

117TH CONGRESS  
2D SESSION

# H. R. 8294

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IN THE SENATE OF THE UNITED STATES

JULY 26, 2022

Received; read twice and referred to the Committee on Appropriations

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## AN ACT

Making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2023, 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,*

1 **SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “Transportation, Hous-  
3 ing and Urban Development, Agriculture, Rural Develop-  
4 ment, Energy and Water Development, Financial Services  
5 and General Government, Interior, Environment, Military  
6 Construction, and Veterans Affairs Appropriations Act,  
7 2023”.

8 **SEC. 2. REFERENCES TO ACT.**

9       Except as expressly provided otherwise, any reference  
10 to “this Act” contained in any division of this Act shall  
11 be treated as referring only to the provisions of that divi-  
12 sion.

13 **SEC. 3. REFERENCES TO REPORT.**

14       (a) TRANSPORTATION, HOUSING AND URBAN DE-  
15 VELOPMENT, AND RELATED AGENCIES APPROPRIATIONS  
16 ACT, 2023.—Any reference to a “report accompanying  
17 this Act” contained in division A of this Act shall be treat-  
18 ed as a reference to House Report 117–402. The effect  
19 of such Report shall be limited to division A and shall  
20 apply for purposes of determining the allocation of funds  
21 provided by, and the implementation of, division A.

22       (b) AGRICULTURE, RURAL DEVELOPMENT, FOOD  
23 AND DRUG ADMINISTRATION, AND RELATED AGENCIES  
24 APPROPRIATIONS ACT, 2023.—Any reference to a “report  
25 accompanying this Act” contained in division B of this Act  
26 shall be treated as a reference to House Report 117–392.

1 The effect of such Report shall be limited to division B  
2 and shall apply for purposes of determining the allocation  
3 of funds provided by, and the implementation of, division  
4 B.

5 (c) ENERGY AND WATER DEVELOPMENT AND RE-  
6 LATED AGENCIES APPROPRIATIONS ACT, 2023.—Any ref-  
7 erence to a “report accompanying this Act” contained in  
8 division C of this Act shall be treated as a reference to  
9 House Report 117–394. The effect of such Report shall  
10 be limited to division C and shall apply for purposes of  
11 determining the allocation of funds provided by, and the  
12 implementation of, division C.

13 (d) FINANCIAL SERVICES AND GENERAL GOVERN-  
14 MENT APPROPRIATIONS ACT, 2023.—Any reference to a  
15 “report accompanying this Act” contained in division D  
16 of this Act shall be treated as a reference to House Report  
17 117–393. The effect of such Report shall be limited to  
18 division D and shall apply for purposes of determining the  
19 allocation of funds provided by, and the implementation  
20 of, division D.

21 (e) DEPARTMENT OF THE INTERIOR, ENVIRONMENT,  
22 AND RELATED AGENCIES APPROPRIATIONS ACT, 2023.—  
23 Any reference to a “report accompanying this Act” con-  
24 tained in division E of this Act shall be treated as a ref-  
25 erence to House Report 117–400. The effect of such Re-

1 port shall be limited to division E and shall apply for pur-  
2 poses of determining the allocation of funds provided by,  
3 and the implementation of, division E.

4 (f) MILITARY CONSTRUCTION, VETERANS AFFAIRS,  
5 AND RELATED AGENCIES APPROPRIATIONS ACT, 2023.—  
6 Any reference to a “report accompanying this Act” con-  
7 tained in division F of this Act shall be treated as a ref-  
8 erence to House Report 117–391. The effect of such Re-  
9 port shall be limited to division F and shall apply for pur-  
10 poses of determining the allocation of funds provided by,  
11 and the implementation of, division F.

12 **SEC. 4. STATEMENT OF APPROPRIATIONS.**

13 The following sums in this Act are appropriated, out  
14 of any money in the Treasury not otherwise appropriated,  
15 for the fiscal year ending September 30, 2023.

1 **DIVISION A—TRANSPORTATION,**  
2 **HOUSING AND URBAN DEVEL-**  
3 **OPMENT, AND RELATED**  
4 **AGENCIES APPROPRIATIONS**  
5 **ACT, 2023**

6 TITLE I

7 DEPARTMENT OF TRANSPORTATION

8 OFFICE OF THE SECRETARY

9 SALARIES AND EXPENSES

10 For necessary expenses of the Office of the Secretary,  
11 \$176,000,000 (increased by \$1,000,000) (reduced by  
12 \$1,000,000) (reduced by \$2,000,000): *Provided*, That of  
13 the sums appropriated under this heading—

14 (1) \$3,569,000 shall be available for the imme-  
15 diate Office of the Secretary;

16 (2) \$1,277,000 shall be available for the imme-  
17 diate Office of the Deputy Secretary;

18 (3) \$27,089,000 (reduced by \$1,000,000) shall  
19 be available for the Office of the General Counsel;

20 (4) \$17,400,000 shall be available for the Office  
21 of the Under Secretary of Transportation for Policy;

22 (5) \$21,026,000 shall be available for the Office  
23 of the Assistant Secretary for Budget and Pro-  
24 grams;

1           (6) \$3,968,000 shall be available for the Office  
2           of the Assistant Secretary for Governmental Affairs;

3           (7) \$42,402,000 shall be available for the Office  
4           of the Assistant Secretary for Administration;

5           (8) \$5,727,000 shall be available for the Office  
6           of Public Affairs and Public Engagement;

7           (9) \$2,312,000 shall be available for the Office  
8           of the Executive Secretariat;

9           (10) \$18,533,000 shall be available for the Of-  
10          fice of Intelligence, Security, and Emergency Re-  
11          sponse;

12          (11) \$29,195,000 (reduced by \$1,000,000)  
13          shall be available for the Office of the Chief Infor-  
14          mation Officer;

15          (12) \$1,500,000 shall be available for the Office  
16          of Tribal Government Affairs; and

17          (13) \$2,000,000 shall be available for the Office  
18          of Multimodal Freight Infrastructure and Policy:

19 *Provided further*, That the Secretary of Transportation  
20 (referred to in this title as the “Secretary”) is authorized  
21 to transfer funds appropriated for any office of the Office  
22 of the Secretary to any other office of the Office of the  
23 Secretary: *Provided further*, That no appropriation for any  
24 office shall be increased or decreased by more than 7 per-  
25 cent by all such transfers: *Provided further*, That any

1 change in funding greater than 7 percent shall be subject  
2 to the requirements of section 405 of this Act: *Provided*  
3 *further*, That not to exceed \$70,000 shall be for allocation  
4 within the Department for official reception and represen-  
5 tation expenses as the Secretary may determine: *Provided*  
6 *further*, That notwithstanding any other provision of law,  
7 there may be credited to this appropriation up to  
8 \$2,500,000 in funds received in user fees.

9 RESEARCH AND TECHNOLOGY

10 For necessary expenses related to the Office of the  
11 Assistant Secretary for Research and Technology,  
12 \$66,963,000 (reduced by \$15,000,000) (increased by  
13 \$15,000,000), of which \$52,780,000 shall remain avail-  
14 able until expended: *Provided*, That there may be credited  
15 to this appropriation, to be available until expended, funds  
16 received from States, counties, municipalities, other public  
17 authorities, and private sources for expenses incurred for  
18 training: *Provided further*, That any reference in law, reg-  
19 ulation, judicial proceedings, or elsewhere to the Research  
20 and Innovative Technology Administration shall continue  
21 to be deemed to be a reference to the Office of the Assist-  
22 ant Secretary for Research and Technology of the Depart-  
23 ment of Transportation.

## 1 NATIONAL INFRASTRUCTURE INVESTMENTS

## 2 (INCLUDING TRANSFER OF FUNDS)

3 For necessary expenses to carry out section 6702 of  
4 title 49, United States Code, \$775,000,000 (increased by  
5 \$2,000,000) (increased by \$1,000,000) (reduced by  
6 \$1,000,000), to remain available until expended: *Provided*,  
7 That section 6702(f)(2) of title 49, United States Code,  
8 shall not apply to amounts made available under this  
9 heading in this Act: *Provided further*, That of amounts  
10 made available under this heading in this Act, not less  
11 than \$30,000,000 (increased by \$1,000,000) shall be  
12 awarded to projects in historically disadvantaged commu-  
13 nities or areas of persistent poverty as such term is de-  
14 fined under section 6702(a)(1) of title 49, United States  
15 Code: *Provided further*, That section 6702(g) of title 49,  
16 United States Code, shall not apply to amounts made  
17 available under this heading in this Act: *Provided further*,  
18 That of the amounts made available under this heading  
19 in this Act not less than 5 percent shall be made available  
20 for the planning, preparation, or design of eligible projects  
21 and shall prioritize transit, transit oriented development,  
22 multimodal, intercity passenger rail, and pedestrian  
23 projects: *Provided further*, That grants awarded under this  
24 heading in this Act for eligible projects for planning, prep-  
25 aration, or design shall not be subject to a minimum grant



1 size: *Provided further*, That in distributing amounts made  
2 available under this heading in this Act, the Secretary  
3 shall take such measures so as to ensure an equitable geo-  
4 graphic distribution of funds, an appropriate balance in  
5 addressing the needs of urban and rural areas, including  
6 Tribal areas, and the investment in a variety of transpor-  
7 tation modes: *Provided further*, That section  
8 6702(c)(2)(C) of title 49, United States Code, shall not  
9 apply to amounts made available under this heading in  
10 this Act: *Provided further*, That a grant award under this  
11 heading in this Act shall be not greater than \$50,000,000:  
12 *Provided further*, That section 6702(c)(3) of title 49,  
13 United States Code, shall not apply to amounts made  
14 available under this heading in this Act: *Provided further*,  
15 That not more than 15 percent of the amounts made avail-  
16 able under this heading in this Act may be awarded to  
17 projects in a single state: *Provided further*, That for  
18 amounts made available under this heading in this Act,  
19 the Secretary shall give priority to projects that require  
20 a contribution of Federal funds in order to complete an  
21 overall financing package: *Provided further*, That section  
22 6702(f)(1) of title 49, United States Code, shall not apply  
23 to amounts made available under this heading in this Act:  
24 *Provided further*, That of the amounts awarded under this  
25 heading in this Act, not more than 50 percent shall be

1 allocated for eligible projects located in rural areas and  
2 not more than 50 percent shall be allocated for eligible  
3 projects located in urbanized areas: *Provided further*, That  
4 for the purpose of determining if an award for planning,  
5 preparation, or design under this heading in this Act is  
6 an urban award, the project location is the location of the  
7 project being planned, prepared, or designed: *Provided fur-*  
8 *ther*, That the Secretary shall apply to projects under this  
9 heading the Federal requirements that the Secretary de-  
10 termines are appropriate based on the purpose of the Na-  
11 tional Infrastructure Investments program, the require-  
12 ments expressly stated under this heading, the require-  
13 ments expressly stated in chapter 67 of title 49, United  
14 States Code, and the Federal requirements applicable to  
15 comparable projects supported by other Department of  
16 Transportation financial assistance programs, including  
17 domestic preference requirements, contracting opportuni-  
18 ties for small and disadvantaged businesses, and labor  
19 practices: *Provided further*, That the Secretary may retain  
20 up to 2 percent of the amounts made available under this  
21 heading in this Act, and may transfer portions of such  
22 amounts to the Administrators of the Federal Aviation  
23 Administration, the Federal Highway Administration, the  
24 Federal Transit Administration, the Federal Railroad Ad-  
25 ministration and the Maritime Administration to fund the

1 award and oversight of grants and credit assistance made  
2 under the program authorized under section 6702 of title  
3 49, United States Code: *Provided further*, That for  
4 amounts made available under this heading in this Act,  
5 the Secretary shall consider and award projects based sole-  
6 ly on the selection criteria as identified under paragraphs  
7 (3) and (4) of section 6702(d) of title 49, United States  
8 Code.

9                   THRIVING COMMUNITIES INITIATIVE

10                   (INCLUDING TRANSFER OF FUNDS)

11       For necessary expenses for a thriving communities  
12 program, \$100,000,000, to remain available until Sep-  
13 tember 30, 2025: *Provided*, That the Secretary of Trans-  
14 portation shall make such amounts available for technical  
15 assistance and cooperative agreements to develop and im-  
16 plement technical assistance, planning, and capacity build-  
17 ing to improve and foster thriving communities through  
18 transportation improvements: *Provided further*, That the  
19 Secretary may enter into cooperative agreements with  
20 philanthropic entities, non-profit organizations, other Fed-  
21 eral agencies, state or local governments and their agen-  
22 cies, Indian Tribes, or other technical assistance providers,  
23 to provide such technical assistance, planning, and capac-  
24 ity building to state, local, or Tribal governments, United  
25 States territories, metropolitan planning organizations,

1 transit agencies, or other political subdivisions of state or  
2 local governments: *Provided further*, That to be eligible for  
3 a cooperative agreement under this heading, a recipient  
4 shall provide assistance to entities described in the pre-  
5 ceding proviso on engaging in public planning processes  
6 with residents, local businesses, non-profit organizations,  
7 and to the extent practicable, philanthropic organizations,  
8 educational institutions, or other community stakeholders:  
9 *Provided further*, That such cooperative agreements shall  
10 facilitate the planning and development of transportation  
11 and community revitalization activities supported by the  
12 Department of Transportation under titles 23, 46, and 49,  
13 United States Code, that increase mobility, reduce pollu-  
14 tion from transportation sources, expand affordable trans-  
15 portation options, facilitate efficient land use, preserve or  
16 expand jobs, improve housing conditions, enhance connec-  
17 tions to health care, education, and food security, or im-  
18 prove health outcomes: *Provided further*, That the Sec-  
19 retary may prioritize assistance provided with amounts  
20 made available under this heading to communities that  
21 have disproportionate rates of pollution and poor air qual-  
22 ity, communities experiencing disproportionate effects (as  
23 defined by Executive Order No. 12898), areas of per-  
24 sistent poverty as defined in section 6702(a)(1) of title  
25 49, United States Code, or historically disadvantaged com-

1 munities: *Provided further*, That the preceding proviso  
2 shall not prevent the Secretary from providing assistance  
3 with amounts made available under this heading to enti-  
4 ties described in the second proviso under this heading  
5 that request assistance through the thriving communities  
6 program: *Provided further*, That planning and technical  
7 assistance made available under this heading may include  
8 pre-application assistance for capital projects eligible  
9 under titles 23, 46, and 49, United States Code: *Provided*  
10 *further*, That the Secretary may retain amounts made  
11 available under this heading for the necessary administra-  
12 tive expenses of (1) developing and disseminating best  
13 practices, modeling, and cost-benefit analysis methodolo-  
14 gies to assist entities described in the second proviso under  
15 this heading with applications for financial assistance pro-  
16 grams under titles 23, 46, and 49, United States Code,  
17 and (2) award, administration, and oversight of coopera-  
18 tive agreements to carry out the provisions under this  
19 heading: *Provided further*, That such amounts and pay-  
20 ments as may be necessary to carry out the thriving com-  
21 munities program may be transferred to appropriate ac-  
22 counts of other operating administrations within the De-  
23 partment of Transportation: *Provided further*, That the  
24 Secretary shall notify the House and Senate Committees

1 on Appropriations not later than 3 business days prior to  
2 a transfer carried out under the preceding proviso.

3 NATIONAL SURFACE TRANSPORTATION AND INNOVATIVE  
4 FINANCE BUREAU

5 For necessary expenses of the National Surface  
6 Transportation and Innovative Finance Bureau as author-  
7 ized by 49 U.S.C. 116, \$3,800,000, to remain available  
8 until expended: *Provided*, That the Secretary may collect  
9 and spend fees, as authorized by title 23, United States  
10 Code, to cover the costs of services of expert firms, includ-  
11 ing counsel, in the field of municipal and project finance  
12 to assist in the underwriting and servicing of Federal cred-  
13 it instruments and all or a portion of the costs to the Fed-  
14 eral Government of servicing such credit instruments: *Pro-*  
15 *vided further*, That such fees are available until expended  
16 to pay for such costs: *Provided further*, That such amounts  
17 are in addition to other amounts made available for such  
18 purposes and are not subject to any obligation limitation  
19 or the limitation on administrative expenses under section  
20 608 of title 23, United States Code.

21 RAILROAD REHABILITATION AND IMPROVEMENT  
22 FINANCING PROGRAM

23 The Secretary is authorized to issue direct loans and  
24 loan guarantees pursuant to chapter 224 of title 49,

1 United States Code, and such authority shall exist so long  
2 as any such direct loan or loan guarantee is outstanding.

3 FINANCIAL MANAGEMENT CAPITAL

4 For necessary expenses for upgrading and enhancing  
5 the Department of Transportation's financial systems and  
6 re-engineering business processes, \$5,000,000, to remain  
7 available through September 30, 2024.

8 CYBER SECURITY INITIATIVES

9 For necessary expenses for cyber security initiatives,  
10 including necessary upgrades to network and information  
11 technology infrastructure, improvement of identity man-  
12 agement and authentication capabilities, securing and pro-  
13 tecting data, implementation of Federal cyber security ini-  
14 tiatives, and implementation of enhanced security controls  
15 on agency computers and mobile devices, \$48,100,000, to  
16 remain available until September 30, 2024.

17 OFFICE OF CIVIL RIGHTS

18 For necessary expenses of the Office of Civil Rights,  
19 \$15,000,000.

20 TRANSPORTATION PLANNING, RESEARCH, AND

21 DEVELOPMENT

22 (INCLUDING TRANSFER OF FUNDS)

23 For necessary expenses for conducting transportation  
24 planning, research, systems development, development ac-  
25 tivities, and making grants, \$19,648,000, to remain avail-

1 able until expended: *Provided*, That of such amount,  
2 \$7,136,000 shall be for necessary expenses of the Inter-  
3 agency Infrastructure Permitting Improvement Center  
4 (IIPIC): *Provided further*, That there may be transferred  
5 to this appropriation, to remain available until expended,  
6 amounts transferred from other Federal agencies for ex-  
7 penses incurred under this heading for IIPIC activities not  
8 related to transportation infrastructure: *Provided further*,  
9 That the tools and analysis developed by the IIPIC shall  
10 be available to other Federal agencies for the permitting  
11 and review of major infrastructure projects not related to  
12 transportation only to the extent that other Federal agen-  
13 cies provide funding to the Department in accordance with  
14 the preceding proviso.

15 WORKING CAPITAL FUND

16 (INCLUDING TRANSFER OF FUNDS)

17 For necessary expenses for operating costs and cap-  
18 ital outlays of the Working Capital Fund, not to exceed  
19 \$505,285,000, shall be paid from appropriations made  
20 available to the Department of Transportation: *Provided*,  
21 That such services shall be provided on a competitive basis  
22 to entities within the Department of Transportation: *Pro-*  
23 *vided further*, That the limitation in the preceding proviso  
24 on operating expenses shall not apply to entities external  
25 to the Department of Transportation or for funds pro-



1 vided in Public Law 117–58: *Provided further*, That no  
 2 funds made available by this Act to an agency of the De-  
 3 partment shall be transferred to the Working Capital  
 4 Fund without majority approval of the Working Capital  
 5 Fund Steering Committee and approval of the Secretary:  
 6 *Provided further*, That no assessments may be levied  
 7 against any program, budget activity, subactivity, or  
 8 project funded by this Act unless notice of such assess-  
 9 ments and the basis therefor are presented to the House  
 10 and Senate Committees on Appropriations and are ap-  
 11 proved by such Committees.

12 SMALL AND DISADVANTAGED BUSINESS UTILIZATION AND  
 13 OUTREACH

14 For necessary expenses for small and disadvantaged  
 15 business utilization and outreach activities, \$7,094,000, to  
 16 remain available until September 30, 2024: *Provided*,  
 17 That notwithstanding section 332 of title 49, United  
 18 States Code, such amounts may be used for business op-  
 19 portunities related to any mode of transportation: *Pro-*  
 20 *vided further*, That appropriations made available under  
 21 this heading shall be available for any purpose consistent  
 22 with prior year appropriations that were made available  
 23 under the heading “Office of the Secretary—Minority  
 24 Business Resource Center Program”.

## 1 PAYMENTS TO AIR CARRIERS

## 2 (AIRPORT AND AIRWAY TRUST FUND)

3 In addition to funds made available from any other  
4 source to carry out the essential air service program under  
5 sections 41731 through 41742 of title 49, United States  
6 Code, \$354,827,000, to be derived from the Airport and  
7 Airway Trust Fund, to remain available until expended:  
8 *Provided*, That in determining between or among carriers  
9 competing to provide service to a community, the Sec-  
10 retary may consider the relative subsidy requirements of  
11 the carriers: *Provided further*, That basic essential air  
12 service minimum requirements shall not include the 15-  
13 passenger capacity requirement under section 41732(b)(3)  
14 of title 49, United States Code: *Provided further*, That  
15 amounts authorized to be distributed for the essential air  
16 service program under section 41742(b) of title 49, United  
17 States Code, shall be made available immediately from  
18 amounts otherwise provided to the Administrator of the  
19 Federal Aviation Administration: *Provided further*, That  
20 the Administrator may reimburse such amounts from fees  
21 credited to the account established under section 45303  
22 of title 49, United States Code.

## 1 ELECTRIC VEHICLE FLEET

2 (INCLUDING TRANSFER OF FUNDS)

3 For necessary expenses for the Department's transi-  
4 tion to the General Services Administration's leased vehi-  
5 cle fleet, and for the purchase of zero emission passenger  
6 motor vehicles and supporting charging or fueling infra-  
7 structure, \$11,000,000, to remain available until Sep-  
8 tember 30, 2025: *Provided*, That such amounts are in ad-  
9 dition to amounts otherwise available for such purposes:  
10 *Provided further*, That amounts made available under this  
11 heading may be transferred to other accounts of the De-  
12 partment of Transportation for the purposes specified  
13 under this heading: *Provided further*, That the Secretary  
14 shall notify the House and Senate Committees on Appro-  
15 priations not later than 3 business days prior to a transfer  
16 carried out under the preceding proviso.

## 17 ADMINISTRATIVE PROVISIONS—OFFICE OF THE

## 18 SECRETARY OF TRANSPORTATION

19 SECTION 101. None of the funds made available by  
20 this Act to the Department of Transportation may be obli-  
21 gated for the Office of the Secretary of Transportation  
22 to approve assessments or reimbursable agreements per-  
23 taining to funds appropriated to the operating administra-  
24 tions in this Act, except for activities underway on the  
25 date of enactment of this Act, unless such assessments

1 or agreements have completed the normal reprogramming  
2 process for congressional notification.

3 SEC. 102. The Secretary shall post on the web site  
4 of the Department of Transportation a schedule of all  
5 meetings of the Council on Credit and Finance, including  
6 the agenda for each meeting, and require the Council on  
7 Credit and Finance to record the decisions and actions  
8 of each meeting.

9 SEC. 103. In addition to authority provided by section  
10 327 of title 49, United States Code, the Department's  
11 Working Capital Fund is authorized to provide partial or  
12 full payments in advance and accept subsequent reim-  
13 bursements from all Federal agencies from available funds  
14 for transit benefit distribution services that are necessary  
15 to carry out the Federal transit pass transportation fringe  
16 benefit program under Executive Order No. 13150 and  
17 section 3049 of SAFETEA-LU (5 U.S.C. 7905 note):  
18 *Provided*, That the Department shall maintain a reason-  
19 able operating reserve in the Working Capital Fund, to  
20 be expended in advance to provide uninterrupted transit  
21 benefits to Government employees: *Provided further*, That  
22 such reserve shall not exceed 1 month of benefits payable  
23 and may be used only for the purpose of providing for  
24 the continuation of transit benefits: *Provided further*, That  
25 the Working Capital Fund shall be fully reimbursed by

1 each customer agency from available funds for the actual  
2 cost of the transit benefit.

3 SEC. 104. Receipts collected in the Department's  
4 Working Capital Fund, as authorized by section 327 of  
5 title 49, United States Code, for unused transit and van  
6 pool benefits, in an amount not to exceed 10 percent of  
7 fiscal year 2023 collections, shall be available until ex-  
8 pended in the Department's Working Capital Fund to pro-  
9 vide contractual services in support of section 189 of this  
10 Act: *Provided*, That obligations in fiscal year 2023 of such  
11 collections shall not exceed \$1,000,000.

12 SEC. 105. None of the funds in this title may be obli-  
13 gated or expended for retention or senior executive bo-  
14 nuses for an employee of the Department of Transpor-  
15 tation without the prior written approval of the Assistant  
16 Secretary for Administration.

17 SEC. 106. In addition to authority provided by section  
18 327 of title 49, United States Code, the Department's Ad-  
19 ministrative Working Capital Fund is hereby authorized  
20 to transfer information technology equipment, software,  
21 and systems from Departmental sources or other entities  
22 and collect and maintain a reserve at rates which will re-  
23 turn full cost of transferred assets.

24 SEC. 107. None of the funds provided in this Act to  
25 the Department of Transportation may be used to provide

1 credit assistance unless not less than 3 days before any  
2 application approval to provide credit assistance under  
3 sections 603 and 604 of title 23, United States Code, the  
4 Secretary provides notification in writing to the following  
5 committees: the House and Senate Committees on Appro-  
6 priations; the Committee on Environment and Public  
7 Works and the Committee on Banking, Housing and  
8 Urban Affairs of the Senate; and the Committee on Trans-  
9 portation and Infrastructure of the House of Representa-  
10 tives: *Provided*, That such notification shall include, but  
11 not be limited to, the name of the project sponsor; a de-  
12 scription of the project; whether credit assistance will be  
13 provided as a direct loan, loan guarantee, or line of credit;  
14 and the amount of credit assistance.

15                   FEDERAL AVIATION ADMINISTRATION

16                               OPERATIONS

17                                       (AIRPORT AND AIRWAY TRUST FUND)

18       For necessary expenses of the Federal Aviation Ad-  
19 ministration, not otherwise provided for, including oper-  
20 ations and research activities related to commercial space  
21 transportation, administrative expenses for research and  
22 development, establishment of air navigation facilities, the  
23 operation (including leasing) and maintenance of aircraft,  
24 subsidizing the cost of aeronautical charts and maps sold  
25 to the public, the lease or purchase of passenger motor

1 vehicles for replacement only, \$11,870,000,000, to remain  
2 available until September 30, 2024, of which  
3 \$9,993,821,000 to be derived from the Airport and Airway  
4 Trust Fund: *Provided*, That of the amounts made avail-  
5 able under this heading—

6 (1) not less than \$1,645,018,000 shall be avail-  
7 able for aviation safety activities;

8 (2) \$8,760,044,000 shall be available for air  
9 traffic organization activities;

10 (3) \$33,675,000 (increased by \$1,000,000) (re-  
11 duced by \$1,000,000) shall be available for commer-  
12 cial space transportation activities;

13 (4) \$915,049,000 shall be available for finance  
14 and management activities;

15 (5) \$65,581,000 shall be available for NextGen  
16 and operations planning activities;

17 (6) \$153,447,000 shall be available for security  
18 and hazardous materials safety; and

19 (7) \$297,186,000 (reduced by \$1,000,000) (in-  
20 creased by \$1,000,000) shall be available for staff  
21 offices:

22 *Provided further*, That not to exceed 5 percent of any  
23 budget activity, except for aviation safety budget activity,  
24 may be transferred to any budget activity under this head-  
25 ing: *Provided further*, That no transfer may increase or

1 decrease any appropriation under this heading by more  
2 than 5 percent: *Provided further*, That any transfer in ex-  
3 cess of 5 percent shall be treated as a reprogramming of  
4 funds under section 405 of this Act and shall not be avail-  
5 able for obligation or expenditure except in compliance  
6 with the procedures set forth in that section: *Provided fur-*  
7 *ther*, That not later than 60 days after the submission of  
8 the budget request, the Administrator of the Federal Avia-  
9 tion Administration shall transmit to Congress an annual  
10 update to the report submitted to Congress in December  
11 2004 pursuant to section 221 of the Vision 100-Century  
12 of Aviation Reauthorization Act (49 U.S.C. 40101 note):  
13 *Provided further*, That the amounts made available under  
14 this heading shall be reduced by \$100,000 for each day  
15 after 60 days after the submission of the budget request  
16 that such report has not been transmitted to Congress:  
17 *Provided further*, That not later than 60 days after the  
18 submission of the budget request, the Administrator shall  
19 transmit to Congress a companion report that describes  
20 a comprehensive strategy for staffing, hiring, and training  
21 flight standards and aircraft certification staff in a format  
22 similar to the one utilized for the controller staffing plan,  
23 including stated attrition estimates and numerical hiring  
24 goals by fiscal year: *Provided further*, That the amounts  
25 made available under this heading shall be reduced by



1 \$100,000 for each day after the date that is 60 days after  
2 the submission of the budget request that such report has  
3 not been submitted to Congress: *Provided further*, That  
4 funds may be used to enter into a grant agreement with  
5 a nonprofit standard-setting organization to assist in the  
6 development of aviation safety standards: *Provided fur-*  
7 *ther*, That none of the funds made available by this Act  
8 shall be available for new applicants for the second career  
9 training program: *Provided further*, That none of the  
10 funds made available by this Act shall be available for the  
11 Federal Aviation Administration to finalize or implement  
12 any regulation that would promulgate new aviation user  
13 fees not specifically authorized by law after the date of  
14 the enactment of this Act: *Provided further*, That there  
15 may be credited to this appropriation, as offsetting collec-  
16 tions, funds received from States, counties, municipalities,  
17 foreign authorities, other public authorities, and private  
18 sources for expenses incurred in the provision of agency  
19 services, including receipts for the maintenance and oper-  
20 ation of air navigation facilities, and for issuance, renewal  
21 or modification of certificates, including airman, aircraft,  
22 and repair station certificates, or for tests related thereto,  
23 or for processing major repair or alteration forms: *Pro-*  
24 *vided further*, That of the amounts made available under  
25 this heading, not less than \$187,800,000 shall be used to

1 fund direct operations of the current air traffic control  
2 towers in the contract tower program, including the con-  
3 tract tower cost share program, and any airport that is  
4 currently qualified or that will qualify for the program  
5 during the fiscal year: *Provided further*, That none of the  
6 funds made available by this Act for aeronautical charting  
7 and cartography are available for activities conducted by,  
8 or coordinated through, the Working Capital Fund: *Pro-*  
9 *vided further*, That none of the funds appropriated or oth-  
10 erwise made available by this Act or any other Act may  
11 be used to eliminate the Contract Weather Observers pro-  
12 gram at any airport.

13 FACILITIES AND EQUIPMENT

14 (AIRPORT AND AIRWAY TRUST FUND)

15 For necessary expenses, not otherwise provided for,  
16 for acquisition, establishment, technical support services,  
17 improvement by contract or purchase, and hire of national  
18 airspace systems and experimental facilities and equip-  
19 ment, as authorized under part A of subtitle VII of title  
20 49, United States Code, including initial acquisition of  
21 necessary sites by lease or grant; engineering and service  
22 testing, including construction of test facilities and acqui-  
23 sition of necessary sites by lease or grant; construction  
24 and furnishing of quarters and related accommodations  
25 for officers and employees of the Federal Aviation Admin-

1 istration stationed at remote localities where such accom-  
2 modations are not available; and the purchase, lease, or  
3 transfer of aircraft from funds made available under this  
4 heading, including aircraft for aviation regulation and cer-  
5 tification; to be derived from the Airport and Airway Trust  
6 Fund, \$2,900,000,000, of which \$570,000,000 is for per-  
7 sonnel and related expenses and shall remain available  
8 until September 30, 2024, \$1,803,600,000 (reduced by  
9 \$115,000,000) (increased by \$115,000,000) is for equip-  
10 ment and shall remain available until September 30, 2025,  
11 and \$526,400,000 is for facilities and shall remain avail-  
12 able until September 30, 2027: *Provided*, That there may  
13 be credited to this appropriation funds received from  
14 States, counties, municipalities, other public authorities,  
15 and private sources, for expenses incurred in the establish-  
16 ment, improvement, and modernization of national air-  
17 space systems: *Provided further*, That not later than 60  
18 days after submission of the budget request, the Secretary  
19 of Transportation shall transmit to the Congress an in-  
20 vestment plan for the Federal Aviation Administration  
21 which includes funding for each budget line item for fiscal  
22 years 2024 through 2028, with total funding for each year  
23 of the plan constrained to the funding targets for those  
24 years as estimated and approved by the Office of Manage-  
25 ment and Budget: *Provided further*, That section 405 of

1 this Act shall apply to amounts made available under this  
2 heading in title VIII of the Infrastructure Investments and  
3 Jobs Appropriations Act (division J of Public Law 117–  
4 58): *Provided further*, That the amounts specified for each  
5 Budget Line Item in the table included in the “Facilities  
6 and Equipment Spend Plan for Fiscal Year 2023 Infra-  
7 structure Investment and Jobs Act Funding” section of  
8 the Federal Aviation Administration FY 2023 President’s  
9 Budget, as submitted to the House and Senate Commit-  
10 tees on Appropriations, shall be the baseline for applica-  
11 tion of reprogramming and transfer authorities for the  
12 current fiscal year pursuant to paragraph (7) of such sec-  
13 tion 405 for amounts referred to in the preceding proviso:  
14 *Provided further*, That, notwithstanding paragraphs (5)  
15 and (6) of such section 405, unless prior approval is re-  
16 ceived from the House and Senate Committees on Appro-  
17 priations, not to exceed 10 percent of any funding level  
18 specified for projects and activities in the table referred  
19 to in the preceding proviso may be transferred to any  
20 other funding level specified for projects and activities in  
21 such table and no transfer of such funding levels may in-  
22 crease or decrease any funding level in such table by more  
23 than 10 percent.

1 RESEARCH, ENGINEERING, AND DEVELOPMENT

2 (AIRPORT AND AIRWAY TRUST FUND)

3 For necessary expenses, not otherwise provided for,  
4 for research, engineering, and development, as authorized  
5 under part A of subtitle VII of title 49, United States  
6 Code, including construction of experimental facilities and  
7 acquisition of necessary sites by lease or grant,  
8 \$260,500,000 (increased by \$10,000,000) (reduced by  
9 \$10,000,000) (increased by \$1,000,000) (reduced by  
10 \$1,000,000), to be derived from the Airport and Airway  
11 Trust Fund and to remain available until September 30,  
12 2025: *Provided*, That there may be credited to this appro-  
13 priation as offsetting collections, funds received from  
14 States, counties, municipalities, other public authorities,  
15 and private sources, which shall be available for expenses  
16 incurred for research, engineering, and development: *Pro-*  
17 *vided further*, That amounts made available under this  
18 heading shall be used in accordance with the report accom-  
19 panying this Act: *Provided further*, That not to exceed 10  
20 percent of any funding level specified under this heading  
21 in the report accompanying this Act may be transferred  
22 to any other funding level specified under this heading in  
23 the report accompanying this Act: *Provided further*, That  
24 no transfer may increase or decrease any funding level by  
25 more than 10 percent: *Provided further*, That any transfer

1 in excess of 10 percent shall be treated as a reprogram-  
 2 ming of funds under section 405 of this Act and shall not  
 3 be available for obligation or expenditure except in compli-  
 4 ance with the procedures set forth in that section.

5 GRANTS-IN-AID FOR AIRPORTS

6 (LIQUIDATION OF CONTRACT AUTHORIZATION)

7 (LIMITATION ON OBLIGATIONS)

8 (AIRPORT AND AIRWAY TRUST FUND)

9 (INCLUDING TRANSFER OF FUNDS)

10 For liquidation of obligations incurred for grants-in-  
 11 aid for airport planning and development, and noise com-  
 12 patibility planning and programs as authorized under sub-  
 13 chapter I of chapter 471 and subchapter I of chapter 475  
 14 of title 49, United States Code, and under other law au-  
 15 thorizing such obligations; for procurement, installation,  
 16 and commissioning of runway incursion prevention devices  
 17 and systems at airports of such title; for grants authorized  
 18 under section 41743 of title 49, United States Code; and  
 19 for inspection activities and administration of airport safe-  
 20 ty programs, including those related to airport operating  
 21 certificates under section 44706 of title 49, United States  
 22 Code, \$3,350,000,000, to be derived from the Airport and  
 23 Airway Trust Fund and to remain available until ex-  
 24 pended: *Provided*, That none of the amounts made avail-  
 25 able under this heading shall be available for the planning

1 or execution of programs the obligations for which are in  
2 excess of \$3,350,000,000, in fiscal year 2023, notwith-  
3 standing section 47117(g) of title 49, United States Code:  
4 *Provided further*, That none of the amounts made available  
5 under this heading shall be available for the replacement  
6 of baggage conveyor systems, reconfiguration of terminal  
7 baggage areas, or other airport improvements that are  
8 necessary to install bulk explosive detection systems: *Pro-*  
9 *vided further*, That notwithstanding section 47109(a) of  
10 title 49, United States Code, the Government's share of  
11 allowable project costs under paragraph (2) of such sec-  
12 tion for subgrants or paragraph (3) of such section shall  
13 be 95 percent for a project at other than a large or me-  
14 dium hub airport that is a successive phase of a multi-  
15 phased construction project for which the project sponsor  
16 received a grant in fiscal year 2011 for the construction  
17 project: *Provided further*, That notwithstanding any other  
18 provision of law, of amounts limited under this heading,  
19 not less than \$137,372,000 shall be available for adminis-  
20 tration, \$15,000,000 shall be available for the Airport Co-  
21 operative Research Program, \$40,828,000 shall be avail-  
22 able for Airport Technology Research, and \$10,000,000,  
23 to remain available until expended, shall be available and  
24 transferred to "Office of the Secretary, Salaries and Ex-  
25 penses" to carry out the Small Community Air Service De-

1 velopment Program: *Provided further*, That in addition to  
 2 airports eligible under section 41743 of title 49, United  
 3 States Code, such program may include the participation  
 4 of an airport that serves a community or consortium that  
 5 is not larger than a small hub airport, according to FAA  
 6 hub classifications effective at the time the Office of the  
 7 Secretary issues a request for proposals.

8 GRANTS-IN-AID FOR AIRPORTS

9 For an additional amount for “Grants-In-Aid for Air-  
 10 ports”, to enable the Secretary of Transportation to make  
 11 grants for projects as authorized by subchapter 1 of chap-  
 12 ter 471 and subchapter 1 of chapter 475 of title 49,  
 13 United States Code, \$272,604,000, to remain available  
 14 through September 30, 2025: *Provided*, That amounts  
 15 made available under this heading shall be derived from  
 16 the general fund, and such funds shall not be subject to  
 17 apportionment formulas, special apportionment categories,  
 18 or minimum percentages under chapter 471 of title 49,  
 19 United States Code: *Provided further*, That of the amounts  
 20 made available under this heading, \$172,604,000 is for  
 21 Community Project Funding for the purposes, and in the  
 22 amounts, specified for this account in the table titled  
 23 “Transportation, Housing and Urban Development Incor-  
 24 poration of Community Project Funding Items” included  
 25 in the report accompanying this Act: *Provided further*,



1 That any funds made available under this heading in this  
 2 Act that remain available after the distribution of funds  
 3 under the preceding proviso shall be available to the Sec-  
 4 retary to distribute as discretionary grants to airports:  
 5 *Provided further*, That the amounts made available under  
 6 this heading shall not be subject to any limitation on obli-  
 7 gations for the Grants-in-Aid for Airports program set  
 8 forth in any Act: *Provided further*, That the Administrator  
 9 of the Federal Aviation Administration may retain up to  
 10 0.5 percent of the amounts made available under this  
 11 heading to fund the award and oversight by the Adminis-  
 12 trator of grants made under this heading.

13 ADMINISTRATIVE PROVISIONS—FEDERAL AVIATION  
 14 ADMINISTRATION

15 SEC. 110. None of the funds made available by this  
 16 Act may be used to compensate in excess of 600 technical  
 17 staff-years under the federally funded research and devel-  
 18 opment center contract between the Federal Aviation Ad-  
 19 ministration and the Center for Advanced Aviation Sys-  
 20 tems Development during fiscal year 2023.

21 SEC. 111. None of the funds made available by this  
 22 Act shall be used to pursue or adopt guidelines or regula-  
 23 tions requiring airport sponsors to provide to the Federal  
 24 Aviation Administration without cost building construc-  
 25 tion, maintenance, utilities and expenses, or space in air-

1 port sponsor-owned buildings for services relating to air  
2 traffic control, air navigation, or weather reporting: *Pro-*  
3 *vided*, That the prohibition on the use of funds in this  
4 section does not apply to negotiations between the agency  
5 and airport sponsors to achieve agreement on “below-mar-  
6 ket” rates for these items or to grant assurances that re-  
7 quire airport sponsors to provide land without cost to the  
8 Federal Aviation Administration for air traffic control fa-  
9 cilities.

10 SEC. 112. The Administrator of the Federal Aviation  
11 Administration may reimburse amounts made available to  
12 satisfy section 41742(a)(1) of title 49, United States  
13 Code, from fees credited under section 45303 of title 49,  
14 United States Code, and any amount remaining in such  
15 account at the close of any fiscal year may be made avail-  
16 able to satisfy section 41742(a)(1) of title 49, United  
17 States Code, for the subsequent fiscal year.

18 SEC. 113. Amounts collected under section 40113(e)  
19 of title 49, United States Code, shall be credited to the  
20 appropriation current at the time of collection, to be  
21 merged with and available for the same purposes as such  
22 appropriation.

23 SEC. 114. None of the funds made available by this  
24 Act shall be available for paying premium pay under sec-  
25 tion 5546(a) of title 5, United States Code, to any Federal

1 Aviation Administration employee unless such employee  
2 actually performed work during the time corresponding to  
3 such premium pay.

4 SEC. 115. None of the funds made available by this  
5 Act may be obligated or expended for an employee of the  
6 Federal Aviation Administration to purchase a store gift  
7 card or gift certificate through use of a Government-issued  
8 credit card.

9 SEC. 116. Notwithstanding any other provision of  
10 law, none of the funds made available under this Act or  
11 any prior Act may be used to implement or to continue  
12 to implement any limitation on the ability of any owner  
13 or operator of a private aircraft to obtain, upon a request  
14 to the Administrator of the Federal Aviation Administra-  
15 tion, a blocking of that owner's or operator's aircraft reg-  
16 istration number, Mode S transponder code, flight identi-  
17 fication, call sign, or similar identifying information from  
18 any ground based display to the public that would allow  
19 the real-time or near real-time flight tracking of that air-  
20 craft's movements, except data made available to a Gov-  
21 ernment agency, for the noncommercial flights of that  
22 owner or operator.

23 SEC. 117. None of the funds made available by this  
24 Act shall be available for salaries and expenses of more

1 than nine political and Presidential appointees in the Fed-  
2 eral Aviation Administration.

3 SEC. 118. None of the funds made available by this  
4 Act may be used to increase fees pursuant to section  
5 44721 of title 49, United States Code, until the Federal  
6 Aviation Administration provides to the House and Senate  
7 Committees on Appropriations a report that justifies all  
8 fees related to aeronautical navigation products and ex-  
9 plains how such fees are consistent with Executive Order  
10 No. 13642.

11 SEC. 119. None of the funds made available by this  
12 Act may be used to close a regional operations center of  
13 the Federal Aviation Administration or reduce its services  
14 unless the Administrator notifies the House and Senate  
15 Committees on Appropriations not less than 90 full busi-  
16 ness days in advance.

17 SEC. 119A. None of the funds made available by or  
18 limited by this Act may be used to change weight restric-  
19 tions or prior permission rules at Teterboro airport in  
20 Teterboro, New Jersey.

21 SEC. 119B. None of the funds made available by this  
22 Act may be used by the Administrator of the Federal Avia-  
23 tion Administration to withhold from consideration and  
24 approval any new application for participation in the Con-  
25 tract Tower Program, or for reevaluation of Cost-share

1 Program participants so long as the Federal Aviation Ad-  
2 ministration has received an application from the airport,  
3 and so long as the Administrator determines such tower  
4 is eligible using the factors set forth in Federal Aviation  
5 Administration published establishment criteria.

6 SEC. 119C. None of the funds made available by this  
7 Act may be used to open, close, redesignate as a lesser  
8 office, or reorganize a regional office, the aeronautical cen-  
9 ter, or the technical center unless the Administrator sub-  
10 mits a request for the reprogramming of funds under sec-  
11 tion 405 of this Act.

12 SEC. 119D. The Federal Aviation Administration Ad-  
13 ministrative Services Franchise Fund may be reimbursed  
14 after performance or paid in advance from funds available  
15 to the Federal Aviation Administration and other Federal  
16 agencies for which the Fund performs services.

17 SEC. 119E. None of the funds appropriated or other-  
18 wise made available to the FAA may be used to carry out  
19 the FAA's obligations under section 44502(e) of title 49,  
20 United States Code, unless the eligible air traffic system  
21 or equipment to be transferred to the FAA under section  
22 44502(e) of title 49, United States Code, was purchased  
23 by the transferor airport—

24 (1) during the period of time beginning on Oc-  
25 tober 5, 2018 and ending on December 31, 2021; or

1           (2) on or after January 1, 2022 for transferor  
2           airports located in a non-contiguous states.

3           SEC. 119F. Of the funds provided under the heading  
4           “Grants-in-aid for Airports”, up to \$3,500,000 shall be  
5           for necessary expenses, including an independent  
6           verification regime, to provide reimbursement to airport  
7           sponsors that do not provide gateway operations and pro-  
8           viders of general aviation ground support services, or other  
9           aviation tenants, located at those airports closed during  
10          a temporary flight restriction (TFR) for any residence of  
11          the President that is designated or identified to be secured  
12          by the United States Secret Service, and for direct and  
13          incremental financial losses incurred while such airports  
14          are closed solely due to the actions of the Federal Govern-  
15          ment: *Provided*, That no funds shall be obligated or dis-  
16          tributed to airport sponsors that do not provide gateway  
17          operations and providers of general aviation ground sup-  
18          port services until an independent audit is completed: *Pro-*  
19          *vided further*, That losses incurred as a result of violations  
20          of law, or through fault or negligence, of such operators  
21          and service providers or of third parties (including air-  
22          ports) are not eligible for reimbursements: *Provided fur-*  
23          *ther*, That obligation and expenditure of funds are condi-  
24          tional upon full release of the United States Government

1 for all claims for financial losses resulting from such ac-  
2 tions.

3                   FEDERAL HIGHWAY ADMINISTRATION  
4           LIMITATION ON ADMINISTRATIVE EXPENSES  
5                   (HIGHWAY TRUST FUND)  
6                   (INCLUDING TRANSFER OF FUNDS)

7       Not to exceed \$476,783,991 together with advances  
8 and reimbursements received by the Federal Highway Ad-  
9 ministration, shall be obligated for necessary expenses for  
10 administration and operation of the Federal Highway Ad-  
11 ministration or transferred to the Appalachian Regional  
12 Commission for administrative activities associated with  
13 the Appalachian Development Highway System.

14                   FEDERAL-AID HIGHWAYS  
15           (LIMITATION ON OBLIGATIONS)  
16                   (HIGHWAY TRUST FUND)

17       Funds available for the implementation or execution  
18 of authorized Federal-aid highway and highway safety  
19 construction programs shall not exceed total obligations  
20 of \$58,764,510,674 (reduced by \$1,000,000) (increased  
21 by \$1,000,000) for fiscal year 2023: *Provided*, That the  
22 limitation on obligations under this heading shall only  
23 apply to contract authority authorized from the Highway  
24 Trust Fund (other than the Mass Transit Account), un-  
25 less otherwise specified in law.

1 (LIQUIDATION OF CONTRACT AUTHORIZATION)

2 (HIGHWAY TRUST FUND)

3 For the payment of obligations incurred in carrying  
4 out authorized Federal-aid highway and highway safety  
5 construction programs, \$59,503,510,674 derived from the  
6 Highway Trust Fund (other than the Mass Transit Ac-  
7 count), to remain available until expended.

8 HIGHWAY INFRASTRUCTURE PROGRAMS

9 (INCLUDING TRANSFER OF FUNDS)

10 There is hereby appropriated to the Secretary  
11 \$1,755,060,641: *Provided*, That the funds made available  
12 under this heading shall be derived from the general fund,  
13 shall be in addition to any funds provided for fiscal year  
14 2023 in this or any other Act for: (1) “Federal-aid High-  
15 ways” under chapter 1 of title 23, United States Code;  
16 or (2) the Appalachian Development Highway System as  
17 authorized under section 1069(y) of Public Law 102–240,  
18 and shall not affect the distribution or amount of funds  
19 provided in any other Act: *Provided further*, That section  
20 11101(e) of Public Law 117–58 shall apply to amounts  
21 made available under this heading: *Provided further*, That  
22 unless otherwise specified, amounts made available under  
23 this heading shall be available until September 30, 2026,  
24 and shall not be subject to any limitation on obligations  
25 for Federal-aid highways or highway safety construction



1 programs set forth in any Act making annual appropria-  
2 tions: *Provided further*, That of the funds made available  
3 under this heading, the Federal Highway Administration  
4 may retain an amount of \$3,000,000 (reduced by  
5 \$2,000,000), to remain available until expended, to fund  
6 the oversight of projects carried out with funds made  
7 available under this heading: *Provided further*, That of the  
8 funds made available under this heading—

9           (1) \$1,275,060,641 shall be made available for  
10       Community Project Funding for the purposes, and  
11       in the amounts, specified for this account in the  
12       table titled “Transportation, Housing and Urban  
13       Development Incorporation of Community Project  
14       Funding Items” included in the report accom-  
15       panying this Act: *Provided*, That, except as other-  
16       wise provided under this heading, the funds made  
17       available under this paragraph shall be administered  
18       as if apportioned under chapter 1 of title 23, United  
19       States Code: *Provided further*, That funds made  
20       available under this paragraph that are used for  
21       Tribal projects shall be administered as if allocated  
22       under chapter 2 of title 23, United States Code, ex-  
23       cept that the set-asides described in subparagraph  
24       (C) of section 202(b)(3) of title 23, United States  
25       Code, and subsections (a)(6), (c), and (e) of section

1 202 of such title, and section 1123(h)(1) of MAP–  
2 21 (as amended by Public Law 117–58), shall not  
3 apply to such funds;

4 (2) \$100,000,000 shall be for necessary ex-  
5 penses for construction of the Appalachian Develop-  
6 ment Highway System as authorized under section  
7 1069(y) of Public Law 102–240: *Provided*, That for  
8 the purposes of funds made available under this  
9 paragraph, the term “Appalachian State” means a  
10 State that contains 1 or more counties (including  
11 any political subdivision located within the area) in  
12 the Appalachian region as defined in section  
13 14102(a) of title 40, United States Code: *Provided*  
14 *further*, That funds made available under this head-  
15 ing for construction of the Appalachian Development  
16 Highway System shall remain available until ex-  
17 pended: *Provided further*, That, except as provided  
18 in the following proviso, funds made available under  
19 this heading for construction of the Appalachian De-  
20 velopment Highway System shall be administered as  
21 if apportioned under chapter 1 of title 23, United  
22 States Code: *Provided further*, That a project carried  
23 out with funds made available under this heading for  
24 construction of the Appalachian Development High-  
25 way System shall be carried out in the same manner

1 as a project under section 14501 of title 40, United  
2 States Code: *Provided further*, That subject to the  
3 following proviso, funds made available under this  
4 heading for construction of the Appalachian Development  
5 Highway System shall be apportioned to the  
6 Appalachian States according to the percentages derived  
7 from the 2021 Appalachian Development  
8 Highway System Cost-to-Complete Estimate, adopted  
9 in Appalachian Regional Commission Resolution  
10 Number 788, and confirmed as each Appalachian  
11 State's relative share of the estimated remaining  
12 need to complete the Appalachian Development  
13 Highway System, adjusted to exclude those corridors  
14 that such States have no current plans to complete,  
15 as reported in the 2013 Appalachian Development  
16 Highway System Completion Report, unless those  
17 States have modified and assigned a higher priority  
18 for completion of an Appalachian Development  
19 Highway System corridor, as reported in the 2021  
20 Appalachian Development Highway System Future  
21 Outlook: *Provided further*, That the Secretary shall  
22 adjust apportionments made under the preceding  
23 proviso so that no Appalachian State shall be apportioned  
24 an amount in excess of 30 percent of the  
25 amount made available for construction of the Appa-

1        lachian Development Highway System under this  
2        heading: *Provided further*, That the Secretary shall  
3        consult with the Appalachian Regional Commission  
4        in making adjustments under the preceding two pro-  
5        visos: *Provided further*, That the Federal share of  
6        the costs for which an expenditure is made for con-  
7        struction of the Appalachian Development Highway  
8        System under this heading shall be up to 100 per-  
9        cent;

10            (3) \$75,000,000 shall be for the nationally sig-  
11        nificant Federal lands and Tribal projects program  
12        under section 1123 of the FAST Act (23 U.S.C. 201  
13        note), of which not less than \$37,500,000 shall be  
14        for competitive grants to tribal governments;

15            (4) \$12,000,000 shall be for the regional infra-  
16        structure accelerator demonstration program author-  
17        ized under section 1441 of the FAST Act (23  
18        U.S.C. 601 note): *Provided*, That for funds made  
19        available under this paragraph, the Federal share of  
20        the costs shall be, at the option of the recipient, up  
21        to 100 percent;

22            (5) \$30,000,000 shall be for the national scenic  
23        byways program under section 162 of title 23,  
24        United States Code: *Provided*, That, except as other-  
25        wise provided under this heading, the funds made

1 available under this paragraph shall be administered  
2 as if apportioned under chapter 1 of title 23, United  
3 States Code;

4 (6) \$100,000,000 shall be for the safe streets  
5 and roads for all grant program under section  
6 24112 of the Infrastructure Investment and Jobs  
7 Act (23 U.S.C. 402 note), to remain available until  
8 expended: *Provided*, That notwithstanding section  
9 24112(c)(2)(B) of Public Law 117–58, of the total  
10 amount made available under this paragraph in this  
11 Act, the Secretary may award less than 40 percent  
12 to eligible projects described in 24112(a)(3)(A) of  
13 Public Law 117–58, but shall award not less than  
14 20 percent to such projects: *Provided further*, That  
15 amounts made available under this paragraph in this  
16 Act may be transferred to and merged with the ap-  
17 propriations for “Office of the Secretary”;

18 (7) \$100,000,000 shall be for the active trans-  
19 portation infrastructure investment program under  
20 section 11529 of the Infrastructure Investment and  
21 Jobs Act (23 U.S.C. 217 note), to remain available  
22 until expended: *Provided*, That, except as otherwise  
23 provided under such section or this heading, the  
24 funds made available under this paragraph shall be

administered as if apportioned under chapter 1 of title 23, United States Code;

(8) \$2,000,000 shall be for grants to eligible entities to carry out activities to benefit pollinators on roadsides and highway rights-of-way under section 11528 of the Infrastructure Investment and Jobs Act (23 U.S.C. 332);

(9) \$55,000,000 shall be for the healthy streets program under section 11406 of the Infrastructure Investment and Jobs Act (23 U.S.C. 149 note): *Provided*, That, except as otherwise provided under such section or this heading, the funds made available under this paragraph shall be administered as if apportioned under chapter 1 of title 23, United States Code; and

(10) \$5,000,000 shall be for a cooperative series of agreements to examine the impacts of culverts, roads, and bridges on threatened or endangered salmon populations.

#### ADMINISTRATIVE PROVISIONS—FEDERAL HIGHWAY

##### ADMINISTRATION

SEC. 120. (a) For fiscal year 2023, the Secretary of Transportation shall—

(1) not distribute from the obligation limitation for Federal-aid highways—

1 (A) amounts authorized for administrative  
2 expenses and programs by section 104(a) of  
3 title 23, United States Code; and

4 (B) amounts authorized for the Bureau of  
5 Transportation Statistics;

6 (2) not distribute an amount from the obliga-  
7 tion limitation for Federal-aid highways that is equal  
8 to the unobligated balance of amounts—

9 (A) made available from the Highway  
10 Trust Fund (other than the Mass Transit Ac-  
11 count) for Federal-aid highway and highway  
12 safety construction programs for previous fiscal  
13 years the funds for which are allocated by the  
14 Secretary (or apportioned by the Secretary  
15 under sections 202 or 204 of title 23, United  
16 States Code); and

17 (B) for which obligation limitation was  
18 provided in a previous fiscal year;

19 (3) determine the proportion that—

20 (A) the obligation limitation for Federal-  
21 aid highways, less the aggregate of amounts not  
22 distributed under paragraphs (1) and (2) of  
23 this subsection; bears to

24 (B) the total of the sums authorized to be  
25 appropriated for the Federal-aid highway and

1 highway safety construction programs (other  
2 than sums authorized to be appropriated for  
3 provisions of law described in paragraphs (1)  
4 through (11) of subsection (b) and sums au-  
5 thorized to be appropriated for section 119 of  
6 title 23, United States Code, equal to the  
7 amount referred to in subsection (b)(12) for  
8 such fiscal year), less the aggregate of the  
9 amounts not distributed under paragraphs (1)  
10 and (2) of this subsection;

11 (4) distribute the obligation limitation for Fed-  
12 eral-aid highways, less the aggregate amounts not  
13 distributed under paragraphs (1) and (2), for each  
14 of the programs (other than programs to which  
15 paragraph (1) applies) that are allocated by the Sec-  
16 retary under authorized Federal-aid highway and  
17 highway safety construction programs, or appor-  
18 tioned by the Secretary under sections 202 or 204  
19 of title 23, United States Code, by multiplying—

20 (A) the proportion determined under para-  
21 graph (3); by

22 (B) the amounts authorized to be appro-  
23 priated for each such program for such fiscal  
24 year; and



1           (5) distribute the obligation limitation for Fed-  
2       eral-aid highways, less the aggregate amounts not  
3       distributed under paragraphs (1) and (2) and the  
4       amounts distributed under paragraph (4), for Fed-  
5       eral-aid highway and highway safety construction  
6       programs that are apportioned by the Secretary  
7       under title 23, United States Code (other than the  
8       amounts apportioned for the National Highway Per-  
9       formance Program in section 119 of title 23, United  
10      States Code, that are exempt from the limitation  
11      under subsection (b)(12) and the amounts appor-  
12      tioned under sections 202 and 204 of that title) in  
13      the proportion that—

14                (A) amounts authorized to be appropriated  
15              for the programs that are apportioned under  
16              title 23, United States Code, to each State for  
17              such fiscal year; bears to

18                (B) the total of the amounts authorized to  
19              be appropriated for the programs that are ap-  
20              portioned under title 23, United States Code, to  
21              all States for such fiscal year.

22      (b) EXCEPTIONS FROM OBLIGATION LIMITATION.—  
23      The obligation limitation for Federal-aid highways shall  
24      not apply to obligations under or for—

25              (1) section 125 of title 23, United States Code;

1           (2) section 147 of the Surface Transportation  
2       Assistance Act of 1978 (23 U.S.C. 144 note; 92  
3       Stat. 2714);

4           (3) section 9 of the Federal-Aid Highway Act  
5       of 1981 (95 Stat. 1701);

6           (4) subsections (b) and (j) of section 131 of the  
7       Surface Transportation Assistance Act of 1982 (96  
8       Stat. 2119);

9           (5) subsections (b) and (c) of section 149 of the  
10      Surface Transportation and Uniform Relocation As-  
11      sistance Act of 1987 (101 Stat. 198);

12          (6) sections 1103 through 1108 of the Inter-  
13      modal Surface Transportation Efficiency Act of  
14      1991 (105 Stat. 2027);

15          (7) section 157 of title 23, United States Code  
16      (as in effect on June 8, 1998);

17          (8) section 105 of title 23, United States Code  
18      (as in effect for fiscal years 1998 through 2004, but  
19      only in an amount equal to \$639,000,000 for each  
20      of those fiscal years);

21          (9) Federal-aid highway programs for which ob-  
22      ligation authority was made available under the  
23      Transportation Equity Act for the 21st Century  
24      (112 Stat. 107) or subsequent Acts for multiple  
25      years or to remain available until expended, but only

1 to the extent that the obligation authority has not  
2 lapsed or been used;

3 (10) section 105 of title 23, United States Code  
4 (as in effect for fiscal years 2005 through 2012, but  
5 only in an amount equal to \$639,000,000 for each  
6 of those fiscal years);

7 (11) section 1603 of SAFETEA-LU (23  
8 U.S.C. 118 note; 119 Stat. 1248), to the extent that  
9 funds obligated in accordance with that section were  
10 not subject to a limitation on obligations at the time  
11 at which the funds were initially made available for  
12 obligation; and

13 (12) section 119 of title 23, United States Code  
14 (but, for each of fiscal years 2013 through 2023,  
15 only in an amount equal to \$639,000,000).

16 (c) REDISTRIBUTION OF UNUSED OBLIGATION AU-  
17 THORITY.—Notwithstanding subsection (a), the Secretary  
18 shall, after August 1 of such fiscal year—

19 (1) revise a distribution of the obligation limita-  
20 tion made available under subsection (a) if an  
21 amount distributed cannot be obligated during that  
22 fiscal year; and

23 (2) redistribute sufficient amounts to those  
24 States able to obligate amounts in addition to those  
25 previously distributed during that fiscal year, giving

1 priority to those States having large unobligated bal-  
2 ances of funds apportioned under sections 144 (as in  
3 effect on the day before the date of enactment of  
4 Public Law 112–141) and 104 of title 23, United  
5 States Code.

6 (d) APPLICABILITY OF OBLIGATION LIMITATIONS TO  
7 TRANSPORTATION RESEARCH PROGRAMS.—

8 (1) IN GENERAL.—Except as provided in para-  
9 graph (2), the obligation limitation for Federal-aid  
10 highways shall apply to contract authority for trans-  
11 portation research programs carried out under—

12 (A) chapter 5 of title 23, United States  
13 Code;

14 (B) title VI of the Fixing America’s Sur-  
15 face Transportation Act; and

16 (C) title III of division A of the Infrastruc-  
17 ture Investment and Jobs Act (Public Law  
18 117–58).

19 (2) EXCEPTION.—Obligation authority made  
20 available under paragraph (1) shall—

21 (A) remain available for a period of 4 fis-  
22 cal years; and

23 (B) be in addition to the amount of any  
24 limitation imposed on obligations for Federal-

1 aid highway and highway safety construction  
2 programs for future fiscal years.

3 (e) REDISTRIBUTION OF CERTAIN AUTHORIZED  
4 FUNDS.—

5 (1) IN GENERAL.—Not later than 30 days after  
6 the date of distribution of obligation limitation  
7 under subsection (a), the Secretary shall distribute  
8 to the States any funds (excluding funds authorized  
9 for the program under section 202 of title 23,  
10 United States Code) that—

11 (A) are authorized to be appropriated for  
12 such fiscal year for Federal-aid highway pro-  
13 grams; and

14 (B) the Secretary determines will not be  
15 allocated to the States (or will not be appor-  
16 tioned to the States under section 204 of title  
17 23, United States Code), and will not be avail-  
18 able for obligation, for such fiscal year because  
19 of the imposition of any obligation limitation for  
20 such fiscal year.

21 (2) RATIO.—Funds shall be distributed under  
22 paragraph (1) in the same proportion as the dis-  
23 tribution of obligation authority under subsection  
24 (a)(5).

1           (3) AVAILABILITY.—Funds distributed to each  
2       State under paragraph (1) shall be available for any  
3       purpose described in section 133(b) of title 23,  
4       United States Code.

5       SEC. 121. Notwithstanding 31 U.S.C. 3302, funds re-  
6       ceived by the Bureau of Transportation Statistics from the  
7       sale of data products, for necessary expenses incurred pur-  
8       suant to chapter 63 of title 49, United States Code, may  
9       be credited to the Federal-aid highways account for the  
10      purpose of reimbursing the Bureau for such expenses:  
11      *Provided*, That such funds shall be subject to the obliga-  
12      tion limitation for Federal-aid highway and highway safety  
13      construction programs.

14      SEC. 122. Not less than 15 days prior to waiving,  
15      under his or her statutory authority, any Buy America re-  
16      quirement for Federal-aid highways projects, the Sec-  
17      retary of Transportation shall make an informal public no-  
18      tice and comment opportunity on the intent to issue such  
19      waiver and the reasons therefor: *Provided*, That the Sec-  
20      retary shall provide an annual report to the House and  
21      Senate Committees on Appropriations on any waivers  
22      granted under the Buy America requirements.

23      SEC. 123. None of the funds made available in this  
24      Act may be used to make a grant for a project under sec-  
25      tion 117 of title 23, United States Code, unless the Sec-

1   retary, at least 60 days before making a grant under that  
2   section, provides written notification to the House and  
3   Senate Committees on Appropriations of the proposed  
4   grant, including an evaluation and justification for the  
5   project and the amount of the proposed grant award: *Pro-*  
6   *vided*, That the written notification required in the pre-  
7   ceding proviso shall be made not later than 180 days after  
8   the date of enactment of this Act.

9       SEC. 124. (a) A State or territory, as defined in sec-  
10   tion 165 of title 23, United States Code, may use for any  
11   project eligible under section 133(b) of title 23 or section  
12   165 of title 23 and located within the boundary of the  
13   State or territory any earmarked amount, and any associ-  
14   ated obligation limitation: *Provided*, That the Department  
15   of Transportation for the State or territory for which the  
16   earmarked amount was originally designated or directed  
17   notifies the Secretary of its intent to use its authority  
18   under this section and submits an annual report to the  
19   Secretary identifying the projects to which the funding  
20   would be applied. Notwithstanding the original period of  
21   availability of funds to be obligated under this section,  
22   such funds and associated obligation limitation shall re-  
23   main available for obligation for a period of 3 fiscal years  
24   after the fiscal year in which the Secretary is notified. The  
25   Federal share of the cost of a project carried out with

1 funds made available under this section shall be the same  
2 as associated with the earmark.

3 (b) In this section, the term “earmarked amount”  
4 means—

5 (1) congressionally directed spending, as de-  
6 fined in rule XLIV of the Standing Rules of the  
7 Senate, identified in a prior law, report, or joint ex-  
8 planatory statement, which was authorized to be ap-  
9 propriated or appropriated more than 10 fiscal years  
10 prior to the current fiscal year, and administered by  
11 the Federal Highway Administration; or

12 (2) a congressional earmark, as defined in rule  
13 XXI of the Rules of the House of Representatives,  
14 identified in a prior law, report, or joint explanatory  
15 statement, which was authorized to be appropriated  
16 or appropriated more than 10 fiscal years prior to  
17 the current fiscal year, and administered by the Fed-  
18 eral Highway Administration.

19 (c) The authority under subsection (a) may be exer-  
20 cised only for those projects or activities that have obli-  
21 gated less than 10 percent of the amount made available  
22 for obligation as of October 1 of the current fiscal year,  
23 and shall be applied to projects within the same general  
24 geographic area within 25 miles for which the funding was  
25 designated, except that a State or territory may apply



1 such authority to unexpended balances of funds from  
2 projects or activities the State or territory certifies have  
3 been closed and for which payments have been made under  
4 a final voucher.

5 (d) The Secretary shall submit consolidated reports  
6 of the information provided by the States and territories  
7 annually to the House and Senate Committees on Appro-  
8 priations.

9 SEC. 125. Until final guidance is published, the Ad-  
10 ministrator of the Federal Highway Administration shall  
11 adjudicate requests for Buy America waivers under the  
12 criteria that were in effect prior to April 17, 2018.

13 FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

14 MOTOR CARRIER SAFETY OPERATIONS AND PROGRAMS

15 (LIQUIDATION OF CONTRACT AUTHORIZATION)

16 (LIMITATION ON OBLIGATIONS)

17 (HIGHWAY TRUST FUND)

18 For payment of obligations incurred in the implemen-  
19 tation, execution, and administration of motor carrier  
20 safety operations and programs pursuant to section 31110  
21 of title 49, United States Code, \$367,500,000 (reduced  
22 by \$10,000,000) (increased by \$10,000,000), to be derived  
23 from the Highway Trust Fund (other than the Mass Tran-  
24 sit Account), together with advances and reimbursements  
25 received by the Federal Motor Carrier Safety Administra-

tion, the sum of which shall remain available until expended: *Provided*, That funds available for implementation, execution, or administration of motor carrier safety operations and programs authorized under title 49, United States Code, shall not exceed total obligations of \$367,500,000, for “Motor Carrier Safety Operations and Programs” for fiscal year 2023, of which \$14,073,000, to remain available for obligation until September 30, 2025, is for the research and technology program, and of which not less than \$63,098,000, to remain available for obligation until September 30, 2025, is for development, modernization, enhancement, and continued operation and maintenance of information technology and information management.

#### MOTOR CARRIER SAFETY GRANTS

##### (LIQUIDATION OF CONTRACT AUTHORIZATION)

##### (LIMITATION ON OBLIGATIONS)

##### (HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out sections 31102, 31103, 31104, and 31313 of title 49, United States Code, \$506,150,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account) and to remain available until expended: *Provided*, That funds available for the implementation or execution of motor carrier safety programs shall not exceed total ob-

1 ligations of \$506,150,000 in fiscal year 2023 for “Motor  
 2 Carrier Safety Grants”: *Provided further*, That of the  
 3 amounts made available under this heading—

4 (1) \$398,500,000, to remain available for obli-  
 5 gation until September 30, 2024, shall be for the  
 6 motor carrier safety assistance program;

7 (2) \$42,650,000, to remain available for obliga-  
 8 tion until September 30, 2024, shall be for the com-  
 9 mercial driver’s license program implementation pro-  
 10 gram;

11 (3) \$58,800,000, to remain available for obliga-  
 12 tion until September 30, 2024, shall be for the high  
 13 priority program;

14 (4) \$1,200,000, to remain available for obliga-  
 15 tion until September 30, 2024, shall be for the com-  
 16 mercial motor vehicle operators grant program; and

17 (5) \$5,000,000, to remain available for obliga-  
 18 tion until September 30, 2024, shall be for the com-  
 19 mercial motor vehicle enforcement training and sup-  
 20 port grant program.

21 ADMINISTRATIVE PROVISIONS—FEDERAL MOTOR

22 CARRIER SAFETY ADMINISTRATION

23 SEC. 130. The Federal Motor Carrier Safety Admin-  
 24 istration shall update annual inspection regulations under  
 25 Appendix G to subchapter B of chapter III of title 49,

1 Code of Federal Regulations, as recommended by GAO–  
2 19–264.

3       SEC. 131. None of the funds appropriated or other-  
4 wise made available to the Department of Transportation  
5 by this Act or any other Act may be obligated or expended  
6 to implement, administer, or enforce the requirements of  
7 section 31137 of title 49, United States Code, or any regu-  
8 lation issued by the Secretary pursuant to such section,  
9 with respect to the use of electronic logging devices by op-  
10 erators of commercial motor vehicles, as such term is de-  
11 fined in section 31132 of such title, who are transporting  
12 livestock, as such term is defined in section 602 of the  
13 Emergency Livestock Feed Assistance Act of 1988 (7  
14 U.S.C. 1471), or insects.

15 NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION  
16                                   OPERATIONS AND RESEARCH

17       For expenses necessary to discharge the functions of  
18 the Secretary, with respect to traffic and highway safety  
19 authorized under chapter 301 and part C of subtitle VI  
20 of title 49, United States Code, \$230,000,000, to remain  
21 available through September 30, 2024.

1 OPERATIONS AND RESEARCH  
2 (LIQUIDATION OF CONTRACT AUTHORIZATION)  
3 (LIMITATION ON OBLIGATIONS)  
4 (HIGHWAY TRUST FUND)

5 For payment of obligations incurred in carrying out  
6 the provisions of section 403 of title 23, United States  
7 Code, including behavioral research on Automated Driving  
8 Systems and Advanced Driver Assistance Systems and im-  
9 proving consumer responses to safety recalls, section  
10 25024 of the Infrastructure Investment and Jobs Act  
11 (Public Law 117–58), and chapter 303 of title 49, United  
12 States Code, \$197,000,000, to be derived from the High-  
13 way Trust Fund (other than the Mass Transit Account)  
14 and to remain available until expended: *Provided*, That  
15 none of the funds in this Act shall be available for the  
16 planning or execution of programs the total obligations for  
17 which, in fiscal year 2023, are in excess of \$197,000,000:  
18 *Provided further*, That of the sums appropriated under  
19 this heading—

20 (1) \$190,000,000 shall be for programs author-  
21 ized under section 403 of title 23, United States  
22 Code, including behavioral research on Automated  
23 Driving Systems and Advanced Driver Assistance  
24 Systems and improving consumer responses to safety

1 recalls, and section 25024 of the Infrastructure In-  
 2 vestment and Jobs Act (Public Law 117–58); and

3 (2) \$7,000,000 shall be for the National Driver  
 4 Register authorized under chapter 303 of title 49,  
 5 United States Code:

6 *Provided further*, That within the \$197,000,000 obligation  
 7 limitation for operations and research, \$57,500,000 shall  
 8 remain available until September 30, 2024: *Provided fur-*  
 9 *ther*, That amounts for behavioral research on Automated  
 10 Driving Systems and Advanced Driver Assistance Systems  
 11 and improving consumer responses to safety recalls are in  
 12 addition to any other funds provided for those purposes  
 13 for fiscal year 2023 in this Act.

14 HIGHWAY TRAFFIC SAFETY GRANTS  
 15 (LIQUIDATION OF CONTRACT AUTHORIZATION)  
 16 (LIMITATION ON OBLIGATIONS)  
 17 (HIGHWAY TRUST FUND)

18 For payment of obligations incurred in carrying out  
 19 provisions of sections 402, 404, and 405 of title 23,  
 20 United States Code, and grant administration expenses  
 21 under chapter 4 of title 23, United States Code, to remain  
 22 available until expended, \$795,220,000, to be derived from  
 23 the Highway Trust Fund (other than the Mass Transit  
 24 Account): *Provided*, That none of the funds in this Act  
 25 shall be available for the planning or execution of pro-

1 grams for which the total obligations in fiscal year 2023  
2 are in excess of \$795,220,000 for programs authorized  
3 under sections 402, 404, and 405 of title 23, United  
4 States Code, and grant administration expenses under  
5 chapter 4 of title 23, United States Code: *Provided further*,  
6 That of the sums appropriated under this heading—

7           (1) \$370,900,000 shall be for “Highway Safety  
8       Programs” under section 402 of title 23, United  
9       States Code;

10           (2) \$346,500,000 shall be for “National Pri-  
11       ority Safety Programs” under section 405 of title  
12       23, United States Code;

13           (3) \$38,300,000 shall be for the “High Visi-  
14       bility Enforcement Program” under section 404 of  
15       title 23, United States Code; and

16           (4) \$39,520,000 shall be for grant administra-  
17       tive expenses under chapter 4 of title 23, United  
18       States Code:

19 *Provided further*, That none of these funds shall be used  
20 for construction, rehabilitation, or remodeling costs, or for  
21 office furnishings and fixtures for State, local or private  
22 buildings or structures: *Provided further*, That not to ex-  
23 ceed \$500,000 of the funds made available for “National  
24 Priority Safety Programs” under section 405 of title 23,  
25 United States Code, for “Impaired Driving Counter-

1 measures” (as described in subsection (d) of that section)  
2 shall be available for technical assistance to the States:  
3 *Provided further*, That with respect to the “Transfers”  
4 provision under section 405(a)(8) of title 23, United  
5 States Code, any amounts transferred to increase the  
6 amounts made available under section 402 shall include  
7 the obligation authority for such amounts: *Provided fur-*  
8 *ther*, That the Administrator shall notify the House and  
9 Senate Committees on Appropriations of any exercise of  
10 the authority granted under the preceding proviso or  
11 under section 405(a)(8) of title 23, United States Code,  
12 within 5 days.

