

TITLE I GENERAL PROVISIONS

Sec. 101. None of the funds appropriated by this Act for the Job Corps shall be used to pay the salary and bonuses of an individual, either as direct costs or any proration as an indirect cost, at a rate in excess of Executive Level II.

(transfer of funds)

Sec. 102. Not to exceed 1 percent of any discretionary funds (pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985) which are appropriated for the current fiscal year for the Department of Labor in this Act may be transferred between appropriations, but no such appropriation shall be increased by more than 3 percent by any such transfer: *Provided*, That the transfer authority granted by this section shall not be used to create any new program or to fund any project or activity for which no funds are provided in this Act: *Provided further*, That the Committees on Appropriations of the House of Representatives and the Senate are notified at least 15 days in advance of any transfer.

Sec. 103. In accordance with Executive Order No. 13126, none of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended for the procurement of goods mined, produced, manufactured, or harvested or services rendered, in whole or in part, by forced or indentured child labor in industries and host countries already identified by the United States Department of Labor prior to enactment of this Act.

Sec. 104. None of the funds made available to the Department of Labor for grants under section 414(c) of the American Competitiveness and Workforce Improvement Act of 1998 may be used for any purpose other than competitive grants for training in the occupations and industries for which employers are using H-1B visas to hire foreign workers, and the related activities necessary to support such training.

Sec. 105. None of the funds made available by this Act under the heading "Employment and Training Administration" shall be used by a recipient or subrecipient of such funds to pay the salary and bonuses of an individual, either as direct costs or indirect costs, at a rate in excess of Executive Level II. This limitation shall not apply to vendors providing goods and services as defined in Office of Management and Budget Circular A-133. Where States are recipients of such funds, States may establish a lower limit for salaries and bonuses of those receiving salaries and bonuses from subrecipients of such funds, taking into account factors including the relative cost-of-living in the State, the compensation levels for comparable State or local government employees, and the size of the organizations that administer Federal programs involved including Employment and Training Administration programs. Notwithstanding this section, the limitation on salaries for the Job Corps shall continue to be governed by section 101.

Sec. 106. Notwithstanding section 102, the Secretary may transfer funds made available to the Employment and Training Administration by this Act, either directly or through a set-aside, for technical assistance services to grantees to "Program Administration" when it is determined that those services will be more efficiently performed by Federal employees.

Sec. 107.

(a) The Secretary may reserve not more than [0.5] percent from each appropriation made available in this Act identified in subsection (b) in order to carry out evaluations of any of the programs or activities that are funded under such accounts. Any funds reserved under this section shall be transferred to "Departmental Management" for

use by the Office of the Chief Evaluation Officer within the Department of Labor, and shall be available for obligation through September 30, [2014] 2015: *Provided*, That such funds shall only be available if the Chief Evaluation Officer of the Department of Labor submits a plan to the Committees on Appropriations of the House of Representatives and the Senate describing the evaluations to be carried out 15 days in advance of any transfer.

(b) The accounts referred to in subsection (a) are: "Training and Employment Services", "Office of Job Corps", "State Unemployment Insurance and Employment Service Operations", "Employee Benefits Security Administration", "Office of Workers' Compensation Programs", "Wage and Hour Division", "Office of Federal Contract Compliance Programs", "Office of Labor Management Standards", "Occupational Safety and Health Administration", "Mine Safety and Health Administration", *funding made available to the "Bureau of International Affairs" and "Women's Bureau" within the "Departmental Management Salaries and Expenses" account*, and "Veterans Employment and Training".

[(cancellation)]

[Sec. 108. Of the unobligated balances available under the heading "Departmental Management, Working Capital Fund", \$10,337,000 are hereby permanently cancelled to reflect the implementation of administrative cost reductions: *Provided*, That no amounts may be cancelled from amounts that were designated by the Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.]

Sec. [109]108.

(a) Of the funds appropriated under section 272(b) of the Trade Act of 1974 for [each of] fiscal [years 2013 and] *year* 2014, the Secretary of Labor may [not] reserve *no* more than 3 percent of such funds to conduct evaluations and provide technical assistance relating to the activities carried out under section 271 of such Act, including activities carried out under such section supported by the appropriations provided for fiscal years 2011 [and 2012] *through* 2013.

