by adding at the end the following:

"(vii) If the application submitted by the eligible entity includes the assurance described in subsection (e)(10)(C) with respect to the program, the program provides in-person service consistent with the assurances."

(4) REPORTS.—Section 511(e)(8)(A) of such Act (42 U.S.C. 711(e)(8)(A)) is amended by inserting ", including the number of virtual home visits conducted under the program in the year covered by the report, disaggregated with respect to each home visiting model under which the virtual home visits are conducted" before the semicolon.

(b) TRANSITION RULE.—

(1) IN GENERAL.—A virtual home visit conducted before the effective date of the amendments made by this section under an early childhood home visitation program funded under section 511 of the Social Security Act shall be considered a home visit for purposes of such section.

(2) VIRTUAL HOME VISIT DEFINED.—In paragraph (1), the term "virtual home visit" means a visit conducted solely by use of electronic information and telecommunications technologies.

SEC. 9. BUDGET OFFSET.

<u>Section 1898(b)(1) of the Social Security Act (42 U.S.C. 1395iii(b)(1)) is amended by striking</u> "\$7,308,000,000" and inserting "\$4,418,000,000".

SEC. 9.10. EFFECTIVE DATE.

(a) IN GENERAL.—Except as provided in subsections (b) and (c), this Act and the amendments made by this Act shall take effect on October 1, 2022.

(b) VIRTUAL HOME VISITING PROVISIONS.—The amendments made by section 8 shall take effect on October 1, 2023.

(c) BUDGET OFFSET.—The amendment made by section 9 shall take effect on the date of the enactment of this Act.

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