13 ADMINISTRATIVE PROVISIONS—NATIONAL HIGHWAY

14 TRAFFIC SAFETY ADMINISTRATION

15 SEC. 140. An additional \$130,000 shall be made  
16 available to the National Highway Traffic Safety Adminis-  
17 tration, out of the amount limited for section 402 of title  
18 23, United States Code, to pay for travel and related ex-  
19 penses for State management reviews and to pay for core  
20 competency development training and related expenses for  
21 highway safety staff.

22 SEC. 141. The limitations on obligations for the pro-  
23 grams of the National Highway Traffic Safety Adminis-  
24 tration set in this Act shall not apply to obligations for  
25 which obligation authority was made available in previous



1 public laws but only to the extent that the obligation au-  
2 thority has not lapsed or been used.

3 SEC. 142. None of the funds in this Act or any other  
4 Act shall be used to enforce the requirements of section  
5 405(a)(9) of title 23, United States Code.

6 FEDERAL RAILROAD ADMINISTRATION

7 SAFETY AND OPERATIONS

8 For necessary expenses of the Federal Railroad Ad-  
9 ministration, not otherwise provided for, \$250,449,000  
10 (reduced by \$1,000,000) (increased by \$1,000,000), of  
11 which \$25,000,000 shall remain available until expended.

12 RAILROAD RESEARCH AND DEVELOPMENT

13 For necessary expenses for railroad research and de-  
14 velopment, \$47,000,000, to remain available until ex-  
15 pended: *Provided*, That of the amounts made available  
16 under this heading, up to \$3,000,000 shall be available  
17 pursuant to section 20108(d) of title 49, United States  
18 Code, for the construction, alteration, and repair of build-  
19 ings and improvements at the Transportation Technology  
20 Center.

21 FEDERAL-STATE PARTNERSHIP FOR INTERCITY

22 PASSENGER RAIL

23 For necessary expenses related to Federal-State  
24 Partnership for Intercity Passenger Rail grants as author-  
25 ized by section 24911 of title 49, United States Code,

1 \$555,000,000, to remain available until expended: *Pro-*  
2 *vided*, That amounts made available under the heading  
3 “Northeast Corridor Grants to the National Railroad Pas-  
4 senger Corporation” in this Act may be used as non-Fed-  
5 eral share for projects located on the Northeast Corridor  
6 selected for award under section 24911 of title 49, United  
7 States Code, notwithstanding subsection (f) of such sec-  
8 tion: *Provided further*, That amounts made available under  
9 the heading “National Network Grants to the National  
10 Railroad Passenger Corporation” in this Act may be used  
11 as non-Federal share for projects not located on the  
12 Northeast Corridor selected for award under section  
13 24911 of title 49, United States Code, notwithstanding  
14 subsection (f) of such section: *Provided further*, That the  
15 Secretary may withhold up to 2 percent of the amounts  
16 made available under this heading in this Act for the costs  
17 of award and project management oversight of grants car-  
18 ried out under title 49, United States Code.

19 CONSOLIDATED RAIL INFRASTRUCTURE AND SAFETY  
20 IMPROVEMENTS

21 For necessary expenses related to Consolidated Rail  
22 Infrastructure and Safety Improvements grants, as au-  
23 thorized by section 22907 of title 49, United States Code,  
24 \$630,000,000, to remain available until expended: *Pro-*

1 *vided*, That of the amounts made available under this  
2 heading in this Act—

3 (1) not less than \$150,000,000 shall be for  
4 projects eligible under section 22907(c)(2) of title  
5 49, United States Code, that support the develop-  
6 ment of new intercity passenger rail service routes  
7 including alignments for existing routes;

8 (2) not less than \$25,000,000 shall be for  
9 projects eligible under section 22907(c)(11) of title  
10 49, United States Code: *Provided*, That for amounts  
11 made available in this paragraph, the Secretary shall  
12 give preference to projects that are located in coun-  
13 ties with the most pedestrian trespasser casualties;  
14 and

15 (3) \$5,000,000 shall be for preconstruction  
16 planning activities and capital costs related to the  
17 deployment of magnetic levitation transportation  
18 projects:

19 *Provided further*, That for amounts made available under  
20 this heading, eligible projects under section 22907(c)(8)  
21 of title 49, United States Code, shall also include railroad  
22 systems planning (including the preparation of regional  
23 intercity passenger rail plans and State Rail Plans) and  
24 railroad project development activities (including railroad  
25 project planning, preliminary engineering, design, environ-

1 mental analysis, feasibility studies, and the development  
 2 and analysis of project alternatives): *Provided further*,  
 3 That section 22907(e)(1)(A) of title 49, United States  
 4 Code, shall not apply to amounts made available under  
 5 this heading: *Provided further*, That section  
 6 22907(e)(1)(A) of title 49, United States Code, shall not  
 7 apply to amounts made available under this heading in  
 8 previous fiscal years if such funds are announced in a no-  
 9 tice of funding opportunity that includes funds made avail-  
 10 able under this heading: *Provided further*, That unobli-  
 11 gated balances remaining after 6 years after the date of  
 12 enactment of this Act may be used for any eligible project  
 13 under section 22907(c) of title 49, United States Code:  
 14 *Provided further*, That the Secretary may withhold up to  
 15 2 percent of the amounts made available under this head-  
 16 ing in this Act for the costs of award and project manage-  
 17 ment oversight of grants carried out under title 49, United  
 18 States Code.

19       NORTHEAST CORRIDOR GRANTS TO THE NATIONAL  
 20               RAILROAD PASSENGER CORPORATION

21       To enable the Secretary of Transportation to make  
 22 grants to the National Railroad Passenger Corporation for  
 23 activities associated with the Northeast Corridor as au-  
 24 thorized by section 22101(a) of the Infrastructure Invest-  
 25 ment and Jobs Act (Public Law 117–58), \$882,000,000,

1 to remain available until expended: *Provided*, That the  
2 Secretary may retain up to one-half of 1 percent of the  
3 amounts made available under both this heading in this  
4 Act and the “National Network Grants to the National  
5 Railroad Passenger Corporation” heading in this Act to  
6 fund the costs of project management and oversight of ac-  
7 tivities authorized by section 22101(c) of the Infrastruc-  
8 ture Investment and Jobs Act (Public Law 117–58): *Pro-*  
9 *vided further*, That in addition to the project management  
10 oversight funds authorized under section 22101(c) of the  
11 Infrastructure Investment and Jobs Act (Public Law 117–  
12 58), the Secretary may retain up to an additional  
13 \$1,000,000 of the amounts made available under this  
14 heading in this Act to fund expenses associated with the  
15 Northeast Corridor Commission established under section  
16 24905 of title 49, United States Code: *Provided further*,  
17 That notwithstanding section 24911(f) of title 49, United  
18 States Code, amounts made available under this heading  
19 in this Act may be used as non-Federal share for projects  
20 located on the Northeast Corridor selected for award  
21 under section 24911 of title 49, United States Code.

22 NATIONAL NETWORK GRANTS TO THE NATIONAL  
23 RAILROAD PASSENGER CORPORATION

24 To enable the Secretary of Transportation to make  
25 grants to the National Railroad Passenger Corporation for

1 activities associated with the National Network as author-  
2 ized by section 22101(b) of the Infrastructure Investment  
3 and Jobs Act (Public Law 117–58), \$1,463,000,000, to  
4 remain available until expended: *Provided*, That the Na-  
5 tional Railroad Passenger Corporation may use up to 10  
6 percent of the amounts made available under this heading  
7 in this Act to support planning and capital costs, and op-  
8 erating assistance consistent with the Federal funding lim-  
9 itations under section 22908 of title 49, United States  
10 Code, of corridors selected under section 25101 of title  
11 49, United States Code, that are operated by the National  
12 Railroad Passenger Corporation: *Provided further*, That  
13 notwithstanding section 24911(f) of title 49, United  
14 States Code, amounts made available under this heading  
15 in this Act may be used as non-Federal share for projects  
16 not located on the Northeast Corridor selected for award  
17 under section 24911 of title 49, United States Code: *Pro-*  
18 *vided further*, That none of the funds made available under  
19 this heading in this Act shall be used by Amtrak to give  
20 notice under subsection (a) or (c) of section 24706 of title  
21 49, United States Code, with respect to long-distance  
22 routes (as defined in section 24102 of title 49, United  
23 States Code) on which Amtrak is the sole operator on a  
24 host railroad’s line and a positive train control system is  
25 not required by law or regulation, or, except in an emer-

1 gency or during maintenance or construction outages im-  
2 pacting such routes, to otherwise discontinue, reduce the  
3 frequency of, suspend, or substantially alter the route of  
4 rail service on any portion of such route operated in fiscal  
5 year 2018, including implementation of service permitted  
6 by section 24305(a)(3)(A) of title 49, United States Code,  
7 in lieu of rail service.

8 ADMINISTRATIVE PROVISIONS—FEDERAL RAILROAD

9 ADMINISTRATION

10 (INCLUDING RESCISSION)

11 (INCLUDING TRANSFER OF FUNDS)

12 SEC. 150. None of the funds made available by this  
13 Act may be used by the National Railroad Passenger Cor-  
14 poration in contravention of the Worker Adjustment and  
15 Retraining Notification Act (29 U.S.C. 2101 et seq.).

16 SEC. 151. Amounts made available in this and prior  
17 Acts to the Secretary or to the Federal Railroad Adminis-  
18 tration for the costs of award, administration, and project  
19 management oversight of financial assistance which are  
20 administered by the Federal Railroad Administration may  
21 be transferred to the Federal Railroad Administration's  
22 "Financial Assistance Oversight and Technical Assist-  
23 ance" account for necessary expenses to support the  
24 award, administration, project management oversight, and  
25 technical assistance of financial assistance administered

1 by the Federal Railroad Administration, in the same man-  
2 ner as appropriated in this and prior Acts: *Provided*, That  
3 this section shall not apply to amounts that were pre-  
4 viously designated by the Congress as an emergency re-  
5 quirement pursuant to a concurrent resolution on the  
6 budget or the Balanced Budget and Emergency Deficit  
7 Control Act of 1985.

8       SEC. 152. Amounts made available under the heading  
9 “Department of Transportation—Federal Railroad Ad-  
10 ministration—Restoration and Enhancement” in any  
11 prior fiscal years are subject to the requirements of section  
12 22908 of title 49, United States Code, as in effect on the  
13 effective date of the Infrastructure Investment and Jobs  
14 Act (Public Law 117–58): *Provided*, That the limitation  
15 in subsection (e)(2) of section 22908 of title 49, United  
16 States Code, shall not apply to amounts made available  
17 for grants under such section in any prior Act.

18       SEC. 153. Amounts transferred to a “Financial As-  
19 sistance Oversight and Technical Assistance” account pur-  
20 suant to section 802 of title VIII of the Infrastructure  
21 Investment and Jobs Appropriations Act (division J of  
22 Public Law 117–58), as amended by section 156 of this  
23 title, from amounts appropriated for fiscal year 2023 may  
24 also be used by the Federal Railroad Administration for  
25 the Northeast Corridor Commission established under sec-



1 tion 24905 of title 49, United States Code, and for the  
2 State-Supported Route Committee established under sec-  
3 tion 24712(a) of title 49, United States Code, including  
4 to assist the Federal Railroad Administration with the de-  
5 livery of projects carried out with amounts made available  
6 under the headings “Department of Transportation—Fed-  
7 eral Railroad Administration—Northeast Corridor Grants  
8 to the National Railroad Passenger Corporation”, “De-  
9 partment of Transportation—Federal Railroad Adminis-  
10 tration—National Network Grants to the National Rail-  
11 road Passenger Corporation”, and “Department of Trans-  
12 portation—Federal Railroad Administration—Federal-  
13 State Partnership for Intercity Passenger Rail Grants” in  
14 such title: *Provided*, That the Federal Railroad Adminis-  
15 tration shall notify the House and Senate Committees on  
16 Appropriations not less than 15 days prior to making any  
17 amounts available to the Northeast Corridor Commission  
18 or State-Supported Route Committee pursuant to this sec-  
19 tion: *Provided further*, That amounts repurposed by this  
20 section that were previously designated by the Congress  
21 as an emergency requirement pursuant to the Balanced  
22 Budget and Emergency Deficit Control Act of 1985 or a  
23 concurrent resolution on the budget are designated as an  
24 emergency requirement pursuant to section 4001(a)(1) of  
25 S. Con. Res. 14 (117th Congress), the concurrent resolu-

1 tion on the budget for fiscal year 2022, and section 1(e)  
2 of H. Res. 1151 (117th Congress) as engrossed in the  
3 House of Representatives on June 8, 2022.

4 SEC. 154. The matter under the heading “Depart-  
5 ment of Transportation—Federal Railroad Administra-  
6 tion—Northeast Corridor Grants to the National Railroad  
7 Passenger Corporation” in title VIII of division J of Pub-  
8 lic Law 117–58 is amended—

9 (1) in the fourth proviso, by striking “Secretary  
10 of Transportation shall submit” and inserting “Sec-  
11 retary of Transportation, in consultation with Am-  
12 trak, shall submit”;

13 (2) in the fifth proviso, by striking “Secretary  
14 of Transportation shall submit” and inserting “Sec-  
15 retary of Transportation, in consultation with Am-  
16 trak, shall prepare and submit”; and

17 (3) in the tenth proviso, by striking “, to facili-  
18 tate a coordinated and efficient delivery of projects  
19 carried out under this heading in this Act”:

20 *Provided*, That amounts repurposed by the amendments  
21 made by this section that were previously designated by  
22 the Congress as an emergency requirement pursuant to  
23 the Balanced Budget and Emergency Deficit Control Act  
24 of 1985 or a concurrent resolution on the budget are des-  
25 ignated as an emergency requirement pursuant to section

1 4001(a)(1) of S. Con. Res. 14 (117th Congress), the con-  
2 current resolution on the budget for fiscal year 2022, and  
3 section 1(e) of H. Res. 1151 (117th Congress) as en-  
4 grossed in the House of Representatives on June 8, 2022.

5 SEC. 155. The matter under the heading “Depart-  
6 ment of Transportation—Federal Railroad Administra-  
7 tion—National Network Grants to the National Railroad  
8 Passenger Corporation” in title VIII of division J of Pub-  
9 lic Law 117–58 is amended—

10 (1) in the third proviso, by striking “Secretary  
11 of Transportation shall submit” and inserting “Sec-  
12 retary of Transportation, in consultation with Am-  
13 trak, shall submit”; and

14 (2) in the fourth proviso, by striking “Secretary  
15 of Transportation shall submit” and inserting “Sec-  
16 retary of Transportation, in consultation with Am-  
17 trak, shall prepare and submit”:

18 *Provided*, That amounts repurposed by the amendments  
19 made by this section that were previously designated by  
20 the Congress as an emergency requirement pursuant to  
21 the Balanced Budget and Emergency Deficit Control Act  
22 of 1985 or a concurrent resolution on the budget are des-  
23 ignated as an emergency requirement pursuant to section  
24 4001(a)(1) of S. Con. Res. 14 (117th Congress), the con-  
25 current resolution on the budget for fiscal year 2022, and

1 section 1(e) of H. Res. 1151 (117th Congress) as en-  
2 grossed in the House of Representatives on June 8, 2022.

3 SEC. 156. Section 802 of title VIII of division J of  
4 Public Law 117–58 is amended—

5 (1) in the first proviso, by inserting “that could  
6 be” after “amounts”; and

7 (2) in the second proviso, by inserting “that  
8 could be” after “amounts”:

9 *Provided*, That amounts repurposed by the amendments  
10 made by this section that were previously designated by  
11 the Congress as an emergency requirement pursuant to  
12 the Balanced Budget and Emergency Deficit Control Act  
13 of 1985 or a concurrent resolution on the budget are des-  
14 ignated as an emergency requirement pursuant to section  
15 4001(a)(1) of S. Con. Res. 14 (117th Congress), the con-  
16 current resolution on the budget for fiscal year 2022, and  
17 section 1(e) of H. Res. 1151 (117th Congress) as en-  
18 grossed in the House of Representatives on June 8, 2022.

19 SEC. 157. Of the unobligated balances of funds re-  
20 maining from the “Rail Line Relocation and Improvement  
21 Program” account totaling \$1,811,124.16 appropriated by  
22 Public Law 112–10 is hereby permanently rescinded.

1                   FEDERAL TRANSIT ADMINISTRATION  
2                   TRANSIT FORMULA GRANTS  
3           (LIQUIDATION OF CONTRACT AUTHORIZATION)  
4                   (LIMITATION ON OBLIGATIONS)  
5                   (HIGHWAY TRUST FUND)

6       For payment of obligations incurred in the Federal  
7 Public Transportation Assistance Program in this ac-  
8 count, and for payment of obligations incurred in carrying  
9 out the provisions of sections 5305, 5307, 5310, 5311,  
10 5312, 5314, 5318, 5329(e)(6), 5334, 5335, 5337, 5339,  
11 and 5340 of title 49, United States Code, section  
12 20005(b) of MAP-21 (Public Law 112-141), and section  
13 3006(b) of the Fixing America's Surface Transportation  
14 Act (Public Law 114-94), \$13,634,000,000 (reduced by  
15 \$1,000,000) (increased by \$1,000,000), to be derived from  
16 the Mass Transit Account of the Highway Trust Fund  
17 and to remain available until expended: *Provided*, That  
18 funds available for the implementation or execution of pro-  
19 grams authorized under sections 5305, 5307, 5310, 5311,  
20 5312, 5314, 5318, 5329(e)(6), 5334, 5335, 5337, 5339,  
21 and 5340 of title 49, United States Code, section  
22 20005(b) of MAP-21 (Public Law 112-141), and section  
23 3006(b) of the Fixing America's Surface Transportation  
24 Act (Public Law 114-94), shall not exceed total obliga-  
25 tions of \$13,634,000,000 in fiscal year 2023.

## TRANSIT INFRASTRUCTURE GRANTS

For an additional amount for buses and bus facilities competitive grants under section 5339(b) of title 49, United States Code, low or no emission grants under section 5339(c) of such title, passenger ferry grants under section 5307(h) of such title, bus testing facilities under section 5318 of such title, Community Project Funding for projects and activities eligible under chapter 53 of such title, administrative expenses and ongoing program management oversight as authorized under sections 5334 and 5338(c)(2) of such title, ferry service for rural communities under section 71103 of the Infrastructure Investment and Jobs Act (Public Law 117–58), and competitive integrated smart mobility grants, \$646,428,324, to remain available until expended: *Provided*, That of the amounts made available under this heading in this Act—

(1) \$200,000,000 shall be for buses and bus facilities competitive grants as authorized under section 5339(b) of such title;

(2) \$75,000,000 shall be for low or no emission grants as authorized under section 5339(c) of such title: *Provided*, That for amounts made available in this paragraph, the minimum grant award shall be not less than \$750,000;

1           (3) \$20,000,000 shall be for passenger ferry  
2           grants as authorized under section 5307(h) of such  
3           title;

4           (4) \$2,000,000 shall be for the operation and  
5           maintenance of the bus testing facilities selected  
6           under section 5318 of such title: *Provided*, That for  
7           amounts made available in this paragraph, the Fed-  
8           eral cost share shall be 100 percent;

9           (5) \$267,428,324 shall be for Community  
10          Project Funding for the purposes, and in the  
11          amounts, specified for this account in the table titled  
12          “Transportation, Housing and Urban Development  
13          Incorporation of Community Project Funding  
14          Items” included in the report accompanying this  
15          Act: *Provided*, That unless otherwise specified, appli-  
16          cable requirements under chapter 53 of title 49,  
17          United States Code, shall apply to amounts made  
18          available in this paragraph, except that the Federal  
19          share of the costs for a project in this paragraph  
20          shall be in an amount equal to 80 percent of the net  
21          costs of the project, unless the Secretary approves a  
22          higher maximum Federal share of the net costs of  
23          the project consistent with administration of similar  
24          projects funded under chapter 53 of title 49, United  
25          States Code;

1           (6) \$2,000,000 shall be for administrative ex-  
2           penses and ongoing program management oversight  
3           as authorized under sections 5334 and 5338(c)(2) of  
4           title 49, United States Code, including for admin-  
5           istering amounts made available for Community  
6           Project Funding in paragraph (5) under this head-  
7           ing in this Act, and shall be in addition to any other  
8           appropriations available for such purpose;

9           (7) \$30,000,000 shall be for ferry service for  
10          rural communities under section 71103 of the Infra-  
11          structure Investment and Jobs Act (Public Law  
12          117–58): *Provided*, That for amounts made available  
13          in this paragraph, notwithstanding section  
14          71103(a)(2)(B), eligible service shall include pas-  
15          senger ferry service that serves at least two rural  
16          areas with a single segment over 20 miles between  
17          the two rural areas and is not otherwise eligible  
18          under section 5307(h) of title 49, United States  
19          Code: *Provided further*, That entities that provide el-  
20          igible service pursuant to the preceding proviso may  
21          use amounts made available in this paragraph for  
22          public transportation capital projects to support any  
23          ferry service between two rural areas: *Provided fur-*  
24          *ther*, That entities eligible for amounts made avail-



1        able in this paragraph shall only provide ferry serv-  
2        ice to rural areas; and

3            (8) \$50,000,000 shall be for integrated smart  
4        mobility grants to recipients eligible under sections  
5        5307 and 5311 of title 49, United States Code, for  
6        planning and capital projects eligible under chapter  
7        53 of such title that support the adoption of innova-  
8        tive approaches to mobility that will improve safety,  
9        accessibility, air-quality, and equity in access to com-  
10       munity services and economic opportunities: *Pro-*  
11       *vided*, That such innovative approaches may include  
12       changes to service frequencies, patterns, areas of  
13       coverage, and first and last mile options such as op-  
14       timizing transit route planning and using integrated  
15       travel planning and payment systems; fare improve-  
16       ment projects; deployment of transit ambassadors;  
17       data and systems integration; and other activities  
18       designed to improve public transportation services:  
19       *Provided further*, That the Secretary shall give pref-  
20       erence to projects that will improve access to jobs  
21       and affordable housing; enhance connections to  
22       health care, education, and food security; improve  
23       health outcomes; address how individuals without ac-  
24       cess to advanced technology will benefit from such  
25       innovative solutions; or include job retention and re-

1 training for current employees: *Provided further,*  
2 That the Secretary shall award not less than 5 but  
3 not more than 10 integrated smart mobility grants  
4 with amounts made available in this paragraph: *Pro-*  
5 *vided further,* That the Secretary shall award, to not  
6 less than 3 distinct recipients, not less than 1 such  
7 grant to a recipient eligible under section 5307 of  
8 title 49, United States Code, not less than 1 such  
9 grant to a recipient eligible under section 5311 of  
10 title 49, United States Code, and not less than 1  
11 such grant to a recipient eligible under section 5307  
12 or 5311 of title 49, United States Code, that pro-  
13 vides commuter rail passenger transportation: *Pro-*  
14 *vided further,* That capital and operating expenses  
15 shall be eligible for amounts made available in this  
16 paragraph: *Provided further,* That an eligible sub-  
17 recipient under section 5307 or 5311 of title 49,  
18 United States Code, shall be eligible to be a direct  
19 recipient: *Provided further,* That the Federal share  
20 for planning and capital projects funded with  
21 amounts made available in this paragraph shall not  
22 exceed 80 percent of the net project cost: *Provided*  
23 *further,* That the Federal share for operating ex-  
24 penses funded with amounts made available in this  
25 paragraph shall not exceed 50 percent of the net

1 project cost: *Provided further*, That the Secretary  
2 shall not waive requirements in section 5333 of title  
3 49, United States Code, for projects funded with  
4 amounts made available in this paragraph: *Provided*  
5 *further*, That unless otherwise specified, applicable  
6 requirements under chapter 53 of title 49, United  
7 States Code, shall apply to amounts made available  
8 in this paragraph:  
9 *Provided further*, That amounts made available under this  
10 heading in this Act shall be derived from the general fund:  
11 *Provided further*, That amounts made available under this  
12 heading in this Act shall not be subject to any limitation  
13 on obligations for transit programs set forth in this or any  
14 other Act.

15 TECHNICAL ASSISTANCE AND TRAINING

16 For necessary expenses to carry out section 5314 of  
17 title 49, United States Code, \$8,000,000, to remain avail-  
18 able until September 30, 2024: *Provided*, That the assist-  
19 ance provided under this heading does not duplicate the  
20 activities of section 5311(b) or section 5312 of title 49,  
21 United States Code: *Provided further*, That amounts made  
22 available under this heading are in addition to any other  
23 amounts made available for such purposes: *Provided fur-*  
24 *ther*, That amounts made available under this heading

1 shall not be subject to any limitation on obligations set  
2 forth in this or any other Act.

3 CAPITAL INVESTMENT GRANTS

4 For necessary expenses to carry out fixed guideway  
5 capital investment grants under section 5309 of title 49,  
6 United States Code, and section 3005(b) of the Fixing  
7 America's Surface Transportation Act (Public Law 114–  
8 94), \$3,012,000,000, to remain available until expended:  
9 *Provided*, That of the amounts made available under this  
10 heading in this Act, \$1,897,166,000 shall be available for  
11 projects authorized under section 5309(d) of title 49,  
12 United States Code, \$40,714,000 shall be available for  
13 projects authorized under section 5309(e) of title 49,  
14 United States Code, \$94,000,000 shall be available for  
15 projects authorized under section 5309(h) of title 49,  
16 United States Code, and \$350,000,000 shall be available  
17 for projects authorized under section 3005(b) of the Fix-  
18 ing America's Surface Transportation Act (Public Law  
19 114–94): *Provided further*, That the Secretary shall con-  
20 tinue to administer the capital investment grants program  
21 in accordance with the procedural and substantive require-  
22 ments of section 5309 of title 49, United States Code, and  
23 of section 3005(b) of the Fixing America's Surface Trans-  
24 portation Act (Public Law 114–94): *Provided further*,  
25 That projects that receive a grant agreement under the

1 Expedited Project Delivery for Capital Investment Grants  
2 Pilot Program under section 3005(b) of the Fixing Amer-  
3 ica’s Surface Transportation Act (Public Law 114–94)  
4 shall be deemed eligible for funding provided for projects  
5 under section 5309 of title 49, United States Code, with-  
6 out further evaluation or rating under such section: *Pro-*  
7 *vided further*, That such funding shall not exceed the Fed-  
8 eral share under section 3005(b) of the Fixing America’s  
9 Surface Transportation Act (Public Law 114–94): *Pro-*  
10 *vided further*, That upon submission to the Congress of  
11 the fiscal year 2024 President’s budget, the Secretary of  
12 Transportation shall transmit to Congress the annual re-  
13 port on capital investment grants, including proposed allo-  
14 cations for fiscal year 2024.

15 GRANTS TO THE WASHINGTON METROPOLITAN AREA

16 TRANSIT AUTHORITY

17 For grants to the Washington Metropolitan Area  
18 Transit Authority as authorized under section 601 of divi-  
19 sion B of the Passenger Rail Investment and Improvement  
20 Act of 2008 (Public Law 110–432), \$150,000,000, to re-  
21 main available until expended: *Provided*, That the Sec-  
22 retary of Transportation shall approve grants for capital  
23 and preventive maintenance expenditures for the Wash-  
24 ington Metropolitan Area Transit Authority only after re-  
25 ceiving and reviewing a request for each specific project:

1 *Provided further*, That the Secretary shall determine that  
2 the Washington Metropolitan Area Transit Authority has  
3 placed the highest priority on those investments that will  
4 improve the safety of the system before approving such  
5 grants.

6 ADMINISTRATIVE PROVISIONS—FEDERAL TRANSIT

7 ADMINISTRATION

8 SEC. 160. The limitations on obligations for the pro-  
9 grams of the Federal Transit Administration shall not  
10 apply to any authority under section 5338 of title 49,  
11 United States Code, previously made available for obliga-  
12 tion, or to any other authority previously made available  
13 for obligation.

14 SEC. 161. Notwithstanding any other provision of  
15 law, funds appropriated or limited by this Act under the  
16 heading “Capital Investment Grants” of the Federal  
17 Transit Administration for projects specified in this Act  
18 or identified in the report accompanying this Act not obli-  
19 gated by September 30, 2026, and other recoveries, shall  
20 be directed to projects eligible to use the funds for the  
21 purposes for which they were originally provided.

22 SEC. 162. Notwithstanding any other provision of  
23 law, any funds appropriated before October 1, 2022, under  
24 any section of chapter 53 of title 49, United States Code,  
25 that remain available for expenditure, may be transferred

1 to and administered under the most recent appropriation  
2 heading for any such section.

3       SEC. 163. None of the funds made available by this  
4 Act or any other Act shall be used to adjust apportion-  
5 ments or withhold funds from apportionments pursuant  
6 to section 9503(e)(4) of the Internal Revenue Code of  
7 1986 (26 U.S.C. 9503(e)(4)).

8       SEC. 164. None of the funds made available by this  
9 Act or any other Act shall be used to impede or hinder  
10 project advancement or approval for any project seeking  
11 a Federal contribution from the capital investment grants  
12 program of greater than 40 percent of project costs as  
13 authorized under section 5309 of title 49, United States  
14 Code.

15       SEC. 165. Of the amounts made available under the  
16 heading “Department of Transportation—Federal Transit  
17 Administration—Capital Investment Grants” in this Act,  
18 \$600,000,000 shall be made available for allocation to re-  
19 cipients with existing full funding grant agreements under  
20 sections 5309(d) and 5309(e) of title 49, United States  
21 Code, that received allocations for fiscal year 2022 and  
22 have either (1) a capital investment grant share of 40 per-  
23 cent or less; or (2) signed a full funding grant agreement  
24 between January 20, 2017 and January 20, 2021: *Pro-*  
25 *vided*, That recipients with projects open for revenue serv-

1 ice shall not be eligible to receive an allocation of funding  
2 under this section: *Provided further*, That amounts shall  
3 be provided to recipients proportionally based on the non-  
4 capital investment grant share of the project: *Provided*  
5 *further*, That no project may receive an allocation of more  
6 than 40 percent of the total amount in this section: *Pro-*  
7 *vided further*, That the Secretary shall proportionally dis-  
8 tribute funds in excess of such 40 percent to recipients  
9 for which the percent of funds does not exceed 40 percent:  
10 *Provided further*, That a recipient may not receive an allo-  
11 cation of funding under this section if the recipient has  
12 (1) expended less than 75 percent of the allocations re-  
13 ceived under paragraph (4) of section 3401(b) of the  
14 American Rescue Plan Act of 2021 (Public Law 117–2);  
15 and (2) expended less than 50 percent of the federal oper-  
16 ating assistance allocations received under section 5307  
17 of title 49, United States Code, in the Coronavirus Aid,  
18 Relief, and Economic Security Act (Public Law 116–136),  
19 the Coronavirus Response and Relief Supplemental Appro-  
20 priations Act, 2021 (Public Law 116–260), or the Amer-  
21 ican Rescue Plan Act of 2021 (Public Law 117–2): *Pro-*  
22 *vided further*, That amounts allocated pursuant to this sec-  
23 tion shall be provided to eligible recipients notwithstanding  
24 the limitation of any calculation of the maximum amount  
25 of Federal financial assistance for the project under sec-



tion 5309(k)(2)(C)(ii) of title 49, United States Code:  
*Provided further*, That the Federal Transit Administration  
shall allocate amounts under this section no later than 30  
days after the date of enactment of this Act.

SEC. 166. The remaining unobligated balances, as of  
September 30, 2023, from amounts made available to the  
Department of Transportation under the heading “Fed-  
eral Transit Administration—Capital Investment Grants”  
in division H of the Further Consolidated Appropriations  
Act, 2020 (Public Law 116–94) are hereby rescinded, and  
an amount of additional new budget authority equivalent  
to the amount rescinded is hereby appropriated on Sep-  
tember 30, 2023, for an additional amount for fiscal year  
2023, to remain available until September 30, 2024, and  
shall be available for the same purposes and under the  
same authorities for which such amounts were originally  
provided in Public Law 116–94.

SEC. 167. Notwithstanding section 5302(4)(L) of  
title 49, United States Code, fuel for vehicle operations,  
including the cost of utilities used for the propulsion of  
electrically driven vehicles, may be treated, at the option  
of the recipient, as an associated capital maintenance item  
for purposes of grants made under sections 5307 and  
5311 of such title in fiscal year 2023: *Provided*, That an  
amount equal to not more than 5 percent of the total fund-

1 ing allocated under section 5307 or 5311 of such title to  
2 an urbanized area, state, or territory in fiscal year 2023  
3 may be obligated for such purpose from available amounts  
4 allocated in fiscal year 2023 or prior years.

5 GREAT LAKES ST. LAWRENCE SEAWAY DEVELOPMENT  
6 CORPORATION

7 The Great Lakes St. Lawrence Seaway Development  
8 Corporation is hereby authorized to make such expendi-  
9 tures, within the limits of funds and borrowing authority  
10 available to the Corporation, and in accord with law, and  
11 to make such contracts and commitments without regard  
12 to fiscal year limitations, as provided by section 9104 of  
13 title 31, United States Code, as may be necessary in car-  
14 rying out the programs set forth in the Corporation's  
15 budget for the current fiscal year.

16 OPERATIONS AND MAINTENANCE  
17 (HARBOR MAINTENANCE TRUST FUND)

18 For necessary expenses to conduct the operations,  
19 maintenance, and capital infrastructure activities on por-  
20 tions of the St. Lawrence Seaway owned, operated, and  
21 maintained by the Great Lakes St. Lawrence Seaway De-  
22 velopment Corporation, \$41,500,000, to be derived from  
23 the Harbor Maintenance Trust Fund, pursuant to section  
24 210 of the Water Resources Development Act of 1986 (33  
25 U.S.C. 2238): *Provided*, That of the amounts made avail-

1 able under this heading, not less than \$14,800,000 shall  
2 be for the seaway infrastructure program: *Provided fur-*  
3 *ther*, That not more than \$1,000,000 of the unobligated  
4 balances from the amounts made available for capital  
5 asset renewal activities under this heading or under the  
6 heading “Saint Lawrence Seaway Development Corpora-  
7 tion—Operations and Maintenance” in any prior Act shall  
8 be for activities pursuant to section 984(a)(12) of title 33,  
9 United States Code.

10 MARITIME ADMINISTRATION

11 MARITIME SECURITY PROGRAM

12 For necessary expenses to maintain and preserve a  
13 U.S.-flag merchant fleet as authorized under chapter 531  
14 of title 46, United States Code, to serve the national secu-  
15 rity needs of the United States, \$318,000,000, to remain  
16 available until expended.

17 CABLE SECURITY FLEET

18 For the cable security fleet program, as authorized  
19 under chapter 532 of title 46, United States Code,  
20 \$10,000,000, to remain available until expended.

21 TANKER SECURITY PROGRAM

22 For the tanker security fleet program, as authorized  
23 under chapter 534 of title 46, United States Code,  
24 \$60,000,000, to remain available until expended.

## 1 OPERATIONS AND TRAINING

2 For necessary expenses of operations and training ac-  
3 tivities authorized by law, \$192,000,000: *Provided*, That  
4 of the amounts made available under this heading—

5 (1) \$87,848,000, to remain available until Sep-  
6 tember 30, 2024, shall be for the operations of the  
7 United States Merchant Marine Academy;

8 (2) \$11,900,000, to remain available until ex-  
9 pended, shall be for facilities maintenance and re-  
10 pair, and equipment, at the United States Merchant  
11 Marine Academy;

12 (3) \$6,000,000, to remain available until Sep-  
13 tember 30, 2024 shall be for the Maritime Environ-  
14 mental and Technical Assistance program authorized  
15 under section 50307 of title 46, United States Code;  
16 and

17 (4) \$14,819,000, to remain available until ex-  
18 pended, shall be for the America's Marine Highway  
19 Program to make grants for the purposes authorized  
20 under paragraphs (1) and (3) of section 55601(b) of  
21 title 46, United States Code:

22 *Provided further*, That the Administrator of the Maritime  
23 Administration shall transmit to the House and Senate  
24 Committees on Appropriations the annual report on sexual  
25 assault and sexual harassment at the United States Mer-

1 chant Marine Academy as required pursuant to section  
 2 3510 of the National Defense Authorization Act for fiscal  
 3 year 2017 (46 U.S.C. 51318): *Provided further*, That  
 4 available balances under this heading for the Short Sea  
 5 Transportation Program (now known as the America's  
 6 Marine Highway Program) from prior year recoveries  
 7 shall be available to carry out activities authorized under  
 8 paragraphs (1) and (3) of section 55601(b) of title 46,  
 9 United States Code.

10 STATE MARITIME ACADEMY OPERATIONS

11 For necessary expenses of operations, support, and  
 12 training activities for State Maritime Academies,  
 13 \$77,700,000: *Provided*, That of the amounts made avail-  
 14 able under this heading—

15 (1) \$30,500,000, to remain available until ex-  
 16 pended, shall be for maintenance, repair, life exten-  
 17 sion, insurance, and capacity improvement of Na-  
 18 tional Defense Reserve Fleet training ships, and for  
 19 support of training ship operations at the State  
 20 Maritime Academies, of which not more than  
 21 \$8,000,000, to remain available until expended, shall  
 22 be for expenses related to training mariners; and for  
 23 costs associated with training vessel sharing pursu-  
 24 ant to section 51504(g)(3) of title 46, United States  
 25 Code, for costs associated with mobilizing, operating

1 and demobilizing the vessel, including travel costs  
2 for students, faculty and crew, the costs of the gen-  
3 eral agent, crew costs, fuel, insurance, operational  
4 fees, and vessel hire costs, as determined by the Sec-  
5 retary;

6 (2) \$35,000,000, to remain available until ex-  
7 pended, shall be for the National Security Multi-Mis-  
8 sion Vessel Program, including funds for construc-  
9 tion, planning, administration, design of school  
10 ships, and necessary expenses to construct infra-  
11 structure to berth such ships;

12 (3) \$2,400,000, to remain available until Sep-  
13 tember 30, 2027, shall be for the Student Incentive  
14 Program;

15 (4) \$3,800,000, to remain available until ex-  
16 pended, shall be for training ship fuel assistance;  
17 and

18 (5) \$6,000,000, to remain available until Sep-  
19 tember 30, 2024, shall be for direct payments for  
20 State Maritime Academies.

21 ASSISTANCE TO SMALL SHIPYARDS

22 To make grants to qualified shipyards as authorized  
23 under section 54101 of title 46, United States Code,  
24 \$20,000,000, to remain available until expended.

## 1 SHIP DISPOSAL

2 For necessary expenses related to the disposal of ob-  
3 solete vessels in the National Defense Reserve Fleet of the  
4 Maritime Administration, \$6,000,000, to remain available  
5 until expended.

## 6 MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM

## 7 ACCOUNT

## 8 (INCLUDING TRANSFER OF FUNDS)

9 For administrative expenses to carry out the guaran-  
10 teed loan program, \$3,000,000, which shall be transferred  
11 to and merged with the appropriations for “Maritime Ad-  
12 ministration—Operations and Training”.

## 13 PORT INFRASTRUCTURE DEVELOPMENT PROGRAM

14 To make grants to improve port facilities as author-  
15 ized under section 54301 of title 46, United States Code,  
16 \$300,000,000, to remain available until expended: *Pro-*  
17 *vided*, That projects eligible for amounts made available  
18 under this heading in this Act shall be projects for coastal  
19 seaports, inland river ports, or Great Lakes ports: *Pro-*  
20 *vided further*, That of the amounts made available under  
21 this heading in this Act, not less than \$275,000,000 shall  
22 be for coastal seaports or Great Lakes ports: *Provided fur-*  
23 *ther*, That amounts made available under this heading in  
24 this Act may not be used for the purchase or installation  
25 of fully automated cargo handling equipment or terminal

1 infrastructure that is designed for fully automated cargo  
2 handling equipment: *Provided further*, That for the pur-  
3 poses of the preceding proviso, “fully automated cargo  
4 handling equipment” means cargo handling equipment  
5 that is remotely operated or remotely monitored and does  
6 not require the exercise of human intervention or control:  
7 *Provided further*, That for grants awarded under this  
8 heading in this Act, the minimum grant size shall be  
9 \$1,000,000: *Provided further*, That the proceeds of Fed-  
10 eral credit assistance under chapter 6 of title 23, United  
11 States Code, or chapter 224 of title 49, United States  
12 Code, shall be considered to be part of the non-Federal  
13 share of project costs if the loan is repayable from non-  
14 Federal funds, unless otherwise requested.

15 ADMINISTRATIVE PROVISION—MARITIME

16 ADMINISTRATION

17 SEC. 170. Notwithstanding any other provision of  
18 this Act, in addition to any existing authority, the Mari-  
19 time Administration is authorized to furnish utilities and  
20 services and make necessary repairs in connection with  
21 any lease, contract, or occupancy involving Government  
22 property under control of the Maritime Administration:  
23 *Provided*, That payments received therefor shall be cred-  
24 ited to the appropriation charged with the cost thereof and  
25 shall remain available until expended: *Provided further*,



1 That rental payments under any such lease, contract, or  
 2 occupancy for items other than such utilities, services, or  
 3 repairs shall be deposited into the Treasury as miscella-  
 4 neous receipts.

5 PIPELINE AND HAZARDOUS MATERIALS SAFETY

6 ADMINISTRATION

7 OPERATIONAL EXPENSES

8 For necessary operational expenses of the Pipeline  
 9 and Hazardous Materials Safety Administration,  
 10 \$30,150,000, of which \$4,500,000 shall remain available  
 11 until September 30, 2025.

12 HAZARDOUS MATERIALS SAFETY

13 For expenses necessary to discharge the hazardous  
 14 materials safety functions of the Pipeline and Hazardous  
 15 Materials Safety Administration, \$70,710,500, to remain  
 16 available until September 30, 2025, of which \$1,000,000  
 17 shall be made available for carrying out section 5107(i)  
 18 of title 49, United States Code: *Provided*, That up to  
 19 \$800,000 in fees collected under section 5108(g) of title  
 20 49, United States Code, shall be deposited in the general  
 21 fund of the Treasury as offsetting receipts: *Provided fur-*  
 22 *ther*, That there may be credited to this appropriation, to  
 23 be available until expended, funds received from States,  
 24 counties, municipalities, other public authorities, and pri-  
 25 vate sources for expenses incurred for training, for reports

1 publication and dissemination, and for travel expenses in-  
2 curred in performance of hazardous materials exemptions  
3 and approvals functions.

4 PIPELINE SAFETY

5 (PIPELINE SAFETY FUND)

6 (OIL SPILL LIABILITY TRUST FUND)

7 For expenses necessary to carry out a pipeline safety  
8 program, as authorized by section 60107 of title 49,  
9 United States Code, and to discharge the pipeline program  
10 responsibilities of the Oil Pollution Act of 1990 (Public  
11 Law 101–380), \$187,800,000, to remain available until  
12 September 30, 2025, of which \$29,000,000 shall be de-  
13 rived from the Oil Spill Liability Trust Fund; of which  
14 \$151,400,000 shall be derived from the Pipeline Safety  
15 Fund; of which \$400,000 shall be derived from the fees  
16 collected under section 60303 of title 49, United States  
17 Code, and deposited in the Liquefied Natural Gas Siting  
18 Account for compliance reviews of liquefied natural gas  
19 facilities; and of which \$7,000,000 shall be derived from  
20 fees collected under section 60302 of title 49, United  
21 States Code, and deposited in the Underground Natural  
22 Gas Storage Facility Safety Account for the purpose of  
23 carrying out section 60141 of title 49, United States Code:  
24 *Provided*, That not less than \$1,058,000 of the amounts  
25 made available under this heading shall be for the One-

1 Call State grant program: *Provided further*, That any  
2 amounts made available under this heading in this Act or  
3 in prior Acts for research contracts, grants, cooperative  
4 agreements or research other transactions agreements  
5 (“OTAs”) shall require written notification to the House  
6 and Senate Committees on Appropriations not less than  
7 3 full business days before such research contracts, grants,  
8 cooperative agreements, or research OTAs are announced  
9 by the Department of Transportation: *Provided further*,  
10 That the Secretary shall transmit to the House and Sen-  
11 ate Committees on Appropriations the report on pipeline  
12 safety testing enhancement as required pursuant to sec-  
13 tion 105 of the Protecting our Infrastructure of Pipelines  
14 and Enhancing Safety Act of 2020 (division R of Public  
15 Law 116–260): *Provided further*, That the Secretary may  
16 obligate amounts made available under this heading to en-  
17 gineer, erect, alter, and repair buildings or make any other  
18 public improvements for research facilities at the Trans-  
19 portation Technology Center after the Secretary submits  
20 an updated research plan and the report in the preceding  
21 proviso to the House and Senate Committees on Appro-  
22 priations and after such plan and report in the preceding  
23 proviso are approved by the House and Senate Commit-  
24 tees on Appropriations.

## 1 EMERGENCY PREPAREDNESS GRANTS

## 2 (LIMITATION ON OBLIGATIONS)

## 3 (EMERGENCY PREPAREDNESS FUND)

4 For expenses necessary to carry out the Emergency  
5 Preparedness Grants program, not more than  
6 \$28,318,000 shall remain available until September 30,  
7 2025, from amounts made available by section 5116(h)  
8 and subsections (b) and (c) of section 5128 of title 49,  
9 United States Code: *Provided*, That notwithstanding sec-  
10 tion 5116(h)(4) of title 49, United States Code, not more  
11 than 4 percent of the amounts made available from this  
12 account shall be available to pay the administrative costs  
13 of carrying out sections 5116, 5107(e), and 5108(g)(2)  
14 of title 49, United States Code: *Provided further*, That  
15 notwithstanding subsections (b) and (c) of section 5128  
16 of title 49, United States Code, and the limitation on obli-  
17 gations provided under this heading, prior year recoveries  
18 recognized in the current year shall be available to develop  
19 and deliver hazardous materials emergency response train-  
20 ing for emergency responders, including response activities  
21 for the transportation of crude oil, ethanol, flammable liq-  
22 uids, and other hazardous commodities by rail, consistent  
23 with National Fire Protection Association standards, and  
24 to make such training available through an electronic for-  
25 mat: *Provided further*, That the prior year recoveries made

1 available under this heading shall also be available to carry  
2 out sections 5116(a)(1)(C), 5116(h), 5116(i), 5116(j),  
3 and 5107(e) of title 49, United States Code.

4 OFFICE OF INSPECTOR GENERAL

5 SALARIES AND EXPENSES

6 For necessary expenses of the Office of Inspector  
7 General to carry out the provisions of the Inspector Gen-  
8 eral Act of 1978, as amended, \$108,073,000: *Provided*,  
9 That the Inspector General shall have all necessary au-  
10 thority, in carrying out the duties specified in the Inspec-  
11 tor General Act, as amended (5 U.S.C. App.), to inves-  
12 tigate allegations of fraud, including false statements to  
13 the government (18 U.S.C. 1001), by any person or entity  
14 that is subject to regulation by the Department of Trans-  
15 portation.

16 GENERAL PROVISIONS—DEPARTMENT OF

17 TRANSPORTATION

18 SEC. 180. (a) During the current fiscal year, applica-  
19 ble appropriations to the Department of Transportation  
20 shall be available for maintenance and operation of air-  
21 craft; hire of passenger motor vehicles and aircraft; pur-  
22 chase of liability insurance for motor vehicles operating  
23 in foreign countries on official department business; and  
24 uniforms or allowances therefor, as authorized by sections  
25 5901 and 5902 of title 5, United States Code.

1       (b) During the current fiscal year, applicable appro-  
2       priations to the Department and its operating administra-  
3       tions shall be available for the purchase, maintenance, op-  
4       eration, and deployment of unmanned aircraft systems  
5       that advance the missions of the Department of Transpor-  
6       tation or an operating administration of the Department  
7       of Transportation.

8       (c) Any unmanned aircraft system purchased, pro-  
9       cured, or contracted for by the Department prior to the  
10      date of enactment of this Act shall be deemed authorized  
11      by Congress as if this provision was in effect when the  
12      system was purchased, procured, or contracted for.

13      SEC. 181. Appropriations contained in this Act for  
14      the Department of Transportation shall be available for  
15      services as authorized by section 3109 of title 5, United  
16      States Code, but at rates for individuals not to exceed the  
17      per diem rate equivalent to the rate for an Executive Level  
18      IV.

19      SEC. 182. (a) No recipient of amounts made available  
20      by this Act shall disseminate personal information (as de-  
21      fined in section 2725(3) of title 18, United States Code)  
22      obtained by a State department of motor vehicles in con-  
23      nection with a motor vehicle record as defined in section  
24      2725(1) of title 18, United States Code, except as pro-  
25      vided in section 2721 of title 18, United States Code, for

1 a use permitted under section 2721 of title 18, United  
2 States Code.

3 (b) Notwithstanding subsection (a), the Secretary  
4 shall not withhold amounts made available by this Act for  
5 any grantee if a State is in noncompliance with this provi-  
6 sion.

7 SEC. 183. None of the funds made available by this  
8 Act shall be available for salaries and expenses of more  
9 than 125 political and Presidential appointees in the De-  
10 partment of Transportation: *Provided*, That none of the  
11 personnel covered by this provision may be assigned on  
12 temporary detail outside the Department of Transpor-  
13 tation.

14 SEC. 184. Funds received by the Federal Highway  
15 Administration and Federal Railroad Administration from  
16 States, counties, municipalities, other public authorities,  
17 and private sources for expenses incurred for training may  
18 be credited respectively to the Federal Highway Adminis-  
19 tration's "Federal-Aid Highways" account and to the Fed-  
20 eral Railroad Administration's "Safety and Operations"  
21 account, except for State rail safety inspectors partici-  
22 pating in training pursuant to section 20105 of title 49,  
23 United States Code.

24 SEC. 185. None of the funds made available by this  
25 Act or in title VIII of division J of the Infrastructure In-

1 vestment and Jobs Act (Public Law 117–58) to the De-  
2 partment of Transportation may be used to make a loan,  
3 loan guarantee, line of credit, letter of intent, federally  
4 funded cooperative agreement, full funding grant agree-  
5 ment, or discretionary grant unless the Secretary of  
6 Transportation notifies the House and Senate Committees  
7 on Appropriations not less than 3 full business days before  
8 any project competitively selected to receive any discre-  
9 tionary grant award, letter of intent, loan commitment,  
10 loan guarantee commitment, line of credit commitment,  
11 federally funded cooperative agreement, or full funding  
12 grant agreement is announced by the Department or its  
13 operating administrations: *Provided*, That the Secretary  
14 of Transportation shall provide the House and Senate  
15 Committees on Appropriations with a comprehensive list  
16 of all such loans, loan guarantees, lines of credit, letters  
17 of intent, federally funded cooperative agreements, full  
18 funding grant agreements, and discretionary grants prior  
19 to the notification required under the preceding proviso:  
20 *Provided further*, That the Secretary gives concurrent noti-  
21 fication to the House and Senate Committees on Appro-  
22 priations for any “quick release” of funds from the emer-  
23 gency relief program: *Provided further*, That no notifica-  
24 tion shall involve funds that are not available for obliga-  
25 tion.



1        SEC. 186. Rebates, refunds, incentive payments,  
2 minor fees, and other funds received by the Department  
3 of Transportation from travel management centers,  
4 charge card programs, the subleasing of building space,  
5 and miscellaneous sources are to be credited to appropria-  
6 tions of the Department of Transportation and allocated  
7 to organizational units of the Department of Transpor-  
8 tation using fair and equitable criteria and such funds  
9 shall be available until expended.

10       SEC. 187. Notwithstanding any other provision of  
11 law, if any funds provided by or limited by this Act are  
12 subject to a reprogramming action that requires notice to  
13 be provided to the House and Senate Committees on Ap-  
14 propriations, transmission of such reprogramming notice  
15 shall be provided solely to the House and Senate Commit-  
16 tees on Appropriations, and such reprogramming action  
17 shall be approved or denied solely by the House and Sen-  
18 ate Committees on Appropriations: *Provided*, That the  
19 Secretary of Transportation may provide notice to other  
20 congressional committees of the action of the House and  
21 Senate Committees on Appropriations on such reprogram-  
22 ming but not sooner than 30 days after the date on which  
23 the reprogramming action has been approved or denied by  
24 the House and Senate Committees on Appropriations.

1        SEC. 188. Funds appropriated by this Act to the op-  
2    erating administrations may be obligated for the Office of  
3    the Secretary for the costs related to assessments or reim-  
4    bursable agreements only when such amounts are for the  
5    costs of goods and services that are purchased to provide  
6    a direct benefit to the applicable operating administration  
7    or administrations.

8        SEC. 189. The Secretary of Transportation is author-  
9    ized to carry out a program that establishes uniform  
10   standards for developing and supporting agency transit  
11   pass and transit benefits authorized under section 7905  
12   of title 5, United States Code, including distribution of  
13   transit benefits by various paper and electronic media.

14       SEC. 190. The Department of Transportation may  
15   use funds provided by this Act, or any other Act, to assist  
16   a contract under title 49 or 23 of the United States Code  
17   utilizing geographic, economic, or any other hiring pref-  
18   erence not otherwise authorized by law, or to amend a  
19   rule, regulation, policy or other measure that forbids a re-  
20   cipient of a Federal Highway Administration or Federal  
21   Transit Administration grant from imposing such hiring  
22   preference on a contract or construction project with  
23   which the Department of Transportation is assisting, only  
24   if the grant recipient certifies the following:

1           (1) that except with respect to apprentices or  
2           trainees, a pool of readily available but unemployed  
3           individuals possessing the knowledge, skill, and abil-  
4           ity to perform the work that the contract requires  
5           resides in the jurisdiction;

6           (2) that the grant recipient will include appro-  
7           priate provisions in its bid document ensuring that  
8           the contractor does not displace any of its existing  
9           employees in order to satisfy such hiring preference;  
10          and

11          (3) that any increase in the cost of labor, train-  
12          ing, or delays resulting from the use of such hiring  
13          preference does not delay or displace any transpor-  
14          tation project in the applicable Statewide Transpor-  
15          tation Improvement Program or Transportation Im-  
16          provement Program.

17          SEC. 191. The Secretary of Transportation shall co-  
18          ordinate with the Secretary of Homeland Security to en-  
19          sure that best practices for Industrial Control Systems  
20          Procurement are up-to-date and shall ensure that systems  
21          procured with funds provided under this title were pro-  
22          cured using such practices.

23          This title may be cited as the “Department of Trans-  
24          portation Appropriations Act, 2023”.

1 TITLE II  
2 DEPARTMENT OF HOUSING AND URBAN  
3 DEVELOPMENT  
4 MANAGEMENT AND ADMINISTRATION  
5 EXECUTIVE OFFICES

6 For necessary salaries and expenses for Executive Of-  
7 fices, which shall be comprised of the offices of the Sec-  
8 retary, Deputy Secretary, Adjudicatory Services, Congres-  
9 sional and Intergovernmental Relations, Public Affairs,  
10 Small and Disadvantaged Business Utilization, and the  
11 Center for Faith-Based and Neighborhood Partnerships,  
12 \$18,000,000, to remain available until September 30,  
13 2024: *Provided*, That not to exceed \$25,000 of the amount  
14 made available under this heading shall be available to the  
15 Secretary of Housing and Urban Development (referred  
16 to in this title as “the Secretary”) for official reception  
17 and representation expenses as the Secretary may deter-  
18 mine.

19 ADMINISTRATIVE SUPPORT OFFICES

20 For necessary salaries and expenses for Administra-  
21 tive Support Offices, \$690,900,000, to remain available  
22 until September 30, 2024: *Provided*, That of the sums ap-  
23 propriated under this heading—

24 (1) \$97,000,000 shall be available for the Office  
25 of the Chief Financial Officer;

1           (2) \$126,100,000 shall be available for the Of-  
2       fice of the General Counsel, of which not less than  
3       \$18,500,000 shall be for the Departmental Enforce-  
4       ment Center;

5           (3) \$239,566,000 shall be available for the Of-  
6       fice of Administration, of which not less than  
7       \$3,500,000 may be for modernization and deferred  
8       maintenance of the Weaver Building;

9           (4) \$54,776,000 shall be available for the Office  
10      of the Chief Human Capital Officer;

11          (5) \$32,058,000 shall be available for the Office  
12      of the Chief Procurement Officer;

13          (6) \$66,200,000 shall be available for the Office  
14      of Field Policy and Management;

15          (7) \$5,000,000 shall be available for the Office  
16      of Departmental Equal Employment Opportunity;  
17      and

18          (8) \$70,200,000 shall be available for the Office  
19      of the Chief Information Officer:

20 *Provided further,* That funds made available under this  
21 heading may be used for necessary administrative and  
22 non-administrative expenses of the Department, not other-  
23 wise provided for, including purchase of uniforms, or al-  
24 lowances therefor, as authorized by sections 5901 and  
25 5902 of title 5, United States Code; hire of passenger

1 motor vehicles; and services as authorized by section 3109  
2 of title 5, United States Code: *Provided further*, That not-  
3 withstanding any other provision of law, funds appro-  
4 priated under this heading may be used for advertising  
5 and promotional activities that directly support program  
6 activities funded in this title: *Provided further*, That the  
7 Secretary shall provide the House and Senate Committees  
8 on Appropriations quarterly written notification regarding  
9 the status of pending congressional reports: *Provided fur-*  
10 *ther*, That the Secretary shall provide in electronic form  
11 all signed reports required by Congress.

12 PROGRAM OFFICES

13 For necessary salaries and expenses for Program Of-  
14 fices, \$1,091,200,000, to remain available until September  
15 30, 2024: *Provided*, That of the sums appropriated under  
16 this heading—

17 (1) \$285,900,000 shall be available for the Of-  
18 fice of Public and Indian Housing;

19 (2) \$158,100,000 shall be available for the Of-  
20 fice of Community Planning and Development;

21 (3) \$488,500,000 shall be available for the Of-  
22 fice of Housing, of which not less than \$13,000,000  
23 shall be for the Office of Recapitalization;

24 (4) \$41,600,000 shall be available for the Office  
25 of Policy Development and Research;

1           (5) \$105,800,000 (increased by \$105,800,000)  
2           (reduced by \$105,800,000) shall be available for the  
3           Office of Fair Housing and Equal Opportunity; and  
4           (6) \$11,300,000 shall be available for the Office  
5           of Lead Hazard Control and Healthy Homes.

6                               WORKING CAPITAL FUND

7                               (INCLUDING TRANSFER OF FUNDS)

8           For the working capital fund for the Department of  
9           Housing and Urban Development (referred to in this para-  
10          graph as the “Fund”), pursuant, in part, to section 7(f)  
11          of the Department of Housing and Urban Development  
12          Act (42 U.S.C. 3535(f)), amounts transferred, including  
13          reimbursements pursuant to section 7(f), to the Fund  
14          under this heading shall be available only for Federal  
15          shared services used by offices and agencies of the Depart-  
16          ment, and for any such portion of any office or agency’s  
17          printing, records management, space renovation, fur-  
18          niture, or supply services the Secretary has determined  
19          shall be provided through the Fund, and the operational  
20          expenses of the Fund: *Provided*, That amounts within the  
21          Fund shall not be available to provide services not specifi-  
22          cally authorized under this heading: *Provided further*,  
23          That upon a determination by the Secretary that any  
24          other service (or portion thereof) authorized under this  
25          heading shall be provided through the Fund, amounts

1 made available in this title for salaries and expenses under  
 2 the headings “Executive Offices”, “Administrative Sup-  
 3 port Offices”, “Program Offices”, and “Government Na-  
 4 tional Mortgage Association”, for such services shall be  
 5 transferred to the Fund, to remain available until ex-  
 6 pended: *Provided further*, That the Secretary shall notify  
 7 the House and Senate Committees on Appropriations of  
 8 its plans for executing such transfers at least 15 days in  
 9 advance of such transfers.

## 10 PUBLIC AND INDIAN HOUSING

### 11 TENANT-BASED RENTAL ASSISTANCE

12 For activities and assistance for the provision of ten-  
 13 ant-based rental assistance authorized under the United  
 14 States Housing Act of 1937, as amended (42 U.S.C. 1437  
 15 et seq.) (in this title “the Act”), not otherwise provided  
 16 for, \$27,042,932,000 (increased by \$24,000,000) (re-  
 17 duced by \$24,000,000), to remain available until ex-  
 18 pended, which shall be available on October 1, 2022 (in  
 19 addition to the \$4,000,000,000 previously appropriated  
 20 under this heading that shall be available on October 1,  
 21 2022), and \$4,000,000,000, to remain available until ex-  
 22 pended, which shall be available on October 1, 2023: *Pro-*  
 23 *vided*, That the amounts made available under this head-  
 24 ing are provided as follows:



1           (1) \$26,184,000,000 shall be available for re-  
2       newals of expiring section 8 tenant-based annual  
3       contributions contracts (including renewals of en-  
4       hanced vouchers under any provision of law author-  
5       izing such assistance under section 8(t) of the Act)  
6       and including renewal of other special purpose incre-  
7       mental vouchers: *Provided*, That notwithstanding  
8       any other provision of law, from amounts provided  
9       under this paragraph and any carryover, the Sec-  
10      retary for the calendar year 2023 funding cycle shall  
11      provide renewal funding for each public housing  
12      agency based on validated voucher management sys-  
13      tem (VMS) leasing and cost data for the prior cal-  
14      endar year and by applying an inflation factor as es-  
15      tablished by the Secretary, by notice published in  
16      the Federal Register, and by making any necessary  
17      adjustments for the costs associated with the first-  
18      time renewal of vouchers under this paragraph in-  
19      cluding tenant protection and Choice Neighborhoods  
20      vouchers: *Provided further*, That funds provided  
21      under this paragraph and prior Acts may be used to  
22      fund a total number of unit months under lease  
23      which exceeds a public housing agency's authorized  
24      level of units under contract, except for public hous-  
25      ing agencies participating in the Moving to Work

1 (MTW) demonstration, which are instead governed  
2 in accordance with the requirements of the MTW  
3 demonstration program or their MTW agreements,  
4 if any: *Provided further*, That amounts repurposed  
5 pursuant to the preceding proviso that were pre-  
6 viously designated by the Congress as an emergency  
7 requirement pursuant to the Balanced Budget and  
8 Emergency Deficit Control Act of 1985 or a concur-  
9 rent resolution on the budget are designated as an  
10 emergency requirement pursuant to section  
11 4001(a)(1) of S. Con. Res. 14 (117th Congress), the  
12 concurrent resolution on the budget for fiscal year  
13 2022, and section 1(e) of H. Res. 1151 (117th Con-  
14 gress) as engrossed in the House of Representatives  
15 on June 8, 2022: *Provided further*, That costs asso-  
16 ciated with any forgone increases in tenant rent pay-  
17 ments due to the implementation of rent incentives  
18 as authorized pursuant to waivers or alternative re-  
19 quirements of the Jobs-Plus initiative as described  
20 under the heading “Self-Sufficiency Programs” shall  
21 be renewed: *Provided further*, That costs associated  
22 with any forgone increases in tenant rent payments  
23 due to the implementation of rent incentives as au-  
24 thorized pursuant to waivers or alternative require-  
25 ments of the Jobs-Plus initiative as described under

1 the heading “Self-Sufficiency Programs” shall be re-  
2 newed: *Provided further*, That the Secretary shall, to  
3 the extent necessary to stay within the amount spec-  
4 ified under this paragraph (except as otherwise  
5 modified under this paragraph), prorate each public  
6 housing agency’s allocation otherwise established  
7 pursuant to this paragraph: *Provided further*, That  
8 except as provided in the following provisos, the en-  
9 tire amount specified under this paragraph (except  
10 as otherwise modified under this paragraph) shall be  
11 obligated to the public housing agencies based on the  
12 allocation and pro rata method described above, and  
13 the Secretary shall notify public housing agencies of  
14 their annual budget by the latter of 60 days after  
15 the date of enactment of this Act or March 1, 2023:  
16 *Provided further*, That the Secretary may extend the  
17 notification period with the prior written approval of  
18 the House and Senate Committees on Appropria-  
19 tions: *Provided further*, That public housing agencies  
20 participating in the MTW demonstration shall be  
21 funded in accordance with the requirements of the  
22 MTW demonstration program or their MTW agree-  
23 ments, if any, and shall be subject to the same pro  
24 rata adjustments under the preceding provisos: *Pro-*  
25 *vided further*, That the Secretary may offset public

1       housing agencies' calendar year 2023 allocations  
2       based on the excess amounts of public housing agen-  
3       cies' net restricted assets accounts, including HUD-  
4       held programmatic reserves (in accordance with  
5       VMS data in calendar year 2022 that is verifiable  
6       and complete), as determined by the Secretary: *Pro-*  
7       *vided further*, That public housing agencies partici-  
8       pating in the MTW demonstration shall also be sub-  
9       ject to the offset, as determined by the Secretary,  
10      excluding amounts subject to the single fund budget  
11      authority provisions of their MTW agreements, from  
12      the agencies' calendar year 2023 MTW funding allo-  
13      cation: *Provided further*, That the Secretary shall  
14      use any offset referred to in the preceding two pro-  
15      visos throughout the calendar year to prevent the  
16      termination of rental assistance for families as the  
17      result of insufficient funding, as determined by the  
18      Secretary, and to avoid or reduce the proration of  
19      renewal funding allocations: *Provided further*, That  
20      up to \$100,000,000 shall be available only: (1) for  
21      adjustments in the allocations for public housing  
22      agencies, after application for an adjustment by a  
23      public housing agency that experienced a significant  
24      increase, as determined by the Secretary, in renewal  
25      costs of vouchers resulting from unforeseen cir-

1        cumstances or from portability under section 8(r) of  
2        the Act; (2) for vouchers that were not in use during  
3        the previous 12-month period in order to be avail-  
4        able to meet a commitment pursuant to section  
5        8(o)(13) of the Act, or an adjustment for a funding  
6        obligation not yet expended in the previous calendar  
7        year for a MTW-eligible activity to develop afford-  
8        able housing for an agency added to the MTW dem-  
9        onstration under the expansion authority provided in  
10       section 239 of the Transportation, Housing and  
11       Urban Development, and Related Agencies Appro-  
12       priations Act, 2016 (division L of Public Law 114–  
13       113); (3) for adjustments for costs associated with  
14       HUD–Veterans Affairs Supportive Housing (HUD–  
15       VASH) vouchers; (4) for public housing agencies  
16       that despite taking reasonable cost savings meas-  
17       ures, as determined by the Secretary, would other-  
18       wise be required to terminate rental assistance as a  
19       result of insufficient funding; (5) for adjustments in  
20       the allocations for public housing agencies that (i)  
21       are leasing a lower-than-average percentage of their  
22       authorized vouchers, (ii) have low amounts of budget  
23       authority in their net restricted assets accounts and  
24       HUD-held programmatic reserves, relative to other  
25       agencies, and (iii) are not participating in the Mov-

1       ing to Work demonstration, to enable such agencies  
2       to lease more vouchers; (6) for withheld payments in  
3       accordance with section 8(o)(8)(A)(ii) of the Act for  
4       months in the previous calendar year that were sub-  
5       sequently paid by the public housing agency after  
6       the agency's actual costs were validated; and (7) for  
7       public housing agencies that have experienced in-  
8       creased costs or loss of units in an area for which  
9       the President declared a disaster under title IV of  
10      the Robert T. Stafford Disaster Relief and Emer-  
11      gency Assistance Act (42 U.S.C. 5170 et seq.);

12           (2) \$230,000,000 shall be for section 8 rental  
13      assistance for relocation and replacement of housing  
14      units that are demolished or disposed of pursuant to  
15      section 18 of the Act, conversion of section 23  
16      projects to assistance under section 8, the family  
17      unification program under section 8(x) of the Act,  
18      relocation of witnesses (including victims of violent  
19      crimes) in connection with efforts to combat crime  
20      in public and assisted housing pursuant to a request  
21      from a law enforcement or prosecution agency, en-  
22      hanced vouchers under any provision of law author-  
23      izing such assistance under section 8(t) of the Act,  
24      Choice Neighborhood vouchers, mandatory and vol-  
25      untary conversions, and tenant protection assistance

1 including replacement and relocation assistance or  
2 for project-based assistance to prevent the displace-  
3 ment of unassisted elderly tenants currently residing  
4 in section 202 properties financed between 1959 and  
5 1974 that are refinanced pursuant to Public Law  
6 106–569, as amended, or under the authority as  
7 provided under this Act: *Provided*, That of the  
8 amounts made available under this paragraph, up to  
9 \$10,000,000 shall be available to provide public  
10 housing agencies with enhanced vouchers for fami-  
11 lies residing in State-assisted projects financed be-  
12 tween 1970 and 1979 that were subject to a use  
13 agreement under the Low-Income Housing Preserva-  
14 tion and Resident Homeownership Act of 1990 (title  
15 VI of Public Law 101–625; LIHPRHA) or the  
16 Emergency Low Income Housing Preservation Act  
17 of 1987 (title II of Public Law 100–242; ELIHPA)  
18 on the date the affordability protections at such  
19 projects expire or terminate during calendar years  
20 2022 and 2023: *Provided further*, That that the  
21 State housing finance agency shall submit the re-  
22 quest to the Secretary for enhanced vouchers for  
23 families residing in such eligible State-assisted  
24 projects no later than the latter of 120 days prior  
25 to the expiration or termination of affordability pro-

1       tections at such projects or 120 days after enact-  
2       ment of this Act: *Provided further*, That such en-  
3       hanced vouchers shall not be considered replacement  
4       vouchers: *Provided further*, That when a public hous-  
5       ing development is submitted for demolition or dis-  
6       position under section 18 of the Act, the Secretary  
7       may provide section 8 rental assistance when the  
8       units pose an imminent health and safety risk to  
9       residents: *Provided further*, That the Secretary may  
10      provide section 8 rental assistance from amounts  
11      made available under this paragraph for units as-  
12      sisted under a project-based subsidy contract funded  
13      under the “Project-Based Rental Assistance” head-  
14      ing under this title where the owner has received a  
15      Notice of Default and the units pose an imminent  
16      health and safety risk to residents: *Provided further*,  
17      That to the extent that the Secretary determines  
18      that such units are not feasible for continued rental  
19      assistance payments or transfer of the subsidy con-  
20      tract associated with such units to another project  
21      or projects and owner or owners, any remaining  
22      amounts associated with such units under such con-  
23      tract shall be recaptured and such recaptured  
24      amounts, in an amount equal to the cost of rental  
25      assistance provided pursuant to the previous proviso,



1 up to the total amounts recaptured, shall be trans-  
2 ferred to and merged with amounts under this para-  
3 graph: *Provided further*, That of the amounts made  
4 available under this paragraph, no less than  
5 \$5,000,000 may be available to provide tenant pro-  
6 tection assistance, not otherwise provided under this  
7 paragraph, to residents residing in low vacancy  
8 areas and who may have to pay rents greater than  
9 30 percent of household income, as the result of: (A)  
10 the maturity of a HUD-insured, HUD-held or sec-  
11 tion 202 loan that requires the permission of the  
12 Secretary prior to loan prepayment; (B) the expira-  
13 tion of a rental assistance contract for which the  
14 tenants are not eligible for enhanced voucher or ten-  
15 ant protection assistance under existing law; or (C)  
16 the expiration of affordability restrictions accom-  
17 panying a mortgage or preservation program admin-  
18 istered by the Secretary: *Provided further*, That such  
19 tenant protection assistance made available under  
20 the preceding proviso may be provided under the au-  
21 thority of section 8(t) or section 8(o)(13) of the  
22 United States Housing Act of 1937 (42 U.S.C.  
23 1437f(t)): *Provided further*, That the Secretary shall  
24 issue guidance to implement the previous two pro-  
25 visos, including, but not limited to, requirements for

1 defining eligible at-risk households not later than 60  
2 days after the date of enactment of this Act: *Pro-*  
3 *vided further*, That any tenant protection voucher  
4 made available from amounts under this paragraph  
5 shall not be reissued by any public housing agency,  
6 except the replacement vouchers as defined by the  
7 Secretary by notice, when the initial family that re-  
8 ceived any such voucher no longer receives such  
9 voucher, and the authority for any public housing  
10 agency to issue any such voucher shall cease to exist:  
11 *Provided further*, That the Secretary may only pro-  
12 vide replacement vouchers for units that were occu-  
13 pied within the previous 24 months that cease to be  
14 available as assisted housing, subject only to the  
15 availability of funds;

16 (3) \$2,756,932,000 (reduced by \$1,000,000)  
17 (increased by \$1,000,000) shall be for administrative  
18 and other expenses of public housing agencies in ad-  
19 ministering the section 8 tenant-based rental assist-  
20 ance program, of which up to \$10,000,000 shall be  
21 available to the Secretary to allocate to public hous-  
22 ing agencies that need additional funds to admin-  
23 ister their section 8 programs, including fees associ-  
24 ated with section 8 tenant protection rental assist-  
25 ance, the administration of disaster related vouchers,

1 HUD–VASH vouchers, and other special purpose in-  
2 cremental vouchers: *Provided*, That no less than  
3 \$2,746,932,000 of the amount provided in this para-  
4 graph shall be allocated to public housing agencies  
5 for the calendar year 2023 funding cycle based on  
6 section 8(q) of the Act (and related Appropriation  
7 Act provisions) as in effect immediately before the  
8 enactment of the Quality Housing and Work Re-  
9 sponsibility Act of 1998 (Public Law 105–276): *Pro-*  
10 *vided further*, That if the amounts made available  
11 under this paragraph are insufficient to pay the  
12 amounts determined under the preceding proviso,  
13 the Secretary may decrease the amounts allocated to  
14 agencies by a uniform percentage applicable to all  
15 agencies receiving funding under this paragraph or  
16 may, to the extent necessary to provide full payment  
17 of amounts determined under the preceding proviso,  
18 utilize unobligated balances, including recaptures  
19 and carryover, remaining from funds appropriated to  
20 the Department of Housing and Urban Development  
21 under this heading from prior fiscal years, excluding  
22 special purpose vouchers, notwithstanding the pur-  
23 poses for which such amounts were appropriated:  
24 *Provided further*, That all public housing agencies  
25 participating in the MTW demonstration shall be

1 funded in accordance with the requirements of the  
2 MTW demonstration program or their MTW agree-  
3 ments, if any, and shall be subject to the same uni-  
4 form percentage decrease as under the preceding  
5 proviso: *Provided further*, That amounts provided  
6 under this paragraph shall be only for activities re-  
7 lated to the provision of tenant-based rental assist-  
8 ance authorized under section 8, including related  
9 development activities;

10 (4) \$667,000,000 for the renewal of tenant-  
11 based assistance contracts under section 811 of the  
12 Cranston-Gonzalez National Affordable Housing Act  
13 (42 U.S.C. 8013), including necessary administra-  
14 tive expenses: *Provided*, That administrative and  
15 other expenses of public housing agencies in admin-  
16 istering the special purpose vouchers in this para-  
17 graph shall be funded under the same terms and be  
18 subject to the same pro rata reduction as the per-  
19 cent decrease for administrative and other expenses  
20 to public housing agencies under paragraph (3) of  
21 this heading: *Provided further*, That up to  
22 \$10,000,000 shall be available only (1) for adjust-  
23 ments in the allocation for public housing agencies,  
24 after applications for an adjustment by a public  
25 housing agency that experienced a significant in-

1       crease, as determined by the Secretary, in Main-  
2       stream renewal costs resulting from unforeseen cir-  
3       cumstances, and (2) for public housing agencies that  
4       despite taking reasonable cost savings measures, as  
5       determined by the Secretary, would otherwise be re-  
6       quired to terminate the rental assistance for Main-  
7       stream families as a result of insufficient funding:  
8       *Provided further*, That the Secretary shall allocate  
9       amounts under the preceding proviso based on need,  
10      as determined by the Secretary: *Provided further*,  
11      That of the amounts made available under this para-  
12      graph, up to \$5,000,000 shall be available for a pilot  
13      program for public housing agencies that partner  
14      with administering entities under the Projects for  
15      Assistance in Transition from Homelessness  
16      (PATH) program as authorized by the Stewart B.  
17      McKinney Homeless Assistance Amendments Act of  
18      1990 or other eligible entities, as determined by the  
19      Secretary, to assist persons with serious mental ill-  
20      ness: *Provided further*, That the amounts made  
21      available in the preceding proviso shall be for incre-  
22      mental rental voucher assistance, including project-  
23      based vouchers, under such section 811 for non-el-  
24      derly persons with serious mental illness, and for ad-  
25      ministrative and other expenses of public housing

1 agencies: *Provided further*, That in awarding assist-  
2 ance under such pilot program the Secretary may  
3 give bonus points to public housing agencies giving  
4 preference to individuals referred from the Coordi-  
5 nated Entry System (CES) or operating a Family  
6 Self-Sufficiency program: *Provided further*, That in  
7 administering such pilot program, the Secretary may  
8 waive, or specify alternative requirements for, any  
9 provision of any statute or regulation that the Sec-  
10 retary administers in connection with the use of  
11 funds made available under such pilot (except for re-  
12 quirements related to fair housing, nondiscrimina-  
13 tion, labor standards, and the environment), upon a  
14 finding by the Secretary that any such waivers or al-  
15 ternative requirements are necessary for the effective  
16 delivery and administration of such voucher assist-  
17 ance: *Provided further*, That upon turnover, section  
18 811 special purpose vouchers funded under this  
19 heading in this or prior Acts, or under any other  
20 heading in prior Acts, shall be provided to non-elder-  
21 ly persons with disabilities;

22 (5) Of the amounts provided under paragraph  
23 (1) up to \$5,000,000 shall be for rental assistance  
24 and associated administrative fees for Tribal HUD-  
25 VASH to serve Native American veterans that are

1 homeless or at-risk of homelessness living on or near  
2 a reservation or other Indian areas: *Provided*, That  
3 such amount shall be made available for renewal  
4 grants to recipients that received assistance under  
5 prior Acts under the Tribal HUD–VASH program:  
6 *Provided further*, That the Secretary shall be author-  
7 ized to specify criteria for renewal grants, including  
8 data on the utilization of assistance reported by  
9 grant recipients: *Provided further*, That such assist-  
10 ance shall be administered in accordance with pro-  
11 gram requirements under the Native American  
12 Housing Assistance and Self-Determination Act of  
13 1996 and modeled after the HUD–VASH program:  
14 *Provided further*, That the Secretary shall be author-  
15 ized to waive, or specify alternative requirements for  
16 any provision of any statute or regulation that the  
17 Secretary administers in connection with the use of  
18 funds made available under this paragraph (except  
19 for requirements related to fair housing, non-  
20 discrimination, labor standards, and the environ-  
21 ment), upon a finding by the Secretary that any  
22 such waivers or alternative requirements are nec-  
23 essary for the effective delivery and administration  
24 of such assistance: *Provided further*, That grant re-  
25 cipients shall report to the Secretary on utilization

1 of such rental assistance and other program data, as  
2 prescribed by the Secretary: *Provided further*, That  
3 the Secretary may reallocate, as determined by the  
4 Secretary, amounts returned or recaptured from  
5 awards under the Tribal HUD–VASH program  
6 under prior Acts to existing recipients under the  
7 Tribal HUD–VASH program;

8 (6) \$50,000,000 for incremental rental voucher  
9 assistance for use through a supported housing pro-  
10 gram administered in conjunction with the Depart-  
11 ment of Veterans Affairs as authorized under section  
12 8(o)(19) of the United States Housing Act of 1937:  
13 *Provided*, That the Secretary of Housing and Urban  
14 Development shall make such funding available, not-  
15 withstanding section 203 (competition provision) of  
16 this title, to public housing agencies that partner  
17 with eligible VA Medical Centers or other entities as  
18 designated by the Secretary of the Department of  
19 Veterans Affairs, based on geographical need for  
20 such assistance as identified by the Secretary of the  
21 Department of Veterans Affairs, public housing  
22 agency administrative performance, and other fac-  
23 tors as specified by the Secretary of Housing and  
24 Urban Development in consultation with the Sec-  
25 retary of the Department of Veterans Affairs: *Pro-*



1        *vided further*, That of the amounts made available  
2        under this paragraph, up to \$5,000,000 may be allo-  
3        cated to public housing agencies administering tem-  
4        porary case management and supportive services to  
5        HUD–VASH eligible veterans that have not yet re-  
6        ceived a referral from the Department of Veterans  
7        Affairs: *Provided further*, That the Secretary of  
8        Housing and Urban Development may waive, or  
9        specify alternative requirements for (in consultation  
10       with the Secretary of the Department of Veterans  
11       Affairs), any provision of any statute or regulation  
12       that the Secretary of Housing and Urban Develop-  
13       ment administers in connection with the use of  
14       funds made available under this paragraph (except  
15       for requirements related to fair housing, non-  
16       discrimination, labor standards, and the environ-  
17       ment), upon a finding by the Secretary that any  
18       such waivers or alternative requirements are nec-  
19       essary for the effective delivery and administration  
20       of such voucher assistance: *Provided further*, That  
21       assistance made available under this paragraph shall  
22       continue to remain available for homeless veterans  
23       upon turn-over;

24                (7) \$30,000,000 shall be made available for the  
25       family unification program as authorized under sec-

1       tion 8(x) of the Act: *Provided*, That the amounts  
2       made available under this paragraph are provided as  
3       follows:

4               (A) \$5,000,000 shall be for new incre-  
5       mental voucher assistance: *Provided*, That the  
6       assistance made available under this subpara-  
7       graph shall continue to remain available for  
8       family unification upon turnover; and

9               (B) \$25,000,000 shall be for new incre-  
10      mental voucher assistance to assist eligible  
11      youth as defined by such section 8(x)(2)(B):  
12      *Provided*, That assistance made available under  
13      this subparagraph shall continue to remain  
14      available for such eligible youth upon turnover:  
15      *Provided further*, That of the total amount  
16      made available under this subparagraph, up to  
17      \$15,000,000 shall be available on a noncompeti-  
18      tive basis to public housing agencies that part-  
19      ner with public child welfare agencies to iden-  
20      tify such eligible youth, that request such as-  
21      sistance to timely assist such eligible youth, and  
22      that meet any other criteria as specified by the  
23      Secretary: *Provided further*, That the Secretary  
24      shall review utilization of the assistance made  
25      available under the preceding proviso, at an in-

1           terval to be determined by the Secretary, and  
2           unutilized voucher assistance that is no longer  
3           needed shall be recaptured by the Secretary and  
4           reallocated pursuant to the preceding proviso:

5       *Provided further*, That for any public housing agency  
6       administering voucher assistance appropriated in a  
7       prior Act under the family unification program, or  
8       made available and competitively selected under this  
9       paragraph, that determines that it no longer has an  
10      identified need for such assistance upon turnover,  
11      such agency shall notify the Secretary, and the Sec-  
12      retary shall recapture such assistance from the agen-  
13      cy and reallocate it to any other public housing  
14      agency or agencies based on need for voucher assist-  
15      ance in connection with such specified program or  
16      eligible youth, as applicable;

17           (8) \$1,100,000,000 (increased by \$24,000,000)  
18           (reduced by \$24,000,000) shall be made available  
19           for new incremental voucher assistance under section  
20           8(o) of the United States Housing Act of 1937 to  
21           be allocated pursuant to a method, as determined by  
22           the Secretary, which may include a formula that  
23           may include such factors as severe cost burden, over-  
24           crowding, substandard housing for very low-income  
25           renters, homelessness, and administrative capacity,

1 where such allocation method shall include both  
2 rural and urban areas: *Provided*, That the Secretary  
3 may specify additional terms and conditions to en-  
4 sure that public housing agencies provide vouchers  
5 for use by survivors of domestic violence, or individ-  
6 uals and families who are homeless, as defined in  
7 section 103(a) of the McKinney-Vento Homeless As-  
8 sistance Act (42 U.S.C. 11302(a)), or at risk of  
9 homelessness, as defined in section 401(1) of such  
10 Act (42 U.S.C. 11360(1));

11 (9) \$25,000,000 shall be for mobility-related  
12 services, as defined by the Secretary, for voucher  
13 families with children modeled after services pro-  
14 vided in connection with the mobility demonstration  
15 authorized under section 235 of division G of the  
16 Consolidated Appropriations Act, 2019 (42 U.S.C.  
17 1437f note; Public Law 116–6): *Provided*, That the  
18 Secretary shall make funding available to public  
19 housing agencies on a competitive basis and shall  
20 give preference to public housing agencies with high-  
21 er concentrations of housing choice voucher families  
22 with children residing in high-poverty neighborhoods:  
23 *Provided further*, That the Secretary may recapture  
24 from the public housing agencies unused balances  
25 based on utilization of such awards and reallocate

1 such amounts to any other public housing agency or  
2 agencies based on need for such mobility-related  
3 services as identified under such competition; and

4 (10) the Secretary shall separately track all  
5 special purpose vouchers funded under this heading:  
6 *Provided*, That the Secretary may waive, or specify  
7 alternative requirements for, any provision of any  
8 statute or regulation that the Secretary administers  
9 in connection with the use of funds made available  
10 for new incremental voucher assistance or renewals  
11 for the Mainstream program, the HUD–VASH pro-  
12 gram (in consultation with the Secretary of the De-  
13 partment of Veterans Affairs), and the family unifi-  
14 cation program (including the Foster Youth to Inde-  
15 pendence program) in this and prior Acts (except for  
16 requirements related to fair housing, nondiscrimina-  
17 tion, labor standards, and the environment), upon a  
18 finding by the Secretary that any such waivers or al-  
19 ternative requirements are necessary for the effective  
20 delivery and administration of voucher assistance in  
21 such respective programs.