(b) *Institutions of higher education awarded grants under section 271 of the Trade Act of 1974 may award subgrants to other institutions of higher education that meet the definition of "eligible institution" under section 271(b)(1)(A) of such Act, subject to the conditions applicable to such grants.*

Sec. 109. (a) Section 5315 of title 5, United States Code, is amended after the item relating to the Assistant Secretaries of Labor by inserting "Administrator, Wage and Hour Division, Department of Labor." (b) Section 5316, title 5, United States Code, is amended by striking "Administrator, Wage and Hour and Public Contracts Division, Department of Labor."

TITLE V GENERAL PROVISIONS

(transfer of funds)

Sec. 501. The Secretaries of Labor, Health and Human Services, and Education are authorized to transfer unexpended balances of prior appropriations to accounts corresponding to current appropriations provided in this Act. Such transferred balances shall be used for the same purpose, and for the same periods of time, for which they were originally appropriated.

Sec. 502. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

Sec. 503.

(a) No part of any appropriation contained in this Act or transferred to section 4002 of Public Law 111-148 shall be used, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, for the preparation, distribution, or use of any kit, pamphlet, booklet, publication, electronic communication, radio, television, or video presentation designed to support or defeat the enactment of legislation before the Congress or any State or local legislature or legislative body, except in presentation to the Congress or any State or local legislature itself, or designed to support or defeat any proposed or pending regulation, administrative action, or order issued by the executive branch of any State or local government, except in presentation to the executive branch of any State or local government itself.

(b) No part of any appropriation contained in this Act or transferred pursuant to section 4002 of Public Law 111-148 shall be used to pay the salary or expenses of any grant or contract recipient, or agent acting for such recipient, related to any activity designed to influence the enactment of legislation, or appropriations, regulation, administrative action, or Executive order proposed or pending before the Congress or any State government, State legislature or local legislature or legislative body, other than for normal and recognized executive-legislative and State-local relationships, for presentation to any State or local legislature or legislative body itself, or for participation by an agency or officer of a State, local or tribal government in policymaking and administrative processes within the executive branch of that government.

Sec. 504. The Secretaries of Labor and Education are authorized to make available not to exceed \$28,000 and \$20,000, respectively, from funds available for salaries and expenses under titles I and III, respectively, for official reception and representation expenses; the Director of the Federal Mediation and Conciliation Service is authorized to make available for official reception and representation expenses not to exceed \$5,000 from the funds available for "Federal Mediation and Conciliation Service, Salaries and Expenses"; and the Chairman of the National Mediation Board is authorized to make available for official reception and representation expenses not to exceed \$5,000 from funds available for "National Mediation Board, Salaries and Expenses".

Sec. 505. None of the funds contained in this Act may be used to distribute any needle or syringe for the purpose of preventing the spread of blood borne pathogens in any location that has been determined by the local public health or local law enforcement authorities to be inappropriate for such distribution.

Sec. 506. When issuing statements, press releases, requests for proposals, bid solicitations and other documents describing projects or programs funded in whole or in part with Federal money, all grantees receiving Federal funds included in this Act, including but not limited to State and local governments and recipients of Federal research grants, shall clearly state--

- (1) the percentage of the total costs of the program or project which will be financed with Federal money;
- (2) the dollar amount of Federal funds for the project or program; and
- (3) percentage and dollar amount of the total costs of the project or program that will be financed by non-governmental sources.

Sec. 507.

(a) None of the funds appropriated in this Act, and none of the funds in any trust fund to which funds are appropriated in this Act, shall be expended for any abortion.

(b) None of the funds appropriated in this Act, and none of the funds in any trust fund to which funds are appropriated in this Act, shall be expended for health benefits coverage that includes coverage of abortion.

(c) The term "health benefits coverage" means the package of services covered by a managed care provider or organization pursuant to a contract or other arrangement.

Sec. 508.

(a) The limitations established in the preceding section shall not apply to an abortion--

(1) if the pregnancy is the result of an act of rape or incest; or

(2) in the case where a woman suffers from a physical disorder, physical injury, or physical illness, including a life-endangering physical condition caused by or arising from the pregnancy itself, that would, as certified by a physician, place the woman in danger of death unless an abortion is performed.

(b) Nothing in the preceding section shall be construed as prohibiting the expenditure by a State, locality, entity, or private person of State, local, or private funds (other than a State's or locality's contribution of Medicaid matching funds).