22 HOUSING CERTIFICATE FUND

23 (INCLUDING RESCISSIONS)

24 Unobligated balances, including recaptures and car-  
25 ryover, remaining from funds appropriated to the Depart-

1 ment of Housing and Urban Development under this  
 2 heading, the heading “Annual Contributions for Assisted  
 3 Housing” and the heading “Project-Based Rental Assist-  
 4 ance”, for fiscal year 2023 and prior years may be used  
 5 for renewal of or amendments to section 8 project-based  
 6 contracts and for performance-based contract administra-  
 7 tors, notwithstanding the purposes for which such funds  
 8 were appropriated: *Provided*, That any obligated balances  
 9 of contract authority from fiscal year 1974 and prior fiscal  
 10 years that have been terminated shall be rescinded: *Pro-*  
 11 *vided further*, That amounts heretofore recaptured, or re-  
 12 captured during the current fiscal year, from section 8  
 13 project-based contracts from source years fiscal year 1975  
 14 through fiscal year 1987 are hereby rescinded, and an  
 15 amount of additional new budget authority, equivalent to  
 16 the amount rescinded is hereby appropriated, to remain  
 17 available until expended, for the purposes set forth under  
 18 this heading, in addition to amounts otherwise available.

19 PUBLIC HOUSING FUND

20 For 2023 payments to public housing agencies for the  
 21 operation and management of public housing, as author-  
 22 ized by section 9(e) of the United States Housing Act of  
 23 1937 (42 U.S.C. 1437g(e)) (the “Act”), and to carry out  
 24 capital and management activities for public housing  
 25 agencies, as authorized under section 9(d) of the Act (42

1 U.S.C. 1437g(d)), \$8,733,500,000 (increased by  
2 \$65,000,000,000) (reduced by \$65,000,000,000), to re-  
3 main available until September 30, 2026: *Provided*, That  
4 the amounts made available under this heading are pro-  
5 vided as follows:

6 (1) \$5,038,500,000 (reduced by \$12,500,000)  
7 (increased by \$12,500,000) shall be available to the  
8 Secretary to allocate pursuant to the Operating  
9 Fund formula at part 990 of title 24, Code of Fed-  
10 eral Regulations, for 2023 payments: *Provided*, That  
11 the amount of any forgone increases in tenant rent  
12 payments due to the implementation of rent incen-  
13 tives as authorized pursuant to waivers or alter-  
14 native requirements of the Jobs-Plus initiative as de-  
15 scribed under the heading “Self-Sufficiency Pro-  
16 grams” shall be factored into the PHA’s general op-  
17 erating fund eligibility pursuant to such formula;

18 (2) \$25,000,000 shall be available to the Sec-  
19 retary to allocate pursuant to a need-based applica-  
20 tion process notwithstanding section 203 of this title  
21 and not subject to such Operating Fund formula to  
22 public housing agencies that experience, or are at  
23 risk of, financial shortfalls, as determined by the  
24 Secretary: *Provided*, That after all such shortfall  
25 needs are met, the Secretary may distribute any re-

1       maining funds to all public housing agencies on a  
2       pro-rata basis pursuant to such Operating Fund for-  
3       mula;

4               (3)       \$3,400,000,000       (increased       by  
5       \$65,000,000,000) (reduced by \$65,000,000,000)  
6       shall be available to the Secretary to allocate pursu-  
7       ant to the Capital Fund formula at section 905.400  
8       of title 24, Code of Federal Regulations: *Provided*,  
9       That for funds provided under this paragraph, the  
10       limitation in section 9(g)(1) of the Act shall be 25  
11       percent: *Provided further*, That the Secretary may  
12       waive the limitation in the preceding proviso to allow  
13       public housing agencies to fund activities authorized  
14       under section 9(e)(1)(C) of the Act: *Provided fur-*  
15       *ther*, That the Secretary shall notify public housing  
16       agencies requesting waivers under the preceding pro-  
17       viso if the request is approved or denied within 14  
18       days of submitting the request: *Provided further*,  
19       That from the funds made available under this para-  
20       graph, the Secretary shall provide bonus awards in  
21       fiscal year 2023 to public housing agencies that are  
22       designated high performers: *Provided further*, That  
23       the Department shall notify public housing agencies  
24       of their formula allocation within 60 days of enact-  
25       ment of this Act;



1           (4) \$65,000,000 shall be available for the Sec-  
2       retary to make grants, notwithstanding section 203  
3       of this title, to public housing agencies for emer-  
4       gency capital needs, including safety and security  
5       measures necessary to address crime and drug-re-  
6       lated activity, as well as needs resulting from unfore-  
7       seen or unpreventable emergencies and natural dis-  
8       asters excluding Presidentially declared emergencies  
9       and natural disasters under the Robert T. Stafford  
10      Disaster Relief and Emergency Act (42 U.S.C. 5121  
11      et seq.) occurring in fiscal year 2023, of which  
12      \$45,000,000 shall be available for public housing  
13      agencies under administrative and judicial receiver-  
14      ships or under the control of a Federal monitor:  
15      *Provided*, That of the amount made available under  
16      this paragraph, not less than \$10,000,000 shall be  
17      for safety and security measures: *Provided further*,  
18      That in addition to the amount in the preceding pro-  
19      viso for such safety and security measures, any  
20      amounts that remain available, after all applications  
21      received on or before September 30, 2024, for emer-  
22      gency capital needs have been processed, shall be al-  
23      located to public housing agencies for such safety  
24      and security measures;

1           (5) \$65,000,000 shall be for competitive grants  
2       to public housing agencies to evaluate and reduce  
3       residential health hazards in public housing, includ-  
4       ing lead-based paint (by carrying out the activities  
5       of risk assessments, abatement, and interim con-  
6       trols, as those terms are defined in section 1004 of  
7       the Residential Lead-Based Paint Hazard Reduction  
8       Act of 1992 (42 U.S.C. 4851b)), carbon monoxide,  
9       mold, radon, and fire safety: *Provided*, That not less  
10      than \$25,000,000 of the amounts provided under  
11      this paragraph shall be awarded for evaluating and  
12      reducing lead-based paint hazards: *Provided further*,  
13      That for purposes of environmental review, a grant  
14      under this paragraph shall be considered funds for  
15      projects or activities under title I of the United  
16      States Housing Act of 1937 (42 U.S.C. 1437 et  
17      seq.) for purposes of section 26 of such Act (42  
18      U.S.C. 1437x) and shall be subject to the regula-  
19      tions implementing such section: *Provided further*,  
20      That amounts made available under this paragraph  
21      shall be combined with amounts made available  
22      under the sixth paragraph under this heading in the  
23      Consolidated Appropriations Act, 2021 (Public Law  
24      116–260) and shall be used in accordance with the  
25      purposes and requirements under this paragraph:

1     *Provided further,* That amounts made available  
2     under this paragraph may be used for competitive  
3     grants to public housing agencies that improve water  
4     and energy efficiency, or reduce the risk of harm to  
5     occupants or property from natural hazards;

6           (6) \$15,000,000 shall be to support the costs of  
7     administrative and judicial receiverships and for  
8     competitive grants to PHAs in receivership, des-  
9     ignated troubled or substandard, or otherwise at  
10    risk, as determined by the Secretary, for costs asso-  
11    ciated with public housing asset improvement, in ad-  
12    dition to other amounts for that purpose provided  
13    under any heading under this title;

14          (7) \$50,000,000 shall be to support ongoing  
15    public housing financial and physical assessment ac-  
16    tivities;

17          (8) \$75,000,000 shall be available to improve  
18    the energy or water efficiency or climate resilience of  
19    public housing, including for competitive grants to  
20    public housing agencies for capital improvements to  
21    achieve such purposes: *Provided,* That of the  
22    amounts made available under this paragraph, up to  
23    \$20,000,000, shall be available for utility  
24    benchmarking, including research and evaluations,  
25    technical assistance, to develop systems and tools

1        necessary to collect and analyze PHA utility  
2        benchmarking data, to remain available until Sep-  
3        tember 30, 2026: *Provided further*, That for pur-  
4        poses of environmental review, grants under this  
5        paragraph shall be considered funds for projects or  
6        activities under title I of the United States Housing  
7        Act of 1937 (42 U.S.C. 1437 et seq.) for purposes  
8        of section 26 of such Act (42 U.S.C. 1437x) and  
9        shall be subject to the regulations implementing  
10       such section:

11 *Provided further*, That notwithstanding any other provi-  
12 sion of law or regulation, during fiscal year 2023, the Sec-  
13 retary of Housing and Urban Development may not dele-  
14 gate to any Department official other than the Deputy  
15 Secretary and the Assistant Secretary for Public and In-  
16 dian Housing any authority under paragraph (2) of sec-  
17 tion 9(j) of the Act regarding the extension of the time  
18 periods under such section: *Provided further*, That for pur-  
19 poses of such section 9(j), the term “obligate” means, with  
20 respect to amounts, that the amounts are subject to a  
21 binding agreement that will result in outlays, immediately  
22 or in the future.

23                    CHOICE NEIGHBORHOODS INITIATIVE

24        For competitive grants under the Choice Neighbor-  
25 hoods Initiative (subject to section 24 of the United States

1 Housing Act of 1937 (42 U.S.C. 1437v) unless otherwise  
2 specified under this heading), for transformation, rehabili-  
3 tation, and replacement housing needs of public and  
4 HUD-assisted housing and to transform neighborhoods of  
5 poverty into functioning, sustainable, mixed-income neigh-  
6 borhoods with appropriate services, schools, public assets,  
7 transportation, and access to jobs, \$450,000,000, to re-  
8 main available until September 30, 2027: *Provided*, That  
9 grant funds may be used for resident and community serv-  
10 ices, community development, and affordable housing  
11 needs in the community, and for conversion of vacant or  
12 foreclosed properties to affordable housing: *Provided fur-*  
13 *ther*, That not more than 20 percent of the amount of any  
14 grant made with amounts made available under this head-  
15 ing may be used for necessary supportive services notwith-  
16 standing subsection (d)(1)(L) of such section 24: *Provided*  
17 *further*, That the use of amounts made available under  
18 this heading shall not be deemed to be for public housing,  
19 notwithstanding section 3(b)(1) of such Act: *Provided fur-*  
20 *ther*, That grantees shall commit to an additional period  
21 of affordability determined by the Secretary of not fewer  
22 than 20 years: *Provided further*, That the Secretary may  
23 specify a period of affordability that is less than 20 years  
24 with respect to owner-occupied homeownership units de-  
25 veloped with grants from amounts made available under

1 this heading: *Provided further*, That grantees shall provide  
2 a match in State, local, other Federal, or private funds:  
3 *Provided further*, That grantees may include local govern-  
4 ments, Tribal entities, public housing agencies, and non-  
5 profit organizations: *Provided further*, That for-profit de-  
6 velopers may apply jointly with a public entity: *Provided*  
7 *further*, That for purposes of environmental review, a  
8 grantee shall be treated as a public housing agency under  
9 section 26 of the United States Housing Act of 1937 (42  
10 U.S.C. 1437x), and grants made with amounts available  
11 under this heading shall be subject to the regulations  
12 issued by the Secretary to implement such section: *Pro-*  
13 *vided further*, That of the amounts made available under  
14 this heading, not less than \$225,000,000 shall be awarded  
15 to public housing agencies: *Provided further*, That such  
16 grantees shall create partnerships with other local organi-  
17 zations, including assisted housing owners, service agen-  
18 cies, and resident organizations: *Provided further*, That  
19 the Secretary shall consult with the Secretaries of Edu-  
20 cation, Labor, Transportation, Health and Human Serv-  
21 ices, Agriculture, and Commerce, the Attorney General,  
22 and the Administrator of the Environmental Protection  
23 Agency to coordinate and leverage other appropriate Fed-  
24 eral resources: *Provided further*, That not more than  
25 \$10,000,000 of the amounts made available under this

1 heading may be provided as grants to undertake com-  
2 prehensive local planning with input from residents and  
3 the community: *Provided further*, That unobligated bal-  
4 ances, including recaptures, remaining from amounts  
5 made available under the heading “Revitalization of Se-  
6 verely Distressed Public Housing (HOPE VI)” in fiscal  
7 year 2011 and prior fiscal years may be used for purposes  
8 under this heading, notwithstanding the purposes for  
9 which such amounts were appropriated: *Provided further*,  
10 That the Secretary shall make grant awards not later than  
11 1 year after the date of enactment of this Act in such  
12 amounts that the Secretary determines: *Provided further*,  
13 That notwithstanding section 24(o) of the United States  
14 Housing Act of 1937 (42 U.S.C. 1437v(o)), the Secretary  
15 may, until September 30, 2023, obligate any available un-  
16 obligated balances made available under this heading in  
17 this or any prior Act.

18 SELF-SUFFICIENCY PROGRAMS

19 For activities and assistance related to Self-Suffi-  
20 ciency Programs, to remain available until September 30,  
21 2026, \$175,000,000: *Provided*, That the amounts made  
22 available under this heading are provided as follows:

23 (1) \$125,000,000 shall be for the Family Self-  
24 Sufficiency program to support family self-suffi-  
25 ciency coordinators under section 23 of the United

1 States Housing Act of 1937 (42 U.S.C. 1437u), to  
2 promote the development of local strategies to co-  
3 ordinate the use of assistance under sections 8 and  
4 9 of such Act with public and private resources, and  
5 enable eligible families to achieve economic inde-  
6 pendence and self-sufficiency: *Provided*, That the  
7 Secretary may, by Federal Register notice, waive or  
8 specify alternative requirements under subsections  
9 (b)(3), (b)(4), (b)(5), or (c)(1) of section 23 of such  
10 Act in order to facilitate the operation of a unified  
11 self-sufficiency program for individuals receiving as-  
12 sistance under different provisions of such Act, as  
13 determined by the Secretary: *Provided further*, That  
14 an owner or sponsor of a multifamily property re-  
15 ceiving project-based rental assistance under section  
16 8 of such Act shall be eligible to receive awards from  
17 the Secretary under this paragraph in this and prior  
18 Acts to support family self-sufficiency coordinators  
19 as established in the final rule “Streamlining and  
20 Implementation of Economic Growth, Regulatory  
21 Relief, and Consumer Protection Act Changes to  
22 Family Self-Sufficiency (FSS) Program” published  
23 in the Federal Register on May 17, 2022 (87 Fed.  
24 Reg. 30020): *Provided further*, That owners or spon-  
25 sors of a multifamily property receiving project-



1       based rental assistance under section 8 of such Act  
2       may voluntarily make a Family Self-Sufficiency pro-  
3       gram available to the assisted tenants of such prop-  
4       erty in accordance with procedures established by  
5       the Secretary: *Provided further*, That such proce-  
6       dures established pursuant to the preceding proviso  
7       shall permit participating tenants to accrue escrow  
8       funds in accordance with section 23(d)(2) of such  
9       Act and shall allow owners to use funding from re-  
10      sidual receipt accounts to hire coordinators for their  
11      own Family Self-Sufficiency program;

12           (2) \$35,000,000 shall be for the Resident Op-  
13      portunity and Self-Sufficiency program to provide  
14      for supportive services, service coordinators, and  
15      congregate services as authorized by section 34 of  
16      the United States Housing Act of 1937 (42 U.S.C.  
17      1437z-6) and the Native American Housing Assist-  
18      ance and Self-Determination Act of 1996 (25 U.S.C.  
19      4101 et seq.): *Provided*, That amounts made avail-  
20      able under this paragraph may be made available for  
21      grant renewal for the Resident Opportunity and  
22      Self-Sufficiency program for any public housing  
23      agency or owner of a multifamily property receiving  
24      project-based rental assistance under section 8 of  
25      the United States Housing Act of 1937 (42 U.S.C.

1 1437f) that lost any amount of funding for the Resi-  
2 dent Opportunity and Self-Sufficiency program as a  
3 result of participation in the program created under  
4 the heading “Rental Assistance Demonstration” in  
5 the Department of Housing and Urban Development  
6 Appropriations Act, 2012 (Public Law 112–55), as  
7 amended (42 U.S.C. 1437f note); and

8 (3) \$15,000,000 shall be for a Jobs-Plus initia-  
9 tive, modeled after the Jobs-Plus demonstration:

10 *Provided*, That funding provided under this para-  
11 graph shall be available for competitive grants to  
12 partnerships between public housing authorities or  
13 owners or sponsors of multifamily properties receiv-  
14 ing project-based rental assistance under section 8,  
15 that, in partnership with local workforce investment  
16 boards established under section 107 of the Work-  
17 force Innovation and Opportunity Act of 2014 (29  
18 U.S.C. 3122), and other agencies and organizations  
19 provide support to help public housing residents, or  
20 tenants residing in units assisted under a project-  
21 based section 8 contract (including section 8(o)(13)  
22 of the United States Housing Act of 1937), obtain  
23 employment or increase earnings, or both: *Provided*  
24 *further*, That applicants must demonstrate the abil-  
25 ity to provide services to residents, partner with

1 workforce investment boards, and leverage service  
2 dollars: *Provided further*, That the Secretary may  
3 allow public housing agencies to request exemptions  
4 from rent and income limitation requirements under  
5 sections 3 and 6 of the United States Housing Act  
6 of 1937 (42 U.S.C. 1437a, 1437d), as necessary to  
7 implement the Jobs-Plus program, on such terms  
8 and conditions as the Secretary may approve upon  
9 a finding by the Secretary that any such waivers or  
10 alternative requirements are necessary for the effective  
11 implementation of the Jobs-Plus initiative as a  
12 voluntary program for residents: *Provided further*,  
13 That the Secretary shall publish by notice in the  
14 Federal Register any waivers or alternative requirements  
15 pursuant to the preceding proviso no later  
16 than 10 days before the effective date of such notice:  
17 *Provided further*, That the costs of any rent incentives  
18 as authorized pursuant to such waivers or alternative  
19 requirements shall not be charged against  
20 the competitive grant amounts made available under  
21 this paragraph.

22 NATIVE AMERICAN PROGRAMS

23 For activities and assistance authorized under title  
24 I of the Native American Housing Assistance and Self-  
25 Determination Act of 1996 (in this heading

1 “NAHASDA”) (25 U.S.C. 4111 et seq.), title I of the  
2 Housing and Community Development Act of 1974 (42  
3 U.S.C. 5301 et seq.) with respect to Indian tribes, and  
4 related training and technical assistance, \$1,000,000,000,  
5 to remain available until September 30, 2027: *Provided*,  
6 That the amounts made available under this heading are  
7 provided as follows:

8           (1) \$772,000,000 shall be for the Native Amer-  
9 ican Housing Block Grants program, as authorized  
10 under title I of NAHASDA: *Provided*, That, not-  
11 withstanding NAHASDA, to determine the amount  
12 of the allocation under title I of such Act for each  
13 Indian tribe, the Secretary shall apply the formula  
14 under section 302 of such Act with the need compo-  
15 nent based on single-race census data and with the  
16 need component based on multi-race census data,  
17 and the amount of the allocation for each Indian  
18 tribe shall be the greater of the two resulting alloca-  
19 tion amounts: *Provided further*, That the Secretary  
20 shall notify grantees of their formula allocation not  
21 later than 60 days after the date of enactment of  
22 this Act;

23           (2) \$150,000,000 shall be for competitive  
24 grants under the Native American Housing Block  
25 Grants program, as authorized under title I of

1        NAHASDA: *Provided*, That the Secretary shall obli-  
2        gate such amount for competitive grants to eligible  
3        recipients authorized under NAHASDA that apply  
4        for funds: *Provided further*, That in awarding  
5        amounts made available in this paragraph, the Sec-  
6        retary shall consider need and administrative capac-  
7        ity, and shall give priority to projects that will spur  
8        construction and rehabilitation of housing: *Provided*  
9        *further*, That a grant funded pursuant to this para-  
10       graph shall be in an amount not greater than  
11       \$7,500,000: *Provided further*, That any amounts  
12       transferred for the necessary costs of administering  
13       and overseeing the obligation and expenditure of  
14       such amounts in prior Acts may also be used for the  
15       necessary costs of administering and overseeing such  
16       amounts;

17            (3) \$1,000,000 shall be for the cost of guaran-  
18       teed notes and other obligations, as authorized by  
19       title VI of NAHASDA: *Provided*, That such costs,  
20       including the cost of modifying such notes and other  
21       obligations, shall be as defined in section 502 of the  
22       Congressional Budget Act of 1974 (2 U.S.C. 661a):  
23       *Provided further*, That amounts made available in  
24       this and prior Acts for the cost of such guaranteed  
25       notes and other obligations, that are unobligated, in-

cluding recaptures and carryover, shall be available to subsidize the total principal amount of any notes and other obligations, any part of which is to be guaranteed, not to exceed \$50,000,000, to remain available until September 30, 2024;

(4) \$70,000,000 shall be for grants to Indian tribes for carrying out the Indian Community Development Block Grant program under title I of the Housing and Community Development Act of 1974, notwithstanding section 106(a)(1) of such Act, of which, notwithstanding any other provision of law (including section 203 of this Act), not more than \$5,000,000 may be used for emergencies that constitute imminent threats to health and safety: *Provided*, That not to exceed 20 percent of any grant made with amounts made available in this paragraph shall be expended for planning and management development and administration; and

(5) \$7,000,000, in addition to amounts otherwise available for such purposes, shall be for providing training and technical assistance to Indian tribes, Indian housing authorities, and tribally designated housing entities, to support the inspection of Indian housing units, for contract expertise, and for training and technical assistance related to amounts

1       made available under this heading and other head-  
2       ings in this Act for the needs of Native American  
3       families and Indian country: *Provided*, That of the  
4       amounts made available in this paragraph, not less  
5       than \$2,000,000 shall be for a national organization  
6       as authorized under section 703 of NAHASDA (25  
7       U.S.C. 4212): *Provided further*, That amounts made  
8       available in this paragraph may be used, contracted,  
9       or competed as determined by the Secretary: *Pro-*  
10      *vided further*, That notwithstanding chapter 63 of  
11      title 31, United States Code (commonly known as  
12      the Federal Grant and Cooperative Agreements Act  
13      of 1977), the amounts made available in this para-  
14      graph may be used by the Secretary to enter into co-  
15      operative agreements with public and private organi-  
16      zations, agencies, institutions, and other technical  
17      assistance providers to support the administration of  
18      negotiated rulemaking under section 106 of  
19      NAHASDA (25 U.S.C. 4116), the administration of  
20      the allocation formula under section 302 of  
21      NAHASDA (25 U.S.C. 4152), and the administra-  
22      tion of performance tracking and reporting under  
23      section 407 of NAHASDA (25 U.S.C. 4167).

1 INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM  
2 ACCOUNT

3 For the cost of guaranteed loans, as authorized by  
4 section 184 of the Housing and Community Development  
5 Act of 1992 (12 U.S.C. 1715z–13a), \$5,521,000, to re-  
6 main available until expended: *Provided*, That such costs,  
7 including the costs of modifying such loans, shall be as  
8 defined in section 502 of the Congressional Budget Act  
9 of 1974 (2 U.S.C. 661a): *Provided further*, That amounts  
10 made available in this and prior Acts for the cost of guar-  
11 anteed loans, as authorized by section 184 of the Housing  
12 and Community Development Act of 1992 (12 U.S.C.  
13 1715z–13a), that are unobligated, including recaptures  
14 and carryover, shall be available to subsidize total loan  
15 principal, any part of which is to be guaranteed, not to  
16 exceed \$1,400,000,000, to remain available until Sep-  
17 tember 30, 2024.

18 NATIVE HAWAIIAN HOUSING BLOCK GRANT

19 For the Native Hawaiian Housing Block Grant pro-  
20 gram, as authorized under title VIII of the Native Amer-  
21 ican Housing Assistance and Self-Determination Act of  
22 1996 (25 U.S.C. 4221 et seq.), \$10,000,000, to remain  
23 available until September 30, 2027: *Provided*, That not-  
24 withstanding section 812(b) of such Act, the Department  
25 of Hawaiian Home Lands may not invest grant amounts



1 made available under this heading in investment securities  
2 and other obligations: *Provided further*, That amounts  
3 made available under this heading in this and prior fiscal  
4 years may be used to provide rental assistance to eligible  
5 Native Hawaiian families both on and off the Hawaiian  
6 Home Lands, notwithstanding any other provision of law.

7 NATIVE HAWAIIAN HOUSING LOAN GUARANTEE FUND

8 PROGRAM ACCOUNT

9 New commitments to guarantee loans, as authorized  
10 by section 184A of the Housing and Community Develop-  
11 ment Act of 1992 (12 U.S.C. 1715z–13b), any part of  
12 which is to be guaranteed, shall not exceed \$28,000,000,  
13 to remain available until September 30, 2024, in total loan  
14 principal: *Provided*, That the Secretary may enter into  
15 commitments to guarantee loans used for refinancing.

16 COMMUNITY PLANNING AND DEVELOPMENT

17 HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

18 For carrying out the Housing Opportunities for Per-  
19 sons with AIDS program, as authorized by the AIDS  
20 Housing Opportunity Act (42 U.S.C. 12901 et seq.),  
21 \$600,000,000, to remain available until September 30,  
22 2024, except that amounts allocated pursuant to section  
23 854(c)(5) of such Act shall remain available until Sep-  
24 tember 30, 2025: *Provided*, That the Department shall no-

1 tify grantees of their formula allocation within 60 days  
 2 of enactment of this Act.

3 COMMUNITY DEVELOPMENT FUND

4 For assistance to States and units of general local  
 5 government, and other entities, for economic and commu-  
 6 nity development activities, and other purposes,  
 7 \$5,299,157,664 (increased by \$3,000,000,000) (reduced  
 8 by \$3,000,000,000) (increased by \$1,000,000) (reduced  
 9 by \$1,000,000) (reduced by \$1,000,000) (increased by  
 10 \$1,000,000) (increased by \$3,000,000,000) (reduced by  
 11 \$3,000,000,000), to remain available until September 30,  
 12 2026, unless otherwise specified: *Provided*, That of the  
 13 total amount provided under this heading, \$3,300,000,000  
 14 (increased by \$3,000,000,000) (reduced by  
 15 \$3,000,000,000) (reduced by \$1,000,000) (increased by  
 16 \$1,000,000) (increased by \$3,000,000,000) (reduced by  
 17 \$3,000,000,000) is for carrying out the community devel-  
 18 opment block grant program under title I of the Housing  
 19 and Community Development Act of 1974, as amended  
 20 (42 U.S.C. 5301 et seq.) (in this heading “the Act”): *Pro-*  
 21 *vided further*, That unless explicitly provided for under  
 22 this heading, not to exceed 20 percent of any grant made  
 23 with funds made available under this heading shall be ex-  
 24 pended for planning and management development and  
 25 administration: *Provided further*, That a metropolitan city,

1 urban county, unit of general local government, or insular  
2 area that directly or indirectly receives funds under this  
3 heading may not sell, trade, or otherwise transfer all or  
4 any portion of such funds to another such entity in ex-  
5 change for any other funds, credits, or non-Federal con-  
6 siderations, but shall use such funds for activities eligible  
7 under title I of the Act: *Provided further*, That notwith-  
8 standing section 105(e)(1) of the Act, no funds made  
9 available under this heading may be provided to a for-prof-  
10 it entity for an economic development project under sec-  
11 tion 105(a)(17) unless such project has been evaluated  
12 and selected in accordance with guidelines required under  
13 subsection (e)(2) of section 105: *Provided further*, That  
14 of the total amount provided under this heading,  
15 \$25,000,000 shall be for activities authorized under sec-  
16 tion 8071 of the SUPPORT for Patients and Commu-  
17 nities Act (Public Law 115–271): *Provided further*, That  
18 the funds allocated pursuant to the preceding proviso shall  
19 not adversely affect the amount of any formula assistance  
20 received by a State under the first proviso: *Provided fur-*  
21 *ther*, That the Secretary shall allocate the funds for such  
22 activities based on the notice establishing the funding for-  
23 mula published in 84 FR 16027 (April 17, 2019) except  
24 that the formula shall use age-adjusted rates of drug over-  
25 dose deaths for 2019 based on data from the Centers for

1 Disease Control and Prevention: *Provided further*, That of  
 2 the total amount made available under this heading,  
 3 \$1,974,157,664 shall be available for grants for the Eco-  
 4 nomic Development Initiative (EDI) for the purposes, and  
 5 in amounts, specified for Community Project Funding in  
 6 the table titled “Transportation, Housing and Urban De-  
 7 velopment Incorporation of Community Project Funding  
 8 Items” included in the report accompanying this Act: *Pro-*  
 9 *vided further*, That none of the amounts made available  
 10 in the preceding proviso shall be used for reimbursement  
 11 of expenses incurred prior to the obligation of funds: *Pro-*  
 12 *vided further*, That the Department of Housing and Urban  
 13 Development shall notify grantees of their formula alloca-  
 14 tion within 60 days of enactment of this Act: *Provided*  
 15 *further*, That for fiscal year 2023 section 105(a)(8) of the  
 16 Act (42 U.S.C. 5305(a)(8)) and section 570.201(e) of title  
 17 24, Code of Federal Regulations, shall not apply for public  
 18 services activities to prevent, prepare for, and respond to  
 19 homelessness and emergency rental assistance needs.

20 COMMUNITY DEVELOPMENT LOAN GUARANTEES

21 PROGRAM ACCOUNT

22 Subject to section 502 of the Congressional Budget  
 23 Act of 1974 (2 U.S.C. 661a), during fiscal year 2023,  
 24 commitments to guarantee loans under section 108 of the  
 25 Housing and Community Development Act of 1974 (42

1 U.S.C. 5308), any part of which is guaranteed, shall not  
2 exceed a total principal amount of \$300,000,000, notwith-  
3 standing any aggregate limitation on outstanding obliga-  
4 tions guaranteed in subsection (k) of such section 108:  
5 *Provided*, That the Secretary shall collect fees from bor-  
6 rowers, notwithstanding subsection (m) of such section  
7 108, to result in a credit subsidy cost of zero for guaran-  
8 teeing such loans, and any such fees shall be collected in  
9 accordance with section 502(7) of the Congressional  
10 Budget Act of 1974: *Provided further*, That such commit-  
11 ment authority funded by fees may be used to guarantee,  
12 or make commitments to guarantee, notes or other obliga-  
13 tions issued by any State on behalf of non-entitlement  
14 communities in the State in accordance with the require-  
15 ments of such section 108: *Provided further*, That any  
16 State receiving such a guarantee or commitment under the  
17 preceding proviso shall distribute all funds subject to such  
18 guarantee to the units of general local government in non-  
19 entitlement areas that received the commitment: *Provided*  
20 *further*, That \$60,000,000, to remain available until Sep-  
21 tember 30, 2025, shall be for competitive economic devel-  
22 opment grants, as authorized by section 108(q) of the  
23 Housing and Community Development Act of 1974, as  
24 amended, for projects that improve community resilience  
25 by supporting distributed clean energy plus storage, flood-

1 control infrastructure, or redevelopment of brownfields or  
 2 grayfields, such as foreclosed, vacant, contaminated, aban-  
 3 doned, or blighted properties, obsolete manufactured hous-  
 4 ing, vacant shopping malls, landfills, or otherwise under-  
 5 utilized commercial or industrial properties: *Provided fur-*  
 6 *ther*, That no funds made available under this heading  
 7 may be used to establish loan loss reserves for the section  
 8 108 Community Development Loan Guarantee program:  
 9 *Provided further*, That amounts made available under this  
 10 heading may be used for the payment of costs associated  
 11 with private sector financing of debt obligations and fees  
 12 collected in connection with the section 108 Community  
 13 Development Loan Guarantee program.

14 HOME INVESTMENT PARTNERSHIPS PROGRAM

15 For the HOME Investment Partnerships program, as  
 16 authorized under title II of the Cranston-Gonzalez Na-  
 17 tional Affordable Housing Act, as amended (42 U.S.C.  
 18 12721 et seq.), \$1,675,000,000 (increased by  
 19 \$20,000,000,000) (reduced by \$20,000,000,000), to re-  
 20 main available until September 30, 2026: *Provided*, That  
 21 of the amount made available under this heading, up to  
 22 \$50,000,000 (increased by \$10,000,000,000) (reduced by  
 23 \$10,000,000,000) shall be for awards to States and insu-  
 24 lar areas for assistance to homebuyers as authorized under  
 25 section 212(a)(1) of such Act (42 U.S.C. 12742(a)(1)),

1 in addition to amounts made otherwise available for such  
2 purpose: *Provided further*, That amounts made available  
3 under the preceding proviso shall be allocated in the same  
4 manner as other amounts made available under this head-  
5 ing, except that amounts that would have been reserved  
6 and allocated to units of general local government within  
7 the State pursuant to section 217 of such Act (42 U.S.C.  
8 12747) shall be provided to the State: *Provided further*,  
9 That the Secretary may waive or specify alternative re-  
10 quirements for any provision of such Act in connection  
11 with the use of amounts made available under the pre-  
12 ceding two provisos (except for requirements related to  
13 fair housing, nondiscrimination, labor standards, and the  
14 environment) upon a finding that any such waivers or al-  
15 ternative requirements are necessary to expedite or facili-  
16 tate the use of amounts awarded pursuant to the pre-  
17 ceding provisos: *Provided further*, That notwithstanding  
18 section 231(b) of such Act (24 U.S.C. 12771(b)), all unob-  
19 ligated balances remaining from amounts recaptured pur-  
20 suant to such section that remain available until expended  
21 shall be combined with amounts made available under this  
22 heading and allocated in accordance with the formula  
23 under section 217(b)(1)(A) of such Act (42 U.S.C.  
24 12747(b)(1)(A)): *Provided further*, That the Department  
25 shall notify grantees of their formula allocations not later

1 than 60 days after enactment of this Act: *Provided further*,  
 2 That section 218(g) of such Act (42 U.S.C. 12748(g))  
 3 shall not apply with respect to the right of a jurisdiction  
 4 to draw funds from its HOME Investment Trust Fund  
 5 that otherwise expired or would expire in any calendar  
 6 year from 2016 through 2025 under that section: *Provided*  
 7 *further*, That section 231(b) of such Act (42 U.S.C.  
 8 12771(b)) shall not apply to any uninvested funds that  
 9 otherwise were deducted or would be deducted from the  
 10 line of credit in the participating jurisdiction's HOME In-  
 11 vestment Trust Fund in any calendar year from 2018  
 12 through 2025 under that section.

13 PRESERVATION AND REINVESTMENT INITIATIVE FOR  
 14 COMMUNITY ENHANCEMENT

15 For competitive grants to preserve and revitalize  
 16 manufactured housing and eligible manufactured housing  
 17 communities (including pre-1976 mobile homes) under  
 18 title I of the Housing and Community Development Act  
 19 of 1974, as amended (42 U.S.C. 5301 et seq.),  
 20 \$500,000,000, to remain available until September 30,  
 21 2027: *Provided*, That recipients of grants provided with  
 22 amounts made available under this heading shall be  
 23 States, units of general local government, resident-owned  
 24 manufactured housing communities, cooperatives, non-  
 25 profit entities including consortia of nonprofit entities,



1 community development financial institutions, Indian  
2 Tribes and Tribally designated housing entities, or other  
3 entities approved by the Secretary: *Provided further*, That  
4 the Secretary may approve entities for selection that part-  
5 ner with one or several residents of such eligible commu-  
6 nities or that propose to implement a grant program that  
7 would assist residents of such eligible communities: *Pro-*  
8 *vided further*, That eligible uses of such grants may in-  
9 clude infrastructure, planning, resident and community  
10 services (including relocation assistance and eviction pre-  
11 vention), resiliency activities, and providing other assist-  
12 ance to residents or owners of manufactured homes, which  
13 may include providing assistance for manufactured hous-  
14 ing land and site acquisition: *Provided further*, That, ex-  
15 cept as determined by the Secretary, participation in this  
16 program shall not encumber the future transfer of title  
17 or use of property by the residents, owners, or commu-  
18 nities: *Provided further*, That when selecting recipients,  
19 the Secretary shall prioritize applications that primarily  
20 benefit low- or moderately low-income residents and pre-  
21 serve long-term housing affordability for residents of man-  
22 ufactured housing or a manufactured housing community:  
23 *Provided further*, That eligible manufactured housing com-  
24 munities may include those that are—

1       (1) owned by the residents of the manufactured hous-  
2 ing community through a resident-controlled entity, as de-  
3 fined by the Secretary; or

4       (2) determined by the Secretary to be subject to bind-  
5 ing agreements that will preserve the community and  
6 maintain affordability on a long-term basis:

7 *Provided further*, That, of the amounts made available  
8 under this heading, \$50,000,000 shall be for a pilot pro-  
9 gram for the Secretary to provide grants to assist in the  
10 redevelopment of manufactured housing communities (in-  
11 cluding pre-1976 mobile homes) as replacement housing  
12 that is affordable, as defined by the Secretary: *Provided*  
13 *further*, That each such redevelopment project shall pro-  
14 vide, for each unit of single-family manufactured housing  
15 (including pre-1976 mobile homes) replaced under the  
16 project, up to 4 dwelling units of such affordable housing:  
17 *Provided further*, That the Secretary shall define eligible  
18 activities for grant assistance under the pilot program,  
19 which may include relocation assistance or buy-outs for  
20 residents of a manufactured housing community or down-  
21 payment assistance for such residents: *Provided further*,  
22 That the Secretary shall require each grantee under the  
23 pilot program to supplement the amount of the grant with  
24 non-Federal amounts exceeding 50 percent of the grant:  
25 *Provided further*, That resiliency activities means the re-

1 construction, repair, or replacement of manufactured  
2 housing and manufactured housing communities to pro-  
3 tect the health and safety of manufactured housing resi-  
4 dents and to address weatherization and energy efficiency  
5 needs, except that for pre-1976 mobile homes, funds made  
6 available under this heading may be used only for replace-  
7 ment: *Provided further*, That the Secretary may waive or  
8 specify alternative requirements for any provision of any  
9 statute or regulation that the Secretary administers in  
10 connection with the use of amounts made available under  
11 this heading (except for requirements related to fair hous-  
12 ing, nondiscrimination, labor standards, and the environ-  
13 ment), upon a finding that such waiver or alternative re-  
14 quirement is necessary to facilitate the use of such  
15 amounts.

16 SELF-HELP AND ASSISTED HOMEOWNERSHIP

17 OPPORTUNITY PROGRAM

18 For the Self-Help and Assisted Homeownership Op-  
19 portunity Program, as authorized under section 11 of the  
20 Housing Opportunity Program Extension Act of 1996 (42  
21 U.S.C. 12805 note), and for related activities and assist-  
22 ance, \$62,500,000 (increased by \$2,000,000), to remain  
23 available until September 30, 2025: *Provided*, That the  
24 amounts made available under this heading are provided  
25 as follows:

1           (1) \$12,500,000 shall be for the Self-Help  
2       Homeownership Opportunity Program as authorized  
3       under such section 11;

4           (2) \$45,000,000 (increased by \$2,000,000)  
5       shall be for the second, third, and fourth capacity  
6       building entities specified in section 4(a) of the  
7       HUD Demonstration Act of 1993 (42 U.S.C. 9816  
8       note), of which not less than \$5,000,000 shall be for  
9       rural capacity building activities: *Provided*, That for  
10      purposes of awarding grants from amounts made  
11      available in this paragraph, the Secretary may enter  
12      into multiyear agreements, as appropriate, subject to  
13      the availability of annual appropriations; and

14          (3) \$5,000,000 shall be for capacity building by  
15      national rural housing organizations having experi-  
16      ence assessing national rural conditions and pro-  
17      viding financing, training, technical assistance, infor-  
18      mation, and research to local nonprofit organiza-  
19      tions, local governments, and Indian Tribes serving  
20      high need rural communities.

21                       HOMELESS ASSISTANCE GRANTS

22      For assistance under title IV of the McKinney-Vento  
23      Homeless Assistance Act (42 U.S.C. 11360 et seq.),  
24      \$3,604,000,000 (reduced by \$3,604,000,000) (increased  
25      by \$3,604,000,000), to remain available until September

1 30, 2025: *Provided*, That of the amounts made available  
2 under this heading—

3 (1) \$290,000,000 shall be for the Emergency  
4 Solutions Grants program authorized under subtitle  
5 B of such title IV (42 U.S.C. 11371 et seq.): *Pro-*  
6 *vided*, That the Department shall notify grantees of  
7 their formula allocation from amounts allocated  
8 (which may represent initial or final amounts allo-  
9 cated) for the Emergency Solutions Grant program  
10 not later than 60 days after enactment of this Act;

11 (2) \$3,200,000,000 shall be for the Continuum  
12 of Care program authorized under subtitle C of such  
13 title IV (42 U.S.C. 11381 et seq.) and the Rural  
14 Housing Stability Assistance programs authorized  
15 under subtitle D of such title IV (42 U.S.C. 11408):  
16 *Provided*, That the Secretary shall prioritize funding  
17 under the Continuum of Care program to contin-  
18 uums of care that have demonstrated a capacity to  
19 reallocate funding from lower performing projects to  
20 higher performing projects: *Provided further*, That  
21 the Secretary shall provide incentives to create  
22 projects that coordinate with housing providers and  
23 healthcare organizations to provide permanent sup-  
24 portive housing and rapid re-housing services: *Pro-*  
25 *vided further*, That for fiscal year 2023 the Sec-

1       retary may establish by notice an alternative max-  
2       imum amount for administrative costs related to the  
3       requirements described in paragraphs (1) and (2) of  
4       section 402(f) of subtitle A of such title IV of no  
5       more than 5 percent or \$50,000, whichever is great-  
6       er, notwithstanding the 3 percent limitation in sec-  
7       tion 423(a)(10) of such subtitle C: *Provided further*,  
8       That of the amounts made available for the Con-  
9       tinuum of Care program under this paragraph, not  
10      less than \$75,000,000 shall be for grants for new  
11      rapid re-housing projects and supportive service  
12      projects providing coordinated entry, and for eligible  
13      activities that the Secretary determines to be critical  
14      in order to assist survivors of domestic violence, dat-  
15      ing violence, sexual assault, or stalking: *Provided*  
16      *further*, That amounts made available for the Con-  
17      tinuum of Care program under this heading in this  
18      Act and any remaining unobligated balances from  
19      prior Acts may be used to competitively or non-com-  
20      petitively renew or replace grants for youth homeless  
21      demonstration projects under the Continuum of  
22      Care program, notwithstanding any conflict with the  
23      requirements of the Continuum of Care program;  
24              (3) \$7,000,000 shall be for the national home-  
25      less data analysis project: *Provided*, That notwith-

1 standing the provisions of the Federal Grant and  
2 Cooperative Agreements Act of 1977 (31 U.S.C.  
3 6301–6308), the amounts made available under this  
4 paragraph and any remaining unobligated balances  
5 under this heading for such purposes in prior Acts  
6 may be used by the Secretary to enter into coopera-  
7 tive agreements with such entities as may be deter-  
8 mined by the Secretary, including public and private  
9 organizations, agencies, and institutions; and

10 (4) \$107,000,000 shall be to implement  
11 projects to demonstrate how a comprehensive ap-  
12 proach to serving homeless youth, age 24 and under,  
13 in up to 25 communities with a priority for commu-  
14 nities with substantial rural populations in up to  
15 eight locations, can dramatically reduce youth home-  
16 lessness: *Provided*, That of the amount made avail-  
17 able under this paragraph, not less than  
18 \$25,000,000 shall be for youth homelessness system  
19 improvement grants to support communities, includ-  
20 ing but not limited to the communities assisted  
21 under the matter preceding this proviso, in estab-  
22 lishing and implementing a response system for  
23 youth homelessness, or for improving their existing  
24 system: *Provided further*, That of the amount made  
25 available under this paragraph, up to \$10,000,000

1 shall be to provide technical assistance to commu-  
2 nities, including but not limited to the communities  
3 assisted in the preceding proviso and the matter pre-  
4 ceding such proviso, on improving system responses  
5 to youth homelessness, and collection, analysis, use,  
6 and reporting of data and performance measures  
7 under the comprehensive approaches to serve home-  
8 less youth, in addition to and in coordination with  
9 other technical assistance funds provided under this  
10 title: *Provided further*, That the Secretary may use  
11 up to 10 percent of the amount made available  
12 under the preceding proviso to build the capacity of  
13 current technical assistance providers or to train  
14 new technical assistance providers with verifiable  
15 prior experience with systems and programs for  
16 youth experiencing homelessness:

17 *Provided further*, That youth aged 24 and under seeking  
18 assistance under this heading shall not be required to pro-  
19 vide third party documentation to establish their eligibility  
20 under subsection (a) or (b) of section 103 of the McKin-  
21 ney-Vento Homeless Assistance Act (42 U.S.C. 11302) to  
22 receive services: *Provided further*, That unaccompanied  
23 youth aged 24 and under or families headed by youth aged  
24 24 and under who are living in unsafe situations may be  
25 served by youth-serving providers funded under this head-



1 ing: *Provided further*, That persons eligible under section  
2 103(a)(5) of the McKinney-Vento Homeless Assistance  
3 Act may be served by any project funded under this head-  
4 ing to provide both transitional housing and rapid re-hous-  
5 ing: *Provided further*, That for all matching funds require-  
6 ments applicable to funds made available under this head-  
7 ing for this fiscal year and prior fiscal years, a grantee  
8 may use (or could have used) as a source of match funds  
9 other funds administered by the Secretary and other Fed-  
10 eral agencies unless there is (or was) a specific statutory  
11 prohibition on any such use of any such funds: *Provided*  
12 *further*, That none of the funds made available under this  
13 heading shall be available to provide funding for new  
14 projects, except for projects created through reallocation,  
15 unless the Secretary determines that the continuum of  
16 care has demonstrated that projects are evaluated and  
17 ranked based on the degree to which they improve the con-  
18 tinuum of care's system performance: *Provided further*,  
19 That any unobligated amounts remaining from funds  
20 made available under this heading in fiscal year 2012 and  
21 prior years for project-based rental assistance for rehabili-  
22 tation projects with 10-year grant terms may be used for  
23 purposes under this heading, notwithstanding the pur-  
24 poses for which such funds were appropriated: *Provided*  
25 *further*, That unobligated balances, including recaptures

1 and carryover, remaining from funds transferred to or ap-  
2 propriated under this heading in fiscal year 2019 or prior  
3 years, except for rental assistance amounts that were re-  
4 captured and made available until expended, shall be avail-  
5 able for the current purposes authorized under this head-  
6 ing in addition to the purposes for which such funds origi-  
7 nally were appropriated.

## 8 HOUSING PROGRAMS

### 9 PROJECT-BASED RENTAL ASSISTANCE

10 For activities and assistance for the provision of  
11 project-based subsidy contracts under the United States  
12 Housing Act of 1937 (42 U.S.C. 1437 et seq.) (in this  
13 heading “the Act”), not otherwise provided for,  
14 \$14,540,000,000, to remain available until expended, shall  
15 be available on October 1, 2022 (in addition to the  
16 \$400,000,000 previously appropriated under this heading  
17 that became available October 1, 2022), and  
18 \$400,000,000, to remain available until expended, shall be  
19 available on October 1, 2023: *Provided*, That the amounts  
20 made available under this heading shall be for expiring  
21 or terminating section 8 project-based subsidy contracts  
22 (including section 8 moderate rehabilitation contracts), for  
23 amendments to section 8 project-based subsidy contracts  
24 (including section 8 moderate rehabilitation contracts), for  
25 contracts entered into pursuant to section 441 of the

1 McKinney-Vento Homeless Assistance Act (42 U.S.C.  
2 11401), for renewal of section 8 contracts for units in  
3 projects that are subject to approved plans of action under  
4 the Emergency Low Income Housing Preservation Act of  
5 1987 or the Low-Income Housing Preservation and Resi-  
6 dent Homeownership Act of 1990, and for administrative  
7 and other expenses associated with project-based activities  
8 and assistance funded under this heading: *Provided fur-*  
9 *ther*, That the amount of any forgone increases in tenant  
10 rent payments due to the implementation of rent incen-  
11 tives as authorized pursuant to waivers or alternative re-  
12 quirements of the Jobs-Plus initiative as described under  
13 the heading “Self-Sufficiency Programs” shall be factored  
14 into housing assistance payments under project-based sub-  
15 sidy contracts: *Provided further*, That of the total amounts  
16 made available under this heading, not to exceed  
17 \$375,000,000 shall be for performance-based contract ad-  
18 ministrators or contractors for section 8 project-based as-  
19 sistance, for carrying out 42 U.S.C. 1437(f): *Provided fur-*  
20 *ther*, That the Secretary may also use such amounts in  
21 the preceding proviso for performance-based contract ad-  
22 ministrators or contractors for the administration of: in-  
23 terest reduction payments pursuant to section 236(a) of  
24 the National Housing Act (12 U.S.C. 1715z–1(a)); rent  
25 supplement payments pursuant to section 101 of the

1 Housing and Urban Development Act of 1965 (12 U.S.C.  
2 1701s); section 236(f)(2) rental assistance payments (12  
3 U.S.C. 1715z–1(f)(2)); project rental assistance contracts  
4 for the elderly under section 202(c)(2) of the Housing Act  
5 of 1959 (12 U.S.C. 1701q); project rental assistance con-  
6 tracts for supportive housing for persons with disabilities  
7 under section 811(d)(2) of the Cranston-Gonzalez Na-  
8 tional Affordable Housing Act (42 U.S.C. 8013(d)(2));  
9 project assistance contracts pursuant to section 202(h) of  
10 the Housing Act of 1959 (Public Law 86–372; 73 Stat.  
11 667); and loans under section 202 of the Housing Act of  
12 1959 (Public Law 86–372; 73 Stat. 667): *Provided fur-*  
13 *ther*, That amounts recaptured under this heading, the  
14 heading “Annual Contributions for Assisted Housing”, or  
15 the heading “Housing Certificate Fund”, may be used for  
16 renewals of or amendments to section 8 project-based con-  
17 tracts or for performance-based contract administrators or  
18 contractors, notwithstanding the purposes for which such  
19 amounts were appropriated: *Provided further*, That, not-  
20 withstanding any other provision of law, upon the request  
21 of the Secretary, project funds that are held in residual  
22 receipts accounts for any project subject to a section 8  
23 project-based Housing Assistance Payments contract that  
24 authorizes the Department or a housing finance agency  
25 to require that surplus project funds be deposited in an

1 interest-bearing residual receipts account and that are in  
2 excess of an amount to be determined by the Secretary,  
3 shall be remitted to the Department and deposited in this  
4 account, to be available until expended: *Provided further*,  
5 That amounts deposited pursuant to the preceding proviso  
6 shall be available in addition to the amount otherwise pro-  
7 vided under this heading for uses authorized under this  
8 heading: *Provided further*, That of the total amounts made  
9 available under this heading, not to exceed \$250,000,000  
10 shall be available for rent adjustments authorized under  
11 section 515(d) of the Multifamily Assisted Housing Re-  
12 form and Affordability Act of 1997 (as added by section  
13 234(a) of this Act): *Provided further*, That of the total  
14 amounts made available under this heading, not to exceed  
15 \$25,000,000 shall be available for adjustments under sec-  
16 tion 524(h) of the Multifamily Assisted Housing Reform  
17 and Affordability Act of 1997 (as added by section 234(b)  
18 of this Act) necessary to address health and safety defi-  
19 ciencies: *Provided further*, That up to 2 percent of the  
20 total amounts made available in the preceding two pro-  
21 visos shall be for administrative contract costs, including  
22 for carrying out due diligence and underwriting functions  
23 for evaluating owners' requests and for technical assist-  
24 ance activities: *Provided further*, That of the total amounts  
25 made available under this heading, not to exceed

1 \$31,000,000 shall be available for budget based adjust-  
 2 ments for service coordinators for the elderly: *Provided*  
 3 *further*, That any additional amounts for rent adjustments  
 4 or supplemental contract funding authorized under the  
 5 preceding four provisos shall be combined with other  
 6 amounts obligated to such contracts and the combined  
 7 total amount shall be available for all purposes under such  
 8 contracts.

9 HOUSING FOR THE ELDERLY

10 For capital advances, including amendments to cap-  
 11 ital advance contracts, for housing for the elderly, as au-  
 12 thorized by section 202 of the Housing Act of 1959 (12  
 13 U.S.C. 1701q), for project rental assistance for the elderly  
 14 under section 202(c)(2) of such Act, including amend-  
 15 ments to contracts for such assistance and renewal of ex-  
 16 piring contracts for such assistance for up to a 5-year  
 17 term, for senior preservation rental assistance contracts,  
 18 including renewals, as authorized by section 811(e) of the  
 19 American Homeownership and Economic Opportunity Act  
 20 of 2000 (12 U.S.C. 1701q note), and for supportive serv-  
 21 ices associated with the housing, \$1,200,000,000 (in-  
 22 creased by \$500,000,000) (reduced by \$500,000,000) to  
 23 remain available until September 30, 2026: *Provided*,  
 24 That of the amount made available under this heading,  
 25 up to \$125,000,000 shall be for service coordinators and

1 the continuation of existing congregate service grants for  
2 residents of assisted housing projects: *Provided further*,  
3 That any funding for existing service coordinators under  
4 the preceding proviso shall be provided within 120 days  
5 of enactment of this Act: *Provided further*, That amounts  
6 made available under this heading shall be available for  
7 Real Estate Assessment Center inspections and inspec-  
8 tion-related activities associated with section 202 projects:  
9 *Provided further*, That the Secretary may waive the provi-  
10 sions of section 202 governing the terms and conditions  
11 of project rental assistance, except that the initial contract  
12 term for such assistance shall not exceed 5 years in dura-  
13 tion: *Provided further*, That upon request of the Secretary,  
14 project funds that are held in residual receipts accounts  
15 for any project subject to a section 202 project rental as-  
16 sistance contract, and that upon termination of such con-  
17 tract are in excess of an amount to be determined by the  
18 Secretary, shall be remitted to the Department and depos-  
19 ited in this account, to remain available until September  
20 30, 2026: *Provided further*, That amounts deposited in  
21 this account pursuant to the preceding proviso shall be  
22 available, in addition to the amounts otherwise provided  
23 by this heading, for the purposes authorized under this  
24 heading: *Provided further*, That unobligated balances, in-  
25 cluding recaptures and carryover, remaining from funds

1 transferred to or appropriated under this heading shall be  
2 available for the current purposes authorized under this  
3 heading in addition to the purposes for which such funds  
4 originally were appropriated: *Provided further*, That of the  
5 total amount made available under this heading, up to  
6 \$25,000,000 shall be used to expand the supply of inter-  
7 generational dwelling units (as such term is defined in sec-  
8 tion 202 of the Legacy Act of 2003 (12 U.S.C. 1701q  
9 note)) for elderly caregivers raising children: *Provided fur-*  
10 *ther*, That for the purposes of the preceding proviso the  
11 Secretary may waive, or specify alternative requirements  
12 for, any provision of section 202 of the Housing Act of  
13 1959 (12 U.S.C. 1701q) in order to facilitate the develop-  
14 ment of such units, except for requirements related to fair  
15 housing, nondiscrimination, labor standards, and the envi-  
16 ronment: *Provided further*, That of the total amount made  
17 available under this heading, up to \$6,000,000 shall be  
18 used by the Secretary to support preservation transactions  
19 of housing for the elderly originally developed with a cap-  
20 ital advance and assisted by a project rental assistance  
21 contract under the provisions of section 202(c) of the  
22 Housing Act of 1959.

23 HOUSING FOR PERSONS WITH DISABILITIES

24 For capital advances, including amendments to cap-  
25 ital advance contracts, for supportive housing for persons



1 with disabilities, as authorized by section 811 of the Cran-  
2 ston-Gonzalez National Affordable Housing Act (42  
3 U.S.C. 8013), for project rental assistance for supportive  
4 housing for persons with disabilities under section  
5 811(d)(2) of such Act, for project assistance contracts  
6 pursuant to subsection (h) of section 202 of the Housing  
7 Act of 1959, as added by section 205(a) of the Housing  
8 and Community Development Amendments of 1978 (Pub-  
9 lic Law 95–557: 92 Stat. 2090), including amendments  
10 to contracts for such assistance and renewal of expiring  
11 contracts for such assistance for up to a 5-year term, for  
12 project rental assistance to State housing finance agencies  
13 and other appropriate entities as authorized under section  
14 811(b)(3) of the Cranston-Gonzalez National Affordable  
15 Housing Act, and for supportive services associated with  
16 the housing for persons with disabilities as authorized by  
17 section 811(b)(1) of such Act, \$400,000,000 (increased by  
18 \$500,000,000) (reduced by \$500,000,000), to remain  
19 available until September 30, 2026: *Provided*, That  
20 amounts made available under this heading shall be avail-  
21 able for Real Estate Assessment Center inspections and  
22 inspection-related activities associated with section 811  
23 projects: *Provided further*, That, upon the request of the  
24 Secretary, project funds that are held in residual receipts  
25 accounts for any project subject to a section 811 project

1 rental assistance contract, and that upon termination of  
2 such contract are in excess of an amount to be determined  
3 by the Secretary, shall be remitted to the Department and  
4 deposited in this account, to remain available until Sep-  
5 tember 30, 2026: *Provided further*, That amounts depos-  
6 ited in this account pursuant to the preceding proviso shall  
7 be available in addition to the amounts otherwise provided  
8 by this heading for the purposes authorized under this  
9 heading: *Provided further*, That unobligated balances, in-  
10 cluding recaptures and carryover, remaining from funds  
11 transferred to or appropriated under this heading shall be  
12 used for the current purposes authorized under this head-  
13 ing in addition to the purposes for which such funds origi-  
14 nally were appropriated.

15 HOUSING COUNSELING ASSISTANCE

16 For contracts, grants, and other assistance excluding  
17 loans, as authorized under section 106 of the Housing and  
18 Urban Development Act of 1968, as amended,  
19 \$70,000,000, to remain available until September 30,  
20 2024, including up to \$4,500,000 for administrative con-  
21 tract services: *Provided*, That funds shall be used for pro-  
22 viding counseling and advice to tenants and homeowners,  
23 both current and prospective, with respect to property  
24 maintenance, financial management or literacy, and such  
25 other matters as may be appropriate to assist them in im-

1 proving their housing conditions, meeting their financial  
2 needs, and fulfilling the responsibilities of tenancy or  
3 homeownership; for program administration; and for hous-  
4 ing counselor training: *Provided further*, That for purposes  
5 of awarding grants from amounts provided under this  
6 heading, the Secretary may enter into multiyear agree-  
7 ments, as appropriate, subject to the availability of annual  
8 appropriations.

9 PAYMENT TO MANUFACTURED HOUSING FEES TRUST  
10 FUND

11 For necessary expenses as authorized by the National  
12 Manufactured Housing Construction and Safety Stand-  
13 ards Act of 1974 (42 U.S.C. 5401 et seq.), up to  
14 \$14,000,000, to remain available until expended, of which  
15 \$14,000,000 shall be derived from the Manufactured  
16 Housing Fees Trust Fund (established under section  
17 620(e) of such Act (42 U.S.C. 5419(e)): *Provided*, That  
18 not to exceed the total amount appropriated under this  
19 heading shall be available from the general fund of the  
20 Treasury to the extent necessary to incur obligations and  
21 make expenditures pending the receipt of collections to the  
22 Fund pursuant to section 620 of such Act: *Provided fur-*  
23 *ther*, That the amount made available under this heading  
24 from the general fund shall be reduced as such collections  
25 are received during fiscal year 2023 so as to result in a

1 final fiscal year 2023 appropriation from the general fund  
2 estimated at zero, and fees pursuant to such section 620  
3 shall be modified as necessary to ensure such a final fiscal  
4 year 2023 appropriation: *Provided further*, That for the  
5 dispute resolution and installation programs, the Sec-  
6 retary may assess and collect fees from any program par-  
7 ticipant: *Provided further*, That such collections shall be  
8 deposited into the Trust Fund, and the Secretary, as pro-  
9 vided herein, may use such collections, as well as fees col-  
10 lected under section 620 of such Act, for necessary ex-  
11 penses of such Act: *Provided further*, That, notwith-  
12 standing the requirements of section 620 of such Act, the  
13 Secretary may carry out responsibilities of the Secretary  
14 under such Act through the use of approved service pro-  
15 viders that are paid directly by the recipients of their serv-  
16 ices.

17 FEDERAL HOUSING ADMINISTRATION

18 MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

19 New commitments to guarantee single family loans  
20 insured under the Mutual Mortgage Insurance Fund shall  
21 not exceed \$400,000,000,000, to remain available until  
22 September 30, 2024: *Provided*, That during fiscal year  
23 2023, obligations to make direct loans to carry out the  
24 purposes of section 204(g) of the National Housing Act,  
25 as amended, shall not exceed \$1,000,000: *Provided fur-*

1 *ther*, That the foregoing amount in the preceding proviso  
2 shall be for loans to nonprofit and governmental entities  
3 in connection with sales of single family real properties  
4 owned by the Secretary and formerly insured under the  
5 Mutual Mortgage Insurance Fund: *Provided further*, That  
6 for administrative contract expenses of the Federal Hous-  
7 ing Administration, \$150,000,000, to remain available  
8 until September 30, 2024: *Provided further*, That notwith-  
9 standing the limitation in the first sentence of section  
10 255(g) of the National Housing Act (12 U.S.C. 1715z–  
11 20(g)), during fiscal year 2023 the Secretary may insure  
12 and enter into new commitments to insure mortgages  
13 under section 255 of the National Housing Act only to  
14 the extent that the net credit subsidy cost for such insur-  
15 ance does not exceed zero.

16 GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

17 New commitments to guarantee loans insured under  
18 the General and Special Risk Insurance Funds, as author-  
19 ized by sections 238 and 519 of the National Housing Act  
20 (12 U.S.C. 1715z–3 and 1735c), shall not exceed  
21 \$35,000,000,000 in total loan principal, any part of which  
22 is to be guaranteed, to remain available until September  
23 30, 2024: *Provided*, That during fiscal year 2023, gross  
24 obligations for the principal amount of direct loans, as au-  
25 thorized by sections 204(g), 207(l), 238, and 519(a) of

1 the National Housing Act, shall not exceed \$1,000,000,  
 2 which shall be for loans to nonprofit and governmental en-  
 3 tities in connection with the sale of single family real prop-  
 4 erties owned by the Secretary and formerly insured under  
 5 such Act.

6 GOVERNMENT NATIONAL MORTGAGE ASSOCIATION  
 7 GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN  
 8 GUARANTEE PROGRAM ACCOUNT

9 New commitments to issue guarantees to carry out  
 10 the purposes of section 306 of the National Housing Act,  
 11 as amended (12 U.S.C. 1721(g)), shall not exceed  
 12 \$900,000,000,000, to remain available until September  
 13 30, 2024: *Provided*, That \$33,500,000, to remain avail-  
 14 able until September 30, 2024, shall be for necessary sala-  
 15 ries and expenses of the Government National Mortgage  
 16 Association: *Provided further*, That to the extent that  
 17 guaranteed loan commitments exceed \$155,000,000,000  
 18 on or before April 1, 2023 an additional \$100 for nec-  
 19 essary salaries and expenses shall be available until ex-  
 20 pended for each \$1,000,000 in additional guaranteed loan  
 21 commitments (including a pro rata amount for any  
 22 amount below \$1,000,000), but in no case shall funds  
 23 made available by this proviso exceed \$3,000,000: *Pro-*  
 24 *vided further*, That receipts from Commitment and  
 25 Multiclass fees collected pursuant to title III of the Na-

1 tional Housing Act (12 U.S.C. 1716 et seq.) shall be cred-  
2 ited as offsetting collections to this account.

3 POLICY DEVELOPMENT AND RESEARCH

4 RESEARCH AND TECHNOLOGY

5 For contracts, grants, and necessary expenses of pro-  
6 grams of research and studies relating to housing and  
7 urban problems, not otherwise provided for, as authorized  
8 by title V of the Housing and Urban Development Act  
9 of 1970 (12 U.S.C. 1701z-1 et seq.), including carrying  
10 out the functions of the Secretary of Housing and Urban  
11 Development under section 1(a)(1)(i) of Reorganization  
12 Plan No. 2 of 1968, and for technical assistance,  
13 \$160,000,000 (reduced by \$1,000,000) (increased by  
14 \$1,000,000) (reduced by \$1,000,000) (increased by  
15 \$1,000,000), to remain available until September 30,  
16 2024: *Provided*, That with respect to amounts made avail-  
17 able under this heading, notwithstanding section 203 of  
18 this title, the Secretary may enter into cooperative agree-  
19 ments with philanthropic entities, other Federal agencies,  
20 State or local governments and their agencies, Indian  
21 Tribes, tribally designated housing entities, or colleges or  
22 universities for research projects: *Provided further*, That  
23 with respect to the preceding proviso, such partners to the  
24 cooperative agreements shall contribute at least a 50 per-  
25 cent match toward the cost of the project: *Provided fur-*

1 *ther*, That for non-competitive agreements entered into in  
2 accordance with the preceding two provisos, the Secretary  
3 shall comply with section 2(b) of the Federal Funding Ac-  
4 countability and Transparency Act of 2006 (Public Law  
5 109–282, 31 U.S.C. note) in lieu of compliance with sec-  
6 tion 102(a)(4)(C) of the Department of Housing and  
7 Urban Development Reform Act of 1989 (42 U.S.C.  
8 3545(a)(4)(C)) with respect to documentation of award  
9 decisions: *Provided further*, That prior to obligation of  
10 technical assistance funding, the Secretary shall submit a  
11 plan to the House and Senate Committees on Appropria-  
12 tions on how the Secretary will allocate funding for this  
13 activity at least 30 days prior to obligation: *Provided fur-*  
14 *ther*, That none of the funds provided under this heading  
15 may be available for the doctoral dissertation research  
16 grant program: *Provided further*, That an additional  
17 \$20,000,000, to remain available until September 30,  
18 2025, shall be for competitive grants to nonprofit or gov-  
19 ernmental entities to provide legal assistance (including  
20 assistance related to pretrial activities, trial activities,  
21 post-trial activities and alternative dispute resolution) at  
22 no cost to eligible low-income tenants at risk of or subject  
23 to eviction: *Provided further*, That in awarding grants  
24 under the preceding proviso, the Secretary shall give pref-  
25 erence to applicants that include a marketing strategy for



1 residents of areas with high rates of eviction, have experi-  
2 ence providing no-cost legal assistance to low-income indi-  
3 viduals, including those with limited English proficiency  
4 or disabilities, and have sufficient capacity to administer  
5 such assistance, and may select unfunded or partially  
6 funded eligible applicants identified in the previous com-  
7 petition: *Provided further*, That the Secretary shall ensure,  
8 to the extent practicable, that the proportion of eligible  
9 tenants living in rural areas who will receive legal assist-  
10 ance with grant funds made available under this heading  
11 is not less than the overall proportion of eligible tenants  
12 who live in rural areas.

## 13 FAIR HOUSING AND EQUAL OPPORTUNITY

### 14 FAIR HOUSING ACTIVITIES

15 For contracts, grants, and other assistance, not oth-  
16 erwise provided for, as authorized by title VIII of the Civil  
17 Rights Act of 1968 (42 U.S.C. 3601 et seq.), and section  
18 561 of the Housing and Community Development Act of  
19 1987 (42 U.S.C. 3616a), \$86,000,000, to remain available  
20 until September 30, 2024: *Provided*, That notwithstanding  
21 section 3302 of title 31, United States Code, the Secretary  
22 may assess and collect fees to cover the costs of the Fair  
23 Housing Training Academy, and may use such funds to  
24 develop on-line courses and provide such training: *Pro-*  
25 *vided further*, That none of the funds made available under

1 this heading may be used to lobby the executive or legisla-  
 2 tive branches of the Federal Government in connection  
 3 with a specific contract, grant, or loan: *Provided further*,  
 4 That of the funds made available under this heading,  
 5 \$1,000,000 shall be available to the Secretary for the cre-  
 6 ation and promotion of translated materials and other pro-  
 7 grams that support the assistance of persons with limited  
 8 English proficiency in utilizing the services provided by  
 9 the Department of Housing and Urban Development.

10 OFFICE OF LEAD HAZARD CONTROL AND HEALTHY

11 HOMES

12 LEAD HAZARD REDUCTION

13 (INCLUDING TRANSFER OF FUNDS)

14 For the Lead Hazard Reduction Program, as author-  
 15 ized by section 1011 of the Residential Lead-Based Paint  
 16 Hazard Reduction Act of 1992 (42 U.S.C. 4852), the  
 17 Healthy Homes Initiative, pursuant to sections 501 and  
 18 502 of the Housing and Urban Development Act of 1970  
 19 (12 U.S.C. 1701z–1 and 1701z–2), and for related activi-  
 20 ties and assistance, \$415,000,000, to remain available  
 21 until September 30, 2025: *Provided*, That the amounts  
 22 made available under this heading are provided as follows:

- 23 (1) \$290,000,000 shall be for the award of  
 24 grants pursuant to such section 1011, of which not

1 less than \$95,000,000 shall be provided to areas  
2 with the highest lead-based paint abatement needs;

3 (2) \$85,000,000 shall be for the Healthy  
4 Homes Initiative, pursuant to sections 501 and 502  
5 of the Housing and Urban Development Act of  
6 1970, which shall include research, studies, testing,  
7 and demonstration efforts, including education and  
8 outreach concerning lead-based paint poisoning and  
9 other housing-related diseases and hazards, and  
10 mitigating housing-related health and safety hazards  
11 in housing of low-income families, of which—

12 (A) \$5,000,000 shall be for the implemen-  
13 tation of projects in up to five communities that  
14 are served by both the Healthy Homes Initia-  
15 tive and the Department of Energy weatheriza-  
16 tion programs to demonstrate whether the co-  
17 ordination of Healthy Homes remediation ac-  
18 tivities with weatherization activities achieves  
19 cost savings and better outcomes in improving  
20 the safety and quality of homes; and

21 (B) \$10,000,000 shall be for grants to ex-  
22 perience non-profit organizations, States, local  
23 governments, or public housing agencies for  
24 safety and functional home modification repairs  
25 and renovations to meet the needs of low-in-

1           come elderly homeowners to enable them to re-  
2           main in their primary residence: *Provided*, That  
3           of the total amount made available under this  
4           subparagraph no less than \$3,000,000 shall be  
5           available to meet such needs in communities  
6           with substantial rural populations;

7           (3) \$5,000,000 shall be for the award of grants  
8           and contracts for research pursuant to sections 1051  
9           and 1052 of the Residential Lead-Based Paint Haz-  
10          ard Reduction Act of 1992 (42 U.S.C. 4854,  
11          4854a);

12          (4) Up to \$2,000,000 in total of the amounts  
13          made available under paragraphs (2) and (3) may be  
14          transferred to the heading “Research and Tech-  
15          nology” for the purposes of conducting research and  
16          studies and for use in accordance with the provisos  
17          under that heading for non-competitive agreements;

18          (5) \$30,000,000 shall be for a lead-risk assess-  
19          ment demonstration for public housing agencies to  
20          conduct lead hazard screenings or lead-risk assess-  
21          ments during housing quality standards inspections  
22          of units in which a family receiving assistance under  
23          section 8(o) of the U.S. Housing Act of 1937 (42  
24          U.S.C. 1437f(o)) resides or expects to reside, and  
25          has or expects to have a child under age 6 residing

1 in the unit, while preserving rental housing avail-  
2 ability and affordability; and

3 (6) \$5,000,000 shall be for grants for a radon  
4 testing and mitigation safety demonstration program  
5 (the radon demonstration) in public housing: *Pro-*  
6 *vided*, That the testing method, mitigation method,  
7 or action level used under the radon demonstration  
8 shall be as specified by applicable state or local law,  
9 if such law is more protective of human health or  
10 the environment than the method or level specified  
11 by the Secretary:

12 *Provided further*, That for purposes of environmental re-  
13 view, pursuant to the National Environmental Policy Act  
14 of 1969 (42 U.S.C. 4321 et seq.) and other provisions of  
15 law that further the purposes of such Act, a grant under  
16 the Healthy Homes Initiative, or the Lead Technical Stud-  
17 ies program, or other demonstrations or programs under  
18 this heading or under prior appropriations Acts for such  
19 purposes under this heading, or under the heading “Hous-  
20 ing for the Elderly” under prior Appropriations Acts, shall  
21 be considered to be funds for a special project for purposes  
22 of section 305(c) of the Multifamily Housing Property  
23 Disposition Reform Act of 1994: *Provided further*, That  
24 each applicant for a grant or cooperative agreement under  
25 this heading shall certify adequate capacity that is accept-

1 able to the Secretary to carry out the proposed use of  
2 funds pursuant to a notice of funding opportunity: *Pro-*  
3 *vided further*, That amounts made available under this  
4 heading, except for amounts in paragraphs (2)(B) for  
5 home modification repairs and renovations, in this or prior  
6 appropriations Acts, still remaining available, may be used  
7 for any purpose under this heading notwithstanding the  
8 purpose for which such amounts were appropriated if a  
9 program competition is undersubscribed and there are  
10 other program competitions under this heading that are  
11 oversubscribed.

#### 12 INFORMATION TECHNOLOGY FUND

13 For Department-wide and program-specific informa-  
14 tion technology systems and infrastructure, \$382,000,000  
15 (increased by \$2,000,000), to remain available until Sep-  
16 tember 30, 2025, of which up to \$16,746,000 shall be for  
17 development, modernization, and enhancement projects,  
18 including planning for such projects: *Provided*, That not  
19 more than 10 percent of the funds made available under  
20 this heading for development, modernization, and en-  
21 hancement may be obligated until the Secretary submits  
22 and the House and Senate Committees on Appropriations  
23 approve a plan that—

1           (1) identifies for each development, moderniza-  
2           tion, and enhancement project to be funded from  
3           available balances, including carryover—

4                   (A) plain language summaries of the  
5           project scope;

6                   (B) the estimated total project cost; and

7                   (C) key milestones to be met; and

8           (2) identifies for each major modernization  
9           project—

10                   (A) the functional and performance capa-  
11           bilities to be delivered and the mission benefits  
12           to be realized;

13                   (B) the estimated life-cycle cost;

14                   (C) key milestones to be met through the  
15           project end date, including any identified sys-  
16           tem decommissioning;

17                   (D) a description of the procurement strat-  
18           egy and governance structure for the project  
19           and the number of HUD staff and contractors  
20           supporting the project; and

21                   (E) certification from the Chief Informa-  
22           tion Officer that each project is compliant with  
23           the Department's enterprise architecture, life-  
24           cycle management and capital planning and in-  
25           vestment control requirements:

1       *Provided further*, That not later than 30 days after  
2       the end of each quarter, the Secretary shall submit  
3       an updated report to the Committees on Appropria-  
4       tions of the House of Representatives and the Sen-  
5       ate summarizing the status, cost and plan for all  
6       modernization projects; and for each major mod-  
7       ernization project with an approved project plan,  
8       identifying—

9               (1) results and actual expenditures of the prior  
10       quarter;

11              (2) any variances in cost, schedule (including  
12       procurement), or functionality from the previously  
13       approved project plan, reasons for such variances  
14       and estimated impact on total life-cycle costs; and

15              (3) risks and mitigation strategies associated  
16       with ongoing work.

17                       OFFICE OF INSPECTOR GENERAL

18       For necessary salaries and expenses of the Office of  
19       Inspector General in carrying out the Inspector General  
20       Act of 1978, as amended, \$140,000,000 (reduced by  
21       \$1,000,000) (increased by \$1,000,000): *Provided*, That  
22       the Inspector General shall have independent authority  
23       over all personnel and acquisition issues within this office.



1 GENERAL PROVISIONS—DEPARTMENT OF HOUSING AND  
2 URBAN DEVELOPMENT

3 (INCLUDING TRANSFER OF FUNDS)

4 (INCLUDING RESCISSION)

5 SEC. 201. Fifty percent of the amounts of budget au-  
6 thority, or in lieu thereof 50 percent of the cash amounts  
7 associated with such budget authority, that are recaptured  
8 from projects described in section 1012(a) of the Stewart  
9 B. McKinney Homeless Assistance Amendments Act of  
10 1988 (42 U.S.C. 1437f note) shall be rescinded or in the  
11 case of cash, shall be remitted to the Treasury, and such  
12 amounts of budget authority or cash recaptured and not  
13 rescinded or remitted to the Treasury shall be used by  
14 State housing finance agencies or local governments or  
15 local housing agencies with projects approved by the Sec-  
16 retary of Housing and Urban Development for which set-  
17 tlement occurred after January 1, 1992, in accordance  
18 with such section. Notwithstanding the previous sentence,  
19 the Secretary may award up to 15 percent of the budget  
20 authority or cash recaptured and not rescinded or remitted  
21 to the Treasury to provide project owners with incentives  
22 to refinance their project at a lower interest rate.

23 SEC. 202. None of the funds made available by this  
24 Act may be used to investigate or prosecute under the Fair  
25 Housing Act any otherwise lawful activity engaged in by

1 one or more persons, including the filing or maintaining  
2 of a nonfrivolous legal action, that is engaged in solely  
3 for the purpose of achieving or preventing action by a Gov-  
4 ernment official or entity, or a court of competent jurisdic-  
5 tion.

6 SEC. 203. Except as explicitly provided in law, any  
7 grant, cooperative agreement or other assistance made  
8 pursuant to title II of this Act shall be made on a competi-  
9 tive basis and in accordance with section 102 of the De-  
10 partment of Housing and Urban Development Reform Act  
11 of 1989 (42 U.S.C. 3545).

12 SEC. 204. Section 7 of the Department of Housing  
13 and Urban Development Act (42 U.S.C. 3535) is amended  
14 by adding at the end the following new subsection:

15 “(u)(1) Funds of the Department of Housing and  
16 Urban Development subject to the Government Corpora-  
17 tion Control Act shall be available, without regard to the  
18 limitations on administrative expenses, for legal services  
19 on a contract or fee basis, and for utilizing and making  
20 payment for services and facilities of the Federal National  
21 Mortgage Association, Government National Mortgage As-  
22 sociation, Federal Home Loan Mortgage Corporation,  
23 Federal Financing Bank, Federal Reserve banks or any  
24 member thereof, Federal Home Loan banks, and any in-  
25 sured bank within the meaning of the Federal Deposit In-

1 surance Corporation Act, as amended (12 U.S.C. 1811–  
2 1).

3       “(2) Corporations and agencies of the Department of  
4 Housing and Urban Development which are subject to  
5 chapter 91 of title 31, United States Code, are hereby au-  
6 thorized to make such expenditures, within the limits of  
7 funds and borrowing authority available to each such cor-  
8 poration or agency and in accordance with law, and to  
9 make such contracts and commitments without regard to  
10 fiscal year limitations as provided by section 9104 of such  
11 title as may be necessary in carrying out the programs  
12 set forth in the budget for such corporation or agency ex-  
13 cept as hereinafter provided: *Provided*, That collections of  
14 these corporations and agencies may be used for new loan  
15 or mortgage purchase commitments only to the extent ex-  
16 pressly provided for in an appropriations Act (unless such  
17 loans are in support of other forms of assistance provided  
18 for in appropriations Acts), except that this proviso shall  
19 not apply to the mortgage insurance or guaranty oper-  
20 ations of these corporations, or where loans or mortgage  
21 purchases are necessary to protect the financial interest  
22 of the United States Government.”.

23       SEC. 205. Unless otherwise provided for in this Act  
24 or through a reprogramming of funds, no part of any ap-  
25 propriation for the Department of Housing and Urban

1 Development shall be available for any program, project  
2 or activity in excess of amounts set forth in the budget  
3 estimates submitted to Congress.

4       SEC. 206. The Secretary shall provide quarterly re-  
5 ports to the House and Senate Committees on Appropria-  
6 tions regarding all uncommitted, unobligated, recaptured,  
7 and excess funds in each program and activity within the  
8 jurisdiction of the Department and shall submit addi-  
9 tional, updated budget information to these Committees  
10 upon request.

11       SEC. 207. None of the funds made available by this  
12 title may be used for an audit of the Government National  
13 Mortgage Association that makes applicable requirements  
14 under the Federal Credit Reform Act of 1990 (2 U.S.C.  
15 661 et seq.).

16       SEC. 208. (a) Notwithstanding any other provision  
17 of law, subject to the conditions listed under this section,  
18 for fiscal years 2023 and 2024, the Secretary of Housing  
19 and Urban Development may authorize the transfer of  
20 some or all project-based assistance, debt held or insured  
21 by the Secretary and statutorily required low-income and  
22 very low-income use restrictions if any, associated with one  
23 or more multifamily housing project or projects to another  
24 multifamily housing project or projects.

1       (b) PHASED TRANSFERS.—Transfers of project-  
2 based assistance under this section may be done in phases  
3 to accommodate the financing and other requirements re-  
4 lated to rehabilitating or constructing the project or  
5 projects to which the assistance is transferred, to ensure  
6 that such project or projects meet the standards under  
7 subsection (c).

8       (c) The transfer authorized in subsection (a) is sub-  
9 ject to the following conditions:

10           (1) NUMBER AND BEDROOM SIZE OF UNITS.—

11               (A) For occupied units in the transferring  
12 project: The number of low-income and very  
13 low-income units and the configuration (i.e.,  
14 bedroom size) provided by the transferring  
15 project shall be no less than when transferred  
16 to the receiving project or projects and the net  
17 dollar amount of Federal assistance provided to  
18 the transferring project shall remain the same  
19 in the receiving project or projects.

20               (B) For unoccupied units in the transfer-  
21 ring project: The Secretary may authorize a re-  
22 duction in the number of dwelling units in the  
23 receiving project or projects to allow for a re-  
24 configuration of bedroom sizes to meet current  
25 market demands, as determined by the Sec-

1           retary and provided there is no increase in the  
2           project-based assistance budget authority.

3           (2) The transferring project shall, as deter-  
4           mined by the Secretary, be either physically obsolete  
5           or economically nonviable, or be reasonably expected  
6           to become economically nonviable when complying  
7           with state or Federal requirements for community  
8           integration and reduced concentration of individuals  
9           with disabilities.

10          (3) The receiving project or projects shall meet  
11          or exceed applicable physical standards established  
12          by the Secretary.

13          (4) The owner or mortgagor of the transferring  
14          project shall notify and consult with the tenants re-  
15          siding in the transferring project and provide a cer-  
16          tification of approval by all appropriate local govern-  
17          mental officials.

18          (5) The tenants of the transferring project who  
19          remain eligible for assistance to be provided by the  
20          receiving project or projects shall not be required to  
21          vacate their units in the transferring project or  
22          projects until new units in the receiving project are  
23          available for occupancy.

24          (6) The Secretary determines that this transfer  
25          is in the best interest of the tenants.

1           (7) If either the transferring project or the re-  
2           ceiving project or projects meets the condition speci-  
3           fied in subsection (d)(2)(A), any lien on the receiv-  
4           ing project resulting from additional financing ob-  
5           tained by the owner shall be subordinate to any  
6           FHA-insured mortgage lien transferred to, or placed  
7           on, such project by the Secretary, except that the  
8           Secretary may waive this requirement upon deter-  
9           mination that such a waiver is necessary to facilitate  
10          the financing of acquisition, construction, and/or re-  
11          habilitation of the receiving project or projects.

12          (8) If the transferring project meets the re-  
13          quirements of subsection (d)(2), the owner or mort-  
14          gagor of the receiving project or projects shall exe-  
15          cute and record either a continuation of the existing  
16          use agreement or a new use agreement for the  
17          project where, in either case, any use restrictions in  
18          such agreement are of no lesser duration than the  
19          existing use restrictions.

20          (9) The transfer does not increase the cost (as  
21          defined in section 502 of the Congressional Budget  
22          Act of 1974 (2 U.S.C. 661a)) of any FHA-insured  
23          mortgage, except to the extent that appropriations  
24          are provided in advance for the amount of any such  
25          increased cost.

1 (d) For purposes of this section—

2 (1) the terms “low-income” and “very low-in-  
3 come” shall have the meanings provided by the stat-  
4 ute and/or regulations governing the program under  
5 which the project is insured or assisted;

6 (2) the term “multifamily housing project”  
7 means housing that meets one of the following con-  
8 ditions—

9 (A) housing that is subject to a mortgage  
10 insured under the National Housing Act;

11 (B) housing that has project-based assist-  
12 ance attached to the structure including  
13 projects undergoing mark to market debt re-  
14 structuring under the Multifamily Assisted  
15 Housing Reform and Affordability Housing Act;

16 (C) housing that is assisted under section  
17 202 of the Housing Act of 1959 (12 U.S.C.  
18 1701q);

19 (D) housing that is assisted under section  
20 202 of the Housing Act of 1959 (12 U.S.C.  
21 1701q), as such section existed before the en-  
22 actment of the Cranston-Gonzales National Af-  
23 fordable Housing Act;



1 (E) housing that is assisted under section  
2 811 of the Cranston-Gonzales National Afford-  
3 able Housing Act (42 U.S.C. 8013); or

4 (F) housing or vacant land that is subject  
5 to a use agreement;

6 (3) the term “project-based assistance”  
7 means—

8 (A) assistance provided under section 8(b)  
9 of the United States Housing Act of 1937 (42  
10 U.S.C. 1437f(b));

11 (B) assistance for housing constructed or  
12 substantially rehabilitated pursuant to assist-  
13 ance provided under section 8(b)(2) of such Act  
14 (as such section existed immediately before Oc-  
15 tober 1, 1983);

16 (C) rent supplement payments under sec-  
17 tion 101 of the Housing and Urban Develop-  
18 ment Act of 1965 (12 U.S.C. 1701s);

19 (D) interest reduction payments under sec-  
20 tion 236 and/or additional assistance payments  
21 under section 236(f)(2) of the National Hous-  
22 ing Act (12 U.S.C. 1715z–1);

23 (E) assistance payments made under sec-  
24 tion 202(c)(2) of the Housing Act of 1959 (12  
25 U.S.C. 1701q(c)(2)); and

1 (F) assistance payments made under sec-  
2 tion 811(d)(2) of the Cranston-Gonzalez Na-  
3 tional Affordable Housing Act (42 U.S.C.  
4 8013(d)(2));

5 (4) the term “receiving project or projects”  
6 means the multifamily housing project or projects to  
7 which some or all of the project-based assistance,  
8 debt, and statutorily required low-income and very  
9 low-income use restrictions are to be transferred;

10 (5) the term “transferring project” means the  
11 multifamily housing project which is transferring  
12 some or all of the project-based assistance, debt, and  
13 the statutorily required low-income and very low-in-  
14 come use restrictions to the receiving project or  
15 projects; and

16 (6) the term “Secretary” means the Secretary  
17 of Housing and Urban Development.

18 (e) RESEARCH REPORT.—The Secretary shall con-  
19 duct an evaluation of the transfer authority under this sec-  
20 tion, including the effect of such transfers on the oper-  
21 ational efficiency, contract rents, physical and financial  
22 conditions, and long-term preservation of the affected  
23 properties. The Secretary shall publish by notice in the  
24 Federal Register the terms and conditions, including cri-  
25 teria for approval by the Department of Housing and

1 Urban Development, of transfers pursuant to this section  
2 no later than 30 days before the effective date of such  
3 notice.

4 SEC. 209. (a) No assistance shall be provided under  
5 section 8 of the United States Housing Act of 1937 (42  
6 U.S.C. 1437f) to any individual who—

7 (1) is enrolled as a student at an institution of  
8 higher education (as defined under section 102 of  
9 the Higher Education Act of 1965 (20 U.S.C.  
10 1002));

11 (2) is under 24 years of age;

12 (3) is not a veteran;

13 (4) is unmarried;

14 (5) does not have a dependent child;

15 (6) is not a person with disabilities, as such  
16 term is defined in section 3(b)(3)(E) of the United  
17 States Housing Act of 1937 (42 U.S.C.  
18 1437a(b)(3)(E)) and was not receiving assistance  
19 under such section 8 as of November 30, 2005;

20 (7) is not a youth who left foster care at age  
21 14 or older and is at risk of becoming homeless; and

22 (8) is not otherwise individually eligible, or has  
23 parents who, individually or jointly, are not eligible,  
24 to receive assistance under section 8 of the United  
25 States Housing Act of 1937 (42 U.S.C. 1437f).

1       (b) For purposes of determining the eligibility of a  
2 person to receive assistance under section 8 of the United  
3 States Housing Act of 1937 (42 U.S.C. 1437f), any finan-  
4 cial assistance (in excess of amounts received for tuition  
5 and any other required fees and charges) that an indi-  
6 vidual receives under the Higher Education Act of 1965  
7 (20 U.S.C. 1001 et seq.), from private sources, or from  
8 an institution of higher education (as defined under sec-  
9 tion 102 of the Higher Education Act of 1965 (20 U.S.C.  
10 1002)), shall be considered income to that individual, ex-  
11 cept for a person over the age of 23 with dependent chil-  
12 dren.

13       SEC. 210. The funds made available for Native Alas-  
14 kans under paragraph (1) under the heading “Native  
15 American Programs” in title II of this Act shall be allo-  
16 cated to the same Native Alaskan housing block grant re-  
17 cipients that received funds in fiscal year 2005, and only  
18 such recipients shall be eligible to apply for funds made  
19 available under paragraph (2) of such heading.

20       SEC. 211. Notwithstanding any other provision of  
21 law, in fiscal year 2023, in managing and disposing of any  
22 multifamily property that is owned or has a mortgage held  
23 by the Secretary of Housing and Urban Development, and  
24 during the process of foreclosure on any property with a  
25 contract for rental assistance payments under section 8

1 of the United States Housing Act of 1937 (42 U.S.C.  
2 1437f) or any other Federal programs, the Secretary shall  
3 maintain any rental assistance payments under section 8  
4 of the United States Housing Act of 1937 and other pro-  
5 grams that are attached to any dwelling units in the prop-  
6 erty. To the extent the Secretary determines, in consulta-  
7 tion with the tenants and the local government that such  
8 a multifamily property owned or having a mortgage held  
9 by the Secretary is not feasible for continued rental assist-  
10 ance payments under such section 8 or other programs,  
11 based on consideration of (1) the costs of rehabilitating  
12 and operating the property and all available Federal,  
13 State, and local resources, including rent adjustments  
14 under section 524 of the Multifamily Assisted Housing  
15 Reform and Affordability Act of 1997 (in this section  
16 “MAHRAA”) (42 U.S.C. 1437f note), and (2) environ-  
17 mental conditions that cannot be remedied in a cost-effec-  
18 tive fashion, the Secretary may, in consultation with the  
19 tenants of that property, contract for project-based rental  
20 assistance payments with an owner or owners of other ex-  
21 isting housing properties, or provide other rental assist-  
22 ance. The Secretary shall also take appropriate steps to  
23 ensure that project-based contracts remain in effect prior  
24 to foreclosure, subject to the exercise of contractual abate-  
25 ment remedies to assist relocation of tenants for imminent

1 major threats to health and safety after written notice to  
2 and informed consent of the affected tenants and use of  
3 other available remedies, such as partial abatements or re-  
4 ceivership. After disposition of any multifamily property  
5 described in this section, the contract and allowable rent  
6 levels on such properties shall be subject to the require-  
7 ments under section 524 of MAHRAA.

8       SEC. 212. Public housing agencies that own and oper-  
9 ate 400 or fewer public housing units may elect to be ex-  
10 empt from any asset management requirement imposed by  
11 the Secretary in connection with the operating fund rule:  
12 *Provided*, That an agency seeking a discontinuance of a  
13 reduction of subsidy under the operating fund formula  
14 shall not be exempt from asset management requirements.

15       SEC. 213. With respect to the use of amounts pro-  
16 vided in this Act and in future Acts for the operation, cap-  
17 ital improvement, and management of public housing as  
18 authorized by sections 9(d) and 9(e) of the United States  
19 Housing Act of 1937 (42 U.S.C. 1437g(d),(e)), the Sec-  
20 retary shall not impose any requirement or guideline relat-  
21 ing to asset management that restricts or limits in any  
22 way the use of capital funds for central office costs pursu-  
23 ant to paragraph (1) or (2) of section 9(g) of the United  
24 States Housing Act of 1937 (42 U.S.C. 1437g(g)(1), (2)):  
25 *Provided*, That a public housing agency may not use cap-

1 ital funds authorized under section 9(d) for activities that  
2 are eligible under section 9(e) for assistance with amounts  
3 from the operating fund in excess of the amounts per-  
4 mitted under paragraph (1) or (2) of section 9(g).

5 SEC. 214. No official or employee of the Department  
6 of Housing and Urban Development shall be designated  
7 as an allotment holder unless the Office of the Chief Fi-  
8 nancial Officer has determined that such allotment holder  
9 has implemented an adequate system of funds control and  
10 has received training in funds control procedures and di-  
11 rectives. The Chief Financial Officer shall ensure that  
12 there is a trained allotment holder for each HUD appro-  
13 priation under the accounts “Executive Offices”, “Admin-  
14 istrative Support Offices”, “Program Offices”, “Govern-  
15 ment National Mortgage Association—Guarantees of  
16 Mortgage-Backed Securities Loan Guarantee Program  
17 Account”, and “Office of Inspector General” within the  
18 Department of Housing and Urban Development.

19 SEC. 215. The Secretary shall, for fiscal year 2023,  
20 notify the public through the Federal Register and other  
21 means, as determined appropriate, of the issuance of a no-  
22 tice of funding opportunity (NOFO) for any program or  
23 discretionary fund administered by the Secretary that is  
24 to be competitively awarded. Notwithstanding any other  
25 provision of law, for fiscal year 2023, the Secretary may

1 make the NOFO available only on the Internet at the ap-  
2 propriate Government website or through other electronic  
3 media, as determined by the Secretary.

4 SEC. 216. Payment of attorney fees in program-re-  
5 lated litigation shall be paid from the individual program  
6 office and Office of General Counsel salaries and expenses  
7 appropriations.

8 SEC. 217. The Secretary is authorized to transfer up  
9 to 10 percent or \$5,000,000, whichever is less, of funds  
10 appropriated for any office under the headings “Adminis-  
11 trative Support Offices” or “Program Offices” to any  
12 other such office under such headings: *Provided*, That no  
13 appropriation for any such office under such headings  
14 shall be increased or decreased by more than 10 percent  
15 or \$5,000,000, whichever is less, without prior written ap-  
16 proval of the House and Senate Committees on Appropria-  
17 tions: *Provided further*, That the Secretary shall provide  
18 notification to such Committees 3 business days in ad-  
19 vance of any such transfers under this section up to 10  
20 percent or \$5,000,000, whichever is less.

21 SEC. 218. (a) Any entity receiving housing assistance  
22 payments shall maintain decent, safe, and sanitary condi-  
23 tions, as determined by the Secretary, and comply with  
24 any standards under applicable State or local laws, rules,  
25 ordinances, or regulations relating to the physical condi-



1 tion of any property covered under a housing assistance  
2 payment contract.

3 (b) The Secretary shall take action under subsection  
4 (c) when a multifamily housing project with a contract  
5 under section 8 of the United States Housing Act of 1937  
6 (42 U.S.C. 1437f) or a contract for similar project-based  
7 assistance—

8 (1) receives a Uniform Physical Condition  
9 Standards (UPCS) score of 59 or less; or

10 (2) fails to certify in writing to the Secretary  
11 within 3 days that all Exigent Health and Safety de-  
12 ficiencies identified by the inspector at the project  
13 have been corrected.

14 Such requirements shall apply to insured and non-  
15 insured projects with assistance attached to the units  
16 under section 8 of the United States Housing Act of 1937  
17 (42 U.S.C. 1437f), but shall not apply to such units as-  
18 sisted under section 8(o)(13) of such Act (42 U.S.C.  
19 1437f(o)(13)) or to public housing units assisted with cap-  
20 ital or operating funds under section 9 of the United  
21 States Housing Act of 1937 (42 U.S.C. 1437g).

22 (c)(1) Within 15 days of the issuance of the Real Es-  
23 tate Assessment Center (“REAC”) inspection, the Sec-  
24 retary shall provide the owner with a Notice of Default  
25 with a specified timetable, determined by the Secretary,

1 for correcting all deficiencies. The Secretary shall provide  
2 a copy of the Notice of Default to the tenants, the local  
3 government, any mortgagees, and any contract adminis-  
4 trator. If the owner's appeal results in a UPCS score of  
5 60 or above, the Secretary may withdraw the Notice of  
6 Default.

7 (2) At the end of the time period for correcting all  
8 deficiencies specified in the Notice of Default, if the owner  
9 fails to fully correct such deficiencies, the Secretary shall  
10 take one or more of the following actions, and provide ad-  
11 ditional notice of those actions to the owner and the par-  
12 ties specified above—

13 (A) require immediate replacement of project  
14 management with a management agent approved by  
15 the Secretary;

16 (B) impose civil money penalties, which shall be  
17 used solely for the purpose of supporting safe and  
18 sanitary conditions at applicable properties, as des-  
19 ignated by the Secretary, with priority given to the  
20 tenants of the property affected by the penalty;

21 (C) abate the section 8 contract, including par-  
22 tial abatement, as determined by the Secretary, until  
23 all deficiencies have been corrected;

24 (D) pursue transfer of the project to an owner,  
25 approved by the Secretary under established proce-

1       dures, who will be obligated to promptly make all re-  
2       quired repairs and to accept renewal of the assist-  
3       ance contract if such renewal is offered;

4               (E) transfer the existing section 8 contract to  
5       another project or projects and owner or owners;

6               (F) pursue exclusionary sanctions, including  
7       suspensions or debarments from Federal programs;

8               (G) seek judicial appointment of a receiver to  
9       manage the property and cure all project deficiencies  
10      or seek a judicial order of specific performance re-  
11      quiring the owner to cure all project deficiencies;

12              (H) work with the owner, lender, or other re-  
13      lated party to stabilize the property in an attempt  
14      to preserve the property through compliance, trans-  
15      fer of ownership, or an infusion of capital provided  
16      by a third-party that requires time to effectuate; or

17              (I) take any other regulatory or contractual  
18      remedies available as deemed necessary and appro-  
19      priate by the Secretary.

20      (d) The Secretary shall take appropriate steps to en-  
21      sure that project-based contracts remain in effect, subject  
22      to the exercise of contractual abatement remedies to assist  
23      relocation of tenants for major threats to health and safety  
24      after written notice to and informed consent of the af-  
25      fected tenants and use of other remedies set forth above.

1 To the extent the Secretary determines, in consultation  
2 with the tenants and the local government, that the prop-  
3 erty is not feasible for continued rental assistance pay-  
4 ments under such section 8 or other programs, based on  
5 consideration of—

6 (1) the costs of rehabilitating and operating the  
7 property and all available Federal, State, and local  
8 resources, including rent adjustments under section  
9 524 of the Multifamily Assisted Housing Reform  
10 and Affordability Act of 1997 (“MAHRAA”); and

11 (2) environmental conditions that cannot be  
12 remedied in a cost-effective fashion, the Secretary  
13 may contract for project-based rental assistance pay-  
14 ments with an owner or owners of other existing  
15 housing properties, or provide other rental assist-  
16 ance.

17 (e) The Secretary shall report semi-annually on all  
18 properties covered by this section that are assessed  
19 through the Real Estate Assessment Center and have  
20 UPCS physical inspection scores of less than 60 or have  
21 received an unsatisfactory management and occupancy re-  
22 view within the past 36 months. The report shall include—

23 (1) identification of the property level enforce-  
24 ment actions being taken to address such conditions,  
25 including imposition of civil money penalties and ter-

1 mination of subsidies, and identification of prop-  
2 erties that have such conditions multiple times;

3 (2) identification of property level actions that  
4 the Department of Housing and Urban Development  
5 is taking to protect tenants of such identified prop-  
6 erties; and

7 (3) any administrative or legislative rec-  
8 ommendations to further improve the living condi-  
9 tions at properties covered under a housing assist-  
10 ance payment contract.

11 The first report shall be submitted to the Senate and  
12 House Committees on Appropriations not later than 30  
13 days after the enactment of this Act, and the second re-  
14 port shall be submitted within 180 days of the transmittal  
15 of the first report.

16 SEC. 219. None of the funds made available by this  
17 Act, or any other Act, for purposes authorized under sec-  
18 tion 8 (only with respect to the tenant-based rental assist-  
19 ance program) and section 9 of the United States Housing  
20 Act of 1937 (42 U.S.C. 1437 et seq.), may be used by  
21 any public housing agency for any amount of salary, in-  
22 cluding bonuses, for the chief executive officer of which,  
23 or any other official or employee of which, that exceeds  
24 the annual rate of basic pay payable for a position at level

1 IV of the Executive Schedule at any time during any pub-  
2 lic housing agency fiscal year 2023.

3 SEC. 220. None of the funds made available by this  
4 Act and provided to the Department of Housing and  
5 Urban Development may be used to make a grant award  
6 unless the Secretary notifies the House and Senate Com-  
7 mittees on Appropriations not less than 3 full business  
8 days before any project, State, locality, housing authority,  
9 Tribe, nonprofit organization, or other entity selected to  
10 receive a grant award is announced by the Department  
11 or its offices: *Provided*, That such notification shall list  
12 each grant award by State and congressional district.

13 SEC. 221. None of the funds made available in this  
14 Act shall be used by the Federal Housing Administration,  
15 the Government National Mortgage Association, or the  
16 Department of Housing and Urban Development to in-  
17 sure, securitize, or establish a Federal guarantee of any  
18 mortgage or mortgage backed security that refinances or  
19 otherwise replaces a mortgage that has been subject to  
20 eminent domain condemnation or seizure, by a State, mu-  
21 nicipality, or any other political subdivision of a State.

22 SEC. 222. None of the funds made available by this  
23 Act may be used to terminate the status of a unit of gen-  
24 eral local government as a metropolitan city (as defined  
25 in section 102 of the Housing and Community Develop-

1 ment Act of 1974 (42 U.S.C. 5302)) with respect to  
2 grants under section 106 of such Act (42 U.S.C. 5306).

3       SEC. 223. Amounts made available by this Act that  
4 are appropriated, allocated, advanced on a reimbursable  
5 basis, or transferred to the Office of Policy Development  
6 and Research of the Department of Housing and Urban  
7 Development and functions thereof, for research, evalua-  
8 tion, or statistical purposes, and that are unexpended at  
9 the time of completion of a contract, grant, or cooperative  
10 agreement, may be deobligated and shall immediately be-  
11 come available and may be reobligated in that fiscal year  
12 or the subsequent fiscal year for the research, evaluation,  
13 or statistical purposes for which the amounts are made  
14 available to that Office subject to reprogramming require-  
15 ments in section 405 of this Act.

16       SEC. 224. None of the funds provided in this Act or  
17 any other Act may be used for awards, including perform-  
18 ance, special act, or spot, for any employee of the Depart-  
19 ment of Housing and Urban Development subject to ad-  
20 ministrative discipline (including suspension from work),  
21 in this fiscal year, but this prohibition shall not be effec-  
22 tive prior to the effective date of any such administrative  
23 discipline or after any final decision over-turning such dis-  
24 cipline.

1        SEC. 225. With respect to grant amounts awarded  
2 under the heading “Homeless Assistance Grants” for fis-  
3 cal years 2015 through 2023 for the Continuum of Care  
4 (CoC) program as authorized under subtitle C of title IV  
5 of the McKinney-Vento Homeless Assistance Act, costs  
6 paid by program income of grant recipients may count to-  
7 ward meeting the recipient’s matching requirements, pro-  
8 vided the costs are eligible CoC costs that supplement the  
9 recipient’s CoC program.

10       SEC. 226. (a) From amounts made available under  
11 this title under the heading “Homeless Assistance  
12 Grants”, the Secretary may award 1-year transition  
13 grants to recipients of funds for activities under subtitle  
14 C of the McKinney-Vento Homeless Assistance Act (42  
15 U.S.C. 11381 et seq.) to transition from one Continuum  
16 of Care program component to another.

17       (b) In order to be eligible to receive a transition  
18 grant, the funding recipient must have the consent of the  
19 continuum of care and meet standards determined by the  
20 Secretary.

21       SEC. 227. The Promise Zone designations and Prom-  
22 ise Zone Designation Agreements entered into pursuant  
23 to such designations, made by the Secretary in prior fiscal  
24 years, shall remain in effect in accordance with the terms  
25 and conditions of such agreements.



1        SEC. 228. Any public housing agency designated as  
2 a Moving to Work agency pursuant to section 239 of divi-  
3 sion L of Public Law 114–113 (42 U.S.C. 1437f note;  
4 129 Stat. 2897) may, upon such designation, use funds  
5 (except for special purpose funding, including special pur-  
6 pose vouchers) previously allocated to any such public  
7 housing agency under section 8 or 9 of the United States  
8 Housing Act of 1937, including any reserve funds held by  
9 the public housing agency or funds held by the Depart-  
10 ment of Housing and Urban Development, pursuant to the  
11 authority for use of section 8 or 9 funding provided under  
12 such section and section 204 of title II of the Departments  
13 of Veterans Affairs and Housing and Urban Development  
14 and Independent Agencies Appropriations Act, 1996  
15 (Public Law 104–134; 110 Stat. 1321–28), notwith-  
16 standing the purposes for which such funds were appro-  
17 priated.

18        SEC. 229. None of the amounts made available by  
19 this Act may be used to prohibit any public housing agen-  
20 cy under receivership or the direction of a Federal monitor  
21 from applying for, receiving, or using funds made available  
22 under the heading “Public Housing Fund” for competitive  
23 grants to evaluate and reduce lead-based paint hazards in  
24 this Act or that remain available and not awarded from  
25 prior Acts, or be used to prohibit a public housing agency

1 from using such funds to carry out any required work pur-  
2 suant to a settlement agreement, consent decree, vol-  
3 untary agreement, or similar document for a violation of  
4 the Lead Safe Housing or Lead Disclosure Rules.

5 SEC. 230. None of the funds made available by this  
6 title may be used to issue rules or guidance in contraven-  
7 tion of section 1210 of Public Law 115–254 (132 Stat.  
8 3442) or section 312 of the Robert T. Stafford Disaster  
9 Relief and Emergency Assistance Act (42 U.S.C. 5155).

10 SEC. 231. (a) Funds previously made available in the  
11 Consolidated Appropriations Act, 2016 (Public Law 114–  
12 113) for the “Choice Neighborhoods Initiative” that were  
13 available for obligation through fiscal year 2018 are to re-  
14 main available through fiscal year 2024 for the liquidation  
15 of valid obligations incurred in fiscal years 2016 through  
16 2018.

17 (b) Funds previously made available in the Consoli-  
18 dated Appropriations Act, 2017 (Public Law 115–31) for  
19 the “Choice Neighborhoods Initiative” that were available  
20 for obligation through fiscal year 2019 are to remain avail-  
21 able through fiscal year 2025 for the liquidation of valid  
22 obligations incurred in fiscal years 2017 through 2019.

23 (c) Funds previously made available in the Consoli-  
24 dated Appropriations Act, 2018 (Public Law 115–141) for  
25 the “Choice Neighborhoods Initiative” that were available

1 for obligation through fiscal year 2020 are to remain avail-  
2 able through fiscal year 2026 for the liquidation of valid  
3 obligations incurred in fiscal years 2018 through 2020.

4 (d) Funds previously made available in the Consoli-  
5 dated Appropriations Act, 2019 (Public Law 116–6) for  
6 the “Choice Neighborhoods Initiative” that were available  
7 for obligation through fiscal year 2021 are to remain avail-  
8 able through fiscal year 2027 for the liquidation of valid  
9 obligations incurred in fiscal years 2019 through 2021.

10 (e) Funds previously made available in the Further  
11 Consolidated Appropriations Act, 2020 (Public Law 116–  
12 94) for the “Choice Neighborhoods Initiative” that were  
13 available for obligation through fiscal year 2022 are to re-  
14 main available through fiscal year 2028 for the liquidation  
15 of valid obligations incurred in fiscal years 2020 through  
16 2022.

17 (f) Funds previously made available in the Consoli-  
18 dated Appropriations Act, 2021 (Public Law 116–260) for  
19 the “Choice Neighborhoods Initiative” that were available  
20 for obligation through fiscal year 2023 are to remain avail-  
21 able through fiscal year 2029 for the liquidation of valid  
22 obligations incurred in fiscal years 2021 through 2023.

23 SEC. 232. For fiscal year 2023, if the Secretary de-  
24 termines or has determined, for any prior formula grant  
25 allocation administered by the Secretary under a program

1 under the headings “Public and Indian Housing”, “Com-  
2 munity Planning and Development”, or “Housing Pro-  
3 grams” in this title, that a recipient received an allocation  
4 greater than the amount such recipient should have re-  
5 ceived for a formula allocation cycle pursuant to applicable  
6 statutes and regulations, the Secretary may adjust for any  
7 such funding error in the next applicable formula alloca-  
8 tion cycle by (a) offsetting each such recipient’s formula  
9 allocation (if eligible for a formula allocation in the next  
10 applicable formula allocation cycle) by the amount of any  
11 such funding error; and (b) reallocating any available bal-  
12 ances that are attributable to the offset to the recipient  
13 or recipients that would have been allocated additional  
14 funds in the formula allocation cycle in which any such  
15 error occurred (if such recipient or recipients are eligible  
16 for a formula allocation in the next applicable formula al-  
17 location cycle) in an amount proportionate to such recipi-  
18 ent’s eligibility under the next applicable formula alloca-  
19 tion cycle formula: *Provided*, That all offsets and realloca-  
20 tions from such available balances shall be recorded  
21 against funds available for the next applicable formula al-  
22 location cycle: *Provided further*, That the term “next appli-  
23 cable formula allocation cycle” means the first formula al-  
24 location cycle for a program that is reasonably available  
25 for correction following such a Secretarial determination:

1 *Provided further*, That if, upon request by a recipient and  
2 giving consideration to all Federal resources available to  
3 the recipient for the same grant purposes, the Secretary  
4 determines that the offset in a next applicable formula al-  
5 location cycle would critically impair the recipient’s ability  
6 to accomplish the purpose of the formula grant, the Sec-  
7 retary may adjust for the funding error across two or more  
8 formula allocation cycles.

9       SEC. 233. (a) Amounts made available in paragraphs  
10 (1) and (2) under the heading “Native American Pro-  
11 grams” in title XII of division B of the Coronavirus Aid,  
12 Relief, and Economic Security Act (Public Law 116–136)  
13 which were allocated or awarded to Indian tribes or trib-  
14 ally designated housing entities, and which are not accept-  
15 ed as of the date of enactment of this Act, are voluntarily  
16 returned, or otherwise recaptured for any reason, may be  
17 used by the Secretary to make additional grants for the  
18 same purpose and under the same terms and conditions  
19 as amounts appropriated by section 11003(a)(2) of the  
20 American Rescue Plan Act of 2021 (Public Law 117–2).

21       (b) Amounts repurposed by this section that were  
22 previously designated by the Congress as an emergency  
23 requirement pursuant to the Balanced Budget and Emer-  
24 gency Deficit Control Act of 1985 or a concurrent resolu-  
25 tion on the budget are designated as an emergency re-

1 quirement pursuant to section 4001(a)(1) of S. Con. Res.  
2 14 (117th Congress), the concurrent resolution on the  
3 budget for fiscal year 2022, and section 1(e) of H. Res.  
4 1151 (117th Congress) as engrossed in the House of Rep-  
5 resentatives on June 8, 2022.

6 SEC. 234. The Multifamily Assisted Housing Reform  
7 and Affordability Act of 1997 (42 U.S.C. 1437f note) is  
8 amended—

9 (a) in section 515, by adding at the end the following  
10 new subsection:

11 “(d) RENT ADJUSTMENTS AND SUBSEQUENT RE-  
12 NEWALS.—After the initial renewal of a section 8 contract  
13 pursuant to this section and notwithstanding any other  
14 provision of law or contract regarding the adjustment of  
15 rents or subsequent renewal of such contract for a project,  
16 including such a provision in section 514 or this section,  
17 in the case of a project subject to any restrictions imposed  
18 pursuant to sections 514 or this section, the Secretary  
19 may, not more than once every 10 years, adjust such rents  
20 or renew such contracts at rent levels that are equal to  
21 the lesser of budget-based rents or comparable market  
22 rents for the market area upon the request of an owner  
23 or purchaser who—

24 “(1) demonstrates that—

1           “(A) project income is insufficient to oper-  
2           ate and maintain the project, and no rehabilita-  
3           tion is currently needed, as determined by the  
4           Secretary; or

5           “(B) the rent adjustment or renewal con-  
6           tract is necessary to support commercially rea-  
7           sonable financing (including any required debt  
8           service coverage and replacement reserve) for  
9           rehabilitation necessary to ensure the long-term  
10          sustainability of the project, as determined by  
11          the Secretary, and in the event the owner or  
12          purchaser fails to implement the rehabilitation  
13          as required by the Secretary, the Secretary may  
14          take such action against the owner or purchaser  
15          as allowed by law; and

16          “(2) agrees to—

17               “(A) extend the affordability and use re-  
18               strictions required under 514(e)(6) for an addi-  
19               tional twenty years; and

20               “(B) enter into a binding commitment to  
21               continue to renew such contract for and during  
22               such extended term, provided that after the af-  
23               fordability and use restrictions required under  
24               514(e)(6) have been maintained for a term of  
25               30 years:

1                   “(i) an owner with a contract for  
2                   which rent levels were set at the time of its  
3                   initial renewal under section 514(g)(2)  
4                   shall request that the Secretary renew such  
5                   contract under section 524 for and during  
6                   such extended term; and

7                   “(ii) an owner with a contract for  
8                   which rent levels were set at the time of its  
9                   initial renewal under section 514(g)(1)  
10                  may request that the Secretary renew such  
11                  contract under section 524.”;

12           (b) in section 524, by adding at the end the following  
13 new subsection:

14           “(h) RENT ADJUSTMENTS TO ADDRESS DISTRESS.—  
15 In the case of a section 8 contract that will be eligible  
16 for renewal under this section when it expires or termi-  
17 nates, notwithstanding any provision of contract or law  
18 regarding the adjustment of rents, including such a provi-  
19 sion in this section, the Secretary may adjust such rents,  
20 subject to the availability of funds for such rent adjust-  
21 ments, to rent levels that are equal to the lesser of budget-  
22 based rents or comparable market rents for the market  
23 area at the request of an owner or purchaser who dem-  
24 onstrates that such rent adjustment is needed to address  
25 project health and safety deficiencies and that—



1           “(1) project income is insufficient to operate  
2           and maintain the project, and no rehabilitation is  
3           currently needed, as determined by the Secretary; or

4           “(2) the rent adjustment is necessary to sup-  
5           port commercially reasonable financing (including  
6           any required debt service coverage and replacement  
7           reserve) for rehabilitation necessary to ensure the  
8           long-term sustainability of the project, as deter-  
9           mined by the Secretary, and in the event the owner  
10          or purchaser fails to implement the rehabilitation as  
11          required by the Secretary, the Secretary may take  
12          such action against the owner or purchaser as al-  
13          lowed by law.”; and

14          (c) in section 579, by striking “October 1, 2022”  
15          each place it appears and inserting in lieu thereof “Octo-  
16          ber 1, 2027”.

17          SEC. 235.

18          Of the amounts made available under the heading  
19          “Project-Based Rental Assistance” in prior Acts, up to  
20          \$1,300,000 may be transferred to Treasury Account 86–  
21          X–0148 for the liquidation of obligations incurred in fiscal  
22          year 2018 in connection with the continued provision of  
23          interest reduction payments authorized under section 236  
24          of the National Housing Act (12 U.S.C. 1715z–1).

1        SEC. 236. (a) Funds previously made available in  
2 chapter 9 of title X of the Disaster Relief Appropriations  
3 Act, 2013 (Public Law 113–2, division A; 127 Stat. 36)  
4 under the heading “Department of Housing and Urban  
5 Development—Community Planning and Development—  
6 Community Development Fund” that were available for  
7 obligation through fiscal year 2017 are to remain available  
8 until expended for the liquidation of valid obligations in-  
9 curred in fiscal years 2013 through 2017.

10        (b) Notwithstanding any other provision of law, in the  
11 case of any grantee of funds referred to in subsection (a)  
12 of this section that provides assistance that duplicates  
13 benefits available to a person for the same purpose from  
14 another source, the grantee itself shall—

15            (1) be subject to remedies for noncompliance; or  
16            (2) bear responsibility for absorbing such cost  
17 of duplicative benefits and returning an amount  
18 equal to any duplicative benefits paid to the grant-  
19 ee’s funds available for use under such heading, un-  
20 less the Secretary, upon the request of a grantee  
21 issues a public determination by publication in the  
22 Federal Register that it is not in the best interest  
23 of the Federal Government to pursue such remedies.

24        (c) Notwithstanding any other provision of law, any  
25 grantee of funds referred to in subsection (a) of this sec-

1 tion may request a waiver from the Secretary of Housing  
2 and Urban Development of any recoupment by the Sec-  
3 retary of such funds for amounts owed by persons who  
4 have received such assistance from such funds and who  
5 have been defrauded, or after receiving assistance, have  
6 filed for bankruptcy, gone through a foreclosure procedure  
7 on property that received such assistance, or are deceased.  
8 If the grantee self-certifies to the Secretary in such re-  
9 quest that it has verified that the individual conditions of  
10 each person it is requesting a waiver for meets one of the  
11 conditions specified in the preceding sentence, the Sec-  
12 retary may grant such waivers on the basis of grantee self-  
13 certification, issue a public determination by publication  
14 in the Federal Register that it is not in the best interest  
15 of the Federal Government to pursue such recoupment,  
16 and may conduct oversight to verify grantee self-certifi-  
17 cation and subject the grantee to remedies for noncompli-  
18 ance for any amounts that have not met such require-  
19 ments.

20 (d) Amounts repurposed pursuant to this section that  
21 were previously designated by the Congress as an emer-  
22 gency requirement pursuant to the Balanced Budget and  
23 Emergency Deficit Control Act of 1985 or a concurrent  
24 resolution on the budget are designated as an emergency  
25 requirement pursuant to section 4001(a)(1) of S. Con.

1 Res. 14 (117th Congress), the concurrent resolution on  
2 the budget for fiscal year 2022, and section 1(e) of H.  
3 Res. 1151 (117th Congress) as engrossed in the House  
4 of Representatives on June 8, 2022.

5 SEC. 237. None of the funds made available to the  
6 Department of Housing and Urban Development by this  
7 or any other Act may be used to implement, administer,  
8 enforce, or in any way make effective the proposed rule  
9 entitled “Housing and Community Development Act of  
10 1980: Verification of Eligible Status”, issued by the De-  
11 partment of Housing and Urban Development on May 10,  
12 2019 (Docket No. FR–6124–P–01), or any final rule  
13 based substantially on such proposed rule.

14 This title may be cited as the “Department of Hous-  
15 ing and Urban Development Appropriations Act, 2023”.

### 16 TITLE III

#### 17 RELATED AGENCIES

##### 18 ACCESS BOARD

##### 19 SALARIES AND EXPENSES

20 For expenses necessary for the Access Board, as au-  
21 thorized by section 502 of the Rehabilitation Act of 1973  
22 (29 U.S.C. 792), \$9,850,000: *Provided*, That, notwith-  
23 standing any other provision of law, there may be credited  
24 to this appropriation funds received for publications and  
25 training expenses.

## 1 FEDERAL MARITIME COMMISSION

## 2 SALARIES AND EXPENSES

3 For necessary expenses of the Federal Maritime  
4 Commission as authorized by section 201(d) of the Mer-  
5 chant Marine Act, 1936, as amended (46 U.S.C. 46107),  
6 including services as authorized by section 3109 of title  
7 5, United States Code; hire of passenger motor vehicles  
8 as authorized by section 1343(b) of title 31, United States  
9 Code; and uniforms or allowances therefore, as authorized  
10 by sections 5901 and 5902 of title 5, United States Code,  
11 \$38,260,000, of which \$2,000,000 shall remain available  
12 until September 30, 2024: *Provided*, That not to exceed  
13 \$3,500 shall be for official reception and representation  
14 expenses.

## 15 NATIONAL RAILROAD PASSENGER CORPORATION

## 16 OFFICE OF INSPECTOR GENERAL

## 17 SALARIES AND EXPENSES

18 For necessary expenses of the Office of Inspector  
19 General for the National Railroad Passenger Corporation  
20 to carry out the provisions of the Inspector General Act  
21 of 1978 (5 U.S.C. App. 3), \$27,935,000: *Provided*, That  
22 the Inspector General shall have all necessary authority,  
23 in carrying out the duties specified in such Act, to inves-  
24 tigate allegations of fraud, including false statements to  
25 the Government under section 1001 of title 18, United

1 States Code, by any person or entity that is subject to  
2 regulation by the National Railroad Passenger Corpora-  
3 tion: *Provided further*, That the Inspector General may  
4 enter into contracts and other arrangements for audits,  
5 studies, analyses, and other services with public agencies  
6 and with private persons, subject to the applicable laws  
7 and regulations that govern the obtaining of such services  
8 within the National Railroad Passenger Corporation: *Pro-*  
9 *vided further*, That the Inspector General may select, ap-  
10 point, and employ such officers and employees as may be  
11 necessary for carrying out the functions, powers, and du-  
12 ties of the Office of Inspector General, subject to the appli-  
13 cable laws and regulations that govern such selections, ap-  
14 pointments, and employment within the National Railroad  
15 Passenger Corporation: *Provided further*, That concurrent  
16 with the President's budget request for fiscal year 2024,  
17 the Inspector General shall submit to the House and Sen-  
18 ate Committees on Appropriations a budget request for  
19 fiscal year 2024 in similar format and substance to budget  
20 requests submitted by executive agencies of the Federal  
21 Government.

22 NATIONAL TRANSPORTATION SAFETY BOARD

23 SALARIES AND EXPENSES

24 For necessary expenses of the National Transpor-  
25 tation Safety Board, including hire of passenger motor ve-

1 hicles and aircraft; services as authorized by section 3109  
 2 of title 5, United States Code, but at rates for individuals  
 3 not to exceed the per diem rate equivalent to the rate for  
 4 a GS–15; uniforms, or allowances therefor, as authorized  
 5 by sections 5901 and 5902 of title 5, United States Code,  
 6 \$129,300,000, of which not to exceed \$2,000 may be used  
 7 for official reception and representation expenses: *Pro-*  
 8 *vided*, That the amounts made available to the National  
 9 Transportation Safety Board in this Act include amounts  
 10 necessary to make lease payments on an obligation in-  
 11 curred in fiscal year 2001 for a capital lease.

12 NEIGHBORHOOD REINVESTMENT CORPORATION  
 13 PAYMENT TO THE NEIGHBORHOOD REINVESTMENT  
 14 CORPORATION

15 For payment to the Neighborhood Reinvestment Cor-  
 16 poration for use in neighborhood reinvestment activities,  
 17 as authorized by the Neighborhood Reinvestment Corpora-  
 18 tion Act (42 U.S.C. 8101–8107), \$185,000,000.

19 SURFACE TRANSPORTATION BOARD  
 20 SALARIES AND EXPENSES

21 For necessary expenses of the Surface Transpor-  
 22 tation Board, including services authorized by section  
 23 3109 of title 5, United States Code, \$42,029,000: *Pro-*  
 24 *vided*, That of the amounts made available under this  
 25 heading, not less than \$1,000,000 shall be for the nec-

1   essary salaries and expenses to implement section 22309  
2   of the Infrastructure Investment and Jobs Act (Public  
3   Law 117–58), and for other activities as appropriate as  
4   determined by the Surface Transportation Board: *Pro-*  
5   *vided further*, That, notwithstanding any other provision  
6   of law, not to exceed \$1,250,000 from fees established by  
7   the Surface Transportation Board shall be credited to this  
8   appropriation as offsetting collections and used for nec-  
9   essary and authorized expenses under this heading: *Pro-*  
10   *vided further*, That the amounts made available under this  
11   heading from the general fund shall be reduced on a dol-  
12   lar-for-dollar basis as such offsetting collections are re-  
13   ceived during fiscal year 2023, to result in a final appro-  
14   priation from the general fund estimated at not more than  
15   \$40,779,000.

16           UNITED STATES INTERAGENCY COUNCIL ON  
17                           HOMELESSNESS  
18                           OPERATING EXPENSES

19       For necessary expenses, including payment of sala-  
20   ries, authorized travel, hire of passenger motor vehicles,  
21   the rental of conference rooms, and the employment of ex-  
22   perts and consultants under section 3109 of title 5, United  
23   States Code, of the United States Interagency Council on  
24   Homelessness in carrying out the functions pursuant to  
25   title II of the McKinney-Vento Homeless Assistance Act,



1 as amended, \$4,580,000 (reduced by \$5,000,000) (in-  
2 creased by \$5,000,000).

#### 3 TITLE IV

#### 4 GENERAL PROVISIONS—THIS ACT

5 SEC. 401. None of the funds in this Act shall be used  
6 for the planning or execution of any program to pay the  
7 expenses of, or otherwise compensate, non-Federal parties  
8 intervening in regulatory or adjudicatory proceedings  
9 funded in this Act.

10 SEC. 402. None of the funds appropriated in this Act  
11 shall remain available for obligation beyond the current  
12 fiscal year, nor may any be transferred to other appropria-  
13 tions, unless expressly so provided herein.

14 SEC. 403. The expenditure of any appropriation  
15 under this Act for any consulting service through a pro-  
16 curement contract pursuant to section 3109 of title 5,  
17 United States Code, shall be limited to those contracts  
18 where such expenditures are a matter of public record and  
19 available for public inspection, except where otherwise pro-  
20 vided under existing law, or under existing Executive order  
21 issued pursuant to existing law.

22 SEC. 404. (a) None of the funds made available in  
23 this Act may be obligated or expended for any employee  
24 training that—

1           (1) does not meet identified needs for knowl-  
2           edge, skills, and abilities bearing directly upon the  
3           performance of official duties;

4           (2) contains elements likely to induce high lev-  
5           els of emotional response or psychological stress in  
6           some participants;

7           (3) does not require prior employee notification  
8           of the content and methods to be used in the train-  
9           ing and written end of course evaluation;

10          (4) contains any methods or content associated  
11          with religious or quasi-religious belief systems or  
12          “new age” belief systems as defined in Equal Em-  
13          ployment Opportunity Commission Notice N-  
14          915.022, dated September 2, 1988; or

15          (5) is offensive to, or designed to change, par-  
16          ticipants’ personal values or lifestyle outside the  
17          workplace.

18          (b) Nothing in this section shall prohibit, restrict, or  
19          otherwise preclude an agency from conducting training  
20          bearing directly upon the performance of official duties.

21          SEC. 405. Except as otherwise provided in this Act,  
22          none of the funds provided in this Act, provided by pre-  
23          vious appropriations Acts to the agencies or entities fund-  
24          ed in this Act that remain available for obligation or ex-  
25          penditure in fiscal year 2023, or provided from any ac-

1 counts in the Treasury derived by the collection of fees  
2 and available to the agencies funded by this Act, shall be  
3 available for obligation or expenditure through a re-  
4 programming of funds that—

5 (1) creates a new program;

6 (2) eliminates a program, project, or activity;

7 (3) increases funds or personnel for any pro-  
8 gram, project, or activity for which funds have been  
9 denied or restricted by the Congress;

10 (4) proposes to use funds directed for a specific  
11 activity by either the House or Senate Committees  
12 on Appropriations for a different purpose;

13 (5) augments existing programs, projects, or ac-  
14 tivities in excess of \$5,000,000 or 10 percent, which-  
15 ever is less;

16 (6) reduces existing programs, projects, or ac-  
17 tivities by \$5,000,000 or 10 percent, whichever is  
18 less; or

19 (7) creates, reorganizes, or restructures a  
20 branch, division, office, bureau, board, commission,  
21 agency, administration, or department different from  
22 the budget justifications submitted to the Commit-  
23 tees on Appropriations or the table accompanying  
24 the report accompanying this Act, whichever is more

1 detailed, unless prior approval is received from the  
2 House and Senate Committees on Appropriations:  
3 *Provided*, That not later than 60 days after the date of  
4 enactment of this Act, each agency funded by this Act  
5 shall submit a report to the Committees on Appropriations  
6 of the Senate and of the House of Representatives to es-  
7 tablish the baseline for application of reprogramming and  
8 transfer authorities for the current fiscal year: *Provided*  
9 *further*, That the report shall include—

10 (A) a table for each appropriation with a  
11 separate column to display the prior year en-  
12 acted level, the President's budget request, ad-  
13 justments made by Congress, adjustments due  
14 to enacted rescissions, if appropriate, and the  
15 fiscal year enacted level;

16 (B) a delineation in the table for each ap-  
17 propriation and its respective prior year enacted  
18 level by object class and program, project, and  
19 activity as detailed in this Act, the table accom-  
20 panying the report accompanying this Act, ac-  
21 companying reports of the House and Senate  
22 Committee on Appropriations, or in the budget  
23 appendix for the respective appropriations,  
24 whichever is more detailed, and shall apply to  
25 all items for which a dollar amount is specified

1           and to all programs for which new budget  
2           (obligational) authority is provided, as well as  
3           to discretionary grants and discretionary grant  
4           allocations; and

5                   (C) an identification of items of special  
6           congressional interest.

7       SEC. 406. Except as otherwise specifically provided  
8   by law, not to exceed 50 percent of unobligated balances  
9   remaining available at the end of fiscal year 2023 from  
10   appropriations made available for salaries and expenses  
11   for fiscal year 2023 in this Act, shall remain available  
12   through September 30, 2024, for each such account for  
13   the purposes authorized: *Provided*, That a request shall  
14   be submitted to the House and Senate Committees on Ap-  
15   propriations for approval prior to the expenditure of such  
16   funds: *Provided further*, That these requests shall be made  
17   in compliance with reprogramming guidelines under sec-  
18   tion 405 of this Act.

19       SEC. 407. No funds in this Act may be used to sup-  
20   port any Federal, State, or local projects that seek to use  
21   the power of eminent domain, unless eminent domain is  
22   employed only for a public use: *Provided*, That for pur-  
23   poses of this section, public use shall not be construed to  
24   include economic development that primarily benefits pri-  
25   vate entities: *Provided further*, That any use of funds for

1 mass transit, railroad, airport, seaport or highway  
2 projects, as well as utility projects which benefit or serve  
3 the general public (including energy-related, communica-  
4 tion-related, water-related and wastewater-related infra-  
5 structure), other structures designated for use by the gen-  
6 eral public or which have other common-carrier or public-  
7 utility functions that serve the general public and are sub-  
8 ject to regulation and oversight by the government, and  
9 projects for the removal of an immediate threat to public  
10 health and safety or brownfields as defined in the Small  
11 Business Liability Relief and Brownfields Revitalization  
12 Act (Public Law 107–118) shall be considered a public  
13 use for purposes of eminent domain.

14       SEC. 408. None of the funds made available in this  
15 Act may be transferred to any department, agency, or in-  
16 strumentality of the United States Government, except  
17 pursuant to a transfer made by, or transfer authority pro-  
18 vided in, this Act or any other appropriations Act.

19       SEC. 409. No funds appropriated pursuant to this  
20 Act may be expended by an entity unless the entity agrees  
21 that in expending the assistance the entity will comply  
22 with sections 2 through 4 of the Act of March 3, 1933  
23 (41 U.S.C. 8301–8305, popularly known as the “Buy  
24 American Act”).

1        SEC. 410. No funds appropriated or otherwise made  
2 available under this Act shall be made available to any  
3 person or entity that has been convicted of violating the  
4 Buy American Act (41 U.S.C. 8301–8305).

5        SEC. 411. None of the funds made available in this  
6 Act may be used for first-class airline accommodations in  
7 contravention of sections 301–10.122 and 301–10.123 of  
8 title 41, Code of Federal Regulations.

9        SEC. 412. None of the funds made available in this  
10 Act may be used to send or otherwise pay for the attend-  
11 ance of more than 50 employees of a single agency or de-  
12 partment of the United States Government, who are sta-  
13 tioned in the United States, at any single international  
14 conference unless the relevant Secretary reports to the  
15 House and Senate Committees on Appropriations at least  
16 5 days in advance that such attendance is important to  
17 the national interest: *Provided*, That for purposes of this  
18 section the term “international conference” shall mean a  
19 conference occurring outside of the United States attended  
20 by representatives of the United States Government and  
21 of foreign governments, international organizations, or  
22 nongovernmental organizations.

23        SEC. 413. None of the funds appropriated or other-  
24 wise made available under this Act may be used by the  
25 Surface Transportation Board to charge or collect any fil-

1 ing fee for rate or practice complaints filed with the Board  
2 in an amount in excess of the amount authorized for dis-  
3 trict court civil suit filing fees under section 1914 of title  
4 28, United States Code.

5 SEC. 414. (a) None of the funds made available in  
6 this Act may be used to maintain or establish a computer  
7 network unless such network blocks the viewing,  
8 downloading, and exchanging of pornography.

9 (b) Nothing in subsection (a) shall limit the use of  
10 funds necessary for any Federal, State, tribal, or local law  
11 enforcement agency or any other entity carrying out crimi-  
12 nal investigations, prosecution, or adjudication activities.

13 SEC. 415. (a) None of the funds made available in  
14 this Act may be used to deny an Inspector General funded  
15 under this Act timely access to any records, documents,  
16 or other materials available to the department or agency  
17 over which that Inspector General has responsibilities  
18 under the Inspector General Act of 1978 (5 U.S.C. App.),  
19 or to prevent or impede that Inspector General's access  
20 to such records, documents, or other materials, under any  
21 provision of law, except a provision of law that expressly  
22 refers to the Inspector General and expressly limits the  
23 Inspector General's right of access.

24 (b) A department or agency covered by this section  
25 shall provide its Inspector General with access to all such



1 records, documents, and other materials in a timely man-  
2 ner.

3 (c) Each Inspector General shall ensure compliance  
4 with statutory limitations on disclosure relevant to the in-  
5 formation provided by the establishment over which that  
6 Inspector General has responsibilities under the Inspector  
7 General Act of 1978 (5 U.S.C. App.).

8 (d) Each Inspector General covered by this section  
9 shall report to the Committees on Appropriations of the  
10 House of Representatives and the Senate within 5 cal-  
11 endar days any failures to comply with this requirement.

12 SEC. 416. None of the funds appropriated or other-  
13 wise made available by this Act may be used to pay award  
14 or incentive fees for contractors whose performance has  
15 been judged to be below satisfactory, behind schedule, over  
16 budget, or has failed to meet the basic requirements of  
17 a contract, unless the Agency determines that any such  
18 deviations are due to unforeseeable events, government-  
19 driven scope changes, or are not significant within the  
20 overall scope of the project and/or program unless such  
21 awards or incentive fees are consistent with 16.401(e)(2)  
22 of the Federal Acquisition Regulations.

23 SEC. 417. Within the amounts appropriated in this  
24 Act, funding shall be allocated in the amounts specified  
25 for those projects and purposes delineated in the table ti-

1 tled “Transportation, Housing and Urban Development  
2 Incorporation of Community Project Funding Items” in-  
3 cluded in the report accompanying this Act.

4       SEC. 418. No part of any appropriation contained in  
5 this Act shall be available to pay the salary for any person  
6 filling a position, other than a temporary position, for-  
7 merly held by an employee who has left to enter the Armed  
8 Forces of the United States and has satisfactorily com-  
9 pleted his or her period of active military or naval service,  
10 and has within 90 days after his or her release from such  
11 service or from hospitalization continuing after discharge  
12 for a period of not more than 1 year, made application  
13 for restoration to his or her former position and has been  
14 certified by the Office of Personnel Management as still  
15 qualified to perform the duties of his or her former posi-  
16 tion and has not been restored thereto.

17       SEC. 419. None of the funds made available by this  
18 Act may be used to approve a new foreign air carrier per-  
19 mit under sections 41301 through 41305 of title 49,  
20 United States Code, or exemption application under sec-  
21 tion 40109 of that title, where such approval would con-  
22 travene section 40101(a)(5) and (15) of title 49, United  
23 States Code.

24       SEC. 420. None of the funds made available by divi-  
25 sion A of this Act to the Department of Transportation

1 may be used in contravention of section 306108 of title  
2 54, United States Code.

3 This division may be cited as the “Transportation,  
4 Housing and Urban Development, and Related Agencies  
5 Appropriations Act, 2023”.

6 **DIVISION B—AGRICULTURE, RURAL DE-**  
7 **VELOPMENT, FOOD AND DRUG ADMIN-**  
8 **ISTRATION, AND RELATED AGENCIES**  
9 **APPROPRIATIONS ACT, 2023**

10 TITLE I  
11 AGRICULTURAL PROGRAMS  
12 PROCESSING, RESEARCH, AND MARKETING  
13 OFFICE OF THE SECRETARY  
14 (INCLUDING TRANSFERS OF FUNDS)

15 For necessary expenses of the Office of the Secretary,  
16 \$69,845,000 (reduced by \$1,000,000) (increased by  
17 \$1,000,000), of which not to exceed \$8,432,000 shall be  
18 available for the immediate Office of the Secretary; not  
19 to exceed \$1,396,000 shall be available for the Office of  
20 Homeland Security; not to exceed \$5,190,000 shall be  
21 available for the Office of Tribal Relations; not to exceed  
22 \$11,287,000 shall be available for the Office of Partner-  
23 ships and Public Engagement, of which \$1,500,000 shall  
24 be for 7 U.S.C. 2279(c)(5); not to exceed \$28,822,000  
25 shall be available for the Office of the Assistant Secretary

1 for Administration, of which \$27,116,000 shall be avail-  
2 able for Departmental Administration to provide for nec-  
3 essary expenses for management support services to of-  
4 fices of the Department and for general administration,  
5 security, repairs and alterations, and other miscellaneous  
6 supplies and expenses not otherwise provided for and nec-  
7 essary for the practical and efficient work of the Depart-  
8 ment: *Provided*, That funds made available by this Act to  
9 an agency in the Administration mission area for salaries  
10 and expenses are available to fund up to one administra-  
11 tive support staff for the Office; not to exceed \$4,609,000  
12 shall be available for the Office of Assistant Secretary for  
13 Congressional Relations and Intergovernmental Affairs to  
14 carry out the programs funded by this Act, including pro-  
15 grams involving intergovernmental affairs and liaison  
16 within the executive branch; and not to exceed  
17 \$10,109,000 shall be available for the Office of Commu-  
18 nications: *Provided further*, That the Secretary of Agri-  
19 culture is authorized to transfer funds appropriated for  
20 any office of the Office of the Secretary to any other office  
21 of the Office of the Secretary: *Provided further*, That no  
22 appropriation for any office shall be increased or de-  
23 creased by more than 5 percent: *Provided further*, That  
24 not to exceed \$22,000 of the amount made available under  
25 this paragraph for the immediate Office of the Secretary

1 shall be available for official reception and representation  
2 expenses, not otherwise provided for, as determined by the  
3 Secretary: *Provided further*, That the amount made avail-  
4 able under this heading for Departmental Administration  
5 shall be reimbursed from applicable appropriations in this  
6 Act for travel expenses incident to the holding of hearings  
7 as required by 5 U.S.C. 551–558: *Provided further*, That  
8 funds made available under this heading for the Office of  
9 the Assistant Secretary for Congressional Relations and  
10 Intergovernmental Affairs shall be transferred to agencies  
11 of the Department of Agriculture funded by this Act to  
12 maintain personnel at the agency level: *Provided further*,  
13 That no funds made available under this heading for the  
14 Office of Assistant Secretary for Congressional Relations  
15 may be obligated after 30 days from the date of enactment  
16 of this Act, unless the Secretary has notified the Commit-  
17 tees on Appropriations of both Houses of Congress on the  
18 allocation of these funds by USDA agency: *Provided fur-*  
19 *ther*, That during any 30 day notification period ref-  
20 erenced in section 716 of this Act, the Secretary of Agri-  
21 culture shall take no action to begin implementation of  
22 the action that is subject to section 716 of this Act or  
23 make any public announcement of such action in any  
24 form.

## EXECUTIVE OPERATIONS

## OFFICE OF THE CHIEF ECONOMIST

For necessary expenses of the Office of the Chief Economist, \$30,181,000 (reduced by \$10,000,000), of which \$8,000,000 shall be for grants or cooperative agreements for policy research under 7 U.S.C. 3155: *Provided*, That of the amounts made available under this heading, \$500,000 shall be available to carry out section 224 of subtitle A of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6924), as amended by section 12504 of Public Law 115–334.

## OFFICE OF HEARINGS AND APPEALS

For necessary expenses of the Office of Hearings and Appeals, \$16,703,000 (reduced by \$1,000,000) (reduced by \$2,000,000) (reduced by \$3,000,000) (reduced by \$2,000,000).

## OFFICE OF BUDGET AND PROGRAM ANALYSIS

For necessary expenses of the Office of Budget and Program Analysis, \$16,967,000 (reduced by \$3,000,000).

## OFFICE OF THE CHIEF INFORMATION OFFICER

For necessary expenses of the Office of the Chief Information Officer, \$93,284,000 (reduced by \$3,000,000), of which not less than \$77,428,000 is for cybersecurity requirements of the department.

## 1 OFFICE OF THE CHIEF FINANCIAL OFFICER

2 For necessary expenses of the Office of the Chief Fi-  
3 nancial Officer, \$9,559,000.

4 OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL  
5 RIGHTS

6 For necessary expenses of the Office of the Assistant  
7 Secretary for Civil Rights, \$1,466,000: *Provided*, That  
8 funds made available by this Act to an agency in the Civil  
9 Rights mission area for salaries and expenses are available  
10 to fund up to one administrative support staff for the Of-  
11 fice.

## 12 OFFICE OF CIVIL RIGHTS

13 For necessary expenses of the Office of Civil Rights,  
14 \$37,595,000.

## 15 AGRICULTURE BUILDINGS AND FACILITIES

## 16 (INCLUDING TRANSFERS OF FUNDS)

17 For payment of space rental and related costs pursu-  
18 ant to Public Law 92-313, including authorities pursuant  
19 to the 1984 delegation of authority from the Adminis-  
20 trator of General Services to the Department of Agri-  
21 culture under 40 U.S.C. 121, for programs and activities  
22 of the Department which are included in this Act, and for  
23 alterations and other actions needed for the Department  
24 and its agencies to consolidate unneeded space into con-  
25 figurations suitable for release to the Administrator of

1 General Services, and for the operation, maintenance, im-  
2 provement, and repair of Agriculture buildings and facili-  
3 ties, and for related costs, \$68,858,000 (reduced by  
4 \$700,000) (reduced by \$418,000) (reduced by  
5 \$5,000,000) (reduced by \$1,000,000), to remain available  
6 until expended.