(c) Nothing in the preceding section shall be construed as restricting the ability of any managed care provider from offering abortion coverage or the ability of a State or locality to contract separately with such a provider for such coverage with State funds (other than a State's or locality's contribution of Medicaid matching funds).

(d)

(1) None of the funds made available in this Act may be made available to a Federal agency or program, or to a State or local government, if such agency, program, or government subjects any institutional or individual health care entity to discrimination on the basis that the health care entity does not provide, pay for, provide coverage of, or refer for abortions.

(2) In this subsection, the term "health care entity" includes an individual physician or other health care professional, a hospital, a provider-sponsored organization, a health maintenance organization, a health insurance plan, or any other kind of health care facility, organization, or plan.

Sec. 509.

(a) None of the funds made available in this Act may be used for—

(1) the creation of a human embryo or embryos for research purposes; or

(2) research in which a human embryo or embryos are destroyed, discarded, or knowingly subjected to risk of injury or death greater than that allowed for research on fetuses in utero under 45 CFR 46.204(b) and section 498(b) of the Public Health Service Act (42 U.S.C. 289g(b)).

(b) For purposes of this section, the term "human embryo or embryos" includes any organism, not protected as a human subject under 45 CFR 46 as of the date of the enactment of this Act, that is derived by fertilization, parthenogenesis, cloning, or any other means from one or more human gametes or human diploid cells.

Sec. 510.

(a) None of the funds made available in this Act may be used for any activity that promotes the legalization of any drug or other substance included in schedule I of the schedules of controlled substances established under section 202 of the Controlled Substances Act except for normal and recognized executive-congressional communications.

(b) The limitation in subsection (a) shall not apply when there is significant medical evidence of a therapeutic advantage to the use of such drug or other substance or that federally sponsored clinical trials are being conducted to determine therapeutic advantage.

Sec. 511. None of the funds made available in this Act may be used to promulgate or adopt any final standard under section 1173(b) of the Social Security Act providing for, or providing for the assignment of, a unique health identifier for an individual (except in an individual's capacity as an employer or a health care provider), until legislation is enacted specifically approving the standard.

Sec. 512. None of the funds made available in this Act may be obligated or expended to enter into or renew a contract with an entity if--

(1) such entity is otherwise a contractor with the United States and is subject to the requirement in 38 U.S.C. 4212(d) regarding submission of an annual report to the Secretary of Labor concerning employment of certain veterans; and

(2) such entity has not submitted a report as required by that section for the most recent year for which such requirement was applicable to such entity.

Sec. 513. None of the funds made available by this Act to carry out the Library Services and Technology Act may be made available to any library covered by paragraph (1) of section 224(f) of such Act, as amended by the Children's Internet Protection Act, unless such library has made the certifications required by paragraph (4) of such section.

Sec. 514. None of the funds made available by this Act to carry out part D of title II of the Elementary and Secondary Education Act of 1965 may be made available to any elementary or secondary school covered by paragraph (1) of section 2441(a) of such Act, as amended by the Children's Internet Protection Act and the No Child Left Behind Act, unless the local educational agency with responsibility for such covered school has made the certifications required by paragraph (2) of such section.

(including transfers of funds and cancellation)

Sec. 515. None of the funds appropriated in this Act shall be expended or obligated by the Commissioner of Social Security, for purposes of administering Social Security benefit payments under title II of the Social Security Act, to process any claim for credit for a quarter of

coverage based on work performed under a social security account number that is not the claimant's number and the performance of such work under such number has formed the basis for a conviction of the claimant of a violation of section 208(a)(6) or (7) of the Social Security Act.

Sec. 516. Transfer of Older American Community Service Employment Program to Department of Health and Human Services.

(a) **In General.**--Notwithstanding any other provision of law, the Older American Community Service Employment (OACSE) program under title V of the Older Americans Act of 1965 (42 U.S.C. 3056), and the authority to administer such program, shall be permanently transferred from the Secretary of Labor to the Secretary of Health and Human Services, acting through the Assistant Secretary for Aging.

(b) **Transfer of Functions, Assets, and Liabilities.**--The functions, assets, and liabilities of the Secretary of Labor relating to the OACSE program shall be transferred to the Secretary of Health and Human Services.