7 HAZARDOUS MATERIALS MANAGEMENT

8 (INCLUDING TRANSFERS OF FUNDS)

9 For necessary expenses of the Department of Agri-  
10 culture, to comply with the Comprehensive Environmental  
11 Response, Compensation, and Liability Act (42 U.S.C.  
12 9601 et seq.) and the Solid Waste Disposal Act (42 U.S.C.  
13 6901 et seq.), \$8,581,000, to remain available until ex-  
14 pended: *Provided*, That appropriations and funds available  
15 herein to the Department for Hazardous Materials Man-  
16 agement may be transferred to any agency of the Depart-  
17 ment for its use in meeting all requirements pursuant to  
18 the above Acts on Federal and non-Federal lands.

19 OFFICE OF SAFETY, SECURITY, AND PROTECTION

20 For necessary expenses of the Office of Safety, Secu-  
21 rity, and Protection, \$21,800,000.

22 OFFICE OF INSPECTOR GENERAL

23 For necessary expenses of the Office of Inspector  
24 General, including employment pursuant to the Inspector  
25 General Act of 1978 (Public Law 95-452; 5 U.S.C. App.),



1 \$111,061,000, including such sums as may be necessary  
2 for contracting and other arrangements with public agen-  
3 cies and private persons pursuant to section 6(a)(9) of the  
4 Inspector General Act of 1978 (Public Law 95-452; 5  
5 U.S.C. App.), and including not to exceed \$125,000 for  
6 certain confidential operational expenses, including the  
7 payment of informants, to be expended under the direction  
8 of the Inspector General pursuant to the Inspector Gen-  
9 eral Act of 1978 (Public Law 95-452; 5 U.S.C. App.) and  
10 section 1337 of the Agriculture and Food Act of 1981  
11 (Public Law 97-98).

12 OFFICE OF THE GENERAL COUNSEL

13 For necessary expenses of the Office of the General  
14 Counsel, \$62,137,000.

15 OFFICE OF ETHICS

16 For necessary expenses of the Office of Ethics,  
17 \$5,556,000.

18 OFFICE OF THE UNDER SECRETARY FOR RESEARCH,

19 EDUCATION, AND ECONOMICS

20 For necessary expenses of the Office of the Under  
21 Secretary for Research, Education, and Economics,  
22 \$3,384,000: *Provided*, That funds made available by this  
23 Act to an agency in the Research, Education, and Eco-  
24 nomics mission area for salaries and expenses are avail-  
25 able to fund up to one administrative support staff for

1 the Office: *Provided further*, That of the amounts made  
2 available under this heading, \$2,000,000 shall be made  
3 available for the Office of the Chief Scientist.

4 ECONOMIC RESEARCH SERVICE

5 For necessary expenses of the Economic Research  
6 Service, \$90,612,000.

7 NATIONAL AGRICULTURAL STATISTICS SERVICE

8 For necessary expenses of the National Agricultural  
9 Statistics Service, \$211,023,000, of which up to  
10 \$66,361,000 shall be available until expended for the Cen-  
11 sus of Agriculture: *Provided*, That amounts made available  
12 for the Census of Agriculture may be used to conduct Cur-  
13 rent Industrial Report surveys subject to 7 U.S.C.  
14 2204g(d) and (f).

15 AGRICULTURAL RESEARCH SERVICE

16 SALARIES AND EXPENSES

17 For necessary expenses of the Agricultural Research  
18 Service and for acquisition of lands by donation, exchange,  
19 or purchase at a nominal cost not to exceed \$100, and  
20 for land exchanges where the lands exchanged shall be of  
21 equal value or shall be equalized by a payment of money  
22 to the grantor which shall not exceed 25 percent of the  
23 total value of the land or interests transferred out of Fed-  
24 eral ownership, \$1,737,629,000 (reduced by \$1,500,000)  
25 (increased by \$1,500,000): *Provided*, That appropriations

1 hereunder shall be available for the operation and mainte-  
2 nance of aircraft and the purchase of not to exceed one  
3 for replacement only: *Provided further*, That appropria-  
4 tions hereunder shall be available pursuant to 7 U.S.C.  
5 2250 for the construction, alteration, and repair of build-  
6 ings and improvements, but unless otherwise provided, the  
7 cost of constructing any one building shall not exceed  
8 \$500,000, except for headhouses or greenhouses which  
9 shall each be limited to \$1,800,000, except for 10 build-  
10 ings to be constructed or improved at a cost not to exceed  
11 \$1,100,000 each, and except for four buildings to be con-  
12 structed at a cost not to exceed \$5,000,000 each, and the  
13 cost of altering any one building during the fiscal year  
14 shall not exceed 10 percent of the current replacement  
15 value of the building or \$500,000, whichever is greater:  
16 *Provided further*, That appropriations hereunder shall be  
17 available for entering into lease agreements at any Agri-  
18 cultural Research Service location for the construction of  
19 a research facility by a non-Federal entity for use by the  
20 Agricultural Research Service and a condition of the lease  
21 shall be that any facility shall be owned, operated, and  
22 maintained by the non-Federal entity and shall be re-  
23 moved upon the expiration or termination of the lease  
24 agreement: *Provided further*, That the limitations on alter-  
25 ations contained in this Act shall not apply to moderniza-

1 tion or replacement of existing facilities at Beltsville,  
2 Maryland: *Provided further*, That appropriations here-  
3 under shall be available for granting easements at the  
4 Beltsville Agricultural Research Center: *Provided further*,  
5 That the foregoing limitations shall not apply to replace-  
6 ment of buildings needed to carry out the Act of April  
7 24, 1948 (21 U.S.C. 113a): *Provided further*, That appro-  
8 priations hereunder shall be available for granting ease-  
9 ments at any Agricultural Research Service location for  
10 the construction of a research facility by a non-Federal  
11 entity for use by, and acceptable to, the Agricultural Re-  
12 search Service and a condition of the easements shall be  
13 that upon completion the facility shall be accepted by the  
14 Secretary, subject to the availability of funds herein, if the  
15 Secretary finds that acceptance of the facility is in the  
16 interest of the United States: *Provided further*, That funds  
17 may be received from any State, other political subdivi-  
18 sion, organization, or individual for the purpose of estab-  
19 lishing or operating any research facility or research  
20 project of the Agricultural Research Service, as authorized  
21 by law.

#### BUILDINGS AND FACILITIES

23 For the acquisition of land, construction, repair, im-  
24 provement, extension, alteration, and purchase of fixed  
25 equipment or facilities as necessary to carry out the agri-

1 cultural research programs of the Department of Agri-  
2 culture, where not otherwise provided, \$57,305,000 to re-  
3 main available until expended, of which \$25,900,000 shall  
4 be for the purposes, and in the amounts, specified for this  
5 account in the table titled “Community Project Funding”  
6 in the report accompanying this Act.

7 NATIONAL INSTITUTE OF FOOD AND AGRICULTURE  
8 RESEARCH AND EDUCATION ACTIVITIES

9 For payments to agricultural experiment stations, for  
10 cooperative forestry and other research, for facilities, and  
11 for other expenses, \$1,142,021,000 (increased by  
12 \$2,000,000) (reduced by \$10,000,000) (increased by  
13 \$10,000,000), which shall be for the purposes, and in the  
14 amounts, specified in the table titled “National Institute  
15 of Food and Agriculture, Research and Education Activi-  
16 ties” in the report accompanying this Act: *Provided*, That  
17 funds for research grants for 1994 institutions, education  
18 grants for 1890 institutions, Hispanic serving institutions  
19 education grants, capacity building for non-land-grant col-  
20 leges of agriculture, the agriculture and food research ini-  
21 tiative, veterinary medicine loan repayment, multicultural  
22 scholars, graduate fellowship and institution challenge  
23 grants, grants management systems, tribal colleges edu-  
24 cation equity grants, and scholarships at 1890 institutions  
25 shall remain available until expended: *Provided further*,

1 That each institution eligible to receive funds under the  
2 Evans-Allen program receives no less than \$1,000,000:  
3 *Provided further*, That funds for education grants for  
4 Alaska Native and Native Hawaiian-serving institutions  
5 be made available to individual eligible institutions or con-  
6 sortia of eligible institutions with funds awarded equally  
7 to each of the States of Alaska and Hawaii: *Provided fur-*  
8 *ther*, That funds for providing grants for food and agricul-  
9 tural sciences for Alaska Native and Native Hawaiian-  
10 Serving institutions and for Insular Areas shall remain  
11 available until September 30, 2024: *Provided further*, That  
12 funds for education grants for 1890 institutions shall be  
13 made available to institutions eligible to receive funds  
14 under 7 U.S.C. 3221 and 3222: *Provided further*, That  
15 not more than 5 percent of the amounts made available  
16 by this or any other Act to carry out the Agriculture and  
17 Food Research Initiative under 7 U.S.C. 3157 may be re-  
18 tained by the Secretary of Agriculture to pay administra-  
19 tive costs incurred by the Secretary in carrying out that  
20 authority.

21 NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

22 For the Native American Institutions Endowment  
23 Fund authorized by Public Law 103–382 (7 U.S.C. 301  
24 note), \$11,880,000, to remain available until expended.

## 1 EXTENSION ACTIVITIES

2 For payments to States, the District of Columbia,  
3 Puerto Rico, Guam, the Virgin Islands, Micronesia, the  
4 Northern Marianas, and American Samoa, \$586,502,000,  
5 which shall be for the purposes, and in the amounts, speci-  
6 fied in the table titled “National Institute of Food and  
7 Agriculture, Extension Activities” in the report accom-  
8 panying this Act: *Provided*, That funds for extension serv-  
9 ices at 1994 institutions and for facility improvements at  
10 1890 institutions shall remain available until expended:  
11 *Provided further*, That institutions eligible to receive funds  
12 under 7 U.S.C. 3221 for cooperative extension receive no  
13 less than \$1,000,000: *Provided further*, That funds for co-  
14 operative extension under sections 3(b) and (c) of the  
15 Smith-Lever Act (7 U.S.C. 343(b) and (c)) and section  
16 208(c) of Public Law 93–471 shall be available for retire-  
17 ment and employees’ compensation costs for extension  
18 agents.

## 19 INTEGRATED ACTIVITIES

20 For the integrated research, education, and extension  
21 grants programs, including necessary administrative ex-  
22 penses, \$39,500,000, which shall be for the purposes, and  
23 in the amounts, specified in the table titled “National In-  
24 stitute of Food and Agriculture, Integrated Activities” in  
25 the report accompanying this Act: *Provided*, That funds

1 for the Food and Agriculture Defense Initiative shall re-  
2 main available until September 30, 2024: *Provided further*,  
3 That notwithstanding any other provision of law, indirect  
4 costs shall not be charged against any Extension Imple-  
5 mentation Program Area grant awarded under the Crop  
6 Protection/Pest Management Program (7 U.S.C. 7626).

7 OFFICE OF THE UNDER SECRETARY FOR MARKETING  
8 AND REGULATORY PROGRAMS

9 For necessary expenses of the Office of the Under  
10 Secretary for Marketing and Regulatory Programs,  
11 \$1,617,000: *Provided*, That funds made available by this  
12 Act to an agency in the Marketing and Regulatory Pro-  
13 grams mission area for salaries and expenses are available  
14 to fund up to one administrative support staff for the Of-  
15 fice.

16 ANIMAL AND PLANT HEALTH INSPECTION SERVICE  
17 SALARIES AND EXPENSES  
18 (INCLUDING TRANSFERS OF FUNDS)

19 For necessary expenses of the Animal and Plant  
20 Health Inspection Service, including up to \$30,000 for  
21 representation allowances and for expenses pursuant to  
22 the Foreign Service Act of 1980 (22 U.S.C. 4085),  
23 \$1,164,209,000, of which \$530,000, to remain available  
24 until expended, shall be available for the control of out-  
25 breaks of insects, plant diseases, animal diseases and for



1 control of pest animals and birds (“contingency fund”) to  
2 the extent necessary to meet emergency conditions; of  
3 which \$15,950,000, to remain available until expended,  
4 shall be used for the cotton pests program, including for  
5 cost share purposes or for debt retirement for active eradi-  
6 cation zones; of which \$39,183,000, to remain available  
7 until expended, shall be for Animal Health Technical Serv-  
8 ices; of which \$4,096,000 shall be for activities under the  
9 authority of the Horse Protection Act of 1970, as amend-  
10 ed (15 U.S.C. 1831); of which \$64,930,000, to remain  
11 available until expended, shall be used to support avian  
12 health; of which \$4,251,000, to remain available until ex-  
13 pended, shall be for information technology infrastructure;  
14 of which \$219,698,000, to remain available until ex-  
15 pended, shall be for specialty crop pests; of which,  
16 \$14,986,000, to remain available until expended, shall be  
17 for field crop and rangeland ecosystem pests; of which  
18 \$24,067,000, to remain available until expended, shall be  
19 for zoonotic disease management; of which \$44,117,000,  
20 to remain available until expended, shall be for emergency  
21 preparedness and response; of which \$62,562,000, to re-  
22 main available until expended, shall be for tree and wood  
23 pests; of which \$6,528,000, to remain available until ex-  
24 pended, shall be for the National Veterinary Stockpile; of  
25 which up to \$1,500,000, to remain available until ex-

1    pending, shall be for the scrapie program for indemnities;  
2    of which \$2,500,000, to remain available until expended,  
3    shall be for the wildlife damage management program for  
4    aviation safety: *Provided*, That of amounts available under  
5    this heading for wildlife services methods development,  
6    \$1,000,000 shall remain available until expended: *Pro-*  
7    *vided further*, That of amounts available under this head-  
8    ing for the screwworm program, \$4,990,000 shall remain  
9    available until expended; of which \$24,527,000, to remain  
10    available until expended, shall be used to carry out the  
11    science program and transition activities for the National  
12    Bio and Agro-defense Facility located in Manhattan, Kan-  
13    sas: *Provided further*, That no funds shall be used to for-  
14    mulate or administer a brucellosis eradication program for  
15    the current fiscal year that does not require minimum  
16    matching by the States of at least 40 percent: *Provided*  
17    *further*, That this appropriation shall be available for the  
18    purchase, replacement, operation, and maintenance of air-  
19    craft: *Provided further*, That in addition, in emergencies  
20    which threaten any segment of the agricultural production  
21    industry of the United States, the Secretary may transfer  
22    from other appropriations or funds available to the agen-  
23    cies or corporations of the Department such sums as may  
24    be deemed necessary, to be available only in such emer-  
25    gencies for the arrest and eradication of contagious or in-

1 fectious disease or pests of animals, poultry, or plants, and  
2 for expenses in accordance with sections 10411 and 10417  
3 of the Animal Health Protection Act (7 U.S.C. 8310 and  
4 8316) and sections 431 and 442 of the Plant Protection  
5 Act (7 U.S.C. 7751 and 7772), and any unexpended bal-  
6 ances of funds transferred for such emergency purposes  
7 in the preceding fiscal year shall be merged with such  
8 transferred amounts: *Provided further*, That appropria-  
9 tions hereunder shall be available pursuant to law (7  
10 U.S.C. 2250) for the repair and alteration of leased build-  
11 ings and improvements, but unless otherwise provided the  
12 cost of altering any one building during the fiscal year  
13 shall not exceed 10 percent of the current replacement  
14 value of the building.

15       In fiscal year 2023, the agency is authorized to collect  
16 fees to cover the total costs of providing technical assist-  
17 ance, goods, or services requested by States, other political  
18 subdivisions, domestic and international organizations,  
19 foreign governments, or individuals, provided that such  
20 fees are structured such that any entity's liability for such  
21 fees is reasonably based on the technical assistance, goods,  
22 or services provided to the entity by the agency, and such  
23 fees shall be reimbursed to this account, to remain avail-  
24 able until expended, without further appropriation, for  
25 providing such assistance, goods, or services.

## 1 BUILDINGS AND FACILITIES

2 For plans, construction, repair, preventive maintenance,  
3 nance, environmental support, improvement, extension, alteration,  
4 and purchase of fixed equipment or facilities, as authorized by 7 U.S.C. 2250,  
5 and acquisition of land as authorized by 7 U.S.C. 2268a,  
6 \$3,175,000, to remain available until expended.

## 8 AGRICULTURAL MARKETING SERVICE

## 9 MARKETING SERVICES

10 For necessary expenses of the Agricultural Marketing  
11 Service, \$242,913,000 (increased by \$1,000,000), of which \$7,504,000  
12 shall be available for the purposes of section 12306 of Public Law 113–79:  
13 *Provided*, That of the amounts made available under this heading,  
14 \$25,000,000, to remain available until expended, shall be to carry out  
15 section 12513 of Public Law 115–334: *Provided further*, That this appropriation  
16 shall be available pursuant to law (7 U.S.C. 2250) for the alteration and  
17 repair of buildings and improvements, but the cost of altering any one  
18 building during the fiscal year shall not exceed 10 percent of the current  
19 replacement value of the building.

23 Fees may be collected for the cost of standardization  
24 activities, as established by regulation pursuant to law (31 U.S.C. 9701),  
25 except for the cost of activities relating to

1 the development or maintenance of grain standards under  
2 the United States Grain Standards Act, 7 U.S.C. 71 et  
3 seq.

4 LIMITATION ON ADMINISTRATIVE EXPENSES

5 Not to exceed \$62,596,000 (from fees collected) shall  
6 be obligated during the current fiscal year for administra-  
7 tive expenses: *Provided*, That if crop size is understated  
8 and/or other uncontrollable events occur, the agency may  
9 exceed this limitation by up to 10 percent with notification  
10 to the Committees on Appropriations of both Houses of  
11 Congress.

12 FUNDS FOR STRENGTHENING MARKETS, INCOME, AND

13 SUPPLY (SECTION 32)

14 (INCLUDING TRANSFERS OF FUNDS)

15 Funds available under section 32 of the Act of Au-  
16 gust 24, 1935 (7 U.S.C. 612c), shall be used only for com-  
17 modity program expenses as authorized therein, and other  
18 related operating expenses, except for: (1) transfers to the  
19 Department of Commerce as authorized by the Fish and  
20 Wildlife Act of 1956 (16 U.S.C. 742a et seq.); (2) trans-  
21 fers otherwise provided in this Act; and (3) not more than  
22 \$21,501,000 for formulation and administration of mar-  
23 keting agreements and orders pursuant to the Agricultural  
24 Marketing Agreement Act of 1937 and the Agricultural  
25 Act of 1961 (Public Law 87–128).

7 LIMITATION ON INSPECTION AND WEIGHING SERVICES

9 Not to exceed \$55,000,000 (from fees collected) shall  
10 be obligated during the current fiscal year for inspection  
11 and weighing services: *Provided*, That if grain export ac-  
12 tivities require additional supervision and oversight, or  
13 other uncontrollable factors occur, this limitation may be  
14 exceeded by up to 10 percent with notification to the Com-  
15 mittees on Appropriations of both Houses of Congress.

For necessary expenses of the Office of the Under Secretary for Food Safety, \$1,117,000: *Provided*, That funds made available by this Act to an agency in the Food Safety mission area for salaries and expenses are available to fund up to one administrative support staff for the Office.

24 For necessary expenses to carry out services author-  
25 ized by the Federal Meat Inspection Act, the Poultry

1 Products Inspection Act, and the Egg Products Inspection  
2 Act, including not to exceed \$10,000 for representation  
3 allowances and for expenses pursuant to section 8 of the  
4 Act approved August 3, 1956 (7 U.S.C. 1766),  
5 \$1,180,364,000; and in addition, \$1,000,000 may be cred-  
6 ited to this account from fees collected for the cost of lab-  
7 oratory accreditation as authorized by section 1327 of the  
8 Food, Agriculture, Conservation and Trade Act of 1990  
9 (7 U.S.C. 138f): *Provided*, That funds provided for the  
10 Public Health Data Communication Infrastructure system  
11 shall remain available until expended: *Provided further*,  
12 That no fewer than 148 full-time equivalent positions shall  
13 be employed during fiscal year 2023 for purposes dedi-  
14 cated solely to inspections and enforcement related to the  
15 Humane Methods of Slaughter Act (7 U.S.C. 1901 et  
16 seq.): *Provided further*, That this appropriation shall be  
17 available pursuant to law (7 U.S.C. 2250) for the alter-  
18 ation and repair of buildings and improvements, but the  
19 cost of altering any one building during the fiscal year  
20 shall not exceed 10 percent of the current replacement  
21 value of the building.

1 TITLE II  
2 FARM PRODUCTION AND CONSERVATION  
3 PROGRAMS

4 OFFICE OF THE UNDER SECRETARY FOR FARM  
5 PRODUCTION AND CONSERVATION

6 For necessary expenses of the Office of the Under  
7 Secretary for Farm Production and Conservation,  
8 \$1,727,000: *Provided*, That funds made available by this  
9 Act to an agency in the Farm Production and Conserva-  
10 tion mission area for salaries and expenses are available  
11 to fund up to one administrative support staff for the Of-  
12 fice.

13 FARM PRODUCTION AND CONSERVATION BUSINESS  
14 CENTER

15 SALARIES AND EXPENSES  
16 (INCLUDING TRANSFERS OF FUNDS)

17 For necessary expenses of the Farm Production and  
18 Conservation Business Center, \$257,684,000: *Provided*,  
19 That \$60,228,000 of amounts appropriated for the cur-  
20 rent fiscal year pursuant to section 1241(a) of the Farm  
21 Security and Rural Investment Act of 1985 (16 U.S.C.  
22 3841(a)) shall be transferred to and merged with this ac-  
23 count.



## 1 FARM SERVICE AGENCY

## 2 SALARIES AND EXPENSES

## 3 (INCLUDING TRANSFERS OF FUNDS)

4 For necessary expenses of the Farm Service Agency,  
5 \$1,229,396,000: *Provided*, That not more than 50 percent  
6 of the funding made available under this heading for infor-  
7 mation technology related to farm program delivery may  
8 be obligated until the Secretary submits to the Committees  
9 on Appropriations of both Houses of Congress, and re-  
10 ceives written or electronic notification of receipt from  
11 such Committees of, a plan for expenditure that (1) identi-  
12 fies for each project/investment over \$25,000 (a) the func-  
13 tional and performance capabilities to be delivered and the  
14 mission benefits to be realized, (b) the estimated lifecycle  
15 cost for the entirety of the project/investment, including  
16 estimates for development as well as maintenance and op-  
17 erations, and (c) key milestones to be met; (2) dem-  
18 onstrates that each project/investment is, (a) consistent  
19 with the Farm Service Agency Information Technology  
20 Roadmap, (b) being managed in accordance with applica-  
21 ble lifecycle management policies and guidance, and (c)  
22 subject to the applicable Department's capital planning  
23 and investment control requirements; and (3) has been re-  
24 viewed by the Government Accountability Office and ap-  
25 proved by the Committees on Appropriations of both

1 Houses of Congress: *Provided further*, That the agency  
2 shall submit a report by the end of the fourth quarter of  
3 fiscal year 2023 to the Committees on Appropriations of  
4 both Houses of Congress and the Government Account-  
5 ability Office, that identifies for each project/investment  
6 that is operational (a) current performance against key  
7 indicators of customer satisfaction, (b) current perform-  
8 ance of service level agreements or other technical metrics,  
9 (c) current performance against a pre-established cost  
10 baseline, (d) a detailed breakdown of current and planned  
11 spending on operational enhancements or upgrades, and  
12 (e) an assessment of whether the investment continues to  
13 meet business needs as intended as well as alternatives  
14 to the investment: *Provided further*, That the Secretary  
15 is authorized to use the services, facilities, and authorities  
16 (but not the funds) of the Commodity Credit Corporation  
17 to make program payments for all programs administered  
18 by the Agency: *Provided further*, That other funds made  
19 available to the Agency for authorized activities may be  
20 advanced to and merged with this account: *Provided fur-*  
21 *ther*, That of the amount appropriated under this heading,  
22 \$696,594,000 shall be made available to county commit-  
23 tees, to remain available until expended: *Provided further*,  
24 That, notwithstanding the preceding proviso, any funds  
25 made available to county committees in the current fiscal

1 year that the Administrator of the Farm Service Agency  
 2 deems to exceed or not meet the amount needed for the  
 3 county committees may be transferred to or from the  
 4 Farm Service Agency for necessary expenses: *Provided*  
 5 *further*, That none of the funds available to the Farm  
 6 Service Agency shall be used to close Farm Service Agency  
 7 county offices: *Provided further*, That none of the funds  
 8 available to the Farm Service Agency shall be used to per-  
 9 manently relocate county based employees that would re-  
 10 sult in an office with two or fewer employees without prior  
 11 notification and approval of the Committees on Appropria-  
 12 tions of both Houses of Congress.

#### 13 STATE MEDIATION GRANTS

14 For grants pursuant to section 502(b) of the Agricul-  
 15 tural Credit Act of 1987, as amended (7 U.S.C. 5101–  
 16 5106), \$7,000,000.

#### 17 GRASSROOTS SOURCE WATER PROTECTION PROGRAM

18 For necessary expenses to carry out wellhead or  
 19 groundwater protection activities under section 1240O of  
 20 the Food Security Act of 1985 (16 U.S.C. 3839bb–2),  
 21 \$6,500,000, to remain available until expended.

#### 22 DAIRY INDEMNITY PROGRAM

#### 23 (INCLUDING TRANSFER OF FUNDS)

24 For necessary expenses involved in making indemnity  
 25 payments to dairy farmers and manufacturers of dairy

1 products under a dairy indemnity program, such sums as  
 2 may be necessary, to remain available until expended: *Pro-*  
 3 *vided*, That such program is carried out by the Secretary  
 4 in the same manner as the dairy indemnity program de-  
 5 scribed in the Agriculture, Rural Development, Food and  
 6 Drug Administration, and Related Agencies Appropria-  
 7 tions Act, 2001 (Public Law 106–387, 114 Stat. 1549A–  
 8 12).

9 GEOGRAPHICALLY DISADVANTAGED FARMERS AND  
 10 RANCHERS

11 For necessary expenses to carry out direct reimburse-  
 12 ment payments to geographically disadvantaged farmers  
 13 and ranchers under section 1621 of the Food Conserva-  
 14 tion, and Energy Act of 2008 (7 U.S.C. 8792),  
 15 \$3,000,000, to remain available until expended.

16 AGRICULTURAL CREDIT INSURANCE FUND PROGRAM  
 17 ACCOUNT

18 (INCLUDING TRANSFERS OF FUNDS)

19 For gross obligations for the principal amount of di-  
 20 rect and guaranteed farm ownership (7 U.S.C. 1922 et  
 21 seq.) and operating (7 U.S.C. 1941 et seq.) loans, emer-  
 22 gency loans (7 U.S.C. 1961 et seq.), Indian tribe land ac-  
 23 quisition loans (25 U.S.C. 5136), boll weevil loans (7  
 24 U.S.C. 1989), guaranteed conservation loans (7 U.S.C.  
 25 1924 et seq.), relending program (7 U.S.C. 1936c), and

1 Indian highly fractionated land loans (25 U.S.C. 5136)  
2 to be available from funds in the Agricultural Credit In-  
3 surance Fund, as follows: \$3,500,000,000 for guaranteed  
4 farm ownership loans and \$3,100,000,000 for farm owner-  
5 ship direct loans; \$2,118,491,000 for unsubsidized guar-  
6 anteed operating loans and \$1,633,333,000 for direct op-  
7 erating loans; emergency loans, \$4,062,000; Indian tribe  
8 land acquisition loans, \$20,000,000; guaranteed conserva-  
9 tion loans, \$150,000,000; relending program,  
10 \$61,426,000; Indian highly fractionated land loans,  
11 \$5,000,000; and for boll weevil eradication program loans,  
12 \$60,000,000: *Provided*, That the Secretary shall deem the  
13 pink bollworm to be a boll weevil for the purpose of boll  
14 weevil eradication program loans.

15 For the cost of direct and guaranteed loans and  
16 grants, including the cost of modifying loans as defined  
17 in section 502 of the Congressional Budget Act of 1974,  
18 as follows: \$249,000 for emergency loans, to remain avail-  
19 able until expended; and \$23,520,000 for direct farm op-  
20 erating loans, \$11,228,000 for unsubsidized guaranteed  
21 farm operating loans, \$10,983,000 for the relending pro-  
22 gram, and \$894,000 for Indian highly fractionated land  
23 loans.

24 In addition, for administrative expenses necessary to  
25 carry out the direct and guaranteed loan programs,

1 \$326,461,000: *Provided*, That of this amount,  
2 \$305,803,000 shall be transferred to and merged with the  
3 appropriation for “Farm Service Agency, Salaries and Ex-  
4 penses”.

5 Funds appropriated by this Act to the Agricultural  
6 Credit Insurance Program Account for farm ownership,  
7 operating and conservation direct loans and guaranteed  
8 loans may be transferred among these programs: *Pro-*  
9 *vided*, That the Committees on Appropriations of both  
10 Houses of Congress are notified at least 15 days in ad-  
11 vance of any transfer.

12 RISK MANAGEMENT AGENCY

13 SALARIES AND EXPENSES

14 For necessary expenses of the Risk Management  
15 Agency, \$75,443,000; of which \$4,500,000 shall be avail-  
16 able to conduct research and development and carry out  
17 contracting and partnerships as described under sub-  
18 sections 522(c) and (d) of the Federal Crop Insurance  
19 Act, as amended (7 U.S.C. 1522(c) and (d)), in addition  
20 to amounts otherwise provided for such purposes: *Pro-*  
21 *vided*, That \$1,000,000 of the amount appropriated under  
22 this heading in this Act shall be available for compliance  
23 and integrity activities required under section  
24 516(b)(2)(C) of the Federal Crop Insurance Act of 1938  
25 (7 U.S.C. 1516(b)(2)(C)), and shall be in addition to

1 amounts otherwise provided for such purpose: *Provided*  
2 *further*, That not to exceed \$1,000 shall be available for  
3 official reception and representation expenses, as author-  
4 ized by 7 U.S.C. 1506(i).

5       NATURAL RESOURCES CONSERVATION SERVICE  
6                   CONSERVATION OPERATIONS

7       For necessary expenses for carrying out the provi-  
8 sions of the Act of April 27, 1935 (16 U.S.C. 590a–f),  
9 including preparation of conservation plans and establish-  
10 ment of measures to conserve soil and water (including  
11 farm irrigation and land drainage and such special meas-  
12 ures for soil and water management as may be necessary  
13 to prevent floods and the siltation of reservoirs and to con-  
14 trol agricultural related pollutants); operation of conserva-  
15 tion plant materials centers; classification and mapping of  
16 soil; dissemination of information; acquisition of lands,  
17 water, and interests therein for use in the plant materials  
18 program by donation, exchange, or purchase at a nominal  
19 cost not to exceed \$100 pursuant to the Act of August  
20 3, 1956 (7 U.S.C. 2268a); purchase and erection or alter-  
21 ation or improvement of permanent and temporary build-  
22 ings; and operation and maintenance of aircraft,  
23 \$1,023,777,000 (increased by \$1,000,000) (increased by  
24 \$2,000,000), to remain available until September 30,  
25 2024, of which up to \$22,973,000 shall be for the pur-

1 poses, and in the amounts, specified for this account in  
2 the table titled “Community Project Funding” in the re-  
3 port accompanying this Act: *Provided further*, That appro-  
4 priations hereunder shall be available pursuant to 7  
5 U.S.C. 2250 for construction and improvement of build-  
6 ings and public improvements at plant materials centers,  
7 except that the cost of alterations and improvements to  
8 other buildings and other public improvements shall not  
9 exceed \$250,000: *Provided further*, That when buildings  
10 or other structures are erected on non-Federal land, that  
11 the right to use such land is obtained as provided in 7  
12 U.S.C. 2250a.

13 WATERSHED AND FLOOD PREVENTION OPERATIONS

14 For necessary expenses to carry out preventive meas-  
15 ures, including but not limited to surveys and investiga-  
16 tions, engineering operations, works of improvement, and  
17 changes in use of land, in accordance with the Watershed  
18 Protection and Flood Prevention Act (16 U.S.C. 1001–  
19 1005 and 1007–1009) and in accordance with the provi-  
20 sions of laws relating to the activities of the Department,  
21 \$95,000,000, to remain available until expended: *Pro-*  
22 *vided*, That for funds provided by this Act or any other  
23 prior Act, the limitation regarding the size of the water-  
24 shed or subwatershed exceeding two hundred and fifty  
25 thousand acres in which such activities can be undertaken



1 shall only apply for activities undertaken for the primary  
2 purpose of flood prevention (including structural and land  
3 treatment measures): *Provided further*, That of the  
4 amounts made available under this heading, \$10,000,000  
5 shall be allocated to projects and activities that can com-  
6 mence promptly following enactment; that address re-  
7 gional priorities for flood prevention, agricultural water  
8 management, inefficient irrigation systems, fish and wild-  
9 life habitat, or watershed protection; or that address au-  
10 thorized ongoing projects under the authorities of section  
11 13 of the Flood Control Act of December 22, 1944 (Public  
12 Law 78–534) with a primary purpose of watershed protec-  
13 tion by preventing floodwater damage and stabilizing  
14 stream channels, tributaries, and banks to reduce erosion  
15 and sediment transport.

16           WATERSHED REHABILITATION PROGRAM

17       Under the authorities of section 14 of the Watershed  
18 Protection and Flood Prevention Act, \$5,000,000 is pro-  
19 vided.

20           HEALTHY FORESTS RESERVE PROGRAM

21       For necessary expenses to carry out the Healthy For-  
22 ests Reserve Program under the Healthy Forests Restora-  
23 tion Act of 2003 (16 U.S.C. 6571–6578), \$10,000,000,  
24 to remain available until expended.

## 1 URBAN AGRICULTURE AND INNOVATIVE PRODUCTION

2 For necessary expenses to carry out the Urban Agri-  
3 culture and Innovative Production Program under section  
4 222 of subtitle A of the Department of Agriculture Reor-  
5 ganization Act of 1994 (7 U.S.C. 6923), as added by sec-  
6 tion 12302 of Public Law 115–334, \$13,500,000.

## 7 CORPORATIONS

8 The following corporations and agencies are hereby  
9 authorized to make expenditures, within the limits of  
10 funds and borrowing authority available to each such cor-  
11 poration or agency and in accord with law, and to make  
12 contracts and commitments without regard to fiscal year  
13 limitations as provided by section 104 of the Government  
14 Corporation Control Act as may be necessary in carrying  
15 out the programs set forth in the budget for the current  
16 fiscal year for such corporation or agency, except as here-  
17 inafter provided.

## 18 FEDERAL CROP INSURANCE CORPORATION FUND

19 For payments as authorized by section 516 of the  
20 Federal Crop Insurance Act (7 U.S.C. 1516), such sums  
21 as may be necessary, to remain available until expended.

1 COMMODITY CREDIT CORPORATION FUND  
2 REIMBURSEMENT FOR NET REALIZED LOSSES  
3 (INCLUDING TRANSFERS OF FUNDS)

4 For the current fiscal year, such sums as may be nec-  
5 essary to reimburse the Commodity Credit Corporation for  
6 net realized losses sustained, but not previously reim-  
7 bursed, pursuant to section 2 of the Act of August 17,  
8 1961 (15 U.S.C. 713a–11): *Provided*, That of the funds  
9 available to the Commodity Credit Corporation under sec-  
10 tion 11 of the Commodity Credit Corporation Charter Act  
11 (15 U.S.C. 714i) for the conduct of its business with the  
12 Foreign Agricultural Service, up to \$5,000,000 may be  
13 transferred to and used by the Foreign Agricultural Serv-  
14 ice for information resource management activities of the  
15 Foreign Agricultural Service that are not related to Com-  
16 modity Credit Corporation business.

17 HAZARDOUS WASTE MANAGEMENT  
18 (LIMITATION ON EXPENSES)

19 For the current fiscal year, the Commodity Credit  
20 Corporation shall not expend more than \$15,000,000 for  
21 site investigation and cleanup expenses, and operations  
22 and maintenance expenses to comply with the requirement  
23 of section 107(g) of the Comprehensive Environmental  
24 Response, Compensation, and Liability Act (42 U.S.C.

1 9607(g)), and section 6001 of the Solid Waste Disposal  
2 Act (42 U.S.C. 6961).

3 TITLE III

4 RURAL DEVELOPMENT PROGRAMS

5 OFFICE OF THE UNDER SECRETARY FOR RURAL  
6 DEVELOPMENT

7 For necessary expenses of the Office of the Under  
8 Secretary for Rural Development, \$1,620,000: *Provided*,  
9 That funds made available by this Act to an agency in  
10 the Rural Development mission area for salaries and ex-  
11 penses are available to fund up to one administrative sup-  
12 port staff for the Office.

13 RURAL DEVELOPMENT

14 SALARIES AND EXPENSES

15 (INCLUDING TRANSFERS OF FUNDS)

16 For necessary expenses for carrying out the adminis-  
17 tration and implementation of Rural Development pro-  
18 grams, including activities with institutions concerning the  
19 development and operation of agricultural cooperatives;  
20 and for cooperative agreements; \$401,976,000: *Provided*,  
21 That of the amount made available under this heading,  
22 up to \$5,000,000, to remain available until September 30,  
23 2024, shall be for the Rural Partners Network activities  
24 of the Department of Agriculture, and may be transferred  
25 to other agencies of the Department for such purpose, con-

1 sistent with the missions and authorities of such agencies:  
 2 *Provided further*, That notwithstanding any other provi-  
 3 sion of law, funds appropriated under this heading may  
 4 be used for advertising and promotional activities that  
 5 support Rural Development programs: *Provided further*,  
 6 That in addition to any other funds appropriated for pur-  
 7 poses authorized by section 502(i) of the Housing Act of  
 8 1949 (42 U.S.C. 1472(i)), any amounts collected under  
 9 such section, as amended by this Act, will immediately be  
 10 credited to this account and will remain available until ex-  
 11 pended for such purposes.

## 12 RURAL HOUSING SERVICE

### 13 RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

#### 14 (INCLUDING TRANSFERS OF FUNDS)

15 For gross obligations for the principal amount of di-  
 16 rect and guaranteed loans as authorized by title V of the  
 17 Housing Act of 1949, to be available from funds in the  
 18 rural housing insurance fund, as follows: \$1,500,000,000  
 19 shall be for direct loans, \$12,000,000 shall be for a single  
 20 family housing relending demonstration program for Na-  
 21 tive American Tribes, and \$30,000,000,000 shall be for  
 22 unsubsidized guaranteed loans; \$28,000,000 for section  
 23 504 housing repair loans; \$150,000,000 for section 515  
 24 rental housing; \$300,000,000 for section 538 guaranteed  
 25 multi-family housing loans; \$10,000,000 for credit sales

1 of single family housing acquired property; \$5,000,000 for  
2 section 523 self-help housing land development loans; and  
3 \$5,000,000 for section 524 site development loans.

4 For the cost of direct and guaranteed loans, including  
5 the cost of modifying loans, as defined in section 502 of  
6 the Congressional Budget Act of 1974, as follows: section  
7 502 loans, \$55,650,000 shall be for direct loans;  
8 \$3,948,000 shall be for a single family housing relending  
9 demonstration program for Native American Tribes; sec-  
10 tion 504 housing repair loans, \$2,324,000; section 523  
11 self-help housing land development loans, \$267,000; sec-  
12 tion 524 site development loans, \$208,000; and repair, re-  
13 habilitation, and new construction of section 515 rental  
14 housing, \$28,665,000: *Provided*, That to support the loan  
15 program level for section 538 guaranteed loans made  
16 available under this heading the Secretary may charge or  
17 adjust any fees to cover the projected cost of such loan  
18 guarantees pursuant to the provisions of the Credit Re-  
19 form Act of 1990 (2 U.S.C. 661 et seq.), and the interest  
20 on such loans may not be subsidized: *Provided further*,  
21 That applicants in communities that have a current rural  
22 area waiver under section 541 of the Housing Act of 1949  
23 (42 U.S.C. 1490q) shall be treated as living in a rural  
24 area for purposes of section 502 guaranteed loans pro-  
25 vided under this heading: *Provided further*, That of the

1 amounts available under this paragraph for section 502  
2 direct loans, no less than \$5,000,000 shall be available for  
3 direct loans for individuals whose homes will be built pur-  
4 suant to a program funded with a mutual and self-help  
5 housing grant authorized by section 523 of the Housing  
6 Act of 1949 until June 1, 2023: *Provided further*, That  
7 the Secretary shall implement provisions to provide incen-  
8 tives to nonprofit organizations and public housing au-  
9 thorities to facilitate the acquisition of Rural Housing  
10 Service (RHS) multifamily housing properties by such  
11 nonprofit organizations and public housing authorities  
12 that commit to keep such properties in the RHS multi-  
13 family housing program for a period of time as determined  
14 by the Secretary, with such incentives to include, but not  
15 be limited to, the following: allow such nonprofit entities  
16 and public housing authorities to earn a Return on Invest-  
17 ment on their own resources to include proceeds from low  
18 income housing tax credit syndication, own contributions,  
19 grants, and developer loans at favorable rates and terms,  
20 invested in a deal; and allow reimbursement of organiza-  
21 tional costs associated with owner's oversight of asset re-  
22 ferred to as "Asset Management Fee" of up to \$7,500  
23 per property.

24 In addition, for the cost of direct loans and grants,  
25 including the cost of modifying loans, as defined in section

1 502 of the Congressional Budget Act of 1974,  
2 \$40,000,000, to remain available until expended, for a  
3 demonstration program for the preservation and revital-  
4 ization of the sections 514, 515, and 516 multi-family  
5 rental housing properties to restructure existing USDA  
6 multi-family housing loans, as the Secretary deems appro-  
7 priate, expressly for the purposes of ensuring the project  
8 has sufficient resources to preserve the project for the pur-  
9 pose of providing safe and affordable housing for low-in-  
10 come residents and farm laborers including reducing or  
11 eliminating interest; deferring loan payments, subordi-  
12 nating, reducing or re-amortizing loan debt; and other fi-  
13 nancial assistance including advances, payments and in-  
14 centives (including the ability of owners to obtain reason-  
15 able returns on investment) required by the Secretary:  
16 *Provided*, That the Secretary shall, as part of the preser-  
17 vation and revitalization agreement, obtain a restrictive  
18 use agreement consistent with the terms of the restruc-  
19 turing: *Provided further*, That any balances, including ob-  
20 ligated balances, available for all demonstration programs  
21 for the preservation and revitalization of sections 514,  
22 515, and 516 multi-family rental housing properties in the  
23 “Multi-Family Housing Revitalization Program Account”  
24 shall be transferred to and merged with this account, and  
25 shall also be available for the preservation and revitaliza-



1 tion of sections 514, 515, and 516 multi-family rental  
2 housing properties, including the restructuring of existing  
3 USDA multi-family housing loans: *Provided further*, That  
4 following the transfer of balances described in the pre-  
5 ceding proviso, any adjustments to obligations for dem-  
6 onstration programs for the preservation and revitaliza-  
7 tion of sections 514, 515, and 516 multi-family rental  
8 housing properties that would otherwise be incurred in the  
9 “Multi-Family Housing Revitalization Program Account”  
10 shall be made in this account from amounts transferred  
11 to this account under the preceding proviso.

12 In addition, for the cost of direct loans, grants, and  
13 contracts, as authorized by sections 514 and 516 of the  
14 Housing Act of 1949 (42 U.S.C. 1484, 1486),  
15 \$18,126,000, to remain available until expended, for direct  
16 farm labor housing loans and domestic farm labor housing  
17 grants and contracts: *Provided*, That any balances avail-  
18 able for the Farm Labor Program Account shall be trans-  
19 ferred to and merged with this account.

20 In addition, for administrative expenses necessary to  
21 carry out the direct and guaranteed loan programs,  
22 \$412,254,000 shall be transferred to and merged with the  
23 appropriation for “Rural Development, Salaries and Ex-  
24 penses”.

## RENTAL ASSISTANCE PROGRAM

1                   For rental assistance agreements entered into or re-  
2                   newed pursuant to the authority under section 521(a)(2)  
3                   of the Housing Act of 1949 or agreements entered into  
4                   in lieu of debt forgiveness or payments for eligible house-  
5                   holds as authorized by section 502(c)(5)(D) of the Hous-  
6                   ing Act of 1949, \$1,493,926,000, of which \$40,000,000  
7                   shall be available until September 30, 2024; and in addi-  
8                   tion such sums as may be necessary, as authorized by sec-  
9                   tion 521(c) of the Act, to liquidate debt incurred prior to  
10                  fiscal year 1992 to carry out the rental assistance program  
11                  under section 521(a)(2) of the Act: *Provided*, That rental  
12                  assistance agreements entered into or renewed during the  
13                  current fiscal year shall be funded for a one-year period:  
14                  *Provided further*, That of the amounts made available  
15                  under this heading, not less than \$8,000,000 shall be  
16                  available for newly constructed units financed under sec-  
17                  tion 514 and 516 of the Housing Act of 1949: *Provided*  
18                  *further*, That upon request by an owner of a project fi-  
19                  nanced by an existing loan under section 514 or 515 of  
20                  the Act, the Secretary may renew the rental assistance  
21                  agreement for a period of 20 years or until the term of  
22                  such loan has expired, subject to annual appropriations:  
23                  *Provided further*, That any unexpended balances remain-  
24                  ing at the end of such one-year agreements may be trans-  
25

1 ferred and used for purposes of any debt reduction, main-  
2 tenance, repair, or rehabilitation of any existing projects;  
3 preservation; and rental assistance activities authorized  
4 under title V of the Act: *Provided further*, That rental as-  
5 sistance provided under agreements entered into prior to  
6 fiscal year 2023 for a farm labor multi-family housing  
7 project financed under section 514 or 516 of the Act may  
8 not be recaptured for use in another project until such  
9 assistance has remained unused for a period of 12 con-  
10 secutive months, if such project has a waiting list of ten-  
11 ants seeking such assistance or the project has rental as-  
12 sistance eligible tenants who are not receiving such assist-  
13 ance: *Provided further*, That such recaptured rental assist-  
14 ance shall, to the extent practicable, be applied to another  
15 farm labor multi-family housing project financed under  
16 section 514 or 516 of the Act: *Provided further*, That ex-  
17 cept as provided in the fifth proviso under this heading  
18 and notwithstanding any other provision of the Act, the  
19 Secretary may recapture rental assistance provided under  
20 agreements entered into prior to fiscal year 2023 for a  
21 project that the Secretary determines no longer needs  
22 rental assistance and use such recaptured funds for cur-  
23 rent needs.

## 1 RURAL HOUSING VOUCHER ACCOUNT

2 For the rural housing voucher program as authorized  
3 under section 542 of the Housing Act of 1949, but not-  
4 withstanding subsection (b) of such section, \$38,000,000,  
5 to remain available until expended: *Provided*, That the  
6 funds made available under this heading shall be available  
7 for rural housing vouchers to any low-income household  
8 (including those not receiving rental assistance) residing  
9 in a property financed with a section 515 loan which has  
10 been prepaid or otherwise paid off after September 30,  
11 2005: *Provided further*, That the amount of such voucher  
12 shall be the difference between comparable market rent  
13 for the section 515 unit and the tenant paid rent for such  
14 unit: *Provided further*, That funds made available for such  
15 vouchers shall be subject to the availability of annual ap-  
16 propriations: *Provided further*, That the Secretary shall,  
17 to the maximum extent practicable, administer such  
18 vouchers with current regulations and administrative guid-  
19 ance applicable to section 8 housing vouchers administered  
20 by the Secretary of the Department of Housing and Urban  
21 Development: *Provided further*, That in addition to any  
22 other available funds, the Secretary may expend not more  
23 than \$1,000,000 total, from the program funds made  
24 available under this heading, for administrative expenses  
25 for activities funded under this heading.

1           MUTUAL AND SELF-HELP HOUSING GRANTS

2           For grants and contracts pursuant to section  
3 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C.  
4 1490c), \$33,000,000, to remain available until expended.

5           RURAL HOUSING ASSISTANCE GRANTS

6           For grants for very low-income housing repair and  
7 rural housing preservation made by the Rural Housing  
8 Service, as authorized by 42 U.S.C. 1474, and 1490m,  
9 \$48,000,000, to remain available until expended.

10          RURAL COMMUNITY FACILITIES PROGRAM ACCOUNT

11                   (INCLUDING TRANSFERS OF FUNDS)

12          For gross obligations for the principal amount of di-  
13 rect and guaranteed loans as authorized by section 306  
14 and described in section 381E(d)(1) of the Consolidated  
15 Farm and Rural Development Act, \$2,800,000,000 for di-  
16 rect loans and \$650,000,000 for guaranteed loans.

17          For the cost of direct loans, loan guarantees and  
18 grants, including the cost of modifying loans, as defined  
19 in section 502 of the Congressional Budget Act of 1974,  
20 for rural community facilities programs as authorized by  
21 section 306 and described in section 381E(d)(1) of the  
22 Consolidated Farm and Rural Development Act,  
23 \$194,865,000, to remain available until expended, of  
24 which up to \$126,865,000 shall be for the purposes, and  
25 in the amounts, specified for this account in the table ti-

1 tled “Community Project Funding” in the report accom-  
2 panying this Act: *Provided*, That \$8,000,000 of the  
3 amount appropriated under this heading shall be available  
4 for a Rural Community Development Initiative: *Provided*  
5 *further*, That such funds shall be used solely to develop  
6 the capacity and ability of private, nonprofit community-  
7 based housing and community development organizations,  
8 low-income rural communities, and Federally Recognized  
9 Native American Tribes to undertake projects to improve  
10 housing, community facilities, community and economic  
11 development projects in rural areas: *Provided further*,  
12 That such funds shall be made available to qualified pri-  
13 vate, nonprofit and public intermediary organizations pro-  
14 posing to carry out a program of financial and technical  
15 assistance: *Provided further*, That such intermediary orga-  
16 nizations shall provide matching funds from other sources,  
17 including Federal funds for related activities, in an  
18 amount not less than funds provided: *Provided further*,  
19 That any unobligated balances from prior year appropria-  
20 tions under this heading for the cost of direct loans, loan  
21 guarantees and grants, including amounts deobligated or  
22 cancelled, may be made available to cover the subsidy costs  
23 for direct loans and or loan guarantees under this heading  
24 in this fiscal year: *Provided further*, That no amounts may  
25 be made available pursuant to the preceding proviso from

1 amounts that were designated by the Congress as an  
 2 emergency requirement pursuant to a Concurrent Resolu-  
 3 tion on the Budget or the Balanced Budget and Emer-  
 4 gency Deficit Control Act of 1985, or that were specified  
 5 in the table titled “Community Project Funding/Congres-  
 6 sionally Directed Spending” in the explanatory statement  
 7 for Division A of Public Law 117–103 described in section  
 8 4 in the matter preceding such division A: *Provided fur-*  
 9 *ther*, That \$10,000,000 of the amount appropriated under  
 10 this heading shall be available for community facilities  
 11 grants to tribal colleges, as authorized by section  
 12 306(a)(19) of such Act: *Provided further*, That sections  
 13 381E–H and 381N of the Consolidated Farm and Rural  
 14 Development Act are not applicable to the funds made  
 15 available under this heading.

16           RURAL BUSINESS—COOPERATIVE SERVICE

17                   RURAL BUSINESS PROGRAM ACCOUNT

18                           (INCLUDING TRANSFERS OF FUNDS)

19           For the cost of loan guarantees and grants, for the  
 20 rural business development programs authorized by sec-  
 21 tion 310B and described in subsections (a), (c), (f) and  
 22 (g) of section 310B of the Consolidated Farm and Rural  
 23 Development Act, \$88,800,000 (increased by  
 24 \$15,000,000), to remain available until expended: *Pro-*  
 25 *vided*, That of the amount appropriated under this head-

1 ing, not to exceed \$500,000 shall be made available for  
2 one grant to a qualified national organization to provide  
3 technical assistance for rural transportation in order to  
4 promote economic development and \$9,000,000 shall be  
5 for grants to the Delta Regional Authority (7 U.S.C.  
6 2009aa et seq.), the Northern Border Regional Commis-  
7 sion (40 U.S.C. 15101 et seq.), and the Appalachian Re-  
8 gional Commission (40 U.S.C. 14101 et seq.) for any  
9 Rural Community Advancement Program purpose as de-  
10 scribed in section 381E(d) of the Consolidated Farm and  
11 Rural Development Act, of which not more than 5 percent  
12 may be used for administrative expenses: *Provided further*,  
13 That \$4,000,000 of the amount appropriated under this  
14 heading shall be for business grants to benefit Federally  
15 Recognized Native American Tribes, including \$250,000  
16 for a grant to a qualified national organization to provide  
17 technical assistance for rural transportation in order to  
18 promote economic development: *Provided further*, That  
19 sections 381E–H and 381N of the Consolidated Farm and  
20 Rural Development Act are not applicable to funds made  
21 available under this heading.



1 INTERMEDIARY RELENDING PROGRAM FUND ACCOUNT  
2 (INCLUDING TRANSFER OF FUNDS)

3 For the principal amount of direct loans, as author-  
4 ized by the Intermediary Relending Program Fund Ac-  
5 count (7 U.S.C. 1936b), \$18,889,000.

6 For the cost of direct loans, \$3,313,000, as author-  
7 ized by the Intermediary Relending Program Fund Ac-  
8 count (7 U.S.C. 1936b), of which \$331,000 shall be avail-  
9 able through June 30, 2023, for Federally Recognized Na-  
10 tive American Tribes; and of which \$663,000 shall be  
11 available through June 30, 2023, for Mississippi Delta Re-  
12 gion counties (as determined in accordance with Public  
13 Law 100–460): *Provided*, That such costs, including the  
14 cost of modifying such loans, shall be as defined in section  
15 502 of the Congressional Budget Act of 1974.

16 In addition, for administrative expenses to carry out  
17 the direct loan programs, \$4,468,000 shall be transferred  
18 to and merged with the appropriation for “Rural Develop-  
19 ment, Salaries and Expenses”.

20 RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM  
21 ACCOUNT

22 For the principal amount of direct loans, as author-  
23 ized under section 313B(a) of the Rural Electrification  
24 Act, for the purpose of promoting rural economic develop-  
25 ment and job creation projects, \$50,000,000.

1       The cost of grants authorized under section 313B(a)  
2 of the Rural Electrification Act, for the purpose of pro-  
3 moting rural economic development and job creation  
4 projects shall not exceed \$10,000,000.

5           RURAL COOPERATIVE DEVELOPMENT GRANTS

6       For rural cooperative development grants authorized  
7 under section 310B(e) of the Consolidated Farm and  
8 Rural Development Act (7 U.S.C. 1932), \$27,600,000 (in-  
9 creased by \$700,000), of which \$2,800,000 (increased by  
10 \$700,000) shall be for cooperative agreements for the ap-  
11 propriate technology transfer for rural areas program:  
12 *Provided*, That not to exceed \$3,000,000 shall be for  
13 grants for cooperative development centers, individual co-  
14 operatives, or groups of cooperatives that serve socially  
15 disadvantaged groups and a majority of the boards of di-  
16 rectors or governing boards of which are comprised of in-  
17 dividuals who are members of socially disadvantaged  
18 groups; and of which \$16,000,000, to remain available  
19 until expended, shall be for value-added agricultural prod-  
20 uct market development grants, as authorized by section  
21 210A of the Agricultural Marketing Act of 1946, of which  
22 \$3,000,000, to remain available until expended, shall be  
23 for Agriculture Innovation Centers authorized pursuant to  
24 section 6402 of Public Law 107–171.

## 1       RURAL MICROENTREPRENEUR ASSISTANCE PROGRAM

2           For the principal amount of direct loans authorized  
3 by section 379E of the Consolidated Farm and Rural De-  
4 velopment Act (U.S.C. 2008s), \$25,000,000.

5           For the cost of loans and grants, \$6,000,000 under  
6 the same terms and conditions as authorized by section  
7 379E of the Consolidated Farm and Rural Development  
8 Act (7 U.S.C. 2008s).

## 9           RURAL ENERGY FOR AMERICA PROGRAM

10          For the cost of a program of loan guarantees and  
11 grants, under the same terms and conditions as authorized  
12 by section 9007 of the Farm Security and Rural Invest-  
13 ment Act of 2002 (7 U.S.C. 8107), \$10,045,000 (in-  
14 creased by \$10,045,000) (reduced by \$10,045,000): *Pro-*  
15 *vided*, That the cost of loan guarantees, including the cost  
16 of modifying such loans, shall be as defined in section 502  
17 of the Congressional Budget Act of 1974.

## 18           HEALTHY FOOD FINANCING INITIATIVE

19          For the cost of loans and grants that is consistent  
20 with section 243 of subtitle D of title II of the Department  
21 of Agriculture Reorganization Act of 1994 (7 U.S.C.  
22 6953), as added by section 4206 of the Agricultural Act  
23 of 2014, for necessary expenses of the Secretary to sup-  
24 port projects that provide access to healthy food in under-  
25 served areas, to create and preserve quality jobs, and to

1 revitalize low-income communities, \$5,000,000, to remain  
2 available until expended: *Provided*, That such costs of  
3 loans, including the cost of modifying such loans, shall be  
4 as defined in section 502 of the Congressional Budget Act  
5 of 1974.

6 RURAL UTILITIES SERVICE

7 RURAL WATER AND WASTE DISPOSAL PROGRAM ACCOUNT

8 (INCLUDING TRANSFERS OF FUNDS)

9 For gross obligations for the principal amount of di-  
10 rect and guaranteed loans as authorized by section 306  
11 and described in section 381E(d)(2) of the Consolidated  
12 Farm and Rural Development Act, as follows:  
13 \$1,450,000,000 for direct loans; and \$50,000,000 for  
14 guaranteed loans.

15 For the cost of loan guarantees and grants, including  
16 the cost of modifying loans, as defined in section 502 of  
17 the Congressional Budget Act of 1974, for rural water,  
18 waste water, waste disposal, and solid waste management  
19 programs authorized by sections 306, 306A, 306C, 306D,  
20 306E, and 310B and described in sections 306C(a)(2),  
21 306D, 306E, and 381E(d)(2) of the Consolidated Farm  
22 and Rural Development Act, \$685,072,000 (increased by  
23 \$418,000), to remain available until expended, of which  
24 not to exceed \$1,000,000 shall be available for the rural  
25 utilities program described in section 306(a)(2)(B) of such

1 Act, and of which not to exceed \$5,000,000 shall be avail-  
2 able for the rural utilities program described in section  
3 306E of such Act: *Provided*, That not to exceed  
4 \$15,000,000 of the amount appropriated under this head-  
5 ing shall be for grants authorized by section 306A(i)(2)  
6 of the Consolidated Farm and Rural Development Act in  
7 addition to funding authorized by section 306A(i)(1) of  
8 such Act: *Provided further*, That \$70,000,000 of the  
9 amount appropriated under this heading shall be for loans  
10 and grants including water and waste disposal systems  
11 grants authorized by section 306C(a)(2)(B) and section  
12 306D of the Consolidated Farm and Rural Development  
13 Act, and Federally Recognized Native American Tribes  
14 authorized by 306C(a)(1) of such Act: *Provided further*,  
15 That funding provided for section 306D of the Consoli-  
16 dated Farm and Rural Development Act may be provided  
17 to a consortium formed pursuant to section 325 of Public  
18 Law 105–83: *Provided further*, That not more than 2 per-  
19 cent of the funding provided for section 306D of the Con-  
20 solidated Farm and Rural Development Act may be used  
21 by the State of Alaska for training and technical assist-  
22 ance programs and not more than 2 percent of the funding  
23 provided for section 306D of the Consolidated Farm and  
24 Rural Development Act may be used by a consortium  
25 formed pursuant to section 325 of Public Law 105–83 for

1 training and technical assistance programs: *Provided fur-*  
2 *ther*, That not to exceed \$37,500,000 of the amount ap-  
3 propriated under this heading shall be for technical assist-  
4 ance grants for rural water and waste systems pursuant  
5 to section 306(a)(14) of such Act, unless the Secretary  
6 makes a determination of extreme need, of which  
7 \$8,500,000 shall be made available for a grant to a quali-  
8 fied nonprofit multi-State regional technical assistance or-  
9 ganization, with experience in working with small commu-  
10 nities on water and waste water problems, the principal  
11 purpose of such grant shall be to assist rural communities  
12 with populations of 3,300 or less, in improving the plan-  
13 ning, financing, development, operation, and management  
14 of water and waste water systems, and of which not less  
15 than \$800,000 shall be for a qualified national Native  
16 American organization to provide technical assistance for  
17 rural water systems for tribal communities: *Provided fur-*  
18 *ther*, That not to exceed \$20,762,000 (increased by  
19 \$418,000) of the amount appropriated under this heading  
20 shall be for contracting with qualified national organiza-  
21 tions for a circuit rider program to provide technical as-  
22 sistance for rural water systems: *Provided further*, That  
23 not to exceed \$4,000,000 of the amounts made available  
24 under this heading shall be for solid waste management  
25 grants: *Provided further*, That \$10,000,000 of the amount

1 appropriated under this heading shall be transferred to,  
2 and merged with, the Rural Utilities Service, High Energy  
3 Cost Grants Account to provide grants authorized under  
4 section 19 of the Rural Electrification Act of 1936 (7  
5 U.S.C. 918a): *Provided further*, That any prior year bal-  
6 ances for high-energy cost grants authorized by section 19  
7 of the Rural Electrification Act of 1936 (7 U.S.C. 918a)  
8 shall be transferred to and merged with the Rural Utilities  
9 Service, High Energy Cost Grants Account: *Provided fur-*  
10 *ther*, That not to exceed \$6,810,000 of the amounts appro-  
11 priated under this heading shall be available as the Sec-  
12 retary deems appropriate for water and waste direct one  
13 percent loans for distressed communities: *Provided further*,  
14 That if the Secretary determines that any portion of the  
15 amount made available for one percent loans is not needed  
16 for such loans, the Secretary may use such amounts, for  
17 grants authorized by section 306(a)(2) of the Consolidated  
18 Farm and Rural Development Act: *Provided further*, That  
19 if any funds made available for the direct loan subsidy  
20 costs remain unobligated after July 31, 2024, such unobli-  
21 gated balances may be used for grant programs funded  
22 under this heading: *Provided further*, That sections 381E–  
23 H and 381N of the Consolidated Farm and Rural Devel-  
24 opment Act are not applicable to the funds made available  
25 under this heading.

1 RURAL ELECTRIFICATION AND TELECOMMUNICATIONS  
2 LOANS PROGRAM ACCOUNT  
3 (INCLUDING TRANSFER OF FUNDS)

4 The principal amount of direct and guaranteed loans  
5 as authorized by sections 4, 305, 306, and 317 of the  
6 Rural Electrification Act of 1936 (7 U.S.C. 904, 935, 936,  
7 and 940g) shall be made as follows: loans made pursuant  
8 to section 306, guaranteed electric loans, \$2,167,000,000;  
9 loans made pursuant to sections 4, notwithstanding  
10 4(c)(2), of that Act, and 317, notwithstanding 317(c), of  
11 that Act, cost-of-money direct loans, \$4,333,000,000;  
12 loans made pursuant to section 313A of that Act, guaran-  
13 teed underwriting loans, \$800,000,000; and for loans  
14 made pursuant to section 305(d)(2) of that Act, cost of  
15 money telecommunications loans, \$690,000,000.

16 For the cost of direct loans as authorized by section  
17 305(d)(2) of the Rural Electrification Act of 1936 (7  
18 U.S.C. 935(d)(2)), including the cost of modifying loans,  
19 as defined in section 502 of the Congressional Budget Act  
20 of 1974, cost of money rural telecommunications loans,  
21 \$3,726,000.

22 In addition, \$11,500,000 to remain available until ex-  
23 pended, to carry out section 6407 of the Farm Security  
24 and Rural Investment Act of 2002 (7 U.S.C. 8107a): *Pro-*  
25 *vided*, That the energy efficiency measures supported by



1 the funding in this paragraph shall contribute in a demon-  
2 strable way to the reduction of greenhouse gases.

3 In addition, for administrative expenses necessary to  
4 carry out the direct and guaranteed loan programs,  
5 \$33,270,000, which shall be transferred to and merged  
6 with the appropriation for “Rural Development, Salaries  
7 and Expenses”.

8 DISTANCE LEARNING, TELEMEDICINE, AND BROADBAND  
9 PROGRAM

10 For grants for telemedicine and distance learning  
11 services in rural areas, as authorized by 7 U.S.C. 950aaa  
12 et seq., \$60,000,000, to remain available until expended:  
13 *Provided*, That \$3,000,000 shall be made available for  
14 grants authorized by section 379G of the Consolidated  
15 Farm and Rural Development Act: *Provided further*, That  
16 funding provided under this heading for grants under sec-  
17 tion 379G of the Consolidated Farm and Rural Develop-  
18 ment Act may only be provided to entities that meet all  
19 of the eligibility criteria for a consortium as established  
20 by this section.

21 For the cost of broadband loans, as authorized by  
22 sections 601 and 602 of the Rural Electrification Act,  
23 \$2,000,000, to remain available until expended: *Provided*,  
24 That the cost of direct loans shall be as defined in section  
25 502 of the Congressional Budget Act of 1974.

1       For the broadband loan and grant pilot program es-  
2   tablished by section 779 of division A of the Consolidated  
3   Appropriations Act, 2018 (Public Law 115–141) under  
4   the Rural Electrification Act of 1936, as amended (7  
5   U.S.C. 901 et seq.), \$465,513,000, to remain available  
6   until expended, of which up to \$15,513,000 shall be for  
7   the purposes, and in the amounts, specified for this ac-  
8   count in the table titled “Community Project Funding”  
9   in the report accompanying this Act: *Provided*, That the  
10   Secretary may award grants described in section 601(a)  
11   of the Rural Electrification Act of 1936, as amended (7  
12   U.S.C. 950bb(a)) for the purposes of carrying out such  
13   pilot program: *Provided further*, That the cost of direct  
14   loans shall be defined in section 502 of the Congressional  
15   Budget Act of 1974: *Provided further*, That at least 90  
16   percent of the households to be served by a project receiv-  
17   ing a loan or grant under the pilot program shall be in  
18   a rural area without sufficient access to broadband: *Pro-*  
19   *vided further*, That for purposes of such pilot program,  
20   a rural area without sufficient access to broadband shall  
21   be defined as twenty-five megabytes per second down-  
22   stream and three megabytes per second upstream: *Pro-*  
23   *vided further*, That to the extent possible, projects receiv-  
24   ing funds provided under the pilot program must build  
25   out service to at least one hundred megabytes per second

1 downstream, and twenty megabytes per second upstream:  
2 *Provided further*, That an entity to which a loan or grant  
3 is made under the pilot program shall not use the loan  
4 or grant to overbuild or duplicate broadband service in a  
5 service area by any entity that has received a broadband  
6 loan from the Rural Utilities Service unless such service  
7 is not provided sufficient access to broadband at the min-  
8 imum service threshold: *Provided further*, That not more  
9 than four percent of the funds made available in this para-  
10 graph can be used for administrative costs to carry out  
11 the pilot program and up to three percent of funds made  
12 available in this paragraph may be available for technical  
13 assistance and pre-development planning activities to sup-  
14 port the most rural communities: *Provided further*, That  
15 the Rural Utilities Service is directed to expedite program  
16 delivery methods that would implement this paragraph:  
17 *Provided further*, That for purposes of this paragraph, the  
18 Secretary shall adhere to the notice, reporting and service  
19 area assessment requirements set forth in section 701 of  
20 the Rural Electrification Act (7 U.S.C. 950cc).

21 In addition, \$35,000,000, to remain available until  
22 expended, for the Community Connect Grant Program au-  
23 thorized by 7 U.S.C. 950bb–3.

## 1 TITLE IV

## 2 DOMESTIC FOOD PROGRAMS

3 OFFICE OF THE UNDER SECRETARY FOR FOOD,  
4 NUTRITION, AND CONSUMER SERVICES

5 For necessary expenses of the Office of the Under  
6 Secretary for Food, Nutrition, and Consumer Services,  
7 \$1,376,000: *Provided*, That funds made available by this  
8 Act to an agency in the Food, Nutrition and Consumer  
9 Services mission area for salaries and expenses are avail-  
10 able to fund up to one administrative support staff for  
11 the Office.

## 12 FOOD AND NUTRITION SERVICE

## 13 CHILD NUTRITION PROGRAMS

## 14 (INCLUDING TRANSFERS OF FUNDS)

15 For necessary expenses to carry out the Richard B.  
16 Russell National School Lunch Act (42 U.S.C. 1751 et  
17 seq.), except section 21, and the Child Nutrition Act of  
18 1966 (42 U.S.C. 1771 et seq.), except sections 17 and  
19 21; \$28,619,957,000 (increased by \$3,000,000) (increased  
20 by \$3,000,000) (increased by \$2,000,000) (reduced by  
21 \$1,000,000) (increased by \$1,000,000) to remain avail-  
22 able through September 30, 2024, of which such sums as  
23 are made available under section 14222(b)(1) of the Food,  
24 Conservation, and Energy Act of 2008 (Public Law 110–  
25 246), as amended by this Act, shall be merged with and

1 available for the same time period and purposes as pro-  
2 vided herein: *Provided*, That of the total amount available,  
3 \$20,162,000 shall be available to carry out section 19 of  
4 the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.):  
5 *Provided further*, That of the total amount available,  
6 \$21,005,000 shall be available to carry out studies and  
7 evaluations and shall remain available until expended: *Pro-*  
8 *vided further*, That of the total amount available,  
9 \$12,000,000 (increased by \$3,000,000) shall remain avail-  
10 able until expended to carry out section 18(g) of the Rich-  
11 ard B. Russell National School Lunch Act (42 U.S.C.  
12 1769(g)): *Provided further*, That notwithstanding section  
13 18(g)(3)(C) of the Richard B. Russell National School  
14 Lunch Act (42 U.S.C. 1769(g)(3)(c)), the total grant  
15 amount provided to a farm to school grant recipient in  
16 fiscal year 2023 shall not exceed \$500,000: *Provided fur-*  
17 *ther*, That of the total amount available, \$40,000,000 (in-  
18 creased by \$3,000,000) shall be available to provide com-  
19 petitive grants to State agencies for subgrants to local  
20 educational agencies and schools to purchase the equip-  
21 ment, with a value of greater than \$1,000, needed to serve  
22 healthier meals, improve food safety, and to help support  
23 the establishment, maintenance, or expansion of the school  
24 breakfast program: *Provided further*, That of the total  
25 amount available, \$50,000,000 shall remain available until

1 expended to carry out section 749(g) of the Agriculture  
2 Appropriations Act of 2010 (Public Law 111–80): *Pro-*  
3 *vided further*, That of the total amount available,  
4 \$10,000,000 (increased by \$2,000,000) shall be available  
5 until September 30, 2024 to carry out section 23 of the  
6 Child Nutrition Act of 1966 (42 U.S.C. 1793), of which  
7 \$2,000,000 shall be for grants under such section to the  
8 Commonwealth of Puerto Rico, the Commonwealth of the  
9 Northern Mariana Islands, the United States Virgin Is-  
10 lands, Guam, and American Samoa: *Provided further*,  
11 That section 26(d) of the Richard B. Russell National  
12 School Lunch Act (42 U.S.C. 1769g(d)) is amended in  
13 the first sentence by striking “2010 through 2023” and  
14 inserting “2010 through 2024”: *Provided further*, That  
15 section 9(h)(3) of the Richard B. Russell National School  
16 Lunch Act (42 U.S.C. 1758(h)(3)) is amended in the first  
17 sentence by striking “For fiscal year 2022” and inserting  
18 “For fiscal year 2023”: *Provided further*, That section  
19 9(h)(4) of the Richard B. Russell National School Lunch  
20 Act (42 U.S.C. 1758(h)(4)) is amended in the first sen-  
21 tence by striking “For fiscal year 2022” and inserting  
22 “For fiscal year 2023”.

1       SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR  
2               WOMEN, INFANTS, AND CHILDREN (WIC)

3       For necessary expenses to carry out the special sup-  
4 plemental nutrition program as authorized by section 17  
5 of the Child Nutrition Act of 1966 (42 U.S.C. 1786),  
6 \$6,000,000,000, to remain available through September  
7 30, 2024: *Provided*, That notwithstanding section  
8 17(h)(10) of the Child Nutrition Act of 1966 (42 U.S.C.  
9 1786(h)(10)), not less than \$90,000,000 shall be used for  
10 breastfeeding peer counselors and other related activities,  
11 and \$14,000,000 shall be used for infrastructure: *Pro-*  
12 *vided further*, That the Secretary shall use funds made  
13 available under this heading to increase the amount of a  
14 cash-value voucher for women and children participants  
15 to an amount recommended by the National Academies  
16 of Science, Engineering and Medicine and adjusted for in-  
17 flation: *Provided further*, That none of the funds provided  
18 in this account shall be available for the purchase of infant  
19 formula except in accordance with the cost containment  
20 and competitive bidding requirements specified in section  
21 17 of such Act: *Provided further*, That none of the funds  
22 provided shall be available for activities that are not fully  
23 reimbursed by other Federal Government departments or  
24 agencies unless authorized by section 17 of such Act: *Pro-*  
25 *vided further*, That upon termination of a federally man-

1 dated vendor moratorium and subject to terms and condi-  
2 tions established by the Secretary, the Secretary may  
3 waive the requirement at 7 CFR 246.12(g)(6) at the re-  
4 quest of a State agency.

5 SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

6 For necessary expenses to carry out the Food and  
7 Nutrition Act of 2008 (7 U.S.C. 2011 et seq.),  
8 \$111,180,895,000 (reduced by \$5,000,000) (increased by  
9 \$5,000,000) (increased by \$1,000,000,000), of which  
10 \$3,000,000,000, to remain available through September  
11 30, 2025, shall be placed in reserve for use only in such  
12 amounts and at such times as may become necessary to  
13 carry out program operations: *Provided*, That funds pro-  
14 vided herein shall be expended in accordance with section  
15 16 of the Food and Nutrition Act of 2008: *Provided fur-*  
16 *ther*, That of the funds made available under this heading,  
17 \$998,000 may be used to provide nutrition education serv-  
18 ices to State agencies and Federally Recognized Tribes  
19 participating in the Food Distribution Program on Indian  
20 Reservations: *Provided further*, That of the funds made  
21 available under this heading, \$3,000,000, to remain avail-  
22 able until September 30, 2024, shall be used to carry out  
23 section 4003(b) of Public Law 115–334 relating to dem-  
24 onstration projects for tribal organizations: *Provided fur-*  
25 *ther*, That this appropriation shall be subject to any work



1 registration or workfare requirements as may be required  
2 by law: *Provided further*, That funds made available for  
3 Employment and Training under this heading shall re-  
4 main available through September 30, 2024: *Provided fur-*  
5 *ther*, That funds made available under this heading for  
6 section 28(d)(1), section 4(b), and section 27(a) of the  
7 Food and Nutrition Act of 2008 shall remain available  
8 through September 30, 2024: *Provided further*, That none  
9 of the funds made available under this heading may be  
10 obligated or expended in contravention of section 213A of  
11 the Immigration and Nationality Act (8 U.S.C. 1183A):  
12 *Provided further*, That funds made available under this  
13 heading may be used to enter into contracts and employ  
14 staff to conduct studies, evaluations, or to conduct activi-  
15 ties related to program integrity provided that such activi-  
16 ties are authorized by the Food and Nutrition Act of 2008.