(c) **Effective Date of Transfer.**--The transfer under this section shall be effective no later than the last day of the second full fiscal quarter following the quarter in which this section is enacted.

Sec. 517. Of the funds made available for performance bonus payments under section 2105(a)(3)(E) of the Social Security Act, [\$6,706,000,000] \$3,779,000,000 shall be permanently cancelled as of January [1] 20, [2013] 2014.

Sec. 518. Workforce Innovation Fund.

(a) From funds appropriated under this Act for the Workforce Innovation Fund--

(1) amounts shall be available to support innovative new strategies and activities, or the replication and expansion of effective evidence-based strategies and activities, that are designed to align programs and strengthen the workforce development system in a State or region, in order to substantially improve education and employment outcomes for adults and youth served by such system, cost effectiveness, and the services provided to employers under such system; and

(2) amounts shall be available for awards to States or State agencies that are eligible for assistance under any program authorized under the Workforce Investment Act; consortia of States; or partnerships, including regional partnerships, which may include workforce investment boards, public agencies, or other entities, pursuant to criteria established by the Secretary of Labor[and the Secretary of Education].

(b) Amounts appropriated for the Workforce Innovation Fund shall be administered by the Secretary of Labor [and the Secretary of Education in accordance with an interagency agreement describing the respective roles and responsibilities of the Secretaries in administering such funds, and, as appropriate, shall be administered in consultation with other heads of departments and agencies; and] *in consultation with the Secretary of Education and other heads of departments and agencies, as appropriate.*

[(2) may be transferred between the Department of Labor and the Department of Education.]

[(c) Of the funds appropriated under this Act for the Workforce Innovation Fund, not more than 5 percent shall be available to the Secretary of Labor and to the Secretary of Education for technical assistance and evaluations related to the projects carried out with these funds.]

[(d)](c) [The Secretary of Labor and the Secretary of Education may authorize awardees to use a portion of awarded funds for evaluation, upon approval of an evaluation plan by the Secretaries] *Funds obligated for Workforce Innovation Fund projects may remain available until expended for disbursement, notwithstanding 31 U.S.C. 1552(a).*

[(e) The Secretary of Labor and the Secretary of Education shall establish requirements for the Workforce Innovation Fund to ensure that individuals with disabilities, including those with significant disabilities, benefit substantially from activities supported under the Fund.]

[(f) Of the funds appropriated under this Act for the Workforce Innovation Fund, \$10 million shall be used for innovative and evidence-based approaches to serving disconnected youth.]

[(g) Of the funds appropriated under this Act for the Workforce Innovation Fund, not to exceed \$20 million may be used for Workforce Innovation Fund-related performance-based awards or other agreements under the Pay for Success program: *Provided*, That any deobligated funds from such projects or agreements shall immediately be available for the Workforce Innovation Fund.]

[(h) Funds obligated for Workforce Innovation Fund projects may remain available for disbursement until expended, notwithstanding 31 U.S.C. 1552(a).]

[(i)](d)

(1) In the case of any innovation or replication project which, in the judgment of the Secretary of Labor and the Secretary of Education, is likely to substantially improve the education and employment outcomes for adults and youth served by such system and the services provided to employers under such system and requires waiver of statutory or regulatory requirements to achieve those improvements, the Secretary of Labor, with respect to title I of the Workforce Investment Act of 1998 and the Wagner-Peyser Act, and the Secretary of Education, with respect to title II of the Workforce Investment Act of 1998 and title I of the Rehabilitation Act of 1973--[, may waive compliance with statutory or regulatory requirements under such Acts to the extent and for the period the respective Secretary determines necessary to carry out such projects.]

(A) may waive compliance with statutory or regulatory requirements under such Acts to the extent and for the period the respective Secretary determines necessary to carry out such project;

(B) may not waive any requirement related to nondiscrimination, wage and labor standards, or allocation of funds to State and substate levels.

(2) Waivers may only be provided to projects which include--

(A) a plan, approved by the relevant Secretary, to effectively evaluate the impact of the strategies being tested on outcomes for program participants, including target populations identified by the Secretaries;

(B) a strong accountability system, including performance measures which show outcomes for program participants and demonstrate that vulnerable populations, including individuals with disabilities, are being appropriately served by the workforce system; and

(C) other required elements, as established by the Secretaries in regulation or grant solicitation.

(3) *Prior to granting a waiver, the Secretaries of Education and Labor will provide at least 60 days written notice to the Committees on Appropriations and other committees of jurisdiction in the House of Representatives and the Senate.*

Sec. 519. Performance Partnership Pilots.

(a) Definitions. In this section --

(1) "Performance Partnership Pilot" (or "Pilot") is a project that seeks to identify, through a demonstration, cost-effective strategies for providing services at the state, regional, or local level that--

(A) involve two or more Federal programs (administered by one or more Federal agencies)--

(i) which have related policy goals, and

(ii) at least one of which is administered (in whole or in part) by a state, local, or tribal government; and

(B) achieve better results for regions, communities, or specific at risk populations through making better use of the budgetary resources that are available for supporting such programs.

(2) "To improve outcomes for disconnected youth" means to increase the rate at which individuals between the ages of 14 and 24 (who are homeless, in foster care, involved in the juvenile justice system, or are neither employed nor enrolled in an educational institution) achieve success in meeting educational, employment or other key goals.

(3) The "lead Federal administering agency" is the Federal agency, to be designated by the Director of the Office of Management and Budget (from among the participating Federal agencies that have statutory responsibility for the Federal discretionary funds that will be used in a Performance Partnership Pilot that will enter into and administer the particular Performance Partnership Agreement on behalf of that agency and the other participating Federal agencies.

(b) Use of Discretionary Funds in Fiscal Year 2014 Appropriations Act. Federal agencies may use Federal discretionary funds, that are made available in this act or any other appropriations act providing funds for Fiscal Year 2014 and corresponding authority to enter into Performance Partnership Pilots, to carry out up to a total of 13 Performance Partnership Pilots involving up to a total of \$130,000,000 in aggregate Federal discretionary budget authority. Such Pilots shall:

(1) be designed to improve outcomes for disconnected youth, and

(2) involve Federal programs targeted on disconnected youth, or designed to prevent youth from disconnecting from school or work, that provide education, training and employment, and other related social services; and

(c) Performance Partnership Agreements. Federal agencies may use Federal discretionary funds, as authorized in subsection (b), to participate in a Performance Partnership Pilot only in accordance with the terms of a Performance Partnership Agreement that--

(1) is entered into between--

(A) the head of the lead Federal administering agency, on behalf of all of the participating Federal agencies (subject to the head of the lead Federal administering agency having received from the heads of each of the other participating agencies their written concurrence for entering into the Agreement), and

(B) the respective representatives of all of the state, local or tribal governments that are participating in the Agreement; and

(2) specifies, at a minimum, the following information:

(A) the length of the Agreement (which shall not extend beyond September 30, 2018);

(B) the Federal programs and federally-funded services that are involved in the Pilot;

(C) the Federal discretionary funds that are being used in the Pilot (by the respective Federal account identifier, and the total amount from such account that is being used in the Pilot), and the period (or periods) of availability for obligation (by the Federal Government) of such funds;

(D) the non-Federal funds that are involved in the Pilot, by source (which can include private funds as well as governmental funds) and by amount;

(E) the state, local, or tribal programs that are involved in the Pilot;

(F) the populations to be served by the Pilot;

(G) the cost-effective Federal oversight procedures that will be used for the purpose of maintaining the necessary level of accountability for the use of the Federal discretionary funds;

(H) the cost-effective State, local or tribal oversight procedures that will be used for the purpose of maintaining the necessary level of accountability for the use of the Federal discretionary funds;

(I) the outcome (or outcomes) that the Pilot is designed to achieve;

(J) the appropriate, reliable, and objective outcome-measurement methodology that the Federal Government and the participating state, local, or tribal governments will use, in carrying out the Pilot, to determine whether the Pilot is achieving, and has achieved, the specified outcomes that the Pilot is designed to achieve; and

(K) in cases where, during the course of the Pilot, it is determined that the Pilot is not achieving the specified outcomes that it is designed to achieve,

(i) the consequences that will result from such deficiencies with respect to the Federal discretionary funds that are being used in the Pilot, and

(ii) the corrective actions that will be taken in order to increase the likelihood that the Pilot, upon completion, will have achieved such specified outcomes.