17       For making, after June 30 of the current fiscal year,  
18 benefit payments to individuals, and payments to States  
19 or other non-Federal entities, pursuant to the Food and  
20 Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), for unan-  
21 ticipated costs incurred for the last three months of the  
22 fiscal year, such sums as may be necessary.

23                   COMMODITY ASSISTANCE PROGRAM

24       For necessary expenses to carry out disaster assist-  
25 ance and the Commodity Supplemental Food Program as

1 authorized by section 4(a) of the Agriculture and Con-  
2 sumer Protection Act of 1973 (7 U.S.C. 612c note); the  
3 Emergency Food Assistance Act of 1983; special assist-  
4 ance for the nuclear affected islands, as authorized by sec-  
5 tion 103(f)(2) of the Compact of Free Association Amend-  
6 ments Act of 2003 (Public Law 108–188); and the Farm-  
7 ers’ Market Nutrition Program, as authorized by section  
8 17(m) of the Child Nutrition Act of 1966, \$469,710,000,  
9 to remain available through September 30, 2024: *Pro-*  
10 *vided*, That none of these funds shall be available to reim-  
11 burse the Commodity Credit Corporation for commodities  
12 donated to the program: *Provided further*, That notwith-  
13 standing any other provision of law, effective with funds  
14 made available in fiscal year 2023 to support the Seniors  
15 Farmers’ Market Nutrition Program, as authorized by  
16 section 4402 of the Farm Security and Rural Investment  
17 Act of 2002, such funds shall remain available through  
18 September 30, 2024: *Provided further*, That of the funds  
19 made available under section 27(a) of the Food and Nutri-  
20 tion Act of 2008 (7 U.S.C. 2036(a)), the Secretary may  
21 use up to 20 percent for costs associated with the distribu-  
22 tion of commodities.

23 NUTRITION PROGRAMS ADMINISTRATION

24 For necessary administrative expenses of the Food  
25 and Nutrition Service for carrying out any domestic nutri-

1 tion assistance program, \$231,378,000: *Provided*, That of  
2 the funds provided herein, \$2,000,000 shall be used for  
3 the purposes of section 4404 of Public Law 107–171, as  
4 amended by section 4401 of Public Law 110–246.

5 TITLE V

6 FOREIGN ASSISTANCE AND RELATED  
7 PROGRAMS

8 OFFICE OF THE UNDER SECRETARY FOR TRADE AND  
9 FOREIGN AGRICULTURAL AFFAIRS

10 For necessary expenses of the Office of the Under  
11 Secretary for Trade and Foreign Agricultural Affairs,  
12 \$932,000: *Provided*, That funds made available by this  
13 Act to any agency in the Trade and Foreign Agricultural  
14 Affairs mission area for salaries and expenses are avail-  
15 able to fund up to one administrative support staff for  
16 the Office.

17 OFFICE OF CODEX ALIMENTARIUS

18 For necessary expenses of the Office of Codex  
19 Alimentarius, \$4,922,000, including not to exceed  
20 \$40,000 for official reception and representation expenses.

21 FOREIGN AGRICULTURAL SERVICE

22 SALARIES AND EXPENSES

23 (INCLUDING TRANSFERS OF FUNDS)

24 For necessary expenses of the Foreign Agricultural  
25 Service, including not to exceed \$250,000 for representa-

1 tion allowances and for expenses pursuant to section 8 of  
2 the Act approved August 3, 1956 (7 U.S.C. 1766),  
3 \$234,913,000 (increased by \$1,000,000) (reduced by  
4 \$1,000,000), of which no more than 6 percent shall re-  
5 main available until September 30, 2024, for overseas op-  
6 erations to include the payment of locally employed staff:  
7 *Provided*, That the Service may utilize advances of funds,  
8 or reimburse this appropriation for expenditures made on  
9 behalf of Federal agencies, public and private organiza-  
10 tions and institutions under agreements executed pursu-  
11 ant to the agricultural food production assistance pro-  
12 grams (7 U.S.C. 1737) and the foreign assistance pro-  
13 grams of the United States Agency for International De-  
14 velopment: *Provided further*, That funds made available  
15 for middle-income country training programs, funds made  
16 available for the Borlaug International Agricultural  
17 Science and Technology Fellowship program, and up to  
18 \$2,000,000 of the Foreign Agricultural Service appropria-  
19 tion solely for the purpose of offsetting fluctuations in  
20 international currency exchange rates, subject to docu-  
21 mentation by the Foreign Agricultural Service, shall re-  
22 main available until expended.

23 FOOD FOR PEACE TITLE II GRANTS

24 For expenses during the current fiscal year, not oth-  
25 erwise recoverable, and unrecovered prior years' costs, in-

cluding interest thereon, under the Food for Peace Act (Public Law 83–480), for commodities supplied in connection with dispositions abroad under title II of said Act, \$1,800,000,000, to remain available until expended.

MCGOVERN-DOLE INTERNATIONAL FOOD FOR EDUCATION  
AND CHILD NUTRITION PROGRAM GRANTS

For necessary expenses to carry out the provisions of section 3107 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1736o–1), \$265,000,000, to remain available until expended: *Provided*, That the Commodity Credit Corporation is authorized to provide the services, facilities, and authorities for the purpose of implementing such section, subject to reimbursement from amounts provided herein: *Provided further*, That of the amount made available under this heading, not more than 10 percent, but not less than \$26,500,000, shall remain available until expended to purchase agricultural commodities as described in subsection 3107(a)(2) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1736o–1(a)(2)).

COMMODITY CREDIT CORPORATION EXPORT (LOANS)  
CREDIT GUARANTEE PROGRAM ACCOUNT  
(INCLUDING TRANSFERS OF FUNDS)

For administrative expenses to carry out the Commodity Credit Corporation’s Export Guarantee Program,

1 GSM 102 and GSM 103, \$6,063,000, to cover common  
2 overhead expenses as permitted by section 11 of the Com-  
3 modity Credit Corporation Charter Act and in conformity  
4 with the Federal Credit Reform Act of 1990, which shall  
5 be transferred to and merged with the appropriation for  
6 “Foreign Agricultural Service, Salaries and Expenses”.

7 TITLE VI

8 RELATED AGENCIES AND FOOD AND DRUG  
9 ADMINISTRATION

10 DEPARTMENT OF HEALTH AND HUMAN SERVICES

11 FOOD AND DRUG ADMINISTRATION

12 SALARIES AND EXPENSES

13 (INCLUDING TRANSFERS OF FUNDS)

14 For necessary expenses of the Food and Drug Ad-  
15 ministration, including hire and purchase of passenger  
16 motor vehicles; for payment of space rental and related  
17 costs pursuant to Public Law 92–313 for programs and  
18 activities of the Food and Drug Administration which are  
19 included in this Act; for rental of special purpose space  
20 in the District of Columbia or elsewhere; in addition to  
21 amounts appropriated to the FDA Innovation Account, for  
22 carrying out the activities described in section 1002(b)(4)  
23 of the 21st Century Cures Act (Public Law 114–255); for  
24 miscellaneous and emergency expenses of enforcement ac-  
25 tivities, authorized and approved by the Secretary and to

1 be accounted for solely on the Secretary's certificate, not  
2 to exceed \$25,000; and notwithstanding section 521 of  
3 Public Law 107-188; \$6,484,171,000 (increased by  
4 \$3,000,000) (reduced by \$3,000,000) (reduced by  
5 \$500,000) (increased by \$500,000): *Provided*, That of the  
6 amount provided under this heading, \$1,224,132,000 shall  
7 be derived from prescription drug user fees authorized by  
8 21 U.S.C. 379h, and shall be credited to this account and  
9 remain available until expended; \$248,342,000 shall be de-  
10 rived from medical device user fees authorized by 21  
11 U.S.C. 379j, and shall be credited to this account and re-  
12 main available until expended; \$550,449,000 shall be de-  
13 rived from human generic drug user fees authorized by  
14 21 U.S.C. 379j-42, and shall be credited to this account  
15 and remain available until expended; \$40,841,000 shall be  
16 derived from biosimilar biological product user fees au-  
17 thorized by 21 U.S.C. 379j-52, and shall be credited to  
18 this account and remain available until expended;  
19 \$32,238,000 shall be derived from animal drug user fees  
20 authorized by 21 U.S.C. 379j-12, and shall be credited  
21 to this account and remain available until expended;  
22 \$29,459,000 shall be derived from generic new animal  
23 drug user fees authorized by 21 U.S.C. 379j-21, and shall  
24 be credited to this account and remain available until ex-  
25 pended; \$712,000,000 shall be derived from tobacco prod-

1 uct user fees authorized by 21 U.S.C. 387s, and shall be  
2 credited to this account and remain available until ex-  
3 pended: *Provided further*, That in addition to and notwith-  
4 standing any other provision under this heading, amounts  
5 collected for prescription drug user fees, medical device  
6 user fees, human generic drug user fees, biosimilar biologi-  
7 cal product user fees, animal drug user fees, and generic  
8 new animal drug user fees that exceed the respective fiscal  
9 year 2023 limitations are appropriated and shall be cred-  
10 ited to this account and remain available until expended:  
11 *Provided further*, That fees derived from prescription drug,  
12 medical device, human generic drug, biosimilar biological  
13 product, animal drug, and generic new animal drug as-  
14 sessments for fiscal year 2023, including any such fees  
15 collected prior to fiscal year 2023 but credited for fiscal  
16 year 2023, shall be subject to the fiscal year 2023 limita-  
17 tions: *Provided further*, That the Secretary may accept  
18 payment during fiscal year 2023 of user fees specified  
19 under this heading and authorized for fiscal year 2024,  
20 prior to the due date for such fees, and that amounts of  
21 such fees assessed for fiscal year 2024 for which the Sec-  
22 retary accepts payment in fiscal year 2023 shall not be  
23 included in amounts under this heading: *Provided further*,  
24 That none of these funds shall be used to develop, estab-  
25 lish, or operate any program of user fees authorized by



1 31 U.S.C. 9701: *Provided further*, That of the total  
2 amount appropriated: (1) \$1,244,007,000 shall be for the  
3 Center for Food Safety and Applied Nutrition and related  
4 field activities in the Office of Regulatory Affairs, of which  
5 no less than \$15,000,000 shall be used for inspections of  
6 foreign seafood manufacturers and field examinations of  
7 imported seafood; (2) \$2,225,209,000 (increased by  
8 \$5,000,000) shall be for the Center for Drug Evaluation  
9 and Research and related field activities in the Office of  
10 Regulatory Affairs, of which no less than \$10,000,000  
11 shall be for pilots to increase unannounced foreign inspec-  
12 tions and shall remain available until expended, and  
13 \$15,000,000 (increased by \$5,000,000) shall be for co-  
14 ordinating programs and activities of the Food and Drug  
15 Administration with those of the Drug Enforcement Ad-  
16 ministration and U.S. Customs and Border Protection to  
17 combat the illicit importation of opioids, including  
18 fentanyl, through international mail facilities and land  
19 ports-of entry; (3) \$477,782,000 shall be for the Center  
20 for Biologics Evaluation and Research and for related field  
21 activities in the Office of Regulatory Affairs; (4)  
22 \$295,999,000 (increased by \$8,000,000) shall be for the  
23 Center for Veterinary Medicine and for related field activi-  
24 ties in the Office of Regulatory Affairs; (5) \$682,221,000  
25 shall be for the Center for Devices and Radiological

1 Health and for related field activities in the Office of Reg-  
2 ulatory Affairs; (6) \$77,893,000 shall be for the National  
3 Center for Toxicological Research; (7) \$677,165,000 shall  
4 be for the Center for Tobacco Products and for related  
5 field activities in the Office of Regulatory Affairs; (8)  
6 \$216,603,000 shall be for Rent and Related activities, of  
7 which \$56,011,000 is for White Oak Consolidation, other  
8 than the amounts paid to the General Services Adminis-  
9 tration for rent; (9) \$237,917,000 shall be for payments  
10 to the General Services Administration for rent; and (10)  
11 \$349,375,000 (reduced by \$8,000,000) (reduced by  
12 \$5,000,000) shall be for other activities, including the Of-  
13 fice of the Commissioner of Food and Drugs, the Office  
14 of Food Policy and Response, the Office of Operations,  
15 the Office of the Chief Scientist, and central services for  
16 these offices: *Provided further*, That not to exceed \$25,000  
17 of this amount shall be for official reception and represen-  
18 tation expenses, not otherwise provided for, as determined  
19 by the Commissioner: *Provided further*, That any transfer  
20 of funds pursuant to, and for the administration of, sec-  
21 tion 770(n) of the Federal Food, Drug, and Cosmetic Act  
22 (21 U.S.C. 379dd(n)) shall only be from amounts made  
23 available under this heading for other activities and shall  
24 not exceed \$2,000,000: *Provided further*, That of the  
25 amounts that are made available under this heading for

1 “other activities”, and that are not derived from user fees,  
2 \$1,500,000 shall be transferred to and merged with the  
3 appropriation for “Department of Health and Human  
4 Services—Office of Inspector General” for oversight of the  
5 programs and operations of the Food and Drug Adminis-  
6 tration and shall be in addition to funds otherwise made  
7 available for oversight of the Food and Drug Administra-  
8 tion: *Provided further*, That funds may be transferred  
9 from one specified activity to another with the prior ap-  
10 proval of the Committees on Appropriations of both  
11 Houses of Congress.

12 In addition, mammography user fees authorized by  
13 42 U.S.C. 263b, export certification user fees authorized  
14 by 21 U.S.C. 381, priority review user fees authorized by  
15 21 U.S.C. 360n and 360ff, food and feed recall fees, food  
16 reinspection fees, and voluntary qualified importer pro-  
17 gram fees authorized by 21 U.S.C. 379j–31, outsourcing  
18 facility fees authorized by 21 U.S.C. 379j–62, prescription  
19 drug wholesale distributor licensing and inspection fees  
20 authorized by 21 U.S.C. 353(e)(3), third-party logistics  
21 provider licensing and inspection fees authorized by 21  
22 U.S.C. 360eee–3(c)(1), third-party auditor fees authorized  
23 by 21 U.S.C. 384d(c)(8), medical countermeasure priority  
24 review voucher user fees authorized by 21 U.S.C. 360bbb–  
25 4a, and fees relating to over-the-counter monograph drugs

1 authorized by 21 U.S.C. 379j–72 shall be credited to this  
2 account, to remain available until expended.

3 BUILDINGS AND FACILITIES

4 For plans, construction, repair, improvement, exten-  
5 sion, alteration, demolition, and purchase of fixed equip-  
6 ment or facilities of or used by the Food and Drug Admin-  
7 istration, where not otherwise provided, \$16,000,000, to  
8 remain available until expended.

9 FDA INNOVATION ACCOUNT, CURES ACT

10 (INCLUDING TRANSFER OF FUNDS)

11 For necessary expenses to carry out the purposes de-  
12 scribed under section 1002(b)(4) of the 21st Century  
13 Cures Act, in addition to amounts available for such pur-  
14 poses under the heading “Salaries and Expenses”,  
15 \$50,000,000, to remain available until expended: *Pro-*  
16 *vided*, That amounts appropriated in this paragraph are  
17 appropriated pursuant to section 1002(b)(3) of the 21st  
18 Century Cures Act, are to be derived from amounts trans-  
19 ferred under section 1002(b)(2)(A) of such Act, and may  
20 be transferred by the Commissioner of Food and Drugs  
21 to the appropriation for “Department of Health and  
22 Human Services Food and Drug Administration Salaries  
23 and Expenses” solely for the purposes provided in such  
24 Act: *Provided further*, That upon a determination by the  
25 Commissioner that funds transferred pursuant to the pre-

1 vious proviso are not necessary for the purposes provided,  
2 such amounts may be transferred back to the account:  
3 *Provided further*, That such transfer authority is in addi-  
4 tion to any other transfer authority provided by law.

## 5 INDEPENDENT AGENCIES

### 6 COMMODITY FUTURES TRADING COMMISSION

#### 7 (INCLUDING TRANSFER OF FUNDS)

8 For necessary expenses to carry out the provisions  
9 of the Commodity Exchange Act (7 U.S.C. 1 et seq.), in-  
10 cluding the purchase and hire of passenger motor vehicles,  
11 and the rental of space (to include multiple year leases),  
12 in the District of Columbia and elsewhere, \$365,000,000,  
13 including not to exceed \$3,000 for official reception and  
14 representation expenses, and not to exceed \$25,000 for the  
15 expenses for consultations and meetings hosted by the  
16 Commission with foreign governmental and other regu-  
17 latory officials, of which not less than \$20,000,000 shall  
18 remain available until September 30, 2024, and of which  
19 not less than \$4,567,000 shall be for expenses of the Of-  
20 fice of the Inspector General: *Provided*, That notwith-  
21 standing the limitations in 31 U.S.C. 1553, amounts pro-  
22 vided under this heading are available for the liquidation  
23 of obligations equal to current year payments on leases  
24 entered into prior to the date of enactment of this Act:  
25 *Provided further*, That for the purpose of recording and

1 liquidating any lease obligations that should have been re-  
2 corded and liquidated against accounts closed pursuant to  
3 31 U.S.C. 1552, and consistent with the preceding pro-  
4 viso, such amounts shall be transferred to and recorded  
5 in a no-year account in the Treasury, which has been es-  
6 tablished for the sole purpose of recording adjustments for  
7 and liquidating such unpaid obligations.

#### 8 FARM CREDIT ADMINISTRATION

##### 9 LIMITATION ON ADMINISTRATIVE EXPENSES

10 Not to exceed \$88,500,000 (from assessments col-  
11 lected from farm credit institutions, including the Federal  
12 Agricultural Mortgage Corporation) shall be obligated  
13 during the current fiscal year for administrative expenses  
14 as authorized under 12 U.S.C. 2249: *Provided*, That this  
15 limitation shall not apply to expenses associated with re-  
16 ceiverships: *Provided further*, That the agency may exceed  
17 this limitation by up to 10 percent with notification to the  
18 Committees on Appropriations of both Houses of Con-  
19 gress: *Provided further*, That the purposes of section  
20 3.7(b)(2)(A)(i) of the Farm Credit Act of 1971 (12 U.S.C.  
21 2128(b)(2)(A)(i)), the Farm Credit Administration may  
22 exempt, an amount in its sole discretion, from the applica-  
23 tion of the limitation provided in that clause of export  
24 loans described in the clause guaranteed or insured in a

1 manner other than described in subclause (II) of the  
2 clause.

## 3 TITLE VII

### 4 GENERAL PROVISIONS

5 (INCLUDING RESCISSIONS AND TRANSFERS OF FUNDS)

6 SEC. 701. The Secretary may use any appropriations  
7 made available to the Department of Agriculture in this  
8 Act to purchase new passenger motor vehicles, in addition  
9 to specific appropriations for this purpose, so long as the  
10 total number of vehicles purchased in fiscal year 2023  
11 does not exceed the number of vehicles owned or leased  
12 in fiscal year 2018: *Provided*, That, prior to purchasing  
13 additional motor vehicles, the Secretary must determine  
14 that such vehicles are necessary for transportation safety,  
15 to reduce operational costs, and for the protection of life,  
16 property, and public safety: *Provided further*, That the  
17 Secretary may not increase the Department of Agri-  
18 culture's fleet above the 2018 level unless the Secretary  
19 notifies in writing, and receives approval from, the Com-  
20 mittees on Appropriations of both Houses of Congress  
21 within 30 days of the notification.

22 SEC. 702. Notwithstanding any other provision of  
23 this Act, the Secretary of Agriculture may transfer unobli-  
24 gated balances of discretionary funds appropriated by this  
25 Act or any other available unobligated discretionary bal-

1 ances that are remaining available of the Department of  
2 Agriculture to the Working Capital Fund for the acquisi-  
3 tion of property, plant and equipment and for the improve-  
4 ment, delivery, and implementation of Department finan-  
5 cial, and administrative information technology services,  
6 and other support systems necessary for the delivery of  
7 financial, administrative, and information technology serv-  
8 ices, including cloud adoption and migration, of primary  
9 benefit to the agencies of the Department of Agriculture,  
10 such transferred funds to remain available until expended:  
11 *Provided*, That none of the funds made available by this  
12 Act or any other Act shall be transferred to the Working  
13 Capital Fund without the prior approval of the agency ad-  
14 ministrator: *Provided further*, That none of the funds  
15 transferred to the Working Capital Fund pursuant to this  
16 section shall be available for obligation without written no-  
17 tification to and the prior approval of the Committees on  
18 Appropriations of both Houses of Congress: *Provided fur-*  
19 *ther*, That none of the funds appropriated by this Act or  
20 made available to the Department's Working Capital  
21 Fund shall be available for obligation or expenditure to  
22 make any changes to the Department's National Finance  
23 Center without written notification to and prior approval  
24 of the Committees on Appropriations of both Houses of  
25 Congress as required by section 716 of this Act: *Provided*



1 *further*, That none of the funds appropriated by this Act  
2 or made available to the Department's Working Capital  
3 Fund shall be available for obligation or expenditure to  
4 initiate, plan, develop, implement, or make any changes  
5 to remove or relocate any systems, missions, personnel, or  
6 functions of the offices of the Chief Financial Officer and  
7 the Chief Information Officer, co-located with or from the  
8 National Finance Center prior to written notification to  
9 and prior approval of the Committee on Appropriations  
10 of both Houses of Congress and in accordance with the  
11 requirements of section 716 of this Act: *Provided further*,  
12 That the National Finance Center Information Tech-  
13 nology Services Division personnel and data center man-  
14 agement responsibilities, and control of any functions,  
15 missions, and systems for current and future human re-  
16 sources management and integrated personnel and payroll  
17 systems (PPS) and functions provided by the Chief Finan-  
18 cial Officer and the Chief Information Officer shall remain  
19 in the National Finance Center and under the manage-  
20 ment responsibility and administrative control of the Na-  
21 tional Finance Center: *Provided further*, That the Sec-  
22 retary of Agriculture and the offices of the Chief Financial  
23 Officer shall actively market to existing and new Depart-  
24 ments and other government agencies National Finance  
25 Center shared services including, but not limited to, pay-

1 roll, financial management, and human capital shared  
2 services and allow the National Finance Center to perform  
3 technology upgrades: *Provided further*, That of annual in-  
4 come amounts in the Working Capital Fund of the De-  
5 partment of Agriculture attributable to the amounts in ex-  
6 cess of the true costs of the shared services provided by  
7 the National Finance Center and budgeted for the Na-  
8 tional Finance Center, the Secretary shall reserve not  
9 more than 4 percent for the replacement or acquisition  
10 of capital equipment, including equipment for the improve-  
11 ment, delivery, and implementation of financial, adminis-  
12 trative, and information technology services, and other  
13 systems of the National Finance Center or to pay any un-  
14 foreseen, extraordinary cost of the National Finance Cen-  
15 ter: *Provided further*, That none of the amounts reserved  
16 shall be available for obligation unless the Secretary sub-  
17 mits written notification of the obligation to the Commit-  
18 tees on Appropriations of both Houses of Congress: *Pro-*  
19 *vided further*, That the limitations on the obligation of  
20 funds pending notification to Congressional Committees  
21 shall not apply to any obligation that, as determined by  
22 the Secretary, is necessary to respond to a declared state  
23 of emergency that significantly impacts the operations of  
24 the National Finance Center; or to evacuate employees of

1 the National Finance Center to a safe haven to continue  
2 operations of the National Finance Center.

3 SEC. 703. No part of any appropriation contained in  
4 this Act shall remain available for obligation beyond the  
5 current fiscal year unless expressly so provided herein.

6 SEC. 704. No funds appropriated by this Act may be  
7 used to pay negotiated indirect cost rates on cooperative  
8 agreements or similar arrangements between the United  
9 States Department of Agriculture and nonprofit institu-  
10 tions in excess of 10 percent of the total direct cost of  
11 the agreement when the purpose of such cooperative ar-  
12 rangements is to carry out programs of mutual interest  
13 between the two parties. This does not preclude appro-  
14 priate payment of indirect costs on grants and contracts  
15 with such institutions when such indirect costs are com-  
16 puted on a similar basis for all agencies for which appro-  
17 priations are provided in this Act.

18 SEC. 705. Appropriations to the Department of Agri-  
19 culture for the cost of direct and guaranteed loans made  
20 available in the current fiscal year shall remain available  
21 until expended to disburse obligations made in the current  
22 fiscal year for the following accounts: the Rural Develop-  
23 ment Loan Fund program account, the Rural Electrifica-  
24 tion and Telecommunication Loans program account, and  
25 the Rural Housing Insurance Fund program account.

1        SEC. 706. None of the funds made available to the  
2 Department of Agriculture by this Act may be used to ac-  
3 quire new information technology systems or significant  
4 upgrades, as determined by the Office of the Chief Infor-  
5 mation Officer, without the approval of the Chief Informa-  
6 tion Officer and the concurrence of the Executive Informa-  
7 tion Technology Investment Review Board: *Provided*, That  
8 notwithstanding any other provision of law, none of the  
9 funds appropriated or otherwise made available by this  
10 Act may be transferred to the Office of the Chief Informa-  
11 tion Officer without written notification to and the prior  
12 approval of the Committees on Appropriations of both  
13 Houses of Congress: *Provided further*, That notwith-  
14 standing section 11319 of title 40, United States Code,  
15 none of the funds available to the Department of Agri-  
16 culture for information technology shall be obligated for  
17 projects, contracts, or other agreements over \$25,000  
18 prior to receipt of written approval by the Chief Informa-  
19 tion Officer: *Provided further*, That the Chief Information  
20 Officer may authorize an agency to obligate funds without  
21 written approval from the Chief Information Officer for  
22 projects, contracts, or other agreements up to \$250,000  
23 based upon the performance of an agency measured  
24 against the performance plan requirements described in

1 the explanatory statement accompanying Public Law 113–  
2 235.

3 SEC. 707. Funds made available under section 524(b)  
4 of the Federal Crop Insurance Act (7 U.S.C. 1524(b)) in  
5 the current fiscal year shall remain available until ex-  
6 pended to disburse obligations made in the current fiscal  
7 year.

8 SEC. 708. Notwithstanding any other provision of  
9 law, any former Rural Utilities Service borrower that has  
10 repaid or prepaid an insured, direct or guaranteed loan  
11 under the Rural Electrification Act of 1936, or any not-  
12 for-profit utility that is eligible to receive an insured or  
13 direct loan under such Act, shall be eligible for assistance  
14 under section 313B(a) of such Act in the same manner  
15 as a borrower under such Act.

16 SEC. 709. (a) Except as otherwise specifically pro-  
17 vided by law, not more than \$20,000,000 in unobligated  
18 balances from appropriations made available for salaries  
19 and expenses in this Act for the Farm Service Agency  
20 shall remain available through September 30, 2024, for  
21 information technology expenses.

22 (b) Except as otherwise specifically provided by law,  
23 not more than \$20,000,000 in unobligated balances from  
24 appropriations made available for salaries and expenses in  
25 this Act for the Rural Development mission area shall re-

1 main available through September 30, 2024, for informa-  
2 tion technology expenses.

3 SEC. 710. None of the funds appropriated or other-  
4 wise made available by this Act may be used for first-class  
5 travel by the employees of agencies funded by this Act in  
6 contravention of sections 301–10.122 through 301–10.124  
7 of title 41, Code of Federal Regulations.

8 SEC. 711. In the case of each program established  
9 or amended by the Agricultural Act of 2014 (Public Law  
10 113–79) or by a successor to that Act, other than by title  
11 I or subtitle A of title III of such Act, or programs for  
12 which indefinite amounts were provided in that Act, that  
13 is authorized or required to be carried out using funds  
14 of the Commodity Credit Corporation—

15 (1) such funds shall be available for salaries  
16 and related administrative expenses, including tech-  
17 nical assistance, associated with the implementation  
18 of the program, without regard to the limitation on  
19 the total amount of allotments and fund transfers  
20 contained in section 11 of the Commodity Credit  
21 Corporation Charter Act (15 U.S.C. 714i); and

22 (2) the use of such funds for such purpose shall  
23 not be considered to be a fund transfer or allotment  
24 for purposes of applying the limitation on the total

1 amount of allotments and fund transfers contained  
2 in such section.

3 SEC. 712. Of the funds made available by this Act,  
4 not more than \$2,900,000 shall be used to cover necessary  
5 expenses of activities related to all advisory committees,  
6 panels, commissions, and task forces of the Department  
7 of Agriculture, except for panels used to comply with nego-  
8 tiated rule makings and panels used to evaluate competi-  
9 tively awarded grants.

10 SEC. 713. (a) None of the funds made available in  
11 this Act may be used to maintain or establish a computer  
12 network unless such network blocks the viewing,  
13 downloading, and exchanging of pornography.

14 (b) Nothing in subsection (a) shall limit the use of  
15 funds necessary for any Federal, State, tribal, or local law  
16 enforcement agency or any other entity carrying out crimi-  
17 nal investigations, prosecution, or adjudication activities.

18 SEC. 714. Notwithstanding subsection (b) of section  
19 14222 of Public Law 110–246 (7 U.S.C. 612c–6; in this  
20 section referred to as “section 14222”), none of the funds  
21 appropriated or otherwise made available by this or any  
22 other Act shall be used to pay the salaries and expenses  
23 of personnel to carry out a program under section 32 of  
24 the Act of August 24, 1935 (7 U.S.C. 612c; in this section  
25 referred to as “section 32”) in excess of \$1,483,309,000

1 (exclusive of carryover appropriations from prior fiscal  
2 years), as follows: Child Nutrition Programs Entitlement  
3 Commodities—\$485,000,000; State Option Contracts—  
4 \$5,000,000; Removal of Defective Commodities—  
5 \$2,500,000; Administration of section 32 Commodity Pur-  
6 chases—\$37,178,000: *Provided*, That, of the total funds  
7 made available in the matter preceding this proviso that  
8 remain unobligated on October 1, 2023, such unobligated  
9 balances shall carryover into fiscal year 2024 and shall  
10 remain available until expended for any of the purposes  
11 of section 32, except that any such carryover funds used  
12 in accordance with clause (3) of section 32 may not exceed  
13 \$350,000,000 and may not be obligated until the Sec-  
14 retary of Agriculture provides written notification of the  
15 expenditures to the Committees on Appropriations of both  
16 Houses of Congress at least two weeks in advance: *Pro-*  
17 *vided further*, That, with the exception of any available  
18 carryover funds authorized in any prior appropriations Act  
19 to be used for the purposes of clause (3) of section 32,  
20 none of the funds appropriated or otherwise made avail-  
21 able by this or any other Act shall be used to pay the  
22 salaries or expenses of any employee of the Department  
23 of Agriculture to carry out clause (3) of section 32.

24 SEC. 715. None of the funds appropriated by this or  
25 any other Act shall be used to pay the salaries and ex-



1 penses of personnel who prepare or submit appropriations  
2 language as part of the President’s budget submission to  
3 the Congress for programs under the jurisdiction of the  
4 Appropriations Subcommittees on Agriculture, Rural De-  
5 velopment, Food and Drug Administration, and Related  
6 Agencies that assumes revenues or reflects a reduction  
7 from the previous year due to user fees proposals that  
8 have not been enacted into law prior to the submission  
9 of the budget unless such budget submission identifies  
10 which additional spending reductions should occur in the  
11 event the user fees proposals are not enacted prior to the  
12 date of the convening of a committee of conference for  
13 the fiscal year 2024 appropriations Act.

14       SEC. 716. (a) None of the funds provided by this Act,  
15 or provided by previous appropriations Acts to the agen-  
16 cies funded by this Act that remain available for obligation  
17 or expenditure in the current fiscal year, or provided from  
18 any accounts in the Treasury derived by the collection of  
19 fees available to the agencies funded by this Act, shall be  
20 available for obligation or expenditure through a re-  
21 programming, transfer of funds, or reimbursements as au-  
22 thorized by the Economy Act, or in the case of the Depart-  
23 ment of Agriculture, through use of the authority provided  
24 by section 702(b) of the Department of Agriculture Or-

1 ganic Act of 1944 (7 U.S.C. 2257) or section 8 of Public  
2 Law 89–106 (7 U.S.C. 2263), that—

3 (1) creates new programs;

4 (2) eliminates a program, project, or activity;

5 (3) increases funds or personnel by any means  
6 for any project or activity for which funds have been  
7 denied or restricted;

8 (4) relocates an office or employees;

9 (5) reorganizes offices, programs, or activities;

10 or

11 (6) contracts out or privatizes any functions or  
12 activities presently performed by Federal employees;

13 unless the Secretary of Agriculture, the Secretary of  
14 Health and Human Services, or the Chairman of the Com-  
15modity Futures Trading Commission (as the case may be)  
16 notifies in writing and receives approval from the Commit-  
17tees on Appropriations of both Houses of Congress at least  
18 30 days in advance of the reprogramming of such funds  
19 or the use of such authority.

20 (b) None of the funds provided by this Act, or pro-  
21 vided by previous Appropriations Acts to the agencies  
22 funded by this Act that remain available for obligation or  
23 expenditure in the current fiscal year, or provided from  
24 any accounts in the Treasury derived by the collection of  
25 fees available to the agencies funded by this Act, shall be

1 available for obligation or expenditure for activities, pro-  
2 grams, or projects through a reprogramming or use of the  
3 authorities referred to in subsection (a) involving funds  
4 in excess of \$500,000 or 10 percent, whichever is less,  
5 that—

6           (1) augments existing programs, projects, or ac-  
7           tivities;

8           (2) reduces by 10 percent funding for any exist-  
9           ing program, project, or activity, or numbers of per-  
10          sonnel by 10 percent as approved by Congress; or

11          (3) results from any general savings from a re-  
12          duction in personnel which would result in a change  
13          in existing programs, activities, or projects as ap-  
14          proved by Congress;

15 unless the Secretary of Agriculture, the Secretary of  
16 Health and Human Services, or the Chairman of the Com-  
17 modity Futures Trading Commission (as the case may be)  
18 notifies in writing and receives approval from the Commit-  
19 tees on Appropriations of both Houses of Congress at least  
20 30 days in advance of the reprogramming or transfer of  
21 such funds or the use of such authority.

22          (c) The Secretary of Agriculture, the Secretary of  
23 Health and Human Services, or the Chairman of the Com-  
24 modity Futures Trading Commission shall notify in writ-  
25 ing and receive approval from the Committees on Appro-

1 priations of both Houses of Congress before implementing  
2 any program or activity not carried out during the pre-  
3 vious fiscal year unless the program or activity is funded  
4 by this Act or specifically funded by any other Act.

5 (d) None of the funds provided by this Act, or pro-  
6 vided by previous Appropriations Acts to the agencies  
7 funded by this Act that remain available for obligation or  
8 expenditure in the current fiscal year, or provided from  
9 any accounts in the Treasury derived by the collection of  
10 fees available to the agencies funded by this Act, shall be  
11 available for—

12 (1) modifying major capital investments fund-  
13 ing levels, including information technology systems,  
14 that involves increasing or decreasing funds in the  
15 current fiscal year for the individual investment in  
16 excess of \$500,000 or 10 percent of the total cost,  
17 whichever is less;

18 (2) realigning or reorganizing new, current, or  
19 vacant positions or agency activities or functions to  
20 establish a center, office, branch, or similar entity  
21 with five or more personnel; or

22 (3) carrying out activities or functions that  
23 were not described in the budget request;

24 unless the agencies funded by this Act notify, in writing,  
25 the Committees on Appropriations of both Houses of Con-

1 gress at least 30 days in advance of using the funds for  
2 these purposes.

3 (e) As described in this section, no funds may be used  
4 for any activities unless the Secretary of Agriculture, the  
5 Secretary of Health and Human Services, or the Chair-  
6 man of the Commodity Futures Trading Commission re-  
7 ceives from the Committee on Appropriations of both  
8 Houses of Congress written or electronic mail confirma-  
9 tion of receipt of the notification as required in this sec-  
10 tion.

11 SEC. 717. Notwithstanding section 310B(g)(5) of the  
12 Consolidated Farm and Rural Development Act (7 U.S.C.  
13 1932(g)(5)), the Secretary may assess a one-time fee for  
14 any guaranteed business and industry loan in an amount  
15 that does not exceed 3 percent of the guaranteed principal  
16 portion of the loan.

17 SEC. 718. None of the funds appropriated or other-  
18 wise made available to the Department of Agriculture, the  
19 Food and Drug Administration, the Commodity Futures  
20 Trading Commission, or the Farm Credit Administration  
21 shall be used to transmit or otherwise make available re-  
22 ports, questions, or responses to questions that are a re-  
23 sult of information requested for the appropriations hear-  
24 ing process to any non-Department of Agriculture, non-  
25 Department of Health and Human Services, non-Com-

1 modify Futures Trading Commission, or non-Farm Credit  
2 Administration employee.

3       SEC. 719. Unless otherwise authorized by existing  
4 law, none of the funds provided in this Act, may be used  
5 by an executive branch agency to produce any pre-  
6 packaged news story intended for broadcast or distribution  
7 in the United States unless the story includes a clear noti-  
8 fication within the text or audio of the prepackaged news  
9 story that the prepackaged news story was prepared or  
10 funded by that executive branch agency.

11       SEC. 720. No employee of the Department of Agri-  
12 culture may be detailed or assigned from an agency or  
13 office funded by this Act or any other Act to any other  
14 agency or office of the Department for more than 60 days  
15 in a fiscal year unless the individual's employing agency  
16 or office is fully reimbursed by the receiving agency or  
17 office for the salary and expenses of the employee for the  
18 period of assignment.

19       SEC. 721. Not later than 30 days after the date of  
20 enactment of this Act, the Secretary of Agriculture, the  
21 Commissioner of the Food and Drug Administration, the  
22 Chairman of the Commodity Futures Trading Commis-  
23 sion, and the Chairman of the Farm Credit Administra-  
24 tion shall submit to the Committees on Appropriations of  
25 both Houses of Congress a detailed spending plan by pro-

1 gram, project, and activity for all the funds made available  
2 under this Act including appropriated user fees, as defined  
3 in the report accompanying this Act.

4 SEC. 722. None of the funds made available by this  
5 Act may be used to propose, promulgate, or implement  
6 any rule, or take any other action with respect to, allowing  
7 or requiring information intended for a prescribing health  
8 care professional, in the case of a drug or biological prod-  
9 uct subject to section 503(b)(1) of the Federal Food,  
10 Drug, and Cosmetic Act (21 U.S.C. 353(b)(1)), to be dis-  
11 tributed to such professional electronically (in lieu of in  
12 paper form) unless and until a Federal law is enacted to  
13 allow or require such distribution.

14 SEC. 723. For the purposes of determining eligibility  
15 or level of program assistance for Rural Development pro-  
16 grams the Secretary shall not include incarcerated prison  
17 populations.

18 SEC. 724. For loans and loan guarantees that do not  
19 require budget authority and the program level has been  
20 established in this Act, the Secretary of Agriculture may  
21 increase the program level for such loans and loan guaran-  
22 tees by not more than 25 percent: *Provided*, That prior  
23 to the Secretary implementing such an increase, the Sec-  
24 retary notifies, in writing, the Committees on Appropria-

1 tions of both Houses of Congress at least 15 days in ad-  
2 vance.

3       SEC. 725. None of the credit card refunds or rebates  
4 transferred to the Working Capital Fund pursuant to sec-  
5 tion 729 of the Agriculture, Rural Development, Food and  
6 Drug Administration, and Related Agencies Appropria-  
7 tions Act, 2002 (7 U.S.C. 2235a; Public Law 107–76)  
8 shall be available for obligation without written notifica-  
9 tion to, and the prior approval of, the Committees on Ap-  
10 propriations of both Houses of Congress: *Provided*, That  
11 the refunds or rebates so transferred shall be available for  
12 obligation only for the acquisition of property, plant and  
13 equipment, including equipment for the improvement, de-  
14 livery, and implementation of Departmental financial  
15 management, information technology, and other support  
16 systems necessary for the delivery of financial, administra-  
17 tive, and information technology services, including cloud  
18 adoption and migration, of primary benefit to the agencies  
19 of the Department of Agriculture.

20       SEC. 726. None of the funds made available by this  
21 Act may be used to implement, administer, or enforce the  
22 “variety” requirements of the final rule entitled “Enhanc-  
23 ing Retailer Standards in the Supplemental Nutrition As-  
24 sistance Program (SNAP)” published by the Department  
25 of Agriculture in the Federal Register on December 15,



1 2016 (81 Fed. Reg. 90675) until the Secretary of Agri-  
2 culture amends the definition of the term “variety” as de-  
3 fined in section 278.1(b)(1)(ii)(C) of title 7, Code of Fed-  
4 eral Regulations, and “variety” as applied in the definition  
5 of the term “staple food” as defined in section 271.2 of  
6 title 7, Code of Federal Regulations, to increase the num-  
7 ber of items that qualify as acceptable varieties in each  
8 staple food category so that the total number of such items  
9 in each staple food category exceeds the number of such  
10 items in each staple food category included in the final  
11 rule as published on December 15, 2016: *Provided*, That  
12 until the Secretary promulgates such regulatory amend-  
13 ments, the Secretary shall apply the requirements regard-  
14 ing acceptable varieties and breadth of stock to Supple-  
15 mental Nutrition Assistance Program retailers that were  
16 in effect on the day before the date of the enactment of  
17 the Agricultural Act of 2014 (Public Law 113–79).

18 SEC. 727. In carrying out subsection (h) of section  
19 502 of the Housing Act of 1949 (42 U.S.C. 1472), the  
20 Secretary of Agriculture shall have the same authority  
21 with respect to loans guaranteed under such section and  
22 eligible lenders for such loans as the Secretary has under  
23 subsections (h) and (j) of section 538 of such Act (42  
24 U.S.C. 1490p–2) with respect to loans guaranteed under  
25 such section 538 and eligible lenders for such loans.

1        SEC. 728. None of the funds appropriated or other-  
2 wise made available by this Act shall be available for the  
3 United States Department of Agriculture to propose, fi-  
4 nalize or implement any regulation that would promulgate  
5 new user fees pursuant to 31 U.S.C. 9701 after the date  
6 of the enactment of this Act.

7        SEC. 729. For fiscal year 2023, the Secretary shall  
8 establish a process under which an establishment in the  
9 Chesapeake Bay area that is subject to examination and  
10 inspection under section 6 of the Federal Meat Inspection  
11 Act solely due to the establishment's processing of domes-  
12 tic, wild caught, invasive blue catfish (*Ictalurus furcatus*),  
13 may apply for a waiver of such examination and inspection  
14 requirements if the establishment is subject to inspection  
15 under the Seafood Hazard Analysis Critical Control  
16 Points Program of the Food and Drug Administration and  
17 the establishment attests that it applies existing Seafood  
18 Hazard Critical Control Points Program for all species  
19 processed at the establishment.

20        SEC. 730. Notwithstanding any provision of law that  
21 regulates the calculation and payment of overtime and hol-  
22 iday pay for FSIS inspectors, the Secretary may charge  
23 establishments subject to the inspection requirements of  
24 the Poultry Products Inspection Act, 21 U.S.C. 451 et  
25 seq., the Federal Meat Inspection Act, 21 U.S.C. 601 et

1 seq, and the Egg Products Inspection Act, 21 U.S.C. 1031  
2 et seq., for the cost of inspection services provided outside  
3 of an establishment's approved inspection shifts, and for  
4 inspection services provided on Federal holidays: *Provided*,  
5 That any sums charged pursuant to this paragraph shall  
6 be deemed as overtime pay or holiday pay under section  
7 1001(d) of the American Rescue Plan Act of 2021 (Public  
8 Law 117–2, 135 Stat. 242): *Provided further*, That sums  
9 received by the Secretary under this paragraph shall, in  
10 addition to other available funds, remain available until  
11 expended to the Secretary without further appropriation  
12 for the purpose of funding all costs associated with FSIS  
13 inspections.

14 SEC. 731. (a) The Secretary of Agriculture shall—

15 (1) conduct audits in a manner that evaluates  
16 the following factors in the country or region being  
17 audited, as applicable—

18 (A) veterinary control and oversight;

19 (B) disease history and vaccination prac-  
20 tices;

21 (C) livestock demographics and  
22 traceability;

23 (D) epidemiological separation from poten-  
24 tial sources of infection;

25 (E) surveillance practices;

1 (F) diagnostic laboratory capabilities; and

2 (G) emergency preparedness and response;

3 and

4 (2) promptly make publicly available the final  
5 reports of any audits or reviews conducted pursuant  
6 to subsection (1).

7 (b) This section shall be applied in a manner con-  
8 sistent with United States obligations under its inter-  
9 national trade agreements.

10 SEC. 732. None of the funds made available by this  
11 Act may be used to implement section 3.7(f) of the Farm  
12 Credit Act of 1971 in a manner inconsistent with section  
13 343(a)(13) of the Consolidated Farm and Rural Develop-  
14 ment Act.

15 SEC. 733. In this fiscal year and thereafter, and not-  
16 withstanding any other provision of law, none of the funds  
17 made available by this Act may be used to carry out any  
18 activities or incur any expense related to the issuance of  
19 licenses under section 3 of the Animal Welfare Act (7  
20 U.S.C. 2133), or the renewal of such licenses, to class B  
21 dealers who sell Random Source dogs and cats for use in  
22 research, experiments, teaching, or testing.

23 SEC. 734. (a)(1) No Federal funds made available for  
24 this fiscal year for the rural water, waste water, waste dis-  
25 posal, and solid waste management programs authorized

1 by sections 306, 306A, 306C, 306D, 306E, and 310B of  
2 the Consolidated Farm and Rural Development Act (7  
3 U.S.C. 1926 et seq.) shall be used for a project for the  
4 construction, alteration, maintenance, or repair of a public  
5 water or wastewater system unless all of the iron and steel  
6 products used in the project are produced in the United  
7 States.

8       (2) In this section, the term “iron and steel products”  
9 means the following products made primarily of iron or  
10 steel: lined or unlined pipes and fittings, manhole covers  
11 and other municipal castings, hydrants, tanks, flanges,  
12 pipe clamps and restraints, valves, structural steel, rein-  
13 forced precast concrete, and construction materials.

14       (b) Subsection (a) shall not apply in any case or cat-  
15 egory of cases in which the Secretary of Agriculture (in  
16 this section referred to as the “Secretary”) or the designee  
17 of the Secretary finds that—

18               (1) applying subsection (a) would be incon-  
19 sistent with the public interest;

20               (2) iron and steel products are not produced in  
21 the United States in sufficient and reasonably avail-  
22 able quantities or of a satisfactory quality; or

23               (3) inclusion of iron and steel products pro-  
24 duced in the United States will increase the cost of  
25 the overall project by more than 25 percent.

1       (c) If the Secretary or the designee receives a request  
2 for a waiver under this section, the Secretary or the des-  
3 ignee shall make available to the public on an informal  
4 basis a copy of the request and information available to  
5 the Secretary or the designee concerning the request, and  
6 shall allow for informal public input on the request for  
7 at least 15 days prior to making a finding based on the  
8 request. The Secretary or the designee shall make the re-  
9 quest and accompanying information available by elec-  
10 tronic means, including on the official public Internet Web  
11 site of the Department.

12       (d) This section shall be applied in a manner con-  
13 sistent with United States obligations under international  
14 agreements.

15       (e) The Secretary may retain up to 0.25 percent of  
16 the funds appropriated in this Act for “Rural Utilities  
17 Service—Rural Water and Waste Disposal Program Ac-  
18 count” for carrying out the provisions described in sub-  
19 section (a)(1) for management and oversight of the re-  
20 quirements of this section.

21       (f) Subsection (a) shall not apply with respect to a  
22 project for which the engineering plans and specifications  
23 include use of iron and steel products otherwise prohibited  
24 by such subsection if the plans and specifications have re-

1 ceived required approvals from State agencies prior to the  
2 date of enactment of this Act.

3 (g) For purposes of this section, the terms “United  
4 States” and “State” shall include each of the several  
5 States, the District of Columbia, and each Federally rec-  
6 ognized Indian Tribe.

7 SEC. 735. None of the funds appropriated by this Act  
8 may be used in any way, directly or indirectly, to influence  
9 congressional action on any legislation or appropriation  
10 matters pending before Congress, other than to commu-  
11 nicate to Members of Congress as described in 18 U.S.C.  
12 1913.

13 SEC. 736. Of the total amounts made available by  
14 this Act for direct loans and grants under the following  
15 headings: “Rural Housing Service—Rural Housing Insur-  
16 ance Fund Program Account”; “Rural Housing Service—  
17 Mutual and Self-Help Housing Grants”; “Rural Housing  
18 Service—Rural Housing Assistance Grants”; “Rural  
19 Housing Service—Rural Community Facilities Program  
20 Account”; “Rural Business-Cooperative Service—Rural  
21 Business Program Account”; “Rural Business-Coopera-  
22 tive Service—Rural Economic Development Loans Pro-  
23 gram Account”; “Rural Business-Cooperative Service—  
24 Rural Cooperative Development Grants”; “Rural Busi-  
25 ness-Cooperative Service—Rural Microentrepreneur As-

1 sistance Program”; “Rural Utilities Service—Rural Water  
2 and Waste Disposal Program Account”; “Rural Utilities  
3 Service—Rural Electrification and Telecommunications  
4 Loans Program Account”; and “Rural Utilities Service—  
5 Distance Learning, Telemedicine, and Broadband Pro-  
6 gram”, to the maximum extent feasible, at least 10 per-  
7 cent of the funds shall be allocated for assistance in per-  
8 sistent poverty counties under this section, including, not-  
9 withstanding any other provision regarding population  
10 limits, any county seat of such a persistent poverty county  
11 that has a population that does not exceed the authorized  
12 population limit by more than 10 percent: *Provided*, That  
13 for purposes of this section, the term “persistent poverty  
14 counties” means any county that has had 20 percent or  
15 more of its population living in poverty over the past 30  
16 years, as measured by the 1990 and 2000 decennial cen-  
17 suses, and 2007–2011 American Community Survey 5-  
18 year average, or any territory or possession of the United  
19 States: *Provided further*, That with respect to specific ac-  
20 tivities for which program levels have been made available  
21 by this Act that are not supported by budget authority,  
22 the requirements of this section shall be applied to such  
23 program level.

24 SEC. 737. None of the funds made available by this  
25 Act may be used to notify a sponsor or otherwise acknowl-



1 edge receipt of a submission for an exemption for inves-  
2 tigational use of a drug or biological product under section  
3 505(i) of the Federal Food, Drug, and Cosmetic Act (21  
4 U.S.C. 355(i)) or section 351(a)(3) of the Public Health  
5 Service Act (42 U.S.C. 262(a)(3)) in research in which  
6 a human embryo is intentionally created or modified to  
7 include a heritable genetic modification. Any such submis-  
8 sion shall be deemed to have not been received by the Sec-  
9 retary, and the exemption may not go into effect.

10 SEC. 738. None of the funds made available by this  
11 or any other Act may be used to enforce the final rule  
12 promulgated by the Food and Drug Administration enti-  
13 tled “Standards for the Growing, Harvesting, Packing,  
14 and Holding of Produce for Human Consumption,” and  
15 published on November 27, 2015, with respect to the regu-  
16 lation of entities that grow, harvest, pack, or hold wine  
17 grapes, hops, pulse crops, or almonds.

18 SEC. 739. There is hereby appropriated \$5,000,000,  
19 to remain available until September 30, 2024, for a pilot  
20 program for the National Institute of Food and Agri-  
21 culture to provide grants to nonprofit organizations for  
22 programs and services to establish and enhance farming  
23 and ranching opportunities for military veterans.

24 SEC. 740. For school years 2022–2023 and 2023–  
25 2024, none of the funds made available by this Act may

1 be used to implement or enforce the matter following the  
2 first comma in the second sentence of footnote (c) of sec-  
3 tion 220.8(c) of title 7, Code of Federal Regulations, with  
4 respect to the substitution of vegetables for fruits under  
5 the school breakfast program established under section 4  
6 of the Child Nutrition Act of 1966 (42 U.S.C. 1773).

7 SEC. 741. None of the funds made available by this  
8 Act or any other Act may be used—

9 (1) in contravention of section 7606 of the Ag-  
10 ricultural Act of 2014 (7 U.S.C. 5940), subtitle G  
11 of the Agricultural Marketing Act of 1946, or sec-  
12 tion 10114 of the Agriculture Improvement Act of  
13 2018; or

14 (2) to prohibit the transportation, processing,  
15 sale, or use of hemp, or seeds of such plant, that is  
16 grown or cultivated in accordance with section 7606  
17 of the Agricultural Act of 2014 or Subtitle G of the  
18 Agricultural Marketing Act of 1946, within or out-  
19 side the State in which the hemp is grown or cul-  
20 tivated.

21 SEC. 742. There is hereby appropriated \$3,000,000,  
22 to remain available until expended, for grants under sec-  
23 tion 12502 of Public Law 115–334.

24 SEC. 743. There is hereby appropriated \$1,000,000  
25 to carry out section 3307 of Public Law 115–334.

1       SEC. 744. The Secretary of Agriculture may waive  
2 the matching funds requirement under section 412(g) of  
3 the Agricultural Research, Extension, and Education Re-  
4 form Act of 1998 (7 U.S.C. 7632(g)).

5       SEC. 745. There is hereby appropriated \$2,000,000,  
6 to remain available until expended, for a pilot program  
7 for the Secretary to provide grants to qualified non-profit  
8 organizations and public housing authorities to provide  
9 technical assistance, including financial and legal services,  
10 to RHS multi-family housing borrowers to facilitate the  
11 acquisition of RHS multi-family housing properties in  
12 areas where the Secretary determines a risk of loss of af-  
13 fordable housing, by non-profit housing organizations and  
14 public housing authorities as authorized by law that com-  
15 mit to keep such properties in the RHS multi-family hous-  
16 ing program for a period of time as determined by the  
17 Secretary.

18       SEC. 746. There is hereby appropriated \$3,000,000,  
19 to carry out section 4208 of Public Law 115–334, includ-  
20 ing for project locations in additional regions and timely  
21 completion of required reporting to Congress.

22       SEC. 747. There is hereby appropriated \$5,000,000  
23 to carry out section 12301 of Public Law 115–334, Farm-  
24 ing Opportunities Training and Outreach.

1        SEC. 748. In response to an eligible community where  
2 the drinking water supplies are inadequate due to a nat-  
3 ural disaster, as determined by the Secretary, including  
4 drought or severe weather, the Secretary may provide po-  
5 table water through the Emergency Community Water As-  
6 sistance Grant Program for an additional period of time  
7 not to exceed 120 days beyond the established period pro-  
8 vided under the Program in order to protect public health.

9        SEC. 749. Funds made available under title II of the  
10 Food for Peace Act (7 U.S.C. 1721 et seq.) may only be  
11 used to provide assistance to recipient nations if adequate  
12 monitoring and controls, as determined by the Adminis-  
13 trator, are in place to ensure that emergency food aid is  
14 received by the intended beneficiaries in areas affected by  
15 food shortages and not diverted for unauthorized or inap-  
16 propriate purposes.

17        SEC. 750. In this fiscal year and thereafter, and not-  
18 withstanding any other provision of law, ARS facilities as  
19 described in the “Memorandum of Understanding Be-  
20 tween the U.S. Department of Agriculture Animal and  
21 Plant Health Inspection Service (APHIS) and the U.S.  
22 Department of Agriculture Agricultural Research Service  
23 (ARS) Concerning Laboratory Animal Welfare” (16-  
24 6100-0103-MU Revision 16-1) shall be inspected by

1 APHIS for compliance with the Animal Welfare Act and  
2 its regulations and standards.

3 SEC. 751. None of the funds made available by this  
4 Act may be used to procure raw or processed poultry prod-  
5 ucts imported into the United States from the People's  
6 Republic of China for use in the school lunch program  
7 under the Richard B. Russell National School Lunch Act  
8 (42 U.S.C. 1751 et seq.), the Child and Adult Care Food  
9 Program under section 17 of such Act (42 U.S.C. 1766),  
10 the Summer Food Service Program for Children under  
11 section 13 of such Act (42 U.S.C. 1761), or the school  
12 breakfast program under the Child Nutrition Act of 1966  
13 (42 U.S.C. 1771 et seq.).

14 SEC. 752. For school year 2023–2024, only a school  
15 food authority that had a negative balance in the nonprofit  
16 school food service account as of June 30, 2022, shall be  
17 required to establish a price for paid lunches in accordance  
18 with section 12(p) of the Richard B. Russell National  
19 School Lunch Act (42 U.S.C. 1760(p)).

20 SEC. 753. There is hereby appropriated \$2,000,000,  
21 to remain available until expended, for the Secretary of  
22 Agriculture to carry out a pilot program that assists rural  
23 hospitals to improve long-term operations and financial  
24 health by providing technical assistance through analysis  
25 of current hospital management practices.

1        SEC. 754. Any funds made available by this or any  
2 other Act that the Secretary withholds pursuant to section  
3 1668(g)(2) of the Food, Agriculture, Conservation, and  
4 Trade Act of 1990 (7 U.S.C. 5921(g)(2)), as amended,  
5 shall be available for grants for biotechnology risk assess-  
6 ment research: *Provided*, That the Secretary may transfer  
7 such funds among appropriations of the Department of  
8 Agriculture for purposes of making such grants.

9        SEC. 755. Hereafter, none of the funds made avail-  
10 able by this Act or any other Act, may be used to pay  
11 the salaries or expenses of personnel to implement any ac-  
12 tivities related to:

13        (a) the permitting of non-recording of observed viola-  
14 tions of the Animal Welfare Act or its regulations on offi-  
15 cial inspection reports; or

16        (b) the prioritizing of education or collaborative ap-  
17 proaches to violations or noncompliance ahead of enforce-  
18 ment under the Animal Welfare Act.

19        SEC. 756. There is hereby appropriated \$400,000 to  
20 carry out section 1672(g)(4)(B) of the Food, Agriculture,  
21 Conservation, and Trade Act of 1990 (7 U.S.C.  
22 5925(g)(4(B)) as amended by section 7209 of Public Law  
23 115–334.

24        SEC. 757. For necessary expenses associated with  
25 cotton classing activities pursuant to 7 U.S.C. 55, to in-

1 clude equipment and facility upgrades, and in addition to  
2 any other funds made available for this purpose, there is  
3 appropriated \$4,000,000, to remain available until Sep-  
4 tember 30, 2024: *Provided*, That amounts made available  
5 in this section shall be treated as funds collected by fees  
6 authorized under Mar. 4, 1923, ch. 288, §5, 42 Stat.  
7 1518, as amended (7 U.S.C. 55).

8       SEC. 758. Notwithstanding any other provision of  
9 law, no funds available to the Department of Agriculture  
10 may be used to move any staff office or any agency from  
11 the mission area in which it was located on August 1,  
12 2018, to any other mission area or office within the De-  
13 partment in the absence of the enactment of specific legis-  
14 lation affirming such move.

15       SEC. 759. The Secretary, acting through the Chief  
16 of the Natural Resources Conservation Service, may use  
17 funds appropriated under this Act or any other Act for  
18 the Watershed and Flood Prevention Operations Program  
19 and the Watershed Rehabilitation Program carried out  
20 pursuant to the Watershed Protection and Flood Preven-  
21 tion Act (16 U.S.C. 1001 et seq.), and for the Emergency  
22 Watershed Protection Program carried out pursuant to  
23 section 403 of the Agricultural Credit Act of 1978 (16  
24 U.S.C. 2203) to provide technical services for such pro-  
25 grams pursuant to section 1252(a)(1) of the Food Secu-

1 rity Act of 1985 (16 U.S.C. 3851(a)(1)), notwithstanding  
2 subsection (c) of such section.

3 SEC. 760. In administering the pilot program estab-  
4 lished by section 779 of division A of the Consolidated Ap-  
5 propriations Act, 2018 (Public Law 115–141), the Sec-  
6 retary of Agriculture may, for purposes of determining en-  
7 tities eligible to receive assistance, consider those commu-  
8 nities which are “Areas Rural in Character”: *Provided*,  
9 That not more than 10 percent of the funds made avail-  
10 able under the heading “Distance Learning, Telemedicine,  
11 and Broadband Program” for the purposes of the pilot  
12 program established by section 779 of Public Law 115–  
13 141 may be used for this purpose.

14 SEC. 761. There is hereby appropriated \$29,700,000  
15 for the Goodfellow Federal facility, to remain available  
16 until expended, which shall be transferred to and merged  
17 with the appropriation for “Food Safety and Inspection  
18 Service”.

19 SEC. 762. Hereafter, none of the funds made avail-  
20 able by this Act or any other Act may be used to pay  
21 the salaries or expenses of personnel—

22 (1) to inspect horses under section 3 of the  
23 Federal Meat Inspection Act (21 U.S.C. 603);



1           (2) to inspect horses under section 903 of the  
2       Federal Agriculture Improvement and Reform Act of  
3       1996 (7 U.S.C. 1901 note; Public Law 104–127); or  
4           (3) to implement or enforce section 352.19 of  
5       title 9, Code of Federal Regulations (or a successor  
6       regulation).

7       SEC. 763. There is appropriated to the Department  
8   of Agriculture, for an additional amount for “Agricultural  
9   Programs—Processing, Research, and Marketing—Office  
10  of the Secretary”, \$5,000,000, which shall remain avail-  
11  able until expended, for necessary expenses, under such  
12  terms and conditions determined by the Secretary, related  
13  to testing soil, water, or agricultural products for per- and  
14  polyfluoroalkyl substances (PFAS) at the request of an  
15  agricultural producer, assisting agricultural producers af-  
16  fected by PFAS contamination with costs related to miti-  
17  gate the impacts to their operation that have resulted from  
18  such contamination and indemnifying agricultural pro-  
19  ducers for the value of unmarketable crops, livestock, and  
20  other agricultural products related to PFAS contamina-  
21  tion: *Provided*, That the Secretary shall prioritize such as-  
22  sistance to agricultural producers in states and territories  
23  that have established a tolerance threshold for PFAS in  
24  a food or agricultural product: *Provided further*, That, not  
25  later than 90 days after the end of fiscal year 2023, the

1 Secretary shall submit a report to the Congress specifying  
2 the type, amount, and method of such assistance by state  
3 and territory and the status of the amounts obligated and  
4 plans for further expenditure, and include improvements  
5 that can be made to U.S. Department of Agriculture pro-  
6 grams, either administratively or legislatively, to increase  
7 support for agricultural producers impacted by PFAS con-  
8 tamination and to enhance scientific knowledge on PFAS  
9 uptake in crops and livestock and PFAS mitigation and  
10 remediation methods and disseminate such knowledge to  
11 agricultural producers.

12 SEC. 764. Any future compliance date for any provi-  
13 sion of the Food and Drug Administration’s final rule en-  
14 titled “Milk and Cream Products and Yogurt Products;  
15 Final Rule To Revoke the Standards for Lowfat Yogurt  
16 and Nonfat Yogurt and To Amend the Standard for Yo-  
17 gurt” (86 Fed. Reg. 31117, June 11, 2021) for which the  
18 agency is exercising enforcement discretion or that is  
19 stayed as a result of objections timely filed under 21  
20 U.S.C. 371(e)(2), shall be established no earlier than Jan-  
21 uary 1 of the year that is three years after either:

22 (a) Final action upon such objection(s) is taken by  
23 the Secretary of Health and Human Services; or

24 (b) The party withdraws such objection(s).

1        SEC. 765. In addition to the amount of reimburse-  
2        ment for administrative and operating expenses available  
3        for crop insurance contracts described in subsection  
4        (a)(2)(F) of section III of the 2023 Standard Reinsurance  
5        Agreement (SRA) that cover agricultural commodities de-  
6        scribed in section 101 of title I of the Specialty Crops  
7        Competitiveness Act of 2004 (7 U.S.C. 1621 note), there  
8        is hereby appropriated \$50,000,000, to remain available  
9        until expended, to pay, with respect to such contracts for  
10       the 2021 reinsurance year, an amount that is equal to the  
11       difference between the amount to be paid pursuant to the  
12       SRA for the applicable reinsurance year and the amount  
13       that would be paid if such contracts were not subject to  
14       a reduction described in subsection (a)(2)(G) of section  
15       III of the SRA but subject to a reimbursement rate equal  
16       to 17.5 percent of the net book premium.

17       SEC. 766. There is appropriated to the Department  
18       of Agriculture, for an additional amount for “Agricultural  
19       Programs—Processing, Research, and Marketing—Office  
20       of the Secretary”, \$10,000,000, which shall remain avail-  
21       able until expended, for necessary expenses to address as-  
22       sistance for disasters occurring in calendar year 2022.

23       SEC. 767. In addition to amounts otherwise available,  
24       there is appropriated to the Secretary of Agriculture  
25       \$50,000,000, to remain available until September 30,

1 2023, to provide relief payments for frontline grocery  
2 workers through the Farmworker and Food Worker Relief  
3 Grant Program of the Agricultural Marketing Service.

4 SEC. 768. None of the funds made available by this  
5 Act may be used to review or approve an application under  
6 section 505(i) of the Federal Food, Drug, and Cosmetic  
7 Act (21 U.S.C. 355(i)) or section 351(a)(3) of the Public  
8 Health Service Act (42 U.S.C. 262(a)(3)) that is sub-  
9 mitted by a sponsor located in Russia, unless such applica-  
10 tion is for a drug that is intended to treat a serious or  
11 life-threatening condition and for which there is an unmet  
12 medical treatment need.

13 SEC. 769. The Secretary of Agriculture shall take  
14 such actions as may be necessary to prohibit the purchase  
15 of agricultural land located in the United States by compa-  
16 nies owned, in full or in part, by the People’s Republic  
17 of China, Russia, North Korea, or Iran.

18 SEC. 770. None of the funds made available by this  
19 Act under the heading “DOMESTIC FOOD PRO-  
20 GRAMS—Food and Nutrition Service—Supplemental  
21 Nutrition Assistance Program” may be used in contraven-  
22 tion of section 107(b) of division A of the Victims of Traf-  
23 ficking and Violence Protection Act of 2000 (114 Stat.  
24 1475; 22 U.S.C. 7105(b)).

1        SEC. 771. For “Agricultural Programs—Research,  
2    Education, and Economics—National Institute of Food and  
3    Agriculture—Research and Education Activities” for the  
4    establishment of a program to make competitive grants  
5    to assist in the facility construction, alteration, acquisi-  
6    tion, modernization, renovation, or remodeling of agricul-  
7    tural research facilities, as authorized by the Research Fa-  
8    cilities Act (7 U.S.C. 390 et seq.), there is hereby appro-  
9    priated, and the amount otherwise provided by this Act  
10   for “Agricultural Programs—Rural Development—Salaries  
11   and Expenses” is hereby reduced by, \$2,000,000.

12       SEC. 772. There is hereby appropriated, and the  
13   amount otherwise made available by this Act for “Agricul-  
14   tural Programs—Agricultural Marketing Service—Mar-  
15   keting Services” is reduced by, \$10,000,000, to carry out  
16   section 4206 of Public Law 115–334.

17       This division may be cited as the “Agriculture, Rural  
18   Development, Food and Drug Administration, and Re-  
19   lated Agencies Appropriations Act, 2023”.

1 **DIVISION C—ENERGY AND WATER DEVEL-**  
2 **OPMENT AND RELATED AGENCIES AP-**  
3 **PROPRIATIONS ACT, 2023**

4 TITLE I

5 CORPS OF ENGINEERS—CIVIL

6 DEPARTMENT OF THE ARMY

7 CORPS OF ENGINEERS—CIVIL

8 The following appropriations shall be expended under  
9 the direction of the Secretary of the Army and the super-  
10 vision of the Chief of Engineers for authorized civil func-  
11 tions of the Department of the Army pertaining to river  
12 and harbor, flood and storm damage reduction, shore pro-  
13 tection, aquatic ecosystem restoration, and related efforts.

14 INVESTIGATIONS

15 For expenses necessary where authorized by law for  
16 the collection and study of basic information pertaining  
17 to river and harbor, flood and storm damage reduction,  
18 shore protection, aquatic ecosystem restoration, and re-  
19 lated needs; for surveys and detailed studies, and plans  
20 and specifications of proposed river and harbor, flood and  
21 storm damage reduction, shore protection, and aquatic  
22 ecosystem restoration projects, and related efforts prior to  
23 construction; for restudy of authorized projects; and for  
24 miscellaneous investigations, and, when authorized by law,  
25 surveys and detailed studies, and plans and specifications

1 of projects prior to construction, \$160,000,000, to remain  
2 available until expended: *Provided*, That the Secretary  
3 shall not deviate from the work plan, once the plan has  
4 been submitted to the Committees on Appropriations of  
5 both Houses of Congress.

6 CONSTRUCTION

7 For expenses necessary for the construction of river  
8 and harbor, flood and storm damage reduction, shore pro-  
9 tection, aquatic ecosystem restoration, and related  
10 projects authorized by law; for conducting detailed studies,  
11 and plans and specifications, of such projects (including  
12 those involving participation by States, local governments,  
13 or private groups) authorized or made eligible for selection  
14 by law (but such detailed studies, and plans and specifica-  
15 tions, shall not constitute a commitment of the Govern-  
16 ment to construction); \$2,475,152,000 (reduced by  
17 \$1,000,000) (increased by \$1,000,000) (reduced by  
18 \$1,000,000) (increased by \$1,000,000), to remain avail-  
19 able until expended; of which \$43,011,000 shall be derived  
20 from the Harbor Maintenance Trust Fund to cover the  
21 Federal share of construction costs for facilities under the  
22 Dredged Material Disposal Facilities program; and of  
23 which such sums as are necessary to cover 35 percent of  
24 the costs of construction, replacement, rehabilitation, and  
25 expansion of inland waterways projects shall be derived

1 from the Inland Waterways Trust Fund, except as other-  
2 wise specifically provided for in law: *Provided*, That the  
3 Secretary shall not deviate from the work plan, once the  
4 plan has been submitted to the Committees on Appropria-  
5 tions of both Houses of Congress.

6                   MISSISSIPPI RIVER AND TRIBUTARIES

7       For expenses necessary for flood damage reduction  
8 projects and related efforts in the Mississippi River allu-  
9 vial valley below Cape Girardeau, Missouri, as authorized  
10 by law, \$350,000,000, to remain available until expended,  
11 of which \$10,315,000 shall be derived from the Harbor  
12 Maintenance Trust Fund to cover the Federal share of  
13 eligible operation and maintenance costs for inland har-  
14 bors: *Provided*, That the Secretary shall not deviate from  
15 the work plan, once the plan has been submitted to the  
16 Committees on Appropriations of both Houses of Con-  
17 gress.

18                   OPERATION AND MAINTENANCE

19       For expenses necessary for the operation, mainte-  
20 nance, and care of existing river and harbor, flood and  
21 storm damage reduction, aquatic ecosystem restoration,  
22 and related projects authorized by law; providing security  
23 for infrastructure owned or operated by the Corps, includ-  
24 ing administrative buildings and laboratories; maintaining  
25 harbor channels provided by a State, municipality, or



1 other public agency that serve essential navigation needs  
2 of general commerce, where authorized by law; surveying  
3 and charting northern and northwestern lakes and con-  
4 necting waters; clearing and straightening channels; and  
5 removing obstructions to navigation, \$5,150,000,000 (in-  
6 creased by \$3,000,000), to remain available until ex-  
7 pended, of which \$2,264,674,000 shall be derived from the  
8 Harbor Maintenance Trust Fund to cover the Federal  
9 share of eligible operation and maintenance costs for  
10 coastal harbors and channels, and for inland harbors; of  
11 which \$56,000,000, to be derived from the general fund  
12 of the Treasury, shall be to carry out section 2106(c) of  
13 Public Law 113–121 (33 U.S.C. 2238c(c)) and is des-  
14 ignated as being for such purpose pursuant to section  
15 14003(2)(B) of the CARES Act (Public Law 116–136);  
16 of which such sums as become available from the special  
17 account for the Corps of Engineers established by the  
18 Land and Water Conservation Fund Act of 1965 shall be  
19 derived from that account for resource protection, re-  
20 search, interpretation, and maintenance activities related  
21 to resource protection in the areas at which outdoor recre-  
22 ation is available; and of which such sums as become avail-  
23 able from fees collected under section 217 of Public Law  
24 104–303 shall be used to cover the cost of operation and  
25 maintenance of the dredged material disposal facilities for

1 which such fees have been collected: *Provided*, That 1 per-  
2 cent of the total amount of funds provided for each of the  
3 programs, projects, or activities funded under this heading  
4 shall not be allocated to a field operating activity prior  
5 to the beginning of the fourth quarter of the fiscal year  
6 and shall be available for use by the Chief of Engineers  
7 to fund such emergency activities as the Chief of Engi-  
8 neers determines to be necessary and appropriate, and  
9 that the Chief of Engineers shall allocate during the  
10 fourth quarter any remaining funds which have not been  
11 used for emergency activities proportionally in accordance  
12 with the amounts provided for the programs, projects, or  
13 activities: *Provided*, That the Secretary shall not deviate  
14 from the work plan, once the plan has been submitted to  
15 the Committees on Appropriations of both Houses of Con-  
16 gress.

17 REGULATORY PROGRAM

18 For expenses necessary for administration of laws  
19 pertaining to regulation of navigable waters and wetlands,  
20 \$213,000,000, to remain available until September 30,  
21 2024.

22 FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM

23 For expenses necessary to clean up contamination  
24 from sites in the United States resulting from work per-

1 formed as part of the Nation's early atomic energy pro-  
2 gram, \$278,338,000, to remain available until expended.

3 FLOOD CONTROL AND COASTAL EMERGENCIES

4 For expenses necessary to prepare for flood, hurri-  
5 cane, and other natural disasters and support emergency  
6 operations, repairs, and other activities in response to  
7 such disasters as authorized by law, \$35,000,000, to re-  
8 main available until expended.

9 EXPENSES

10 For expenses necessary for the supervision and gen-  
11 eral administration of the civil works program in the head-  
12 quarters of the Corps of Engineers and the offices of the  
13 Division Engineers; and for costs of management and op-  
14 eration of the Humphreys Engineer Center Support Activ-  
15 ity, the Institute for Water Resources, the United States  
16 Army Engineer Research and Development Center, and  
17 the United States Army Corps of Engineers Finance Cen-  
18 ter allocable to the civil works program, \$215,000,000 (re-  
19 duced by \$3,000,000), to remain available until September  
20 30, 2024, of which not to exceed \$5,000 may be used for  
21 official reception and representation purposes and only  
22 during the current fiscal year: *Provided*, That no part of  
23 any other appropriation provided in this title shall be  
24 available to fund the civil works activities of the Office  
25 of the Chief of Engineers or the civil works executive di-

1 rection and management activities of the division offices:  
2 *Provided further*, That any Flood Control and Coastal  
3 Emergencies appropriation may be used to fund the super-  
4 vision and general administration of emergency oper-  
5 ations, repairs, and other activities in response to any  
6 flood, hurricane, or other natural disaster.

7 OFFICE OF THE ASSISTANT SECRETARY OF THE ARMY  
8 FOR CIVIL WORKS

9 For the Office of the Assistant Secretary of the Army  
10 for Civil Works as authorized by 10 U.S.C. 3016(b)(3),  
11 \$5,000,000 (reduced by \$4,000,000) (increased by  
12 \$4,000,000), to remain available until September 30,  
13 2024: *Provided*, That not more than 75 percent of such  
14 amount may be obligated or expended until the Assistant  
15 Secretary submits to the Committees on Appropriations  
16 of both Houses of Congress the report required under sec-  
17 tion 101(d) of this Act and a work plan that allocates at  
18 least 95 percent of the additional funding provided under  
19 each heading in this title, as designated under such head-  
20 ing in the report accompanying this Act, to specific pro-  
21 grams, projects, or activities.

22 WATER INFRASTRUCTURE FINANCE AND INNOVATION  
23 PROGRAM ACCOUNT

24 For administrative expenses to carry out the direct  
25 and guaranteed loan programs authorized by the Water

1 Infrastructure Finance and Innovation Act of 2014, not-  
2 withstanding subsections (b)(2) and (c) of section 5033  
3 of such Act, \$7,200,000, to remain available until Sep-  
4 tember 30, 2024.

5           GENERAL PROVISIONS—CORPS OF  
6           ENGINEERS—CIVIL

7           (INCLUDING TRANSFER OF FUNDS)

8       SEC. 101. (a) None of the funds provided in title I  
9 of this Act, or provided by previous appropriations Acts  
10 to the agencies or entities funded in title I of this Act  
11 that remain available for obligation or expenditure in fiscal  
12 year 2023, shall be available for obligation or expenditure  
13 through a reprogramming of funds that:

14           (1) creates or initiates a new program, project,  
15 or activity;

16           (2) eliminates a program, project, or activity;

17           (3) increases funds or personnel for any pro-  
18 gram, project, or activity for which funds have been  
19 denied or restricted by this Act, unless prior ap-  
20 proval is received from the Committees on Appro-  
21 priations of both Houses of Congress;

22           (4) proposes to use funds directed for a specific  
23 activity for a different purpose, unless prior approval  
24 is received from the Committees on Appropriations  
25 of both Houses of Congress;

1           (5) augments or reduces existing programs,  
2           projects, or activities in excess of the amounts con-  
3           tained in paragraphs (6) through (10), unless prior  
4           approval is received from the Committees on Appro-  
5           priations of both Houses of Congress;

6           (6) INVESTIGATIONS.—For a base level over  
7           \$100,000, reprogramming of 25 percent of the base  
8           amount up to a limit of \$150,000 per project, study  
9           or activity is allowed: Provided, That for a base level  
10          less than \$100,000, the reprogramming limit is  
11          \$25,000: Provided further, That up to \$25,000 may  
12          be reprogrammed into any continuing study or activ-  
13          ity that did not receive an appropriation for existing  
14          obligations and concomitant administrative expenses;

15          (7) CONSTRUCTION.—For a base level over  
16          \$2,000,000, reprogramming of 15 percent of the  
17          base amount up to a limit of \$3,000,000 per project,  
18          study or activity is allowed: Provided, That for a  
19          base level less than \$2,000,000, the reprogramming  
20          limit is \$300,000: Provided further, That up to  
21          \$3,000,000 may be reprogrammed for settled con-  
22          tractor claims, changed conditions, or real estate de-  
23          ficiency judgments: Provided further, That up to  
24          \$300,000 may be reprogrammed into any continuing  
25          study or activity that did not receive an appropria-

1       tion for existing obligations and concomitant admin-  
2       istrative expenses;

3               (8) OPERATION AND MAINTENANCE.—

4       Unlimited reprogramming authority is granted for  
5       the Corps to be able to respond to emergencies: Pro-  
6       vided, That the Chief of Engineers shall notify the  
7       Committees on Appropriations of both Houses of  
8       Congress of these emergency actions as soon there-  
9       after as practicable: Provided further, That for a  
10      base level over \$1,000,000, reprogramming of 15  
11      percent of the base amount up to a limit of  
12      \$5,000,000 per project, study, or activity is allowed:  
13      Provided further, That for a base level less than  
14      \$1,000,000, the reprogramming limit is \$150,000:  
15      Provided further, That \$150,000 may be repro-  
16      grammed into any continuing study or activity that  
17      did not receive an appropriation;

18              (9) MISSISSIPPI RIVER AND TRIBU-  
19      TARIES.—The reprogramming guidelines in para-  
20      graphs (6), (7), and (8) shall apply to the Investiga-  
21      tions, Construction, and Operation and Maintenance  
22      portions of the Mississippi River and Tributaries Ac-  
23      count, respectively; and

24              (10) FORMERLY UTILIZED SITES REME-  
25      DIAL ACTION PROGRAM.— Reprogramming of

1 up to 15 percent of the base of the receiving project  
2 is permitted.

3 (b) DE MINIMUS REPROGRAMMINGS.—In no  
4 case should a reprogramming for less than \$50,000 be  
5 submitted to the Committees on Appropriations of both  
6 Houses of Congress.

7 (c) CONTINUING AUTHORITIES PROGRAM.—  
8 Subsection (a)(1) shall not apply to any project or activity  
9 funded under the continuing authorities program.

10 (d) Not later than 60 days after the date of enact-  
11 ment of this Act, the Secretary shall submit a report to  
12 the Committees on Appropriations of both Houses of Con-  
13 gress to establish the baseline for application of re-  
14 programming and transfer authorities for the current fis-  
15 cal year which shall include:

16 (1) A table for each appropriation with a sepa-  
17 rate column to display the President's budget re-  
18 quest, adjustments made by Congress, adjustments  
19 due to enacted rescissions, if applicable, and the fis-  
20 cal year enacted level;

21 (2) A delineation in the table for each appro-  
22 priation both by object class and program, project  
23 and activity as detailed in the budget appendix for  
24 the respective appropriations; and



1           (3) An identification of items of special congres-  
2           sional interest.

3           SEC. 102. The Secretary shall allocate funds made  
4           available in this title solely in accordance with the provi-  
5           sions of this Act and the report accompanying this Act.

6           SEC. 103. None of the funds made available in this  
7           title may be used to award or modify any contract that  
8           commits funds beyond the amounts appropriated for that  
9           program, project, or activity that remain unobligated, ex-  
10          cept that such amounts may include any funds that have  
11          been made available through reprogramming pursuant to  
12          section 101.

13          SEC. 104. The Secretary of the Army may transfer  
14          to the Fish and Wildlife Service, and the Fish and Wildlife  
15          Service may accept and expend, up to \$5,400,000 of funds  
16          provided in this title under the heading “Operation and  
17          Maintenance” to mitigate for fisheries lost due to Corps  
18          of Engineers projects.

19          SEC. 105. None of the funds in this Act shall be used  
20          for an open lake placement alternative for dredged mate-  
21          rial, after evaluating the least costly, environmentally ac-  
22          ceptable manner for the disposal or management of  
23          dredged material originating from Lake Erie or tributaries  
24          thereto, unless it is approved under a State water quality  
25          certification pursuant to section 401 of the Federal Water

1 Pollution Control Act (33 U.S.C. 1341): *Provided*, That  
2 until an open lake placement alternative for dredged mate-  
3 rial is approved under a State water quality certification,  
4 the Corps of Engineers shall continue upland placement  
5 of such dredged material consistent with the requirements  
6 of section 101 of the Water Resources Development Act  
7 of 1986 (33 U.S.C. 2211).

8       SEC. 106. None of the funds made available by this  
9 Act may be used to carry out any water supply reallocation  
10 study under the Wolf Creek Dam, Lake Cumberland, Ken-  
11 tucky, project authorized under the Act of July 24, 1946  
12 (60 Stat. 636, ch. 595).

13       SEC. 107. None of the funds made available by this  
14 Act or any other Act may be used to reorganize or to  
15 transfer the Civil Works functions or authority of the  
16 Corps of Engineers or the Secretary of the Army to an-  
17 other department or agency.

18       SEC. 108. Additional funding provided in this Act  
19 shall be allocated only to projects determined to be eligible  
20 by the Chief of Engineers.

1 TITLE II  
2 DEPARTMENT OF THE INTERIOR  
3 CENTRAL UTAH PROJECT

4 CENTRAL UTAH PROJECT COMPLETION ACCOUNT

5 For carrying out activities authorized by the Central  
6 Utah Project Completion Act, \$23,000,000, to remain  
7 available until expended, of which \$5,000,000 shall be de-  
8 posited into the Utah Reclamation Mitigation and Con-  
9 servation Account for use by the Utah Reclamation Miti-  
10 gation and Conservation Commission: *Provided*, That of  
11 the amount provided under this heading, \$1,600,000 shall  
12 be available until September 30, 2024, for expenses nec-  
13 essary in carrying out related responsibilities of the Sec-  
14 retary of the Interior: *Provided further*, That for fiscal  
15 year 2023, of the amount made available to the Commis-  
16 sion under this Act or any other Act, the Commission may  
17 use an amount not to exceed \$1,880,000 for administra-  
18 tive expenses.

19 BUREAU OF RECLAMATION

20 The following appropriations shall be expended to  
21 execute authorized functions of the Bureau of Reclama-  
22 tion:

## 1 WATER AND RELATED RESOURCES

## 2 (INCLUDING TRANSFERS OF FUNDS)

3 For management, development, and restoration of  
4 water and related natural resources and for related activi-  
5 ties, including the operation, maintenance, and rehabilita-  
6 tion of reclamation and other facilities, participation in  
7 fulfilling related Federal responsibilities to Native Ameri-  
8 cans, and related grants to, and cooperative and other  
9 agreements with, State and local governments, federally  
10 recognized Indian tribes, and others, \$1,747,101,000 (in-  
11 creased by \$2,000,000), to remain available until ex-  
12 pended, of which \$22,165,000 shall be available for trans-  
13 fer to the Upper Colorado River Basin Fund and  
14 \$7,584,000 shall be available for transfer to the Lower  
15 Colorado River Basin Development Fund; of which such  
16 amounts as may be necessary may be advanced to the Col-  
17 orado River Dam Fund: *Provided*, That \$500,000 shall  
18 be available for transfer into the Aging Infrastructure Ac-  
19 count established by section 9603(d)(1) of the Omnibus  
20 Public Land Management Act of 2009, as amended (43  
21 U.S.C. 510b(d)(1)): *Provided further*, That such transfers,  
22 except for the transfer authorized by the preceding pro-  
23 viso, may be increased or decreased within the overall ap-  
24 propriation under this heading: *Provided further*, That of  
25 the total appropriated, the amount for program activities

1 that can be financed by the Reclamation Fund, the Water  
2 Storage Enhancement Receipts account established by  
3 section 4011(e) of Public Law 114–322, or the Bureau  
4 of Reclamation special fee account established by 16  
5 U.S.C. 6806 shall be derived from that Fund or account:  
6 *Provided further*, That funds contributed under 43 U.S.C.  
7 395 are available until expended for the purposes for  
8 which the funds were contributed: *Provided further*, That  
9 funds advanced under 43 U.S.C. 397a shall be credited  
10 to this account and are available until expended for the  
11 same purposes as the sums appropriated under this head-  
12 ing: *Provided further*, That of the amounts made available  
13 under this heading, \$10,000,000 shall be deposited in the  
14 San Gabriel Basin Restoration Fund established by sec-  
15 tion 110 of title I of division B of appendix D of Public  
16 Law 106–554: *Provided further*, That of the amounts pro-  
17 vided herein, funds may be used for high-priority projects  
18 which shall be carried out by the Youth Conservation  
19 Corps, as authorized by 16 U.S.C. 1706.

20 CENTRAL VALLEY PROJECT RESTORATION FUND

21 For carrying out the programs, projects, plans, habi-  
22 tat restoration, improvement, and acquisition provisions of  
23 the Central Valley Project Improvement Act, such sums  
24 as may be collected in fiscal year 2023 in the Central Val-  
25 ley Project Restoration Fund pursuant to sections

1 3407(d), 3404(c)(3), and 3405(f) of Public Law 102–575,  
2 to remain available until expended: *Provided*, That the Bu-  
3 reau of Reclamation is directed to assess and collect the  
4 full amount of the additional mitigation and restoration  
5 payments authorized by section 3407(d) of Public Law  
6 102–575: *Provided further*, That none of the funds made  
7 available under this heading may be used for the acquisi-  
8 tion or leasing of water for in-stream purposes if the water  
9 is already committed to in-stream purposes by a court  
10 adopted decree or order.

11 CALIFORNIA BAY-DELTA RESTORATION

12 (INCLUDING TRANSFERS OF FUNDS)

13 For carrying out activities authorized by the Water  
14 Supply, Reliability, and Environmental Improvement Act,  
15 consistent with plans to be approved by the Secretary of  
16 the Interior, \$33,000,000, to remain available until ex-  
17 pended, of which such amounts as may be necessary to  
18 carry out such activities may be transferred to appropriate  
19 accounts of other participating Federal agencies to carry  
20 out authorized purposes: *Provided*, That funds appro-  
21 priated herein may be used for the Federal share of the  
22 costs of CALFED Program management: *Provided fur-*  
23 *ther*, That CALFED implementation shall be carried out  
24 in a balanced manner with clear performance measures

1 demonstrating concurrent progress in achieving the goals  
2 and objectives of the Program.

3 POLICY AND ADMINISTRATION

4 For expenses necessary for policy, administration,  
5 and related functions in the Office of the Commissioner,  
6 the Denver office, and offices in the six regions of the Bu-  
7 reau of Reclamation, to remain available until September  
8 30, 2024, \$65,079,000 (reduced by \$2,000,000), to be de-  
9 rived from the Reclamation Fund and be nonreimbursable  
10 as provided in section 4(o) of the Act of December 5, 1924  
11 (43 U.S.C. 377): *Provided*, That no part of any other ap-  
12 propriation in this Act shall be available for activities or  
13 functions budgeted as policy and administration expenses.

14 ADMINISTRATIVE PROVISION

15 Appropriations for the Bureau of Reclamation shall  
16 be available for purchase and replacement of not to exceed  
17 30 motor vehicles, which are for replacement only.

18 GENERAL PROVISIONS—DEPARTMENT OF THE  
19 INTERIOR

20 SEC. 201. (a) None of the funds provided in title II  
21 of this Act for Water and Related Resources, or provided  
22 by previous or subsequent appropriations Acts to the agen-  
23 cies or entities funded in title II of this Act for Water  
24 and Related Resources that remain available for obligation  
25 or expenditure in fiscal year 2023, shall be available for

1 obligation or expenditure through a reprogramming of  
2 funds that—

3           (1) initiates or creates a new program, project,  
4           or activity;

5           (2) eliminates a program, project, or activity;

6           (3) increases funds for any program, project, or  
7           activity for which funds have been denied or re-  
8           stricted by this Act, unless prior approval is received  
9           from the Committees on Appropriations of both  
10          Houses of Congress;

11          (4) restarts or resumes any program, project or  
12          activity for which funds are not provided in this Act,  
13          unless prior approval is received from the Commit-  
14          tees on Appropriations of both Houses of Congress;

15          (5) transfers funds in excess of the following  
16          limits, unless prior approval is received from the  
17          Committees on Appropriations of both Houses of  
18          Congress:

19                (A) 15 percent for any program, project or  
20                activity for which \$2,000,000 or more is avail-  
21                able at the beginning of the fiscal year; or

22                (B) \$400,000 for any program, project or  
23                activity for which less than \$2,000,000 is avail-  
24                able at the beginning of the fiscal year;



1           (6) transfers more than \$500,000 from either  
2           the Facilities Operation, Maintenance, and Rehabili-  
3           tation category or the Resources Management and  
4           Development category to any program, project, or  
5           activity in the other category, unless prior approval  
6           is received from the Committees on Appropriations  
7           of both Houses of Congress; or

8           (7) transfers, where necessary to discharge legal  
9           obligations of the Bureau of Reclamation, more than  
10          \$5,000,000 to provide adequate funds for settled  
11          contractor claims, increased contractor earnings due  
12          to accelerated rates of operations, and real estate de-  
13          ficiency judgments, unless prior approval is received  
14          from the Committees on Appropriations of both  
15          Houses of Congress.

16          (b) Subsection (a)(5) shall not apply to any transfer  
17          of funds within the Facilities Operation, Maintenance, and  
18          Rehabilitation category.

19          (c) For purposes of this section, the term “transfer”  
20          means any movement of funds into or out of a program,  
21          project, or activity.

22          (d) Except as provided in subsections (a) and (b), the  
23          amounts made available in this title under the heading  
24          “Bureau of Reclamation—Water and Related Resources”  
25          shall be expended for the programs, projects, and activities

1 specified in the “House Recommended” columns in the  
2 “Water and Related Resources” table included under the  
3 heading “Title II—Department of the Interior” in the re-  
4 port accompanying this Act.

5 (e) The Bureau of Reclamation shall submit reports  
6 on a quarterly basis to the Committees on Appropriations  
7 of both Houses of Congress detailing all the funds repro-  
8 grammed between programs, projects, activities, or cat-  
9 egories of funding. The first quarterly report shall be sub-  
10 mitted not later than 60 days after the date of enactment  
11 of this Act.

12 SEC. 202. (a) None of the funds appropriated or oth-  
13 erwise made available by this Act may be used to deter-  
14 mine the final point of discharge for the interceptor drain  
15 for the San Luis Unit until development by the Secretary  
16 of the Interior and the State of California of a plan, which  
17 shall conform to the water quality standards of the State  
18 of California as approved by the Administrator of the En-  
19 vironmental Protection Agency, to minimize any detri-  
20 mental effect of the San Luis drainage waters.

21 (b) The costs of the Kesterson Reservoir Cleanup  
22 Program and the costs of the San Joaquin Valley Drain-  
23 age Program shall be classified by the Secretary of the  
24 Interior as reimbursable or nonreimbursable and collected  
25 until fully repaid pursuant to the “Cleanup Program—

1 Alternative Repayment Plan” and the “SJVDP—Alter-  
2 native Repayment Plan” described in the report entitled  
3 “Repayment Report, Kesterson Reservoir Cleanup Pro-  
4 gram and San Joaquin Valley Drainage Program, Feb-  
5 ruary 1995”, prepared by the Department of the Interior,  
6 Bureau of Reclamation. Any future obligations of funds  
7 by the United States relating to, or providing for, drainage  
8 service or drainage studies for the San Luis Unit shall  
9 be fully reimbursable by San Luis Unit beneficiaries of  
10 such service or studies pursuant to Federal reclamation  
11 law.

12 SEC. 203. Section 9504(e) of the Omnibus Public  
13 Land Management Act of 2009 (Public Law 111–11; 42  
14 U.S.C. 10364(e)) is amended by striking “\$750,000,000”  
15 and inserting “\$820,000,000”.

16 SEC. 204. (a) Title I of Public Law 108–361 (the  
17 Calfed Bay-Delta Authorization Act) is amended by strik-  
18 ing “2022” each place it appears and inserting “2023”.

19 (b) Section 103(f)(4)(A) of Public Law 108–361 (the  
20 Calfed Bay-Delta Authorization Act) is amended by strik-  
21 ing “\$25,000,000” and inserting “\$30,000,000”.

22 SEC. 205. Section 9106(g)(2) of Public Law 111–11  
23 (Omnibus Public Land Management Act of 2009) is  
24 amended by striking “2022” and inserting “2023”.

1       SEC. 206. (a) Section 104(c) of the Reclamation  
2 States Emergency Drought Relief Act of 1991 (Public  
3 Law 102–250; 43 U.S.C. 2214(c)) is amended by striking  
4 “2022” and inserting “2023”.

5       (b) Section 301 of the Reclamation States Emergency  
6 Drought Relief Act of 1991 (Public Law 102–250; 43  
7 U.S.C. 2241) is amended by striking “2022” and insert-  
8 ing “2023” and by striking “\$120,000,000” and inserting  
9 “\$130,000,000”.

10       SEC. 207. Section 529(b)(3) of the Water Resources  
11 Development Act of 2000 (Public Law 106–541), as  
12 amended, is amended by striking “\$30,000,000” and in-  
13 serting “\$40,000,000”.

14       SEC. 208. None of the funds provided in this Act may  
15 be used for the Shasta Dam and Reservoir Enlargement  
16 Project.

### 17                                   TITLE III

## 18                           DEPARTMENT OF ENERGY

### 19                           ENERGY PROGRAMS

#### 20       ENERGY EFFICIENCY AND RENEWABLE ENERGY

21       For Department of Energy expenses including the  
22 purchase, construction, and acquisition of plant and cap-  
23 ital equipment, and other expenses necessary for energy  
24 efficiency and renewable energy activities in carrying out  
25 the purposes of the Department of Energy Organization

1 Act (42 U.S.C. 7101 et seq.), including the acquisition or  
2 condemnation of any real property or any facility or for  
3 plant or facility acquisition, construction, or expansion,  
4 \$4,000,000,000 (reduced by \$2,000,000) (increased by  
5 \$2,000,000) (increased by \$5,000,000) (increased by  
6 \$5,000,000) (increased by \$3,000,000) (reduced by \$1.00)  
7 (increased by \$1.00) (reduced by \$5,000,000) (increased  
8 by \$5,000,000) (increased by \$3,000,000), to remain  
9 available until expended: *Provided*, That of such amount,  
10 \$245,000,000 shall be available until September 30, 2024,  
11 for program direction.

12 CYBERSECURITY, ENERGY SECURITY, AND EMERGENCY  
13 RESPONSE

14 For Department of Energy expenses including the  
15 purchase, construction, and acquisition of plant and cap-  
16 ital equipment, and other expenses necessary for energy  
17 sector cybersecurity, energy security, and emergency re-  
18 sponse activities in carrying out the purposes of the De-  
19 partment of Energy Organization Act (42 U.S.C. 7101 et  
20 seq.), including the acquisition or condemnation of any  
21 real property or any facility or for plant or facility acqui-  
22 sition, construction, or expansion, \$205,000,000, to remain  
23 available until expended: *Provided*, That of such amount,  
24 \$24,000,000 shall be available until September 30, 2024,  
25 for program direction.

## ELECTRICITY

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for electricity activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$350,000,000 (reduced by \$30,000,000) (increased by \$30,000,000) (reduced by \$30,500,000) (increased by \$30,500,000), to remain available until expended: *Provided*, That of such amount, \$23,000,000 shall be available until September 30, 2024, for program direction.

## NUCLEAR ENERGY

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for nuclear energy activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$1,779,800,000, to remain available until expended: *Provided*, That of such amount, \$85,000,000 shall be available until September

1 30, 2024, for program direction: *Provided further*, That  
2 for the purpose of section 954(a)(6) of the Energy Policy  
3 Act of 2005, as amended, the only amount available shall  
4 be from the amount specified as including that purpose  
5 in the “Bill” column in the “Department of Energy” table  
6 included under the heading “Title III—Department of  
7 Energy” in the report accompanying this Act.

8       FOSSIL ENERGY AND CARBON MANAGEMENT

9       For Department of Energy expenses necessary in car-  
10 rying out fossil energy and carbon management research  
11 and development activities, under the authority of the De-  
12 partment of Energy Organization Act (42 U.S.C. 7101 et  
13 seq.), including the acquisition of interest, including defea-  
14 sible and equitable interests in any real property or any  
15 facility or for plant or facility acquisition or expansion,  
16 and for conducting inquiries, technological investigations  
17 and research concerning the extraction, processing, use,  
18 and disposal of mineral substances without objectionable  
19 social and environmental costs (30 U.S.C. 3, 1602, and  
20 1603), \$880,000,000 (reduced by \$5,000,000) (reduced  
21 by \$1,000,000) (increased by \$1,000,000), to remain  
22 available until expended: *Provided*, That of such amount  
23 \$70,000,000 shall be available until September 30, 2024,  
24 for program direction.

1 ENERGY PROJECTS

2 For Department of Energy expenses necessary in car-  
3 rying out the Department of Energy Organization Act (42  
4 U.S.C. 7101 et seq.), \$117,326,652, to remain available  
5 until expended, for the projects, and in the amounts, speci-  
6 fied in the table titled “Community Project Funding De-  
7 partment of Energy Projects” in the report accompanying  
8 this Act.

9 NAVAL PETROLEUM AND OIL SHALE RESERVES

10 For Department of Energy expenses necessary to  
11 carry out naval petroleum and oil shale reserve activities,  
12 \$13,004,000, to remain available until expended: *Pro-*  
13 *vided*, That notwithstanding any other provision of law,  
14 unobligated funds remaining from prior years shall be  
15 available for all naval petroleum and oil shale reserve ac-  
16 tivities.

17 STRATEGIC PETROLEUM RESERVE

18 For Department of Energy expenses necessary for  
19 Strategic Petroleum Reserve facility development and op-  
20 erations and program management activities pursuant to  
21 the Energy Policy and Conservation Act (42 U.S.C. 6201  
22 et seq.), \$214,175,000, to remain available until expended.

23 SPR PETROLEUM ACCOUNT

24 For the acquisition, transportation, and injection of  
25 petroleum products, and for other necessary expenses pur-



1 suant to the Energy Policy and Conservation Act of 1975,  
2 as amended (42 U.S.C. 6201 et seq.), sections 403 and  
3 404 of the Bipartisan Budget Act of 2015 (42 U.S.C.  
4 6241, 6239 note), section 32204 of the Fixing America's  
5 Surface Transportation Act (42 U.S.C. 6241 note), and  
6 section 30204 of the Bipartisan Budget Act of 2018 (42  
7 U.S.C. 6241 note), \$8,000,000, to remain available until  
8 expended.

9           NORTHEAST HOME HEATING OIL RESERVE

10       For Department of Energy expenses necessary for  
11 Northeast Home Heating Oil Reserve storage, operation,  
12 and management activities pursuant to the Energy Policy  
13 and Conservation Act (42 U.S.C. 6201 et seq.),  
14 \$7,000,000, to remain available until expended.

15           ENERGY INFORMATION ADMINISTRATION

16       For Department of Energy expenses necessary in car-  
17 rying out the activities of the Energy Information Admin-  
18 istration, \$144,480,000, to remain available until ex-  
19 pended.

20           NON-DEFENSE ENVIRONMENTAL CLEANUP

21       For Department of Energy expenses, including the  
22 purchase, construction, and acquisition of plant and cap-  
23 ital equipment and other expenses necessary for non-de-  
24 fense environmental cleanup activities in carrying out the  
25 purposes of the Department of Energy Organization Act

1 (42 U.S.C. 7101 et seq.), including the acquisition or con-  
2 demnation of any real property or any facility or for plant  
3 or facility acquisition, construction, or expansion, and the  
4 purchase of one passenger motor vehicle, \$333,863,000,  
5 to remain available until expended: *Provided*, That in ad-  
6 dition, fees collected pursuant to subsection (b)(1) of sec-  
7 tion 6939f of title 42, United States Code, and deposited  
8 under this heading in fiscal year 2023 pursuant to section  
9 309 of title III of division C of Public Law 116–94 are  
10 appropriated, to remain available until expended, for mer-  
11 cury storage costs.

12 URANIUM ENRICHMENT DECONTAMINATION AND  
13 DECOMMISSIONING FUND

14 For Department of Energy expenses necessary in car-  
15 rying out uranium enrichment facility decontamination  
16 and decommissioning, remedial actions, and other activi-  
17 ties of title II of the Atomic Energy Act of 1954, and  
18 title X, subtitle A, of the Energy Policy Act of 1992,  
19 \$823,321,000, to be derived from the Uranium Enrich-  
20 ment Decontamination and Decommissioning Fund, to re-  
21 main available until expended, of which \$14,800,000 shall  
22 be available in accordance with title X, subtitle A, of the  
23 Energy Policy Act of 1992.

## SCIENCE

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for science activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, and purchase of not more than 35 passenger motor vehicles, including one ambulance, for replacement only, \$8,000,000,000 (increased by \$234,678,000) (reduced by \$234,678,000) (reduced by \$20,000,000) (increased by \$20,000,000) (increased by \$500,000), to remain available until expended: *Provided*, That of such amount, \$211,211,000 shall be available until September 30, 2024, for program direction.

## NUCLEAR WASTE DISPOSAL

For Department of Energy expenses necessary for nuclear waste disposal activities to carry out the purposes of the Nuclear Waste Policy Act of 1982, Public Law 97–425, as amended, \$10,205,000, to remain available until expended, which shall be derived from the Nuclear Waste Fund.

## TECHNOLOGY TRANSITIONS

For Department of Energy expenses necessary for carrying out the activities of technology transitions, \$23,058,000, to remain available until expended: *Provided*, That of such amount, \$13,183,000 shall be available until September 30, 2024, for program direction.

## CLEAN ENERGY DEMONSTRATIONS

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses necessary for clean energy demonstrations in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$189,000,000, to remain available until expended: *Provided*, That of such amount, \$25,000,000 shall be available until September 30, 2024, for program direction.

DEFENSE PRODUCTION ACT DOMESTIC CLEAN ENERGY  
ACCELERATOR

For activities by the Department of Energy pursuant to titles I, III, and VII of the Defense Production Act of 1950 (50 U.S.C. subchapters I, II, and III), notwithstanding the requirements of section 303(a)(1) through (a)(6) of such Act, \$100,000,000 (increased by

1 \$5,000,000), to remain available until expended, which  
2 shall be obligated and expended by the Secretary of En-  
3 ergy as if delegated the necessary authorities conferred by  
4 the Defense Production Act of 1950, and which shall be  
5 for expanding the domestic production capability for solar,  
6 transformers, electric grid components, fuel cells,  
7 electrolyzers, heat pumps, and insulation, of which up to  
8 \$5,000,000 shall be available until September 30, 2024,  
9 for administrative expenses.

10     ADVANCED RESEARCH PROJECTS AGENCY—ENERGY

11         For Department of Energy expenses necessary in car-  
12 rying out the activities authorized by section 5012 of the  
13 America COMPETES Act (Public Law 110–69),  
14 \$550,000,000, to remain available until expended: *Pro-*  
15 *vided*, That of such amount, \$45,000,000 shall be avail-  
16 able until September 30, 2024, for program direction.

17     TITLE 17 INNOVATIVE TECHNOLOGY LOAN GUARANTEE  
18                                     PROGRAM

19         Such sums as are derived from amounts received  
20 from borrowers pursuant to section 1702(b) of the Energy  
21 Policy Act of 2005 under this heading in prior Acts, shall  
22 be collected in accordance with section 502(7) of the Con-  
23 gressional Budget Act of 1974: *Provided*, That for nec-  
24 essary administrative expenses of the Title 17 Innovative  
25 Technology Loan Guarantee Program, as authorized,

1 \$66,206,000 is appropriated, to remain available until  
2 September 30, 2024: *Provided further*, That up to  
3 \$66,206,000 of fees collected in fiscal year 2023 pursuant  
4 to section 1702(h) of the Energy Policy Act of 2005 shall  
5 be credited as offsetting collections under this heading and  
6 used for necessary administrative expenses in this appro-  
7 priation and shall remain available until September 30,  
8 2024: *Provided further*, That to the extent that fees col-  
9 lected in fiscal year 2023 exceed \$66,206,000, those ex-  
10 cess amounts shall be credited as offsetting collections  
11 under this heading and available in future fiscal years only  
12 to the extent provided in advance in appropriations Acts:  
13 *Provided further*, That the sum herein appropriated from  
14 the general fund shall be reduced (1) as such fees are re-  
15 ceived during fiscal year 2023 (estimated at \$35,000,000)  
16 and (2) to the extent that any remaining general fund ap-  
17 propriations can be derived from fees collected in previous  
18 fiscal years that are not otherwise appropriated, so as to  
19 result in a final fiscal year 2023 appropriation from the  
20 general fund estimated at \$0: *Provided further*, That the  
21 Department of Energy shall not subordinate any loan obli-  
22 gation to other financing in violation of section 1702 of  
23 the Energy Policy Act of 2005 or subordinate any Guarant-  
24 eed Obligation to any loan or other debt obligations in

1 violation of section 609.10 of title 10, Code of Federal  
2 Regulations.

3     ADVANCED TECHNOLOGY VEHICLES MANUFACTURING  
4                                     LOAN PROGRAM

5         For Department of Energy administrative expenses  
6 necessary in carrying out the Advanced Technology Vehi-  
7 cles Manufacturing Loan Program, \$9,800,000, to remain  
8 available until September 30, 2024.

9         TRIBAL ENERGY LOAN GUARANTEE PROGRAM

10        For the cost of direct and guaranteed loans for the  
11 Tribal Energy Loan Guarantee Program under section  
12 2602(c) of the Energy Policy Act of 1992 (25 U.S.C.  
13 3502(c)), \$8,000,000 (increased by \$8,000,000) (reduced  
14 by \$8,000,000), to remain available until expended: *Pro-*  
15 *vided*, That such costs, including the cost of modifying  
16 such loans, shall be as defined in section 502 of the Con-  
17 gressional Budget Act of 1974 (2 U.S.C. 661a): *Provided*  
18 *further*, That in this fiscal year and subsequent fiscal  
19 years, under section 2602(c) of the Energy Policy Act of  
20 1992 (25 U.S.C. 3502(c)), the Secretary of Energy may  
21 also provide direct loans, as defined in section 502 of the  
22 Congressional Budget Act of 1974 (2 U.S.C. 661a): *Pro-*  
23 *vided further*, That such direct loans shall be made  
24 through the Federal Financing Bank, with the full faith  
25 and credit of the United States Government on the prin-

1 cipal and interest: *Provided further*, That any funds pre-  
2 viously appropriated for the cost of loan guarantees under  
3 section 2602(c) of the Energy Policy Act of 1992 (25  
4 U.S.C. 3502(c)) may also be used, in this fiscal year and  
5 subsequent fiscal years, for the cost of direct loans pro-  
6 vided under such section of such Act.

7       In addition, for Department of Energy administrative  
8 expenses necessary in carrying out the Tribal Energy  
9 Loan Guarantee Program, \$2,000,000, to remain avail-  
10 able until September 30, 2024.

11           INDIAN ENERGY POLICY AND PROGRAMS

12       For necessary expenses for Indian Energy activities  
13 in carrying out the purposes of the Department of Energy  
14 Organization Act (42 U.S.C. 7101 et seq.), \$75,000,000,  
15 to remain available until expended: *Provided*, That of the  
16 amount appropriated under this heading, \$15,000,000  
17 shall be available until September 30, 2024, for program  
18 direction.

19           DEPARTMENTAL ADMINISTRATION

20       For salaries and expenses of the Department of En-  
21 ergy necessary for departmental administration in car-  
22 rying out the purposes of the Department of Energy Orga-  
23 nization Act (42 U.S.C. 7101 et seq.), \$407,715,000 (re-  
24 duced by \$5,000,000) (reduced by \$5,000,000) (reduced  
25 by \$500,000) (reduced by \$3,000,000) (reduced by



1 \$3,000,000), to remain available until September 30,  
2 2024, including the hire of passenger motor vehicles and  
3 official reception and representation expenses not to ex-  
4 ceed \$30,000, plus such additional amounts as necessary  
5 to cover increases in the estimated amount of cost of work  
6 for others notwithstanding the provisions of the Anti-Defi-  
7 ciency Act (31 U.S.C. 1511 et seq.): *Provided*, That such  
8 increases in cost of work are offset by revenue increases  
9 of the same or greater amount: *Provided further*, That  
10 moneys received by the Department for miscellaneous rev-  
11 enues estimated to total \$100,578,000 in fiscal year 2023  
12 may be retained and used for operating expenses within  
13 this account, as authorized by section 201 of Public Law  
14 95–238, notwithstanding the provisions of 31 U.S.C.  
15 3302: *Provided further*, That the sum herein appropriated  
16 shall be reduced as collections are received during the fis-  
17 cal year so as to result in a final fiscal year 2023 appro-  
18 priation from the general fund estimated at not more than  
19 \$307,137,000.

20 OFFICE OF THE INSPECTOR GENERAL

21 For expenses necessary for the Office of the Inspector  
22 General in carrying out the provisions of the Inspector  
23 General Act of 1978, \$92,000,000, to remain available  
24 until September 30, 2024.

## 1       ATOMIC ENERGY DEFENSE ACTIVITIES

## 2               NATIONAL NUCLEAR SECURITY

## 3                       ADMINISTRATION

## 4                       WEAPONS ACTIVITIES

5       For Department of Energy expenses, including the  
6 purchase, construction, and acquisition of plant and cap-  
7 ital equipment and other incidental expenses necessary for  
8 atomic energy defense weapons activities in carrying out  
9 the purposes of the Department of Energy Organization  
10 Act (42 U.S.C. 7101 et seq.), including the acquisition or  
11 condemnation of any real property or any facility or for  
12 plant or facility acquisition, construction, or expansion,  
13 \$16,333,065,000, to remain available until expended: *Pro-*  
14 *vided*, That of such amount, \$130,070,000 shall be avail-  
15 able until September 30, 2024, for program direction.

## 16               DEFENSE NUCLEAR NONPROLIFERATION

17       For Department of Energy expenses, including the  
18 purchase, construction, and acquisition of plant and cap-  
19 ital equipment and other incidental expenses necessary for  
20 defense nuclear nonproliferation activities in carrying out  
21 the purposes of the Department of Energy Organization  
22 Act (42 U.S.C. 7101 et seq.), including the acquisition or  
23 condemnation of any real property or any facility or for  
24 plant or facility acquisition, construction, or expansion,  
25 \$2,424,000,000, to remain available until expended.

## 1                   NAVAL REACTORS

2                   (INCLUDING TRANSFER OF FUNDS)

3           For Department of Energy expenses necessary for  
4   naval reactors activities to carry out the Department of  
5   Energy Organization Act (42 U.S.C. 7101 et seq.), includ-  
6   ing the acquisition (by purchase, condemnation, construc-  
7   tion, or otherwise) of real property, plant, and capital  
8   equipment, facilities, and facility expansion,  
9   \$2,000,000,000, to remain available until expended, of  
10   which, \$99,747,000 shall be transferred to “Department  
11   of Energy—Energy Programs—Nuclear Energy”, for the  
12   Advanced Test Reactor: *Provided*, That of such amount,  
13   \$58,525,000 shall be available until September 30, 2024,  
14   for program direction.

## 15                   FEDERAL SALARIES AND EXPENSES

16           For expenses necessary for Federal Salaries and Ex-  
17   penses in the National Nuclear Security Administration,  
18   \$475,000,000, to remain available until September 30,  
19   2024, including official reception and representation ex-  
20   penses not to exceed \$17,000.

## 21                   ENVIRONMENTAL AND OTHER DEFENSE

## 22                   ACTIVITIES

## 23                   DEFENSE ENVIRONMENTAL CLEANUP

24           For Department of Energy expenses, including the  
25   purchase, construction, and acquisition of plant and cap-

1 ital equipment and other expenses necessary for atomic  
2 energy defense environmental cleanup activities in car-  
3 rying out the purposes of the Department of Energy Orga-  
4 nization Act (42 U.S.C. 7101 et seq.), including the acqui-  
5 sition or condemnation of any real property or any facility  
6 or for plant or facility acquisition, construction, or expan-  
7 sion, \$6,722,521,000, to remain available until expended:  
8 *Provided*, That of such amount, \$317,002,000 shall be  
9 available until September 30, 2024, for program direction.

10 DEFENSE URANIUM ENRICHMENT DECONTAMINATION  
11 AND DECOMMISSIONING  
12 (INCLUDING TRANSFER OF FUNDS)

13 For an additional amount for atomic energy defense  
14 environmental cleanup activities for Department of En-  
15 ergy contributions for uranium enrichment decontamina-  
16 tion and decommissioning activities, \$823,321,000, to be  
17 deposited into the Defense Environmental Cleanup ac-  
18 count, which shall be transferred to the Uranium Enrich-  
19 ment Decontamination and Decommissioning Fund.

20 OTHER DEFENSE ACTIVITIES

21 For Department of Energy expenses, including the  
22 purchase, construction, and acquisition of plant and cap-  
23 ital equipment and other expenses necessary for atomic  
24 energy defense, other defense activities, and classified ac-  
25 tivities, in carrying out the purposes of the Department

1 of Energy Organization Act (42 U.S.C. 7101 et seq.), in-  
2 cluding the acquisition or condemnation of any real prop-  
3 erty or any facility or for plant or facility acquisition, con-  
4 struction, or expansion, \$1,027,554,000, to remain avail-  
5 able until expended: *Provided*, That of such amount,  
6 \$359,734,000 shall be available until September 30, 2024,  
7 for program direction.

8 POWER MARKETING ADMINISTRATIONS

9 BONNEVILLE POWER ADMINISTRATION FUND

10 Expenditures from the Bonneville Power Administra-  
11 tion Fund, established pursuant to Public Law 93–454,  
12 are approved for the Colville Tribes Residents Fish Hatch-  
13 ery Expansion, Chief Joseph Hatchery Water Quality  
14 Project, and Umatilla Hatchery Facility Project and, in  
15 addition, for official reception and representation expenses  
16 in an amount not to exceed \$5,000: *Provided*, That during  
17 fiscal year 2023, no new direct loan obligations may be  
18 made.

19 OPERATION AND MAINTENANCE, SOUTHEASTERN POWER  
20 ADMINISTRATION

21 For expenses necessary for operation and mainte-  
22 nance of power transmission facilities and for marketing  
23 electric power and energy, including transmission wheeling  
24 and ancillary services, pursuant to section 5 of the Flood  
25 Control Act of 1944 (16 U.S.C. 825s), as applied to the

1 southeastern power area, \$8,173,000, including official re-  
2 ception and representation expenses in an amount not to  
3 exceed \$1,500, to remain available until expended: *Pro-*  
4 *vided*, That notwithstanding 31 U.S.C. 3302 and section  
5 5 of the Flood Control Act of 1944, up to \$8,173,000 col-  
6 lected by the Southeastern Power Administration from the  
7 sale of power and related services shall be credited to this  
8 account as discretionary offsetting collections, to remain  
9 available until expended for the sole purpose of funding  
10 the annual expenses of the Southeastern Power Adminis-  
11 tration: *Provided further*, That the sum herein appro-  
12 priated for annual expenses shall be reduced as collections  
13 are received during the fiscal year so as to result in a final  
14 fiscal year 2023 appropriation estimated at not more than  
15 \$0: *Provided further*, That notwithstanding 31 U.S.C.  
16 3302, up to \$78,696,000 collected by the Southeastern  
17 Power Administration pursuant to the Flood Control Act  
18 of 1944 to recover purchase power and wheeling expenses  
19 shall be credited to this account as offsetting collections,  
20 to remain available until expended for the sole purpose  
21 of making purchase power and wheeling expenditures:  
22 *Provided further*, That for purposes of this appropriation,  
23 annual expenses means expenditures that are generally re-  
24 covered in the same year that they are incurred (excluding  
25 purchase power and wheeling expenses).

HR 8294 RFS

1 the Southwestern Power Administration pursuant to the  
2 Flood Control Act of 1944 to recover purchase power and  
3 wheeling expenses shall be credited to this account as off-  
4 setting collections, to remain available until expended for  
5 the sole purpose of making purchase power and wheeling  
6 expenditures: *Provided further*, That for purposes of this  
7 appropriation, annual expenses means expenditures that  
8 are generally recovered in the same year that they are in-  
9 curred (excluding purchase power and wheeling expenses).

10 CONSTRUCTION, REHABILITATION, OPERATION AND  
11 MAINTENANCE, WESTERN AREA POWER ADMINIS-  
12 TRATION

13 For carrying out the functions authorized by title III,  
14 section 302(a)(1)(E) of the Act of August 4, 1977 (42  
15 U.S.C. 7152), and other related activities including con-  
16 servation and renewable resources programs as author-  
17 ized, \$299,573,000, including official reception and rep-  
18 resentation expenses in an amount not to exceed \$1,500,  
19 to remain available until expended, of which \$299,573,000  
20 shall be derived from the Department of the Interior Rec-  
21 lamation Fund: *Provided*, That notwithstanding 31 U.S.C.  
22 3302, section 5 of the Flood Control Act of 1944 (16  
23 U.S.C. 825s), and section 1 of the Interior Department  
24 Appropriation Act, 1939 (43 U.S.C. 392a), up to  
25 \$200,841,000 collected by the Western Area Power Ad-



1 ministration from the sale of power and related services  
2 shall be credited to this account as discretionary offsetting  
3 collections, to remain available until expended, for the sole  
4 purpose of funding the annual expenses of the Western  
5 Area Power Administration: *Provided further*, That the  
6 sum herein appropriated for annual expenses shall be re-  
7 duced as collections are received during the fiscal year so  
8 as to result in a final fiscal year 2023 appropriation esti-  
9 mated at not more than \$98,732,000, of which  
10 \$98,732,000 is derived from the Reclamation Fund: *Pro-*  
11 *vided further*, That notwithstanding 31 U.S.C. 3302, up  
12 to \$350,083,000 collected by the Western Area Power Ad-  
13 ministration pursuant to the Flood Control Act of 1944  
14 and the Reclamation Project Act of 1939 to recover pur-  
15 chase power and wheeling expenses shall be credited to  
16 this account as offsetting collections, to remain available  
17 until expended for the sole purpose of making purchase  
18 power and wheeling expenditures: *Provided further*, That  
19 for purposes of this appropriation, annual expenses means  
20 expenditures that are generally recovered in the same year  
21 that they are incurred (excluding purchase power and  
22 wheeling expenses).

1 FALCON AND AMISTAD OPERATING AND MAINTENANCE  
2 FUND

3 For operation, maintenance, and emergency costs for  
4 the hydroelectric facilities at the Falcon and Amistad  
5 Dams, \$6,330,000, to remain available until expended,  
6 and to be derived from the Falcon and Amistad Operating  
7 and Maintenance Fund of the Western Area Power Ad-  
8 ministration, as provided in section 2 of the Act of June  
9 18, 1954 (68 Stat. 255): *Provided*, That notwithstanding  
10 the provisions of that Act and of 31 U.S.C. 3302, up to  
11 \$6,102,000 collected by the Western Area Power Adminis-  
12 tration from the sale of power and related services from  
13 the Falcon and Amistad Dams shall be credited to this  
14 account as discretionary offsetting collections, to remain  
15 available until expended for the sole purpose of funding  
16 the annual expenses of the hydroelectric facilities of these  
17 Dams and associated Western Area Power Administration  
18 activities: *Provided further*, That the sum herein appro-  
19 priated for annual expenses shall be reduced as collections  
20 are received during the fiscal year so as to result in a final  
21 fiscal year 2023 appropriation estimated at not more than  
22 \$228,000: *Provided further*, That for purposes of this ap-  
23 propriation, annual expenses means expenditures that are  
24 generally recovered in the same year that they are in-  
25 curred: *Provided further*, That for fiscal year 2023, the

1 Administrator of the Western Area Power Administration  
2 may accept up to \$1,598,000 in funds contributed by  
3 United States power customers of the Falcon and Amistad  
4 Dams for deposit into the Falcon and Amistad Operating  
5 and Maintenance Fund, and such funds shall be available  
6 for the purpose for which contributed in like manner as  
7 if said sums had been specifically appropriated for such  
8 purpose: *Provided further*, That any such funds shall be  
9 available without further appropriation and without fiscal  
10 year limitation for use by the Commissioner of the United  
11 States Section of the International Boundary and Water  
12 Commission for the sole purpose of operating, maintain-  
13 ing, repairing, rehabilitating, replacing, or upgrading the  
14 hydroelectric facilities at these Dams in accordance with  
15 agreements reached between the Administrator, Commis-  
16 sioner, and the power customers.

17       FEDERAL ENERGY REGULATORY COMMISSION

18                       SALARIES AND EXPENSES

19       For expenses necessary for the Federal Energy Regu-  
20 latory Commission to carry out the provisions of the De-  
21 partment of Energy Organization Act (42 U.S.C. 7101 et  
22 seq.), including services as authorized by 5 U.S.C. 3109,  
23 official reception and representation expenses not to ex-  
24 ceed \$3,000, and the hire of passenger motor vehicles,  
25 \$508,400,000 (reduced by \$1,000,000) (increased by

## 14 (INCLUDING TRANSFERS AND RESCISSIONS OF FUNDS)

SEC. 301. (a) No appropriation, funds, or authority made available by this title for the Department of Energy shall be used to initiate or resume any program, project, or activity or to prepare or initiate Requests For Proposals or similar arrangements (including Requests for Quotations, Requests for Information, and Funding Opportunity Announcements) for a program, project, or activity if the program, project, or activity has not been funded by Congress.

(b)(1) Unless the Secretary of Energy notifies the  
Committees on Appropriations of both Houses of Congress

1 at least 3 full business days in advance, none of the funds  
2 made available in this title may be used to—

3 (A) make or modify a grant allocation or discre-  
4 tionary grant award totaling \$1,000,000 or more;

5 (B) make or modify a discretionary contract  
6 award or Other Transaction Agreement totaling  
7 \$1,000,000 or more, including a contract covered by  
8 the Federal Acquisition Regulation;

9 (C) issue a letter of intent to make or modify  
10 an allocation, award, or Agreement in excess of the  
11 limits in subparagraph (A) or (B); or

12 (D) announce publicly the intention to make or  
13 modify an allocation, award, or Agreement in excess  
14 of the limits in subparagraph (A) or (B).

15 (2) The Secretary of Energy shall submit to the Com-  
16 mittees on Appropriations of both Houses of Congress  
17 within 15 days of the conclusion of each quarter a report  
18 detailing each grant allocation or discretionary grant  
19 award totaling less than \$1,000,000 provided or modified  
20 during the previous quarter.

21 (3) The notification required by paragraph (1) and  
22 the report required by paragraph (2) shall include the re-  
23 cipient of the award, the amount of the award, the fiscal  
24 year for which the funds for the award were appropriated,  
25 the account and program, project, or activity from which

1 the funds are being drawn, the title of the award, and  
2 a brief description of the activity for which the award is  
3 made.

4 (c) The Department of Energy may not, with respect  
5 to any program, project, or activity that uses budget au-  
6 thority made available in this title under the heading “De-  
7 partment of Energy—Energy Programs”, enter into a  
8 multiyear contract, award a multiyear grant, or enter into  
9 a multiyear cooperative agreement unless—

10 (1) the contract, grant, or cooperative agree-  
11 ment is funded for the full period of performance as  
12 anticipated at the time of award; or

13 (2) the contract, grant, or cooperative agree-  
14 ment includes a clause conditioning the Federal Gov-  
15 ernment’s obligation on the availability of future  
16 year budget authority and the Secretary notifies the  
17 Committees on Appropriations of both Houses of  
18 Congress at least 3 days in advance.

19 (d) Except as provided in subsections (e), (f), and (g),  
20 the amounts made available by this title shall be expended  
21 as authorized by law for the programs, projects, and ac-  
22 tivities specified in the “Bill” column in the “Department  
23 of Energy” table included under the heading “Title III—  
24 Department of Energy” in the report accompanying this  
25 Act.

1       (e) The amounts made available by this title may be  
2 reprogrammed for any program, project, or activity, and  
3 the Department shall notify, and obtain the prior approval  
4 of, the Committees on Appropriations of both Houses of  
5 Congress at least 30 days prior to the use of any proposed  
6 reprogramming that would cause any program, project, or  
7 activity funding level to increase or decrease by more than  
8 \$5,000,000 or 10 percent, whichever is less, during the  
9 time period covered by this Act.

10       (f) None of the funds provided in this title shall be  
11 available for obligation or expenditure through a re-  
12 programming of funds that—

13           (1) creates, initiates, or eliminates a program,  
14       project, or activity;

15           (2) increases funds or personnel for any pro-  
16       gram, project, or activity for which funds are denied  
17       or restricted by this Act; or

18           (3) reduces funds that are directed to be used  
19       for a specific program, project, or activity by this  
20       Act.

21       (g)(1) The Secretary of Energy may waive any re-  
22       quirement or restriction in this section that applies to the  
23       use of funds made available for the Department of Energy  
24       if compliance with such requirement or restriction would

1 pose a substantial risk to human health, the environment,  
2 welfare, or national security.

3 (2) The Secretary of Energy shall notify the Commit-  
4 tees on Appropriations of both Houses of Congress of any  
5 waiver under paragraph (1) as soon as practicable, but  
6 not later than 3 days after the date of the activity to which  
7 a requirement or restriction would otherwise have applied.  
8 Such notice shall include an explanation of the substantial  
9 risk under paragraph (1) that permitted such waiver.

10 (h) The unexpended balances of prior appropriations  
11 provided for activities in this Act may be available to the  
12 same appropriation accounts for such activities established  
13 pursuant to this title. Available balances may be merged  
14 with funds in the applicable established accounts and  
15 thereafter may be accounted for as one fund for the same  
16 time period as originally enacted.

17 SEC. 302. Funds appropriated by this or any other  
18 Act, or made available by the transfer of funds in this  
19 Act, for intelligence activities are deemed to be specifically  
20 authorized by the Congress for purposes of section 504  
21 of the National Security Act of 1947 (50 U.S.C. 3094)  
22 during fiscal year 2023 until the enactment of the Intel-  
23 ligence Authorization Act for fiscal year 2023.

24 SEC. 303. None of the funds made available in this  
25 title shall be used for the construction of facilities classi-



1    fied as high-hazard nuclear facilities under 10 CFR Part  
2    830 unless independent oversight is conducted by the Of-  
3    fice of Enterprise Assessments to ensure the project is in  
4    compliance with nuclear safety requirements.

5       SEC. 304. None of the funds made available in this  
6    title may be used to approve critical decision-2 or critical  
7    decision-3 under Department of Energy Order 413.3B, or  
8    any successive departmental guidance, for construction  
9    projects where the total project cost exceeds  
10   \$100,000,000, until a separate independent cost estimate  
11   has been developed for the project for that critical deci-  
12   sion.

13       SEC. 305. Notwithstanding section 161 of the Energy  
14   Policy and Conservation Act (42 U.S.C. 6241), upon a  
15   determination by the President in this fiscal year that a  
16   regional supply shortage of refined petroleum product of  
17   significant scope and duration exists, that a severe in-  
18   crease in the price of refined petroleum product will likely  
19   result from such shortage, and that a draw down and sale  
20   of refined petroleum product would assist directly and sig-  
21   nificantly in reducing the adverse impact of such shortage,  
22   the Secretary of Energy may draw down and sell refined  
23   petroleum product from the Strategic Petroleum Reserve.  
24   Proceeds from a sale under this section shall be deposited  
25   into the SPR Petroleum Account established in section

1 167 of the Energy Policy and Conservation Act (42 U.S.C.  
2 6247), and such amounts shall be available for obligation,  
3 without fiscal year limitation, consistent with that section.

4 SEC. 306. No funds shall be transferred directly from  
5 “Department of Energy—Power Marketing Administra-  
6 tion—Colorado River Basins Power Marketing Fund,  
7 Western Area Power Administration” to the general fund  
8 of the Treasury in the current fiscal year.

9 SEC. 307. All unavailable collections currently in the  
10 United States Enrichment Corporation Fund shall be  
11 transferred to and merged with the Uranium Enrichment  
12 Decontamination and Decommissioning Fund and shall be  
13 available only to the extent provided in advance in appro-  
14 priations Acts.

15 SEC. 308. Subparagraphs (B) and (C) of section  
16 40401(a)(2) of Public Law 117–58, paragraph (3) of sec-  
17 tion 1702(r) of the Energy Policy Act of 2005 (42 U.S.C.  
18 16512(r)(3)) as added by section 40401(c)(2)(C) of Public  
19 Law 117–58, and subsection (l) of section 136 of the En-  
20 ergy Independence and Security Act of 2007 (42 U.S.C.  
21 17013(l)), are hereby repealed.

22 SEC. 309. Of the unobligated balances from amounts  
23 made available in the first proviso of section 1425 of the  
24 Department of Defense and Full-Year Continuing Appro-  
25 priations Act, 2011 (Public Law 112–10) for the cost of

1 loan guarantees under section 1703 of the Energy Policy  
2 Act of 2005, \$150,000,000 are hereby rescinded: *Pro-*  
3 *vided*, That, subject to section 502 of the Congressional  
4 Budget Act of 1974, commitments to guarantee loans for  
5 eligible projects under title XVII of the Energy Policy Act  
6 of 2005, shall not exceed a total principal amount of  
7 \$15,000,000,000, to remain available until committed:  
8 *Provided further*, That the amounts provided in this sec-  
9 tion are in addition to those provided in any other Act:  
10 *Provided further*, That for amounts collected pursuant to  
11 section 1702(b)(2) of the Energy Policy Act of 2005, the  
12 source of such payment received from borrowers may not  
13 be a loan or other debt obligation that is guaranteed by  
14 the Federal Government: *Provided further*, That none of  
15 such loan guarantee authority made available by this sec-  
16 tion shall be available for commitments to guarantee loans  
17 for any projects where funds, personnel, or property (tan-  
18 gible or intangible) of any Federal agency, instrumen-  
19 tality, personnel, or affiliated entity are expected be used  
20 (directly or indirectly) through acquisitions, contracts,  
21 demonstrations, exchanges, grants, incentives, leases, pro-  
22 curements, sales, other transaction authority, or other ar-  
23 rangements, to support the project or to obtain goods or  
24 services from the project: *Provided further*, That the pre-  
25 ceding proviso shall not be interpreted as precluding the

1 use of the loan guarantee authority provided by this sec-  
2 tion for commitments to guarantee loans for: (1) projects  
3 as a result of such projects benefitting from otherwise al-  
4 lowable Federal income tax benefits; (2) projects as a re-  
5 sult of such projects benefitting from being located on  
6 Federal land pursuant to a lease or right-of-way agree-  
7 ment for which all consideration for all uses is: (A) paid  
8 exclusively in cash; (B) deposited in the Treasury as off-  
9 setting receipts; and (C) equal to the fair market value  
10 as determined by the head of the relevant Federal agency;  
11 (3) projects as a result of such projects benefitting from  
12 Federal insurance programs, including under section 170  
13 of the Atomic Energy Act of 1954 (42 U.S.C. 2210; com-  
14 monly known as the “Price-Anderson Act”); or (4) electric  
15 generation projects using transmission facilities owned or  
16 operated by a Federal Power Marketing Administration  
17 or the Tennessee Valley Authority that have been author-  
18 ized, approved, and financed independent of the project  
19 receiving the guarantee: *Provided further*, That none of the  
20 loan guarantee authority made available by this section  
21 shall be available for any project unless the Director of  
22 the Office of Management and Budget has certified in ad-  
23 vance in writing that the loan guarantee and the project  
24 comply with the provisions under this section.

1        SEC. 310. (a) Hereafter, for energy development,  
2 demonstration, and deployment programs funded under  
3 Department of Energy appropriations (other than those  
4 for the National Nuclear Security Administration and Of-  
5 fice of Environmental Management) provided for fiscal  
6 year 2022, the current fiscal year, or any fiscal year there-  
7 after (including by Acts other than appropriations Acts),  
8 the Secretary may vest unconditional title or other prop-  
9 erty interests acquired under projects in an award recipi-  
10 ent, subrecipient, or successor in interest, including the  
11 United States, at the conclusion of the award period for  
12 projects receiving an initial award in fiscal year 2022 or  
13 later.

14        (b) Upon vesting unconditional title pursuant to sub-  
15 section (a) in an award recipient, subrecipient, or suc-  
16 cessor in interest other than the United States, the United  
17 States shall have no liabilities or obligations to the prop-  
18 erty.

19        (c) For purposes of this section, the term “property  
20 interest” does not include any interest in intellectual prop-  
21 erty developed using funding provided under a project.

22        SEC. 311. None of the funds made available in this  
23 title may be used to support a grant allocation award, dis-  
24 cretionary grant award, or cooperative agreement that ex-  
25 ceeds \$100,000,000 in Federal funding unless the project

1 is carried out through internal independent project man-  
2 agement procedures.

#### 3 TITLE IV

#### 4 INDEPENDENT AGENCIES

#### 5 APPALACHIAN REGIONAL COMMISSION

6 For expenses necessary to carry out the programs au-  
7 thorized by the Appalachian Regional Development Act of  
8 1965, as amended, and for expenses necessary for the  
9 Federal Co-Chairman and the Alternate on the Appa-  
10 lachian Regional Commission, for payment of the Federal  
11 share of the administrative expenses of the Commission,  
12 including services as authorized by 5 U.S.C. 3109, and  
13 hire of passenger motor vehicles, \$220,000,000, to remain  
14 available until expended.

#### 15 DEFENSE NUCLEAR FACILITIES SAFETY BOARD

#### 16 SALARIES AND EXPENSES

17 For expenses necessary for the Defense Nuclear Fa-  
18 cilities Safety Board in carrying out activities authorized  
19 by the Atomic Energy Act of 1954, as amended by Public  
20 Law 100–456, section 1441, \$41,401,000, to remain  
21 available until September 30, 2024, of which not to exceed  
22 \$1,000 shall be available for official reception and rep-  
23 resentation expenses.

## 1 DELTA REGIONAL AUTHORITY

## 2 SALARIES AND EXPENSES

3 For expenses necessary for the Delta Regional Au-  
4 thority and to carry out its activities, as authorized by  
5 the Delta Regional Authority Act of 2000, notwith-  
6 standing sections 382F(d), 382M, and 382N of said Act,  
7 \$30,100,000, to remain available until expended.

## 8 DENALI COMMISSION

9 For expenses necessary for the Denali Commission  
10 including the purchase, construction, and acquisition of  
11 plant and capital equipment as necessary and other ex-  
12 penses, \$15,100,000, to remain available until expended,  
13 notwithstanding the limitations contained in section  
14 306(g) of the Denali Commission Act of 1998: *Provided*,  
15 That funds shall be available for construction projects for  
16 which the Denali Commission is the sole or primary fund-  
17 ing source in an amount not to exceed 80 percent of total  
18 project cost for distressed communities, as defined by sec-  
19 tion 307 of the Denali Commission Act of 1998 (division  
20 C, title III, Public Law 105–277), as amended by section  
21 701 of appendix D, title VII, Public Law 106–113 (113  
22 Stat. 1501A–280), and an amount not to exceed 50 per-  
23 cent for non-distressed communities: *Provided further*,  
24 That notwithstanding any other provision of law regarding  
25 payment of a non-Federal share in connection with a

1 grant-in-aid program, amounts under this heading shall  
2 be available for the payment of such a non-Federal share  
3 for any project for which the Denali Commission is not  
4 the sole or primary funding source, provided that such  
5 project is consistent with the purposes of the Commission.

6       NORTHERN BORDER REGIONAL COMMISSION

7       For expenses necessary for the Northern Border Re-  
8 gional Commission in carrying out activities authorized by  
9 subtitle V of title 40, United States Code, \$38,000,000,  
10 to remain available until expended: *Provided*, That such  
11 amounts shall be available for administrative expenses,  
12 notwithstanding section 15751(b) of title 40, United  
13 States Code.

14       SOUTHEAST CRESCENT REGIONAL COMMISSION

15       For expenses necessary for the Southeast Crescent  
16 Regional Commission in carrying out activities authorized  
17 by subtitle V of title 40, United States Code, \$33,000,000,  
18 to remain available until expended.

19       SOUTHWEST BORDER REGIONAL COMMISSION

20       For expenses necessary for the Southwest Border Re-  
21 gional Commission in carrying out activities authorized by  
22 subtitle V of title 40, United States Code, \$2,500,000, to  
23 remain available until expended.



## 1 NUCLEAR REGULATORY COMMISSION

## 2 SALARIES AND EXPENSES

3 For expenses necessary for the Commission in carrying out the purposes of the Energy Reorganization Act  
4 of 1974 and the Atomic Energy Act of 1954,  
5 \$911,384,000, including official representation expenses  
6 not to exceed \$25,000, to remain available until expended:  
7 *Provided*, That of the amount appropriated herein, not  
8 more than \$9,500,000 may be made available for salaries,  
9 travel, and other support costs for the Office of the Com-  
10 mission, to remain available until September 30, 2024:  
11 *Provided further*, That revenues from licensing fees, in-  
12 spection services, and other services and collections esti-  
13 mated at \$777,498,000 in fiscal year 2023 shall be re-  
14 tained and used for necessary salaries and expenses in this  
15 account, notwithstanding 31 U.S.C. 3302, and shall re-  
16 main available until expended: *Provided further*, That the  
17 sum herein appropriated shall be reduced by the amount  
18 of revenues received during fiscal year 2023 so as to result  
19 in a final fiscal year 2023 appropriation estimated at not  
20 more than \$133,886,000.

## 22 OFFICE OF INSPECTOR GENERAL

23 For expenses necessary for the Office of Inspector  
24 General in carrying out the provisions of the Inspector  
25 General Act of 1978, \$17,769,000, to remain available

1 until September 30, 2024: *Provided*, That revenues from  
2 licensing fees, inspection services, and other services and  
3 collections estimated at \$14,655,000 in fiscal year 2023  
4 shall be retained and be available until September 30,  
5 2024, for necessary salaries and expenses in this account,  
6 notwithstanding section 3302 of title 31, United States  
7 Code: *Provided further*, That the sum herein appropriated  
8 shall be reduced by the amount of revenues received dur-  
9 ing fiscal year 2023 so as to result in a final fiscal year  
10 2023 appropriation estimated at not more than  
11 \$3,114,000: *Provided further*, That of the amounts appro-  
12 priated under this heading, \$1,520,000 shall be for In-  
13 spector General services for the Defense Nuclear Facilities  
14 Safety Board.

15       NUCLEAR WASTE TECHNICAL REVIEW BOARD

16                       SALARIES AND EXPENSES

17       For expenses necessary for the Nuclear Waste Tech-  
18 nical Review Board, as authorized by Public Law 100–  
19 203, section 5051, \$3,945,000, to be derived from the Nu-  
20 clear Waste Fund, to remain available until September 30,  
21 2024.

22       GENERAL PROVISIONS—INDEPENDENT

23                       AGENCIES

24       SEC. 401. (a) The amounts made available by this  
25 title for the Nuclear Regulatory Commission may be re-

1 programmed for any program, project, or activity, and the  
2 Commission shall notify the Committees on Appropria-  
3 tions of both Houses of Congress at least 30 days prior  
4 to the use of any proposed reprogramming that would  
5 cause any program funding level to increase or decrease  
6 by more than \$500,000 or 10 percent, whichever is less,  
7 during the time period covered by this Act.

8 (b)(1) The Nuclear Regulatory Commission may  
9 waive the notification requirement in subsection (a) if  
10 compliance with such requirement would pose a substan-  
11 tial risk to human health, the environment, welfare, or na-  
12 tional security.

13 (2) The Nuclear Regulatory Commission shall notify  
14 the Committees on Appropriations of both Houses of Con-  
15 gress of any waiver under paragraph (1) as soon as prac-  
16 ticable, but not later than 3 days after the date of the  
17 activity to which a requirement or restriction would other-  
18 wise have applied. Such notice shall include an explanation  
19 of the substantial risk under paragraph (1) that permitted  
20 such waiver and shall provide a detailed report to the  
21 Committees of such waiver and changes to funding levels  
22 to programs, projects, or activities.

23 (c) Except as provided in subsections (a), (b), and  
24 (d), the amounts made available by this title for “Nuclear

1 Regulatory Commission—Salaries and Expenses” shall be  
2 expended as directed in the report accompanying this Act.

3 (d) None of the funds provided for the Nuclear Regu-  
4 latory Commission shall be available for obligation or ex-  
5 penditure through a reprogramming of funds that in-  
6 creases funds or personnel for any program, project, or  
7 activity for which funds are denied or restricted by this  
8 Act.

9 (e) The Commission shall provide a monthly report  
10 to the Committees on Appropriations of both Houses of  
11 Congress, which includes the following for each program,  
12 project, or activity, including any prior year appropria-  
13 tions—

- 14 (1) total budget authority;  
15 (2) total unobligated balances; and  
16 (3) total unliquidated obligations.

## 17 TITLE V

### 18 GENERAL PROVISIONS

#### 19 (INCLUDING TRANSFER OF FUNDS)

20 SEC. 501. None of the funds appropriated by this Act  
21 may be used in any way, directly or indirectly, to influence  
22 congressional action on any legislation or appropriation  
23 matters pending before Congress, other than to commu-  
24 nicate to Members of Congress as described in 18 U.S.C.  
25 1913.

1        SEC. 502. (a) None of the funds made available in  
2 title III of this Act may be transferred to any department,  
3 agency, or instrumentality of the United States Govern-  
4 ment, except pursuant to a transfer made by or transfer  
5 authority provided in this Act or any other appropriations  
6 Act for any fiscal year, transfer authority referenced in  
7 the report accompanying this Act, or any authority where-  
8 by a department, agency, or instrumentality of the United  
9 States Government may provide goods or services to an-  
10 other department, agency, or instrumentality.

11        (b) None of the funds made available for any depart-  
12 ment, agency, or instrumentality of the United States  
13 Government may be transferred to accounts funded in title  
14 III of this Act, except pursuant to a transfer made by or  
15 transfer authority provided in this Act or any other appro-  
16 priations Act for any fiscal year, transfer authority ref-  
17 erenced in the report accompanying this Act, or any au-  
18 thority whereby a department, agency, or instrumentality  
19 of the United States Government may provide goods or  
20 services to another department, agency, or instrumen-  
21 tality.

22        (c) The head of any relevant department or agency  
23 funded in this Act utilizing any transfer authority shall  
24 submit to the Committees on Appropriations of both  
25 Houses of Congress a semiannual report detailing the

1 transfer authorities, except for any authority whereby a  
2 department, agency, or instrumentality of the United  
3 States Government may provide goods or services to an-  
4 other department, agency, or instrumentality, used in the  
5 previous 6 months and in the year-to-date. This report  
6 shall include the amounts transferred and the purposes  
7 for which they were transferred, and shall not replace or  
8 modify existing notification requirements for each author-  
9 ity.

10 SEC. 503. None of the funds made available by this  
11 Act may be used in contravention of Executive Order No.  
12 12898 of February 11, 1994 (Federal Actions to Address  
13 Environmental Justice in Minority Populations and Low-  
14 Income Populations).

15 SEC. 504. (a) None of the funds made available in  
16 this Act may be used to maintain or establish a computer  
17 network unless such network blocks the viewing,  
18 downloading, and exchanging of pornography.

19 (b) Nothing in subsection (a) shall limit the use of  
20 funds necessary for any Federal, State, Tribal, or local  
21 law enforcement agency or any other entity carrying out  
22 criminal investigations, prosecution, or adjudication activi-  
23 ties.

24 SEC. 505. None of the funds made available by this  
25 Act may be used by the Secretary of Energy to make a

1 guarantee under section 1703 of the Energy Policy Act  
2 of 2005 (42 U.S.C. 16513) for a project that does not  
3 avoid, reduce, or sequester air pollutants or anthropogenic  
4 emissions of greenhouse gases.

5 This division may be cited as the “Energy and Water  
6 Development and Related Agencies Appropriations Act,  
7 2023”.

8 **DIVISION D—FINANCIAL SERVICES AND**  
9 **GENERAL GOVERNMENT APPROPRIA-**  
10 **TIONS ACT, 2023**

11 TITLE I

12 DEPARTMENT OF THE TREASURY

13 DEPARTMENTAL OFFICES

14 SALARIES AND EXPENSES

15 For necessary expenses of the Departmental Offices  
16 including operation and maintenance of the Treasury  
17 Building and Freedman’s Bank Building; hire of pas-  
18 senger motor vehicles; maintenance, repairs, and improve-  
19 ments of, and purchase of commercial insurance policies  
20 for, real properties leased or owned overseas, when nec-  
21 essary for the performance of official business; executive  
22 direction program activities; international affairs and eco-  
23 nomic policy activities; domestic finance and tax policy ac-  
24 tivities, including technical assistance to State, local, and  
25 territorial entities; and Treasury-wide management poli-

1 cies and programs activities, \$278,382,000 (reduced by  
2 \$20) (increased by \$20) (reduced by \$500,000) (increased  
3 by \$500,000) (increased by \$1,000,000) (reduced by  
4 \$1,000,000) (increased by \$1,000,000) (reduced by  
5 \$500,000) (reduced by \$5,000,000): *Provided*, That of the  
6 amount appropriated under this heading—

7 (1) not to exceed \$350,000 is for official recep-  
8 tion and representation expenses;

9 (2) not to exceed \$258,000 is for unforeseen  
10 emergencies of a confidential nature to be allocated  
11 and expended under the direction of the Secretary of  
12 the Treasury and to be accounted for solely on the  
13 Secretary's certificate; and

14 (3) not to exceed \$34,000,000 shall remain  
15 available until September 30, 2024, for—

16 (A) the Treasury-wide Financial Statement  
17 Audit and Internal Control Program;

18 (B) information technology modernization  
19 requirements;

20 (C) the audit, oversight, and administra-  
21 tion of the Gulf Coast Restoration Trust Fund;

22 (D) the development and implementation  
23 of programs within the Office of Cybersecurity  
24 and Critical Infrastructure Protection, including  
25 entering into cooperative agreements;



1 (E) operations and maintenance of facili-  
2 ties; and

3 (F) international operations.

4 COMMITTEE ON FOREIGN INVESTMENT IN THE UNITED  
5 STATES FUND  
6 (INCLUDING TRANSFER OF FUNDS)

7 For necessary expenses of the Committee on Foreign  
8 Investment in the United States, \$20,000,000, to remain  
9 available until expended: *Provided*, That the chairperson  
10 of the Committee may transfer such amounts to any de-  
11 partment or agency represented on the Committee (includ-  
12 ing the Department of the Treasury) subject to advance  
13 notification to the Committees on Appropriations of the  
14 House of Representatives and the Senate: *Provided fur-*  
15 *ther*, That amounts so transferred shall remain available  
16 until expended for expenses of implementing section 721  
17 of the Defense Production Act of 1950, as amended (50  
18 U.S.C. 4565), and shall be available in addition to any  
19 other funds available to any department or agency: *Pro-*  
20 *vided further*, That fees authorized by section 721(p) of  
21 such Act shall be credited to this appropriation as offset-  
22 ting collections: *Provided further*, That the total amount  
23 appropriated under this heading from the general fund  
24 shall be reduced as such offsetting collections are received  
25 during fiscal year 2023, so as to result in a total appro-

1 priation from the general fund estimated at not more than  
2 \$0.

3 OFFICE OF TERRORISM AND FINANCIAL INTELLIGENCE

4 SALARIES AND EXPENSES

5 For the necessary expenses of the Office of Terrorism  
6 and Financial Intelligence to safeguard the financial sys-  
7 tem against illicit use and to combat rogue nations, ter-  
8 rorist facilitators, weapons of mass destruction  
9 proliferators, human rights abusers, money launderers,  
10 drug kingpins, and other national security threats,  
11 \$217,059,000 (increased by \$3,000,000), of which not less  
12 than \$4,000,000 shall be available for addressing human  
13 rights violations and corruption, including activities au-  
14 thorized by the Global Magnitsky Human Rights Account-  
15 ability Act (22 U.S.C. 2656 note): *Provided*, That of the  
16 amounts appropriated under this heading, up to  
17 \$12,000,000 shall remain available until September 30,  
18 2024.

19 CYBERSECURITY ENHANCEMENT ACCOUNT

20 For salaries and expenses for enhanced cybersecurity  
21 for systems operated by the Department of the Treasury,  
22 \$135,000,000, to remain available until September 30,  
23 2025: *Provided*, That such funds shall supplement and not  
24 supplant any other amounts made available to the Treas-  
25 ury offices and bureaus for cybersecurity: *Provided fur-*

1 *ther*, That of the total amount made available under this  
2 heading \$6,000,000 shall be available for administrative  
3 expenses for the Treasury Chief Information Officer to  
4 provide oversight of the investments made under this  
5 heading: *Provided further*, That such funds shall supple-  
6 ment and not supplant any other amounts made available  
7 to the Treasury Chief Information Officer.

8 DEPARTMENT-WIDE SYSTEMS AND CAPITAL

9 INVESTMENTS PROGRAMS

10 (INCLUDING TRANSFER OF FUNDS)

11 For development and acquisition of automatic data  
12 processing equipment, software, and services; for the hire  
13 of zero emission passenger motor vehicles and for sup-  
14 porting charging or fueling infrastructure; and for repairs  
15 and renovations to buildings owned by the Department of  
16 the Treasury, \$11,118,000, to remain available until Sep-  
17 tember 30, 2025: *Provided*, That these funds shall be  
18 transferred to accounts and in amounts as necessary to  
19 satisfy the requirements of the Department's offices, bu-  
20 reaus, and other organizations: *Provided further*, That this  
21 transfer authority shall be in addition to any other trans-  
22 fer authority provided in this Act: *Provided further*, That  
23 none of the funds appropriated under this heading shall  
24 be used to support or supplement "Internal Revenue Serv-

1 ice, Operations Support” or “Internal Revenue Service,  
2 Business Systems Modernization”.