(d) Agency Head Determinations. A Federal agency may participate in a Performance Partnership Pilot (including by providing Federal discretionary funds that

have been appropriated to such agency) only upon the written determination by the head of such agency that the agency's participation in such Pilot--

(1) will not result in denying or restricting the eligibility of any individual for any of the services that (in whole or in part) are funded by the agency's programs and Federal discretionary funds that are involved in the Pilot, and

(2) based on the best available information, will not otherwise adversely affect vulnerable populations that are the recipients of such services. In making this determination, the head of the agency may take into consideration the other Federal discretionary funds that will be used in the Pilot as well as any non-Federal funds (including from private sources as well as governmental sources) that will be used in the Pilot.

(e) Transfer Authority. For the purpose of carrying out the Pilot in accordance with the Performance Partnership Agreement, and subject to the written approval of the Director of the Office of Management and Budget, the head of each participating Federal agency may transfer Federal discretionary funds that are being used in the Pilot to an account of the lead Federal administering agency that includes Federal discretionary funds that are being used in the Pilot. Subject to the waiver authority under subsection (g), such transferred funds shall remain available for the same purposes for which such funds were originally appropriated: Provided, That such transferred funds shall remain available for obligation by the Federal Government until the expiration of those Federal discretionary funds (which are being used in the Pilot) that have the longest period of availability, except that any such transferred funds shall not remain available beyond September 30, 2018.

(f) Waiver Authority. In connection with a Federal agency's participation in a Performance Partnership Pilot, and subject to the other provisions of this section (including subsection (e)), the head of the Federal agency to which the Federal discretionary funds were appropriated may waive (in whole or in part) the application, solely to such discretionary funds that are being used in the Pilot, of any statutory, regulatory, or administrative requirement that such agency head--

(1) is otherwise authorized to waive (in accordance with the terms and conditions of such other authority), and

(2) is not otherwise authorized to waive, provided that in such case the agency head, prior to granting the waiver, shall—

(A) not waive any requirement related to nondiscrimination, wage and labor standards, or allocation of funds to State and sub-state levels;

(B) issue a written determination with respect to such discretionary funds that the granting of such waiver for purposes of the Pilot--

(i) is consistent with both--

(I) the statutory purposes of the Federal program for which such discretionary funds were appropriated, and

(II) the other provisions of this section, including the written determination by the agency head issued under subsection (e);

(ii) is necessary to achieve the outcomes of the Pilot as specified in the Performance Partnership Agreement, and is no broader in scope than is necessary to achieve such outcomes; and

(iii) will result in either--

(I) realizing efficiencies by simplifying reporting burdens or reducing administrative barriers with respect to such discretionary funds, or

(II) increasing the ability of individuals to obtain access to services that are provided by such discretionary funds; and

(C) provide at least 60 days advance written notice to the Committees on Appropriations and other committees of jurisdiction in the House of Representatives and the Senate.

Sec. [519]520.

(a) **In General.** The Health Education Assistance Loan (HEAL) program under title VII, part A, subpart I of the Public Health Service Act (42 U.S.C. 292-292p), and the authority to administer such program, including servicing, collecting, and enforcing any loans that were made under such program that remain outstanding, shall be permanently transferred from the Secretary of Health and Human Services to the Secretary of Education no later than the end of the first fiscal quarter that begins after the date of enactment of this act.

(b) **Transfer of Functions, Assets, and Liabilities.** The functions, assets, and liabilities of the Secretary of Health and Human Services relating to such program shall be transferred to the Secretary of Education.

(c) **Interdepartmental Coordination of Transfer.** The Secretary of Health and Human Services and the Secretary of Education shall carry out the transfer of the HEAL program described in subsection (a), including the transfer of the functions, assets, and liabilities specified in subsection (b), in the manner that they determine is most appropriate.

(d) **Use of Authorities under Higher Education Act of 1965.** In servicing, collecting, and enforcing the loans described in subsection (a), the Secretary of Education shall have available any and all authorities available to such Secretary in servicing, collecting, or enforcing a loan made, insured, or guaranteed under part B of title IV of the Higher Education Act of 1965.

(e) **Conforming Amendments.** Effective as of the date on which the transfer of the HEAL program under subsection (a) takes effect, section 719 of the Public Health Service Act (42 U.S.C. 292o) is amended by adding at the end the following new paragraph: "(6) The term "Secretary" means the Secretary of Education." [.]