3 OFFICE OF INSPECTOR GENERAL

4 SALARIES AND EXPENSES

5 For necessary expenses of the Office of Inspector  
6 General in carrying out the provisions of the Inspector  
7 General Act of 1978, \$48,878,000, including hire of pas-  
8 senger motor vehicles; of which not to exceed \$100,000  
9 shall be available for unforeseen emergencies of a con-  
10 fidential nature, to be allocated and expended under the  
11 direction of the Inspector General of the Treasury; of  
12 which up to \$2,800,000 to remain available until Sep-  
13 tember 30, 2024, shall be for audits and investigations  
14 conducted pursuant to section 1608 of the Resources and  
15 Ecosystems Sustainability, Tourist Opportunities, and Re-  
16 vived Economies of the Gulf Coast States Act of 2012 (33  
17 U.S.C. 1321 note); and of which not to exceed \$1,000  
18 shall be available for official reception and representation  
19 expenses.

20 TREASURY INSPECTOR GENERAL FOR TAX

21 ADMINISTRATION

22 SALARIES AND EXPENSES

23 For necessary expenses of the Treasury Inspector  
24 General for Tax Administration in carrying out the In-  
25 spector General Act of 1978, as amended, including pur-

1 chase and hire of passenger motor vehicles (31 U.S.C.  
2 1343(b)); and services authorized by 5 U.S.C. 3109, at  
3 such rates as may be determined by the Inspector General  
4 for Tax Administration; \$179,409,000, of which  
5 \$5,000,000 shall remain available until September 30,  
6 2024; of which not to exceed \$6,000,000 shall be available  
7 for official travel expenses; of which not to exceed  
8 \$500,000 shall be available for unforeseen emergencies of  
9 a confidential nature, to be allocated and expended under  
10 the direction of the Inspector General for Tax Administra-  
11 tion; and of which not to exceed \$1,500 shall be available  
12 for official reception and representation expenses.

13 SPECIAL INSPECTOR GENERAL FOR THE TROUBLED

14 ASSET RELIEF PROGRAM

15 SALARIES AND EXPENSES

16 For necessary expenses of the Office of the Special  
17 Inspector General in carrying out the provisions of the  
18 Emergency Economic Stabilization Act of 2008 (Public  
19 Law 110–343), \$9,000,000.

20 FINANCIAL CRIMES ENFORCEMENT NETWORK

21 SALARIES AND EXPENSES

22 For necessary expenses of the Financial Crimes En-  
23 forcement Network, including hire of passenger motor ve-  
24 hicles; travel and training expenses of non-Federal and  
25 foreign government personnel to attend meetings and

1 training concerned with domestic and foreign financial in-  
2 telligence activities, law enforcement, and financial regula-  
3 tion; services authorized by 5 U.S.C. 3109; not to exceed  
4 \$25,000 for official reception and representation expenses;  
5 and for assistance to Federal law enforcement agencies,  
6 with or without reimbursement, \$210,330,000 (reduced by  
7 \$1,000,000) (increased by \$1,000,000), of which not to  
8 exceed \$55,000,000 shall remain available until Sep-  
9 tember 30, 2025.

10 BUREAU OF THE FISCAL SERVICE

11 SALARIES AND EXPENSES

12 For necessary expenses of operations of the Bureau  
13 of the Fiscal Service, \$372,485,000; of which not to ex-  
14 ceed \$8,000,000, to remain available until September 30,  
15 2025, is for information systems modernization initiatives;  
16 and of which \$5,000 shall be available for official reception  
17 and representation expenses.

18 In addition, \$165,000, to be derived from the Oil  
19 Spill Liability Trust Fund to reimburse administrative  
20 and personnel expenses for financial management of the  
21 Fund, as authorized by section 1012 of Public Law 101–  
22 380.

## 1 ALCOHOL AND TOBACCO TAX AND TRADE BUREAU

## 2 SALARIES AND EXPENSES

3 For necessary expenses of carrying out section 1111  
4 of the Homeland Security Act of 2002, including hire of  
5 passenger motor vehicles, \$150,863,000; of which not to  
6 exceed \$6,000 shall be available for official reception and  
7 representation expenses; and of which not to exceed  
8 \$50,000 shall be available for cooperative research and de-  
9 velopment programs for laboratory services; and provision  
10 of laboratory assistance to State and local agencies with  
11 or without reimbursement: *Provided*, That of the amount  
12 appropriated under this heading, \$5,000,000 shall be for  
13 the costs of accelerating the processing of formula and  
14 label applications: *Provided further*, That of the amount  
15 appropriated under this heading, \$5,000,000, to remain  
16 available until September 30, 2024, shall be for the costs  
17 associated with enforcement of and education regarding  
18 the trade practice provisions of the Federal Alcohol Ad-  
19 ministration Act (27 U.S.C. 201 et seq.).

## 20 UNITED STATES MINT

## 21 UNITED STATES MINT PUBLIC ENTERPRISE FUND

22 Pursuant to section 5136 of title 31, United States  
23 Code, the United States Mint is provided funding through  
24 the United States Mint Public Enterprise Fund for costs  
25 associated with the production of circulating coins, numis-

1 matic coins, and protective services, including both oper-  
 2 ating expenses and capital investments: *Provided*, That  
 3 the aggregate amount of new liabilities and obligations in-  
 4 curred during fiscal year 2023 under such section 5136  
 5 for circulating coinage and protective service capital in-  
 6 vestments of the United States Mint shall not exceed  
 7 \$50,000,000.

8 COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS  
 9 FUND PROGRAM ACCOUNT

10 To carry out the Riegle Community Development and  
 11 Regulatory Improvement Act of 1994 (subtitle A of title  
 12 I of Public Law 103–325), including services authorized  
 13 by section 3109 of title 5, United States Code, but at rates  
 14 for individuals not to exceed the per diem rate equivalent  
 15 to the rate for EX–III, \$336,420,000 (increased by  
 16 \$1,000,000) (reduced by \$1,000,000) (increased by  
 17 \$2,000,000) (reduced by \$336,420,000) (increased by  
 18 \$336,420,000). Of the amount appropriated under this  
 19 heading—

20 (1) not less than \$216,883,000 (increased by  
 21 \$2,000,000), notwithstanding section 108(e) of Pub-  
 22 lic Law 103–325 (12 U.S.C. 4707(e)) with regard to  
 23 Small and/or Emerging Community Development Fi-  
 24 nancial Institutions Assistance awards, is available  
 25 until September 30, 2024, for financial assistance



1 and technical assistance under subparagraphs (A)  
2 and (B) of section 108(a)(1), respectively, of Public  
3 Law 103–325 (12 U.S.C. 4707(a)(1)(A) and (B)),  
4 of which up to \$1,600,000 may be available for  
5 training and outreach under section 109 of Public  
6 Law 103–325 (12 U.S.C. 4708), of which up to  
7 \$3,153,750 may be used for the cost of direct loans,  
8 of which up to \$10,000,000, notwithstanding sub-  
9 section (d) of section 108 of Public Law 103–325  
10 (12 U.S.C. 4707 (d)), may be available to provide fi-  
11 nancial assistance, technical assistance, training, and  
12 outreach to community development financial insti-  
13 tutions to expand investments that benefit individ-  
14 uals with disabilities, and of which not less than  
15 \$2,000,000 (increased by \$2,000,000) shall be for  
16 the Economic Mobility Corps to be operated in con-  
17 junction with the Corporation for National and  
18 Community Service, pursuant to 42 U.S.C. 12571:  
19 *Provided*, That the cost of direct and guaranteed  
20 loans, including the cost of modifying such loans,  
21 shall be as defined in section 502 of the Congres-  
22 sional Budget Act of 1974: *Provided further*, That  
23 these funds are available to subsidize gross obliga-  
24 tions for the principal amount of direct loans not to  
25 exceed \$25,000,000: *Provided further*, That of the

1 funds provided under this paragraph, excluding  
2 those made to community development financial in-  
3 stitutions to expand investments that benefit individ-  
4 uals with disabilities and those made to community  
5 development financial institutions that serve popu-  
6 lations living in persistent poverty counties, the  
7 CDFI Fund shall prioritize Financial Assistance  
8 awards to organizations that invest and lend in high-  
9 poverty areas: *Provided further*, That for purposes of  
10 this section, the term “high-poverty area” means  
11 any census tract with a poverty rate of at least 20  
12 percent as measured by the 2016–2020 5-year data  
13 series available from the American Community Sur-  
14 vey of the Bureau of the Census for all States and  
15 Puerto Rico or with a poverty rate of at least 20  
16 percent as measured by the 2010 Island areas De-  
17 cennial Census data for any territory or possession  
18 of the United States;

19 (2) not less than \$22,500,000, notwithstanding  
20 section 108(e) of Public Law 103–325 (12 U.S.C.  
21 4707(e)), is available until September 30, 2024, for  
22 financial assistance, technical assistance, training,  
23 and outreach programs designed to benefit Native  
24 American, Native Hawaiian, and Alaska Native com-  
25 munities and provided primarily through qualified

1 community development lender organizations with  
2 experience and expertise in community development  
3 banking and lending in Indian country, Native  
4 American organizations, Tribes and Tribal organiza-  
5 tions, and other suitable providers;

6 (3) not less than \$28,000,000 is available until  
7 September 30, 2024, for the Bank Enterprise Award  
8 program;

9 (4) not less than \$24,000,000, notwithstanding  
10 subsections (d) and (e) of section 108 of Public Law  
11 103–325 (12 U.S.C. 4707(d) and (e)), is available  
12 until September 30, 2024, for a Healthy Food Fi-  
13 nancing Initiative to provide financial assistance,  
14 technical assistance, training, and outreach to com-  
15 munity development financial institutions for the  
16 purpose of offering affordable financing and tech-  
17 nical assistance to expand the availability of healthy  
18 food options in distressed communities;

19 (5) not less than \$10,000,000 is available until  
20 September 30, 2024, to provide grants for loan loss  
21 reserve funds and to provide technical assistance for  
22 small dollar loan programs under section 122 of  
23 Public Law 103–325 (12 U.S.C. 4719): *Provided*,  
24 That sections 108(d) and 122(b)(2) of such Public

1 Law shall not apply to the provision of such grants  
2 and technical assistance;

3 (6) up to \$35,037,000 is for administrative ex-  
4 penses, including administration of CDFI Fund pro-  
5 grams and the New Markets Tax Credit Program, of  
6 which not less than \$1,000,000 is for the develop-  
7 ment of tools to better assess and inform CDFI in-  
8 vestment performance and CDFI Fund program im-  
9 pacts, and up to \$300,000 is for administrative ex-  
10 penses to carry out the direct loan program; and

11 (7) during fiscal year 2023, none of the funds  
12 available under this heading are available for the  
13 cost, as defined in section 502 of the Congressional  
14 Budget Act of 1974, of commitments to guarantee  
15 bonds and notes under section 114A of the Riegle  
16 Community Development and Regulatory Improve-  
17 ment Act of 1994 (12 U.S.C. 4713a): *Provided*,  
18 That commitments to guarantee bonds and notes  
19 under such section 114A shall not exceed  
20 \$500,000,000: *Provided further*, That such section  
21 114A shall remain in effect until December 31,  
22 2023: *Provided further*, That of the funds awarded  
23 under this heading, except those provided for the  
24 Economic Mobility Corps, not less than 10 percent  
25 shall be used for awards that support investments

1       that serve populations living in persistent poverty  
2       counties: *Provided further*, That for the purposes of  
3       this paragraph and paragraph (1), the term “per-  
4       sistent poverty counties” means any county, includ-  
5       ing county equivalent areas in Puerto Rico, that has  
6       had 20 percent or more of its population living in  
7       poverty over the past 30 years, as measured by the  
8       1990 and 2000 decennial censuses and the 2016–  
9       2020 5-year data series available from the American  
10      Community Survey of the Bureau of the Census or  
11      any other territory or possession of the United  
12      States that has had 20 percent or more of its popu-  
13      lation living in poverty over the past 30 years, as  
14      measured by the 1990, 2000 and 2010 Island Areas  
15      Decennial Censuses, or equivalent data, of the Bu-  
16      reau of the Census.

17                   INTERNAL REVENUE SERVICE

18                   TAXPAYER SERVICES

19      For necessary expenses of the Internal Revenue Serv-  
20      ice to provide taxpayer services, including pre-filing assist-  
21      ance and education, filing and account services, taxpayer  
22      advocacy services, rent payments, and other services as  
23      authorized by 5 U.S.C. 3109, at such rates as may be de-  
24      termined by the Commissioner, \$3,410,728,000 (increased  
25      by \$1,000,000), of which not to exceed \$100,000,000 shall

1 remain available until September 30, 2024; of which not  
2 less than \$11,000,000 shall be for the Tax Counseling for  
3 the Elderly Program, of which not less than \$13,000,000  
4 shall be available for low-income taxpayer clinic grants,  
5 of which not less than \$35,000,000, to remain available  
6 until September 30, 2024, shall be available for the Com-  
7 munity Volunteer Income Tax Assistance Matching  
8 Grants Program for tax return preparation assistance,  
9 and of which not less than \$235,000,000 (increased by  
10 \$1,000,000) shall be available for operating expenses of  
11 the Taxpayer Advocate Service: *Provided*, That of the  
12 amounts made available for the Taxpayer Advocate Serv-  
13 ice, not less than \$6,000,000 (increased by \$1,000,000)  
14 shall be for identity theft and refund fraud casework.

15 ENFORCEMENT

16 For necessary expenses for tax enforcement activities  
17 of the Internal Revenue Service to determine and collect  
18 owed taxes, to provide legal and litigation support, to con-  
19 duct criminal investigations, to enforce criminal statutes  
20 related to violations of internal revenue laws and other fi-  
21 nancial crimes, to purchase and hire passenger motor vehi-  
22 cles (31 U.S.C. 1343(b)), rent payments, and to provide  
23 other services as authorized by 5 U.S.C. 3109, at such  
24 rates as may be determined by the Commissioner,  
25 \$6,120,262,000, of which not to exceed \$250,000,000

## 10

For necessary expenses of the Internal Revenue Service to support taxpayer services and enforcement programs, including rent payments; facilities services; printing; postage; physical security; headquarters and other IRS-wide administration activities; research and statistics of income; telecommunications; information technology development, enhancement, operations, maintenance, and security; the hire of passenger motor vehicles (31 U.S.C. 1343(b)); the operations of the Internal Revenue Service Oversight Board; and other services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner; \$3,753,561,000 (reduced by \$1,000,000), of which not to exceed \$275,000,000 shall remain available until September 30, 2024; of which not to exceed \$10,000,000 shall remain available until expended for ac-

1   quisition of equipment and construction, repair and ren-  
2   ovation of facilities; of which not to exceed \$1,000,000  
3   shall remain available until September 30, 2025, for re-  
4   search; and of which not to exceed \$20,000 shall be for  
5   official reception and representation expenses: *Provided*,  
6   That not later than 30 days after the end of each quarter,  
7   the Internal Revenue Service shall submit a report to the  
8   Committees on Appropriations of the House of Represent-  
9   atives and the Senate and the Comptroller General of the  
10   United States detailing major information technology in-  
11   vestments in the Internal Revenue Service Integrated  
12   Modernization Business Plan portfolio, including detailed,  
13   plain language summaries on the status of plans, costs,  
14   and results; prior results and actual expenditures of the  
15   prior quarter; upcoming deliverables and costs for the fis-  
16   cal year; risks and mitigation strategies associated with  
17   ongoing work; reasons for any cost or schedule variances;  
18   and total expenditures by fiscal year: *Provided further*,  
19   That the Internal Revenue Service shall include, in its  
20   budget justification for fiscal year 2024, a summary of  
21   cost and schedule performance information for its major  
22   information technology systems.

23                   BUSINESS SYSTEMS MODERNIZATION

24           For necessary expenses of the Internal Revenue Serv-  
25   ice's    business    systems    modernization    program,



1 \$310,027,000, to remain available until September 30,  
2 2025, for the capital asset acquisition of information tech-  
3 nology systems, including management and related con-  
4 tractual costs of said acquisitions, including related Inter-  
5 nal Revenue Service labor costs, and contractual costs as-  
6 sociated with operations authorized by 5 U.S.C. 3109:  
7 *Provided*, That not later than 30 days after the end of  
8 each quarter, the Internal Revenue Service shall submit  
9 a report to the Committees on Appropriations of the  
10 House of Representatives and the Senate and the Comp-  
11 troller General of the United States detailing major infor-  
12 mation technology investments in the Internal Revenue  
13 Service Integrated Modernization Business Plan portfolio,  
14 including detailed, plain language summaries on the status  
15 of plans, costs, and results; prior results and actual ex-  
16 penditures of the prior quarter; upcoming deliverables and  
17 costs for the fiscal year; risks and mitigation strategies  
18 associated with ongoing work; reasons for any cost or  
19 schedule variances; and total expenditures by fiscal year.

20 ADMINISTRATIVE PROVISIONS—INTERNAL REVENUE

21 SERVICE

22 (INCLUDING TRANSFER OF FUNDS)

23 SEC. 101. Not to exceed 4 percent of the appropria-  
24 tion made available in this Act to the Internal Revenue  
25 Service under the “Enforcement” heading, and not to ex-

1   ceed 5 percent of any other appropriation made available  
2   in this Act to the Internal Revenue Service, may be trans-  
3   ferred to any other Internal Revenue Service appropria-  
4   tion upon the advance approval of the Committees on Ap-  
5   propriations of the House of Representatives and the Sen-  
6   ate: *Provided*, That an additional 2 percent of the appro-  
7   priation made available in this Act to the Internal Revenue  
8   Service under the “Enforcement” heading may be trans-  
9   ferred to the appropriation made available in this Act to  
10  the Internal Revenue Service under the “Taxpayer Serv-  
11  ices” heading upon advance approval of the Committees  
12  on Appropriations of the House of Representatives and the  
13  Senate.

14       SEC. 102. The Internal Revenue Service shall main-  
15  tain an employee training program, which shall include the  
16  following topics: taxpayers’ rights, dealing courteously  
17  with taxpayers, cross-cultural relations, ethics, and the im-  
18  partial application of tax law.

19       SEC. 103. The Internal Revenue Service shall insti-  
20  tute and enforce policies and procedures that will safe-  
21  guard the confidentiality of taxpayer information and pro-  
22  tect taxpayers against identity theft.

23       SEC. 104. Funds made available by this or any other  
24  Act to the Internal Revenue Service shall be available for  
25  improved facilities and increased staffing to provide suffi-

1 cient and effective 1–800 help line service for taxpayers.  
2 The Commissioner shall continue to make improvements  
3 to the Internal Revenue Service 1–800 help line service  
4 a priority and allocate resources necessary to enhance the  
5 response time to taxpayer communications, particularly  
6 with regard to victims of tax-related crimes.

7       SEC. 105. The Internal Revenue Service shall issue  
8 a notice of confirmation of any address change relating  
9 to an employer making employment tax payments, and  
10 such notice shall be sent to both the employer’s former  
11 and new address and an officer or employee of the Internal  
12 Revenue Service shall give special consideration to an  
13 offer-in-compromise from a taxpayer who has been the vic-  
14 tim of fraud by a third party payroll tax preparer.

15       SEC. 106. None of the funds made available under  
16 this Act may be used by the Internal Revenue Service to  
17 target citizens of the United States for exercising any  
18 right guaranteed under the First Amendment to the Con-  
19 stitution of the United States.

20       SEC. 107. None of the funds made available in this  
21 Act may be used by the Internal Revenue Service to target  
22 groups for regulatory scrutiny based on their ideological  
23 beliefs.

24       SEC. 108. None of funds made available by this Act  
25 to the Internal Revenue Service shall be obligated or ex-

1    pended on conferences that do not adhere to the proce-  
2    dures, verification processes, documentation requirements,  
3    and policies issued by the Chief Financial Officer, Human  
4    Capital Office, and Agency-Wide Shared Services as a re-  
5    sult of the recommendations in the report published on  
6    May 31, 2013, by the Treasury Inspector General for Tax  
7    Administration entitled “Review of the August 2010 Small  
8    Business/Self-Employed Division’s Conference in Ana-  
9    heim, California” (Reference Number 2013–10–037).

10       SEC. 109. None of the funds made available in this  
11    Act to the Internal Revenue Service may be obligated or  
12    expended—

13           (1) to make a payment to any employee under  
14       a bonus, award, or recognition program; or

15           (2) under any hiring or personnel selection  
16       process with respect to re-hiring a former employee;  
17    unless such program or process takes into account the  
18    conduct and Federal tax compliance of such employee or  
19    former employee.

20       SEC. 110. None of the funds made available by this  
21    Act may be used in contravention of section 6103 of the  
22    Internal Revenue Code of 1986 (relating to confidentiality  
23    and disclosure of returns and return information).

24       SEC. 111. The Secretary of the Treasury (or the Sec-  
25    retary’s delegate) may use the funds made available in this

1 Act, subject to such policies as the Secretary (or the Sec-  
2 retary's delegate) may establish, to utilize direct hire au-  
3 thority to recruit and appoint qualified applicants, without  
4 regard to any notice or preference requirements, directly  
5 to positions in the competitive service to process back-  
6 logged tax returns and return information.

7 SEC. 112. Notwithstanding section 1344 of title 31,  
8 United States Code, funds appropriated to the Internal  
9 Revenue Service in this Act may be used to provide pas-  
10 senger carrier transportation and protection between the  
11 Commissioner of Internal Revenue's residence and place  
12 of employment.

13 ADMINISTRATIVE PROVISIONS—DEPARTMENT OF THE  
14 TREASURY

15 (INCLUDING TRANSFERS OF FUNDS)

16 SEC. 113. Appropriations to the Department of the  
17 Treasury in this Act shall be available for uniforms or al-  
18 lowances therefor, as authorized by law (5 U.S.C. 5901),  
19 including maintenance, repairs, and cleaning; purchase of  
20 insurance for official motor vehicles operated in foreign  
21 countries; purchase of motor vehicles without regard to the  
22 general purchase price limitations for vehicles purchased  
23 and used overseas for the current fiscal year; entering into  
24 contracts with the Department of State for the furnishing  
25 of health and medical services to employees and their de-

pendents serving in foreign countries; and services authorized by 5 U.S.C. 3109.

SEC. 114. Not to exceed 2 percent of any appropriations in this title made available under the headings “Departmental Offices—Salaries and Expenses”, “Office of Inspector General”, “Special Inspector General for the Troubled Asset Relief Program”, “Financial Crimes Enforcement Network”, “Bureau of the Fiscal Service”, and “Alcohol and Tobacco Tax and Trade Bureau” may be transferred between such appropriations upon the advance approval of the Committees on Appropriations of the House of Representatives and the Senate: *Provided*, That no transfer under this section may increase or decrease any such appropriation by more than 2 percent.

SEC. 115. Not to exceed 2 percent of any appropriation made available in this Act to the Internal Revenue Service may be transferred to the Treasury Inspector General for Tax Administration’s appropriation upon the advance approval of the Committees on Appropriations of the House of Representatives and the Senate: *Provided*, That no transfer may increase or decrease any such appropriation by more than 2 percent.

SEC. 116. None of the funds appropriated in this Act or otherwise available to the Department of the Treasury

1 or the Bureau of Engraving and Printing may be used  
2 to redesign the \$1 Federal Reserve note.

3 SEC. 117. The Secretary of the Treasury may trans-  
4 fer funds from the “Bureau of the Fiscal Service—Sala-  
5 ries and Expenses” to the Debt Collection Fund as nec-  
6 essary to cover the costs of debt collection: *Provided*, That  
7 such amounts shall be reimbursed to such salaries and ex-  
8 penses account from debt collections received in the Debt  
9 Collection Fund.

10 SEC. 118. None of the funds appropriated or other-  
11 wise made available by this or any other Act may be used  
12 by the United States Mint to construct or operate any mu-  
13 seum without the explicit approval of the Committees on  
14 Appropriations of the House of Representatives and the  
15 Senate, the House Committee on Financial Services, and  
16 the Senate Committee on Banking, Housing, and Urban  
17 Affairs.

18 SEC. 119. None of the funds appropriated or other-  
19 wise made available by this or any other Act or source  
20 to the Department of the Treasury, the Bureau of Engrav-  
21 ing and Printing, and the United States Mint, individually  
22 or collectively, may be used to consolidate any or all func-  
23 tions of the Bureau of Engraving and Printing and the  
24 United States Mint without the explicit approval of the  
25 House Committee on Financial Services; the Senate Com-

1 mittee on Banking, Housing, and Urban Affairs; and the  
2 Committees on Appropriations of the House of Represent-  
3 atives and the Senate.

4       SEC. 120. Funds appropriated by this Act, or made  
5 available by the transfer of funds in this Act, for the De-  
6 partment of the Treasury's intelligence or intelligence re-  
7 lated activities are deemed to be specifically authorized by  
8 the Congress for purposes of section 504 of the National  
9 Security Act of 1947 (50 U.S.C. 414) during fiscal year  
10 2023 until the enactment of the Intelligence Authorization  
11 Act for Fiscal Year 2023.

12       SEC. 121. Not to exceed \$5,000 shall be made avail-  
13 able from the Bureau of Engraving and Printing's Indus-  
14 trial Revolving Fund for necessary official reception and  
15 representation expenses.

16       SEC. 122. The Secretary of the Treasury shall submit  
17 a Capital Investment Plan to the Committees on Appro-  
18 priations of the House of Representatives and the Senate  
19 not later than 30 days following the submission of the an-  
20 nual budget submitted by the President: *Provided*, That  
21 such Capital Investment Plan shall include capital invest-  
22 ment spending from all accounts within the Department  
23 of the Treasury, including but not limited to the Depart-  
24 ment-wide Systems and Capital Investment Programs ac-  
25 count, Treasury Franchise Fund account, and the Treas-



1 ury Forfeiture Fund account: *Provided further*, That such  
2 Capital Investment Plan shall include expenditures occur-  
3 ring in previous fiscal years for each capital investment  
4 project that has not been fully completed.

5       SEC. 123. Within 45 days after the date of enactment  
6 of this Act, the Secretary of the Treasury shall submit  
7 an itemized report to the Committees on Appropriations  
8 of the House of Representatives and the Senate on the  
9 amount of total funds charged to each office by the Fran-  
10 chise Fund including the amount charged for each service  
11 provided by the Franchise Fund to each office, a detailed  
12 description of the services, a detailed explanation of how  
13 each charge for each service is calculated, and a descrip-  
14 tion of the role customers have in governing in the Fran-  
15 chise Fund.

16       SEC. 124. (a) Not later than 60 days after the end  
17 of each quarter, the Office of Financial Stability and the  
18 Office of Financial Research shall submit reports on their  
19 activities to the Committees on Appropriations of the  
20 House of Representatives and the Senate, the Committee  
21 on Financial Services of the House of Representatives,  
22 and the Senate Committee on Banking, Housing, and  
23 Urban Affairs.

24       (b) The reports required under subsection (a) shall  
25 include—

1           (1) the obligations made during the previous  
2           quarter by object class, office, and activity;

3           (2) the estimated obligations for the remainder  
4           of the fiscal year by object class, office, and activity;

5           (3) the number of full-time equivalents within  
6           each office during the previous quarter;

7           (4) the estimated number of full-time equiva-  
8           lents within each office for the remainder of the fis-  
9           cal year; and

10          (5) actions taken to achieve the goals, objec-  
11          tives, and performance measures of each office.

12          (c) At the request of any such Committees specified  
13          in subsection (a), the Office of Financial Stability and the  
14          Office of Financial Research shall make officials available  
15          to testify on the contents of the reports required under  
16          subsection (a).

17          SEC. 125. In addition to amounts otherwise available,  
18          there is appropriated to the Special Inspector General for  
19          Pandemic Recovery, \$16,000,000, to remain available  
20          until expended, for necessary expenses in carrying out sec-  
21          tion 4018 of the Coronavirus Aid, Relief, and Economic  
22          Security Act (Public Law 116–136).

23          SEC. 126. Of the unobligated balances from amounts  
24          made available to the Secretary of the Treasury (referred  
25          to in this section as “Secretary”) for administrative ex-

1 penses pursuant to sections 4003(f) and 4112(b) of the  
2 Coronavirus Aid, Relief, and Economic Security Act (Pub-  
3 lic Law 116–136) and section 7301(b)(5) of the American  
4 Rescue Plan Act of 2021 (Public Law 117–2), up to  
5 \$80,000,000 shall be available to the Secretary for any  
6 administrative expenses of the Department of the Treas-  
7 ury determined by the Secretary to be necessary to imple-  
8 ment section 501 of division N of the Consolidated Appro-  
9 priations Act, 2021 (Public Law 116–260), sections 3201  
10 or 3206 of the American Rescue Plan Act of 2021 (Public  
11 Law 117–2), or title VI of the Social Security Act (42  
12 U.S.C. 801 et seq.), in addition to amounts otherwise  
13 available for such purposes.

14       This title may be cited as the “Department of the  
15 Treasury Appropriations Act, 2023”.

## 16                                   TITLE II

### 17   EXECUTIVE OFFICE OF THE PRESIDENT AND 18   FUNDS APPROPRIATED TO THE PRESIDENT

#### 19                           THE WHITE HOUSE

#### 20                           SALARIES AND EXPENSES

21       For necessary expenses for the White House as au-  
22 thorized by law, including not to exceed \$3,850,000 for  
23 services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 105;  
24 subsistence expenses as authorized by 3 U.S.C. 105, which  
25 shall be expended and accounted for as provided in that

1 section; hire of passenger motor vehicles, and travel (not  
2 to exceed \$100,000 to be expended and accounted for as  
3 provided by 3 U.S.C. 103); and not to exceed \$19,000 for  
4 official reception and representation expenses, to be avail-  
5 able for allocation within the Executive Office of the Presi-  
6 dent; and for necessary expenses of the Office of Policy  
7 Development, including services as authorized by 5 U.S.C.  
8 3109 and 3 U.S.C. 107, \$77,681,000.

9 EXECUTIVE RESIDENCE AT THE WHITE HOUSE

10 OPERATING EXPENSES

11 For necessary expenses of the Executive Residence  
12 at the White House, \$15,609,000, to be expended and ac-  
13 counted for as provided by 3 U.S.C. 105, 109, 110, and  
14 112–114.

15 REIMBURSABLE EXPENSES

16 For the reimbursable expenses of the Executive Resi-  
17 dence at the White House, such sums as may be nec-  
18 essary: *Provided*, That all reimbursable operating expenses  
19 of the Executive Residence shall be made in accordance  
20 with the provisions of this paragraph: *Provided further*,  
21 That, notwithstanding any other provision of law, such  
22 amount for reimbursable operating expenses shall be the  
23 exclusive authority of the Executive Residence to incur ob-  
24 ligations and to receive offsetting collections, for such ex-  
25 penses: *Provided further*, That the Executive Residence

1 shall require each person sponsoring a reimbursable polit-  
2 ical event to pay in advance an amount equal to the esti-  
3 mated cost of the event, and all such advance payments  
4 shall be credited to this account and remain available until  
5 expended: *Provided further*, That the Executive Residence  
6 shall require the national committee of the political party  
7 of the President to maintain on deposit \$25,000, to be  
8 separately accounted for and available for expenses relat-  
9 ing to reimbursable political events sponsored by such  
10 committee during such fiscal year: *Provided further*, That  
11 the Executive Residence shall ensure that a written notice  
12 of any amount owed for a reimbursable operating expense  
13 under this paragraph is submitted to the person owing  
14 such amount within 60 days after such expense is in-  
15 curred, and that such amount is collected within 30 days  
16 after the submission of such notice: *Provided further*, That  
17 the Executive Residence shall charge interest and assess  
18 penalties and other charges on any such amount that is  
19 not reimbursed within such 30 days, in accordance with  
20 the interest and penalty provisions applicable to an out-  
21 standing debt on a United States Government claim under  
22 31 U.S.C. 3717: *Provided further*, That each such amount  
23 that is reimbursed, and any accompanying interest and  
24 charges, shall be deposited in the Treasury as miscella-  
25 neous receipts: *Provided further*, That the Executive Resi-

1    dence shall prepare and submit to the Committees on Ap-  
2    propriations, by not later than 90 days after the end of  
3    the fiscal year covered by this Act, a report setting forth  
4    the reimbursable operating expenses of the Executive Res-  
5    idence during the preceding fiscal year, including the total  
6    amount of such expenses, the amount of such total that  
7    consists of reimbursable official and ceremonial events, the  
8    amount of such total that consists of reimbursable political  
9    events, and the portion of each such amount that has been  
10   reimbursed as of the date of the report: *Provided further*,  
11   That the Executive Residence shall maintain a system for  
12   the tracking of expenses related to reimbursable events  
13   within the Executive Residence that includes a standard  
14   for the classification of any such expense as political or  
15   nonpolitical: *Provided further*, That no provision of this  
16   paragraph may be construed to exempt the Executive Res-  
17   idence from any other applicable requirement of sub-  
18   chapter I or II of chapter 37 of title 31, United States  
19   Code.

20            WHITE HOUSE REPAIR AND RESTORATION

21            For the repair, alteration, and improvement of the  
22   Executive Residence at the White House pursuant to 3  
23   U.S.C. 105(d), \$2,500,000, to remain available until ex-  
24   pended, for required maintenance, resolution of safety and  
25   health issues, and continued preventative maintenance.

## 1 COUNCIL OF ECONOMIC ADVISERS

## 2 SALARIES AND EXPENSES

3 For necessary expenses of the Council of Economic  
4 Advisers in carrying out its functions under the Employ-  
5 ment Act of 1946 (15 U.S.C. 1021 et seq.), \$4,903,000.

## 6 NATIONAL SECURITY COUNCIL AND HOMELAND

## 7 SECURITY COUNCIL

## 8 SALARIES AND EXPENSES

9 For necessary expenses of the National Security  
10 Council and the Homeland Security Council, including  
11 services as authorized by 5 U.S.C. 3109, \$13,901,000, of  
12 which not to exceed \$6,000 shall be available for official  
13 reception and representation expenses.

## 14 OFFICE OF ADMINISTRATION

## 15 SALARIES AND EXPENSES

16 For necessary expenses of the Office of Administra-  
17 tion, including services as authorized by 5 U.S.C. 3109  
18 and 3 U.S.C. 107, and hire of passenger motor vehicles,  
19 \$115,463,000, of which not to exceed \$12,800,000 shall  
20 remain available until expended for continued moderniza-  
21 tion of information resources within the Executive Office  
22 of the President: *Provided*, That of the amounts provided  
23 under this heading, up to \$4,500,000 shall be available  
24 for a program to provide payments (such as stipends, sub-  
25 sistence allowances, cost reimbursements, or awards) to

1 students, recent graduates, and veterans recently dis-  
2 charged from active duty who are performing voluntary  
3 services in the Executive Office of the President under sec-  
4 tion 3111(b) of title 5, United States Code, or comparable  
5 authority and shall be in addition to amounts otherwise  
6 available to pay or compensate such individuals: *Provided*  
7 *further*, That such payments shall not be considered com-  
8 pensation for purposes of such section 3111(b) and may  
9 be paid in advance.

10 OFFICE OF MANAGEMENT AND BUDGET

11 SALARIES AND EXPENSES

12 For necessary expenses of the Office of Management  
13 and Budget, including hire of passenger motor vehicles  
14 and services as authorized by 5 U.S.C. 3109, to carry out  
15 the provisions of chapter 35 of title 44, United States  
16 Code, and to prepare and submit the budget of the United  
17 States Government, in accordance with section 1105(a) of  
18 title 31, United States Code, \$128,035,000, of which not  
19 to exceed \$3,000 shall be available for official representa-  
20 tion expenses: *Provided*, That none of the funds appro-  
21 priated in this Act for the Office of Management and  
22 Budget may be used for the purpose of reviewing any agri-  
23 cultural marketing orders or any activities or regulations  
24 under the provisions of the Agricultural Marketing Agree-  
25 ment Act of 1937 (7 U.S.C. 601 et seq.): *Provided further*,



1 That none of the funds made available for the Office of  
2 Management and Budget by this Act may be expended for  
3 the altering of the transcript of actual testimony of wit-  
4 nesses, except for testimony of officials of the Office of  
5 Management and Budget, before the Committees on Ap-  
6 propriations or their subcommittees: *Provided further*,  
7 That none of the funds made available for the Office of  
8 Management and Budget by this Act may be expended for  
9 the altering of the annual work plan developed by the  
10 Corps of Engineers for submission to the Committees on  
11 Appropriations: *Provided further*, That none of the funds  
12 provided in this or prior Acts shall be used, directly or  
13 indirectly, by the Office of Management and Budget, for  
14 evaluating or determining if water resource project or  
15 study reports submitted by the Chief of Engineers acting  
16 through the Secretary of the Army are in compliance with  
17 all applicable laws, regulations, and requirements relevant  
18 to the Civil Works water resource planning process: *Pro-*  
19 *vided further*, That the Office of Management and Budget  
20 shall have not more than 60 days in which to perform  
21 budgetary policy reviews of water resource matters on  
22 which the Chief of Engineers has reported: *Provided fur-*  
23 *ther*, That the Director of the Office of Management and  
24 Budget shall notify the appropriate authorizing and ap-  
25 propriating committees when the 60-day review is initi-

1 ated: *Provided further*, That if water resource reports have  
2 not been transmitted to the appropriate authorizing and  
3 appropriating committees within 15 days after the end of  
4 the Office of Management and Budget review period based  
5 on the notification from the Director, Congress shall as-  
6 sume Office of Management and Budget concurrence with  
7 the report and act accordingly: *Provided further*, That no  
8 later than 14 days after the submission of the budget of  
9 the United States Government for fiscal year 2024, the  
10 Director of the Office of Management and Budget shall  
11 make publicly available on a website a tabular list for each  
12 agency that submits budget justification materials (as de-  
13 fined in section 3 of the Federal Funding Accountability  
14 and Transparency Act of 2006) that shall include, at min-  
15 imum, the name of the agency, the date on which the  
16 budget justification materials of the agency were sub-  
17 mitted to Congress, and a uniform resource locator where  
18 the budget justification materials are published on the  
19 website of the agency.

20 INTELLECTUAL PROPERTY ENFORCEMENT

21 COORDINATOR

22 For necessary expenses of the Office of the Intellec-  
23 tual Property Enforcement Coordinator, as authorized by  
24 title III of the Prioritizing Resources and Organization for  
25 Intellectual Property Act of 2008 (Public Law 110–403),

1 including services authorized by 5 U.S.C. 3109,  
2 \$1,902,000.

3 OFFICE OF THE NATIONAL CYBER DIRECTOR

4 SALARIES AND EXPENSES

5 For necessary expenses of the Office of the National  
6 Cyber Director, as authorized by section 1752 of the Wil-  
7 liam M. (Mac) Thornberry National Defense Authoriza-  
8 tion Act for Fiscal Year 2021 (Public Law 116–283),  
9 \$21,926,000, of which not to exceed \$5,000 shall be avail-  
10 able for official reception and representation expenses.

11 OFFICE OF NATIONAL DRUG CONTROL POLICY

12 SALARIES AND EXPENSES

13 For necessary expenses of the Office of National  
14 Drug Control Policy; for research activities pursuant to  
15 the Office of National Drug Control Policy Reauthoriza-  
16 tion Act of 1998, as amended; not to exceed \$10,000 for  
17 official reception and representation expenses; and for par-  
18 ticipation in joint projects or in the provision of services  
19 on matters of mutual interest with nonprofit, research, or  
20 public organizations or agencies, with or without reim-  
21 bursement, \$22,340,000: *Provided*, That the Office is au-  
22 thorized to accept, hold, administer, and utilize gifts, both  
23 real and personal, public and private, without fiscal year  
24 limitation, for the purpose of aiding or facilitating the  
25 work of the Office.

## 1 FEDERAL DRUG CONTROL PROGRAMS

## 2 HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM

## 3 (INCLUDING TRANSFERS OF FUNDS)

4 For necessary expenses of the Office of National  
5 Drug Control Policy's High Intensity Drug Trafficking  
6 Areas Program, \$300,000,000 (increased by \$5,000,000),  
7 to remain available until September 30, 2024, for drug  
8 control activities consistent with the approved strategy for  
9 each of the designated High Intensity Drug Trafficking  
10 Areas ("HIDTAs"), of which not less than 51 percent  
11 shall be transferred to State and local entities for drug  
12 control activities and shall be obligated not later than 120  
13 days after enactment of this Act: *Provided*, That up to  
14 49 percent may be transferred to Federal agencies and  
15 departments in amounts determined by the Director of the  
16 Office of National Drug Control Policy, of which up to  
17 \$5,800,000 may be used for auditing services and associ-  
18 ated activities: *Provided further*, That any unexpended  
19 funds obligated prior to fiscal year 2021 may be used for  
20 any other approved activities of that HIDTA, subject to  
21 reprogramming requirements: *Provided further*, That each  
22 HIDTA designated as of September 30, 2022, shall be  
23 funded at not less than the fiscal year 2022 base level,  
24 unless the Director submits to the Committees on Appro-  
25 priations of the House of Representatives and the Senate

1 justification for changes to those levels based on clearly  
2 articulated priorities and published Office of National  
3 Drug Control Policy performance measures of effective-  
4 ness: *Provided further*, That the Director shall notify the  
5 Committees on Appropriations of the initial allocation of  
6 fiscal year 2023 funding among HIDTAs not later than  
7 45 days after enactment of this Act, and shall notify the  
8 Committees of planned uses of discretionary HIDTA  
9 funding, as determined in consultation with the HIDTA  
10 Directors, not later than 90 days after enactment of this  
11 Act: *Provided further*, That upon a determination that all  
12 or part of the funds so transferred from this appropriation  
13 are not necessary for the purposes provided herein and  
14 upon notification to the Committees on Appropriations of  
15 the House of Representatives and the Senate, such  
16 amounts may be transferred back to this appropriation.

17 OTHER FEDERAL DRUG CONTROL PROGRAMS

18 (INCLUDING TRANSFERS OF FUNDS)

19 For other drug control activities authorized by Public  
20 Law 110–690 and the Office of National Drug Control  
21 Policy Reauthorization Act of 1998, as amended,  
22 \$139,670,000, to remain available until expended, which  
23 shall be available as follows: \$110,000,000 for the Drug-  
24 Free Communities Program, of which not more than  
25 \$12,900,000 is for administrative expenses, and of which

1 \$2,500,000 shall be made available as directed by section  
2 4 of Public Law 107–82, as amended by section 8204 of  
3 Public Law 115–271; \$3,000,000 for drug court training  
4 and technical assistance; \$15,000,000 for anti-doping ac-  
5 tivities; up to \$3,420,000 for the United States member-  
6 ship dues to the World Anti-Doping Agency; \$1,250,000  
7 for the Model Acts Program; \$5,200,000 for activities au-  
8 thorized by section 103 of Public Law 114–198;  
9 \$1,300,000 for policy research; and \$500,000 for perform-  
10 ance audits and evaluations: *Provided*, That amounts  
11 made available under this heading may be transferred to  
12 other Federal departments and agencies to carry out such  
13 activities: *Provided further*, That the Director of the Office  
14 of National Drug Control Policy shall, not fewer than 30  
15 days prior to obligating funds under this heading for  
16 United States membership dues to the World Anti-Doping  
17 Agency, submit to the Committees on Appropriations of  
18 the House of Representatives and the Senate a spending  
19 plan and explanation of the proposed uses of these funds.

20 UNANTICIPATED NEEDS

21 For expenses necessary to enable the President to  
22 meet unanticipated needs, in furtherance of the national  
23 interest, security, or defense which may arise at home or  
24 abroad during the current fiscal year, as authorized by

1 3 U.S.C. 108, \$1,000,000, to remain available until Sep-  
2 tember 30, 2024.

3 INFORMATION TECHNOLOGY OVERSIGHT AND REFORM  
4 (INCLUDING TRANSFER OF FUNDS)

5 For necessary expenses for the furtherance of inte-  
6 grated, efficient, secure, and effective uses of information  
7 technology in the Federal Government, \$13,700,000, to  
8 remain available until expended: *Provided*, That the Direc-  
9 tor of the Office of Management and Budget may transfer  
10 these funds to one or more other agencies to carry out  
11 projects to meet these purposes.

12 SPECIAL ASSISTANCE TO THE PRESIDENT  
13 SALARIES AND EXPENSES

14 For necessary expenses to enable the Vice President  
15 to provide assistance to the President in connection with  
16 specially assigned functions; services as authorized by 5  
17 U.S.C. 3109 and 3 U.S.C. 106, including subsistence ex-  
18 penses as authorized by 3 U.S.C. 106, which shall be ex-  
19 pended and accounted for as provided in that section; and  
20 hire of passenger motor vehicles, \$6,076,000.

21 OFFICIAL RESIDENCE OF THE VICE PRESIDENT  
22 OPERATING EXPENSES  
23 (INCLUDING TRANSFER OF FUNDS)

24 For the care, operation, refurnishing, improvement,  
25 and to the extent not otherwise provided for, heating and

1 lighting, including electric power and fixtures, of the offi-  
2 cial residence of the Vice President; the hire of passenger  
3 motor vehicles; and not to exceed \$90,000 pursuant to 3  
4 U.S.C. 106(b)(2), \$321,000: *Provided*, That advances, re-  
5 payments, or transfers from this appropriation may be  
6 made to any department or agency for expenses of car-  
7 rying out such activities.

8 ADMINISTRATIVE PROVISIONS—EXECUTIVE OFFICE OF  
9 THE PRESIDENT AND FUNDS APPROPRIATED TO  
10 THE PRESIDENT

11 (INCLUDING TRANSFER OF FUNDS)

12 SEC. 201. From funds made available in this Act  
13 under the headings “The White House”, “Executive Resi-  
14 dence at the White House”, “White House Repair and  
15 Restoration”, “Council of Economic Advisers”, “National  
16 Security Council and Homeland Security Council”, “Of-  
17 fice of Administration”, “Special Assistance to the Presi-  
18 dent”, and “Official Residence of the Vice President”, the  
19 Director of the Office of Management and Budget (or  
20 such other officer as the President may designate in writ-  
21 ing), may, with advance approval of the Committees on  
22 Appropriations of the House of Representatives and the  
23 Senate, transfer not to exceed 10 percent of any such ap-  
24 propriation to any other such appropriation, to be merged  
25 with and available for the same time and for the same



1 purposes as the appropriation to which transferred: *Pro-*  
2 *vided*, That the amount of an appropriation shall not be  
3 increased by more than 50 percent by such transfers: *Pro-*  
4 *vided further*, That no amount shall be transferred from  
5 “Special Assistance to the President” or “Official Resi-  
6 dence of the Vice President” without the approval of the  
7 Vice President.

8       SEC. 202. (a) During fiscal year 2023, any Executive  
9 order or Presidential memorandum issued or revoked by  
10 the President shall be accompanied by a written statement  
11 from the Director of the Office of Management and Budg-  
12 et on the budgetary impact, including costs, benefits, and  
13 revenues, of such order or memorandum.

14       (b) Any such statement shall include—

15           (1) a narrative summary of the budgetary im-  
16 pact of such order or memorandum on the Federal  
17 Government;

18           (2) the impact on mandatory and discretionary  
19 obligations and outlays as the result of such order  
20 or memorandum, listed by Federal agency, for each  
21 year in the 5-fiscal-year period beginning in fiscal  
22 year 2023; and

23           (3) the impact on revenues of the Federal Gov-  
24 ernment as the result of such order or memorandum

1 over the 5-fiscal-year period beginning in fiscal year  
2 2023.

3 (c) If an Executive order or Presidential memo-  
4 randum is issued during fiscal year 2023 due to a national  
5 emergency, the Director of the Office of Management and  
6 Budget may issue the statement required by subsection  
7 (a) not later than 15 days after the date that such order  
8 or memorandum is issued.

9 (d) The requirement for cost estimates for Presi-  
10 dential memoranda shall only apply for Presidential  
11 memoranda estimated to have a regulatory cost in excess  
12 of \$100,000,000.

13 SEC. 203. Not later than 30 days after the date of  
14 enactment of this Act, the Director of the Office of Man-  
15 agement and Budget shall issue a memorandum to all  
16 Federal departments, agencies, and corporations directing  
17 compliance with the provisions in title VII of this Act.

18 SEC. 204. In fiscal year 2023 and each fiscal year  
19 thereafter—

20 (1) the Office of Management and Budget shall  
21 operate and maintain the automated system required  
22 to be implemented by section 204 of the Financial  
23 Services and General Government Appropriations  
24 Act, 2022 (division E of Public Law 117–103) and  
25 shall continue to post each document apportioning

1 an appropriation, pursuant to section 1513(b) of  
2 title 31, United States Code, including any associ-  
3 ated footnotes, in a format that qualifies each such  
4 document as an open Government data asset (as  
5 that term is defined in section 3502 of title 44,  
6 United States Code); and

7 (2) the requirements specified in subsection (c),  
8 the first and second provisos of subsection (d)(1),  
9 and subsection (d)(2) of such section 204 shall con-  
10 tinue to apply.

11 SEC. 205. Not later than 90 days after the date of  
12 enactment of this Act and updated every 90 days there-  
13 after, the Executive Office of the President shall make  
14 contemporaneously available on a publicly available  
15 website, a searchable, sortable, downloadable database of  
16 visitors to the White House, the Vice President's resi-  
17 dence, or any other location at which the President or the  
18 Vice President regularly conducts official business that in-  
19 cludes the name of each visitor, the date and time of entry  
20 for each visitor, the name of each individual with whom  
21 each visitor met, and the purpose of the visit: *Provided*,  
22 That notwithstanding this requirement, the Executive Of-  
23 fice of the President, after consultation with the President  
24 or his designee, may exclude from the database any infor-  
25 mation that would implicate personal privacy or law en-

1   forcement concerns or threaten national security, relate to  
2   a purely personal guest, or reveal the social security num-  
3   ber, taxpayer identification number, birth date, home ad-  
4   dress, or personal phone number of an individual, the  
5   name of an individual, who is less than 18 years old, or  
6   a financial account number: *Provided further*, With respect  
7   to a particular sensitive meeting, the Executive Office of  
8   the President shall disclose the number of records withheld  
9   on this basis and post the applicable records no later than  
10  360 days later.

11       This title may be cited as the “Executive Office of  
12  the President Appropriations Act, 2023”.

### 13                               TITLE III

### 14                               THE JUDICIARY

#### 15                               SUPREME COURT OF THE UNITED STATES

#### 16                               SALARIES AND EXPENSES

17       For expenses necessary for the operation of the Su-  
18  preme Court, as required by law, excluding care of the  
19  building and grounds, including hire of passenger motor  
20  vehicles as authorized by 31 U.S.C. 1343 and 1344; not  
21  to exceed \$10,000 for official reception and representation  
22  expenses; and for miscellaneous expenses, to be expended  
23  as the Chief Justice may approve, \$113,951,000, of which  
24  \$1,500,000 shall remain available until expended.

1       In addition, there are appropriated such sums as may  
2 be necessary under current law for the salaries of the chief  
3 justice and associate justices of the court.

4                   CARE OF THE BUILDING AND GROUNDS

5       For such expenditures as may be necessary to enable  
6 the Architect of the Capitol to carry out the duties im-  
7 posed upon the Architect by 40 U.S.C. 6111 and 6112,  
8 \$29,246,000, to remain available until expended.

9   UNITED STATES COURT OF APPEALS FOR THE FEDERAL  
10                   CIRCUIT

11                   SALARIES AND EXPENSES

12       For salaries of officers and employees, and for nec-  
13 essary expenses of the court, as authorized by law,  
14 \$36,735,000.

15       In addition, there are appropriated such sums as may  
16 be necessary under current law for the salaries of the chief  
17 judge and judges of the court.

18   UNITED STATES COURT OF INTERNATIONAL TRADE

19                   SALARIES AND EXPENSES

20       For salaries of officers and employees of the court,  
21 services, and necessary expenses of the court, as author-  
22 ized by law, \$21,260,000.

23       In addition, there are appropriated such sums as may  
24 be necessary under current law for the salaries of the chief  
25 judge and judges of the court.

1     COURTS OF APPEALS, DISTRICT COURTS, AND OTHER  
2                     JUDICIAL SERVICES  
3                     SALARIES AND EXPENSES

4             For the salaries of judges of the United States Court  
5 of Federal Claims, magistrate judges, and all other offi-  
6 cers and employees of the Federal Judiciary not otherwise  
7 specifically provided for, necessary expenses of the courts,  
8 and the purchase, rental, repair, and cleaning of uniforms  
9 for Probation and Pretrial Services Office staff, as author-  
10 ized by law, \$5,867,825,000 (including the purchase of  
11 firearms and ammunition); of which not to exceed  
12 \$27,817,000 shall remain available until expended for  
13 space alteration projects and for furniture and furnishings  
14 related to new space alteration and construction projects.

15             In addition, there are appropriated such sums as may  
16 be necessary under current law for the salaries of circuit  
17 and district judges (including judges of the territorial  
18 courts of the United States), bankruptcy judges, and jus-  
19 tices and judges retired from office or from regular active  
20 service.

21             In addition, for expenses of the United States Court  
22 of Federal Claims associated with processing cases under  
23 the National Childhood Vaccine Injury Act of 1986 (Pub-  
24 lic Law 99–660), not to exceed \$10,280,000, to be appro-

1 priated from the Vaccine Injury Compensation Trust  
2 Fund.

3 DEFENDER SERVICES

4 For the operation of Federal Defender organizations;  
5 the compensation and reimbursement of expenses of attor-  
6 neys appointed to represent persons under 18 U.S.C.  
7 3006A and 3599, and for the compensation and reim-  
8 bursement of expenses of persons furnishing investigative,  
9 expert, and other services for such representations as au-  
10 thorized by law; the compensation (in accordance with the  
11 maximums under 18 U.S.C. 3006A) and reimbursement  
12 of expenses of attorneys appointed to assist the court in  
13 criminal cases where the defendant has waived representa-  
14 tion by counsel; the compensation and reimbursement of  
15 expenses of attorneys appointed to represent jurors in civil  
16 actions for the protection of their employment, as author-  
17 ized by 28 U.S.C. 1875(d)(1); the compensation and reim-  
18 bursement of expenses of attorneys appointed under 18  
19 U.S.C. 983(b)(1) in connection with certain judicial civil  
20 forfeiture proceedings; the compensation and reimburse-  
21 ment of travel expenses of guardians ad litem appointed  
22 under 18 U.S.C. 4100(b); and for necessary training and  
23 general administrative expenses, \$1,409,211,000, to re-  
24 main available until expended.

## 1 FEES OF JURORS AND COMMISSIONERS

2 For fees and expenses of jurors as authorized by 28  
3 U.S.C. 1871 and 1876; compensation of jury commis-  
4 sioners as authorized by 28 U.S.C. 1863; and compensa-  
5 tion of commissioners appointed in condemnation cases  
6 pursuant to rule 71.1(h) of the Federal Rules of Civil Pro-  
7 cedure (28 U.S.C. Appendix Rule 71.1(h)), \$45,677,000,  
8 to remain available until expended: *Provided*, That the  
9 compensation of land commissioners shall not exceed the  
10 daily equivalent of the highest rate payable under 5 U.S.C.  
11 5332.

## 12 COURT SECURITY

## 13 (INCLUDING TRANSFER OF FUNDS)

14 For necessary expenses, not otherwise provided for,  
15 incident to the provision of protective guard services for  
16 United States courthouses and other facilities housing  
17 Federal court or Administrative Office of the United  
18 States Courts operations, the procurement, installation,  
19 and maintenance of security systems and equipment for  
20 United States courthouses and other facilities housing  
21 Federal court or Administrative Office of the United  
22 States Courts operations, building ingress-egress control,  
23 inspection of mail and packages, directed security patrols,  
24 perimeter security, basic security services provided by the  
25 Federal Protective Service, and other similar activities as



1 authorized by section 1010 of the Judicial Improvement  
2 and Access to Justice Act (Public Law 100–702),  
3 \$750,586,000, of which not to exceed \$20,000,000 shall  
4 remain available until expended, to be expended directly  
5 or transferred to the United States Marshals Service,  
6 which shall be responsible for administering the Judicial  
7 Facility Security Program consistent with standards or  
8 guidelines agreed to by the Director of the Administrative  
9 Office of the United States Courts and the Attorney Gen-  
10 eral: *Provided*, That funds made available under this head-  
11 ing may be used for managing a Judiciary-wide program  
12 to facilitate security and emergency management services  
13 among the Judiciary, United States Marshals Service,  
14 Federal Protective Service, General Services Administra-  
15 tion, other Federal agencies, state and local governments  
16 and the public; and, notwithstanding sections 331,  
17 566(e)(1), and 566(i) of title 28, United States Code, for  
18 identifying and pursuing the voluntary redaction and re-  
19 duction of personally identifiable information on the inter-  
20 net of judges and other familial relatives who live at the  
21 judge’s domicile.

## 1 ADMINISTRATIVE OFFICE OF THE UNITED STATES

## 2 COURTS

## 3 SALARIES AND EXPENSES

4 For necessary expenses of the Administrative Office  
5 of the United States Courts as authorized by law, includ-  
6 ing travel as authorized by 31 U.S.C. 1345, hire of a pas-  
7 senger motor vehicle as authorized by 31 U.S.C. 1343(b),  
8 advertising and rent in the District of Columbia and else-  
9 where, \$105,700,000, of which not to exceed \$8,500 is au-  
10 thorized for official reception and representation expenses.

## 11 FEDERAL JUDICIAL CENTER

## 12 SALARIES AND EXPENSES

13 For necessary expenses of the Federal Judicial Cen-  
14 ter, as authorized by Public Law 90–219, \$34,261,000;  
15 of which \$1,800,000 shall remain available through Sep-  
16 tember 30, 2024, to provide education and training to  
17 Federal court personnel; and of which not to exceed  
18 \$1,500 is authorized for official reception and representa-  
19 tion expenses.

## 20 UNITED STATES SENTENCING COMMISSION

## 21 SALARIES AND EXPENSES

22 For the salaries and expenses necessary to carry out  
23 the provisions of chapter 58 of title 28, United States  
24 Code, \$21,641,000, of which not to exceed \$1,000 is au-  
25 thorized for official reception and representation expenses.

## 1 ADMINISTRATIVE PROVISIONS—THE JUDICIARY

2 (INCLUDING TRANSFER OF FUNDS)

3 SEC. 301. Appropriations and authorizations made in  
4 this title which are available for salaries and expenses shall  
5 be available for services as authorized by 5 U.S.C. 3109.

6 SEC. 302. Not to exceed 5 percent of any appropria-  
7 tion made available for the current fiscal year for the Judi-  
8 ciary in this Act may be transferred between such appro-  
9 priations, but no such appropriation, except “Courts of  
10 Appeals, District Courts, and Other Judicial Services, De-  
11 fender Services” and “Courts of Appeals, District Courts,  
12 and Other Judicial Services, Fees of Jurors and Commis-  
13 sioners”, shall be increased by more than 10 percent by  
14 any such transfers: *Provided*, That any transfer pursuant  
15 to this section shall be treated as a reprogramming of  
16 funds under sections 604 and 608 of this Act and shall  
17 not be available for obligation or expenditure except in  
18 compliance with the procedures set forth in section 608.

19 SEC. 303. Notwithstanding any other provision of  
20 law, the salaries and expenses appropriation for “Courts  
21 of Appeals, District Courts, and Other Judicial Services”  
22 shall be available for official reception and representation  
23 expenses of the Judicial Conference of the United States:  
24 *Provided*, That such available funds shall not exceed  
25 \$11,000 and shall be administered by the Director of the

1 Administrative Office of the United States Courts in the  
2 capacity as Secretary of the Judicial Conference.

3 SEC. 304. Section 3315(a) of title 40, United States  
4 Code, shall be applied by substituting “Federal” for “exec-  
5 utive” each place it appears.

6 SEC. 305. In accordance with 28 U.S.C. 561–569,  
7 and notwithstanding any other provision of law, the  
8 United States Marshals Service shall provide, for such  
9 courthouses as its Director may designate in consultation  
10 with the Director of the Administrative Office of the  
11 United States Courts, for purposes of a pilot program, the  
12 security services that 40 U.S.C. 1315 authorizes the De-  
13 partment of Homeland Security to provide, except for the  
14 services specified in 40 U.S.C. 1315(b)(2)(E). For build-  
15 ing-specific security services at these courthouses, the Di-  
16 rector of the Administrative Office of the United States  
17 Courts shall reimburse the United States Marshals Service  
18 rather than the Department of Homeland Security.

19 SEC. 306. (a) Section 203(c) of the Judicial Improve-  
20 ments Act of 1990 (Public Law 101–650; 28 U.S.C. 133  
21 note), is amended in the matter following paragraph 12—

22 (1) in the second sentence (relating to the Dis-  
23 trict of Kansas), by striking “31 years and 6  
24 months” and inserting “32 years and 6 months”;  
25 and

1           (2) in the sixth sentence (relating to the Dis-  
2       trict of Hawaii), by striking “28 years and 6  
3       months” and inserting “29 years and 6 months”.

4       (b) Section 406 of the Transportation, Treasury,  
5       Housing and Urban Development, the Judiciary, the Dis-  
6       trict of Columbia, and Independent Agencies Appropria-  
7       tions Act, 2006 (Public Law 109–115; 119 Stat. 2470;  
8       28 U.S.C. 133 note) is amended in the second sentence  
9       (relating to the eastern District of Missouri) by striking  
10      “29 years and 6 months” and inserting “30 years and  
11      6 months”.

12      (c) Section 312(c)(2) of the 21st Century Depart-  
13      ment of Justice Appropriations Authorization Act (Public  
14      Law 107–273; 28 U.S.C. 133 note), is amended—

15           (1) in the first sentence by striking “20 years”  
16      and inserting “21 years”;

17           (2) in the second sentence (relating to the cen-  
18      tral District of California), by striking “19 years  
19      and 6 months” and inserting “20 years and 6  
20      months”; and

21           (3) in the third sentence (relating to the west-  
22      ern district of North Carolina), by striking “18  
23      years” and inserting “19 years”.

24      SEC. 307. In addition to amounts otherwise available,  
25      there is appropriated to the Judiciary \$128,000,000, to

1 remain available until September 30, 2024, to be used for  
2 judicial security, cybersecurity, and information tech-  
3 nology modernization infrastructure: *Provided*, That for  
4 the purposes provided herein, such funds may be trans-  
5 ferred to the “Salaries and Expenses”, “Court Security”,  
6 and “Defender Services” appropriations under the  
7 “Courts of Appeals, District Courts, and Other Judicial  
8 Services” heading in this title: *Provided further*, That this  
9 transfer authority shall be in addition to any other trans-  
10 fer authority provided by law.

11 SEC. 308. Section 677 of title 28, United States  
12 Code, is amended by adding at the end the following:

13 “(d) The Counselor, with the approval of the  
14 Chief Justice, shall establish a retention and recruit-  
15 ment program that is consistent with section 908 of  
16 the Emergency Supplemental Act, 2002 (2 U.S.C.  
17 1926) for Supreme Court Police officers and other  
18 critical employees who agree in writing to remain  
19 employed with the Supreme Court for a period of  
20 service of not less than two years.”.

21 This title may be cited as the “Judiciary Appropria-  
22 tions Act, 2023”.

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TITLE IV

DISTRICT OF COLUMBIA

FEDERAL FUNDS

FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT

For a Federal payment to the District of Columbia,  
to be deposited into a dedicated account, for a nationwide  
program to be administered by the Mayor, for District of  
Columbia resident tuition support, \$40,000,000, to remain  
available until expended: *Provided*, That such funds, in-  
cluding any interest accrued thereon, may be used on be-  
half of eligible District of Columbia residents to pay an  
amount based upon the difference between in-State and  
out-of-State tuition at public institutions of higher edu-  
cation, or to pay up to \$2,500 each year at eligible private  
institutions of higher education: *Provided further*, That the  
awarding of such funds may be prioritized on the basis  
of a resident's academic merit, the income and need of  
eligible students and such other factors as may be author-  
ized: *Provided further*, That the District of Columbia gov-  
ernment shall maintain a dedicated account for the Resi-  
dent Tuition Support Program that shall consist of the  
Federal funds appropriated to the Program in this Act  
and any subsequent appropriations, any unobligated bal-  
ances from prior fiscal years, and any interest earned in  
this or any fiscal year: *Provided further*, That the account

1 shall be under the control of the District of Columbia  
2 Chief Financial Officer, who shall use those funds solely  
3 for the purposes of carrying out the Resident Tuition Sup-  
4 port Program: *Provided further*, That the Office of the  
5 Chief Financial Officer shall provide a quarterly financial  
6 report to the Committees on Appropriations of the House  
7 of Representatives and the Senate for these funds show-  
8 ing, by object class, the expenditures made and the pur-  
9 pose therefor.

10 FEDERAL PAYMENT FOR EMERGENCY PLANNING AND  
11 SECURITY COSTS IN THE DISTRICT OF COLUMBIA

12 For a Federal payment of necessary expenses, as de-  
13 termined by the Mayor of the District of Columbia in writ-  
14 ten consultation with the elected county or city officials  
15 of surrounding jurisdictions, \$30,000,000, to remain  
16 available until expended, for the costs of providing public  
17 safety at events related to the presence of the National  
18 Capital in the District of Columbia, including support re-  
19 quested by the Director of the United States Secret Serv-  
20 ice in carrying out protective duties under the direction  
21 of the Secretary of Homeland Security, and for the costs  
22 of providing support to respond to immediate and specific  
23 terrorist threats or attacks in the District of Columbia or  
24 surrounding jurisdictions.



HR 8294 RFS

1 Code, sec. 1–204.50): *Provided further*, That notwith-  
 2 standing any other provision of law, all amounts under  
 3 this heading shall be apportioned quarterly by the Office  
 4 of Management and Budget and obligated and expended  
 5 in the same manner as funds appropriated for salaries and  
 6 expenses of other Federal agencies: *Provided further*, That  
 7 30 days after providing written notice to the Committees  
 8 on Appropriations of the House of Representatives and the  
 9 Senate, the District of Columbia Courts may reallocate  
 10 not more than \$9,000,000 of the funds provided under  
 11 this heading among the items and entities funded under  
 12 this heading: *Provided further*, That the Joint Committee  
 13 on Judicial Administration in the District of Columbia  
 14 may, by regulation, establish a program substantially simi-  
 15 lar to the program set forth in subchapter II of chapter  
 16 35 of title 5, United States Code, for employees of the  
 17 District of Columbia Courts.

18       FEDERAL PAYMENT FOR DEFENDER SERVICES IN  
 19               DISTRICT OF COLUMBIA COURTS  
 20               (INCLUDING RESCISSION OF FUNDS)

21       For payments authorized under section 11–2604 and  
 22 section 11–2605, D.C. Official Code (relating to represen-  
 23 tation provided under the District of Columbia Criminal  
 24 Justice Act), payments for counsel appointed in pro-  
 25 ceedings in the Family Court of the Superior Court of the

1 District of Columbia under chapter 23 of title 16, D.C.  
2 Official Code, or pursuant to contractual agreements to  
3 provide guardian ad litem representation, training, tech-  
4 nical assistance, and such other services as are necessary  
5 to improve the quality of guardian ad litem representation,  
6 payments for counsel appointed in adoption proceedings  
7 under chapter 3 of title 16, D.C. Official Code, and pay-  
8 ments authorized under section 21–2060, D.C. Official  
9 Code (relating to services provided under the District of  
10 Columbia Guardianship, Protective Proceedings, and Du-  
11 rable Power of Attorney Act of 1986), \$46,005,000, to  
12 remain available until expended: *Provided*, That funds  
13 provided under this heading shall be administered by the  
14 Joint Committee on Judicial Administration in the Dis-  
15 trict of Columbia: *Provided further*, That, notwithstanding  
16 any other provision of law, this appropriation shall be ap-  
17 portioned quarterly by the Office of Management and  
18 Budget and obligated and expended in the same manner  
19 as funds appropriated for expenses of other Federal agen-  
20 cies: *Provided further*, That of the unobligated balances  
21 from prior year appropriations made available under the  
22 heading “Federal Payment for Defender Services in Dis-  
23 trict of Columbia Courts”, \$22,000,000, are hereby re-  
24 scinded not later than September 30, 2023.

1 FEDERAL PAYMENT TO THE COURT SERVICES AND OF-  
2 FENDER SUPERVISION AGENCY FOR THE DISTRICT  
3 OF COLUMBIA

4 For salaries and expenses, including the transfer and  
5 hire of motor vehicles, of the Court Services and Offender  
6 Supervision Agency for the District of Columbia, as au-  
7 thorized by the National Capital Revitalization and Self-  
8 Government Improvement Act of 1997, \$281,516,000, of  
9 which not to exceed \$2,000 is for official reception and  
10 representation expenses related to Community Supervision  
11 and Pretrial Services Agency programs, and of which not  
12 to exceed \$25,000 is for dues and assessments relating  
13 to the implementation of the Court Services and Offender  
14 Supervision Agency Interstate Supervision Act of 2002:  
15 *Provided*, That, of the funds appropriated under this head-  
16 ing, \$204,579,000 shall be for necessary expenses of Com-  
17 munity Supervision and Sex Offender Registration, to in-  
18 clude expenses relating to the supervision of adults subject  
19 to protection orders or the provision of services for or re-  
20 lated to such persons, of which \$7,798,000 shall remain  
21 available until September 30, 2025, for costs associated  
22 with the relocation under replacement leases for head-  
23 quarters offices, field offices and related facilities: *Pro-*  
24 *vided further*, That, of the funds appropriated under this  
25 heading, \$76,937,000 shall be available to the Pretrial

1 Services Agency, of which \$998,000 shall remain available  
2 until September 30, 2025, for costs associated with reloca-  
3 tion under a replacement lease for headquarters offices,  
4 field offices, and related facilities: *Provided further*, That  
5 notwithstanding any other provision of law, all amounts  
6 under this heading shall be apportioned quarterly by the  
7 Office of Management and Budget and obligated and ex-  
8 pended in the same manner as funds appropriated for sal-  
9 aries and expenses of other Federal agencies: *Provided fur-*  
10 *ther*, That amounts under this heading may be used for  
11 programmatic incentives for defendants to successfully  
12 complete their terms of supervision.

13 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA

14 PUBLIC DEFENDER SERVICE

15 For salaries and expenses, including the transfer and  
16 hire of motor vehicles, of the District of Columbia Public  
17 Defender Service, as authorized by the National Capital  
18 Revitalization and Self-Government Improvement Act of  
19 1997, \$53,629,000: *Provided*, That notwithstanding any  
20 other provision of law, all amounts under this heading  
21 shall be apportioned quarterly by the Office of Manage-  
22 ment and Budget and obligated and expended in the same  
23 manner as funds appropriated for salaries and expenses  
24 of Federal agencies: *Provided further*, That the District  
25 of Columbia Public Defender Service may establish for

1 employees of the District of Columbia Public Defender  
2 Service a program substantially similar to the program set  
3 forth in subchapter II of chapter 35 of title 5, United  
4 States Code, except that the maximum amount of the pay-  
5 ment made under the program to any individual may not  
6 exceed the amount referred to in section 3523(b)(3)(B)  
7 of title 5, United States Code: *Provided further*, That the  
8 District of Columbia Public Defender Service may be  
9 deemed an “agency” for purposes of engaging with and  
10 receiving services from Federal Franchise Fund Programs  
11 established in accordance with section 403 of the Govern-  
12 ment Management Reform Act of 1994 (Public Law 103–  
13 356), as amended: *Provided further*, That the District of  
14 Columbia Public Defender Service may enter into con-  
15 tracts for the procurement of severable services and  
16 multiyear contracts for the acquisition of property and  
17 services to the same extent and under the same conditions  
18 as an executive agency under sections 3902 and 3903 of  
19 title 41, United States Code.

20 FEDERAL PAYMENT TO THE CRIMINAL JUSTICE

21 COORDINATING COUNCIL

22 For a Federal payment to the Criminal Justice Co-  
23 ordinating Council, \$2,450,000, to remain available until  
24 expended, to support initiatives related to the coordination

1 of Federal and local criminal justice resources in the Dis-  
2 trict of Columbia.

3 FEDERAL PAYMENT FOR JUDICIAL COMMISSIONS

4 For a Federal payment, to remain available until  
5 September 30, 2024, to the Commission on Judicial Dis-  
6 abilities and Tenure, \$330,000, and for the Judicial Nomi-  
7 nation Commission, \$300,000.

8 FEDERAL PAYMENT FOR SCHOOL IMPROVEMENT

9 For a Federal payment for a school improvement pro-  
10 gram in the District of Columbia, \$52,500,000, to remain  
11 available until expended, for payments authorized under  
12 the Scholarships for Opportunity and Results Act (division  
13 C of Public Law 112–10): *Provided*, That, to the extent  
14 that funds are available for opportunity scholarships and  
15 following the priorities included in section 3006 of such  
16 Act, the Secretary of Education shall make scholarships  
17 available to students eligible under section 3013(3) of such  
18 Act (Public Law 112–10; 125 Stat. 211) including stu-  
19 dents who were not offered a scholarship during any pre-  
20 vious school year: *Provided further*, That within funds pro-  
21 vided for opportunity scholarships up to \$1,750,000 shall  
22 be for the activities specified in sections 3007(b) through  
23 3007(d) of the Act and up to \$500,000 shall be for the  
24 activities specified in section 3009 of the Act: *Provided*  
25 *further*, That none of the funds made available under this

1 heading may be used for an opportunity scholarship for  
2 a student to attend a school which does not certify to the  
3 Secretary of Education that the student will be provided  
4 with the same protections under the Federal laws which  
5 are enforced by the Office for Civil Rights of the Depart-  
6 ment of Education which are provided to a student of a  
7 public elementary or secondary school in the District of  
8 Columbia and which does not certify to the Secretary of  
9 Education that the student and the student's parents will  
10 be provided with the same services, rights, and protections  
11 under the Individuals With Disabilities Education Act (20  
12 U.S.C. 1400 et seq.) which are provided to a student and  
13 a student's parents of a public elementary or secondary  
14 school in the District of Columbia, as enumerated in Table  
15 2 of Government Accountability Office Report 18–94 (en-  
16 titled “Federal Actions Needed to Ensure Parents Are  
17 Notified About Changes in Rights for Students with Dis-  
18 abilities”), issued November 2017.

19 FEDERAL PAYMENT FOR THE DISTRICT OF COLUMBIA  
20 NATIONAL GUARD

21 For a Federal payment to the District of Columbia  
22 National Guard, \$600,000, to remain available until ex-  
23 pended for the Major General David F. Wherley, Jr. Dis-  
24 trict of Columbia National Guard Retention and College  
25 Access Program.



8 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA  
9 WATER AND SEWER AUTHORITY

16 This title may be cited as the “District of Columbia  
17 Appropriations Act, 2023”.

## 19 INDEPENDENT AGENCIES

21 SALARIES AND EXPENSES

**HR 8294 RFS**

1 30, 2024, of which not to exceed \$1,000 is for official re-  
2 ception and representation expenses.

3 CONSUMER PRODUCT SAFETY COMMISSION

4 SALARIES AND EXPENSES

5 For necessary expenses of the Consumer Product  
6 Safety Commission, including hire of passenger motor ve-  
7 hicles, services as authorized by 5 U.S.C. 3109, but at  
8 rates for individuals not to exceed the per diem rate equiv-  
9 alent to the maximum rate payable under 5 U.S.C. 5376,  
10 purchase of nominal awards to recognize non-Federal offi-  
11 cials' contributions to Commission activities, and not to  
12 exceed \$4,000 for official reception and representation ex-  
13 penses, \$166,300,000, of which \$2,500,000 shall remain  
14 available until expended to carry out the program, includ-  
15 ing administrative costs, required by section 1405 of the  
16 Virginia Graeme Baker Pool and Spa Safety Act (Public  
17 Law 110–140; 15 U.S.C. 8004).

18 ADMINISTRATIVE PROVISION—CONSUMER PRODUCT

19 SAFETY COMMISSION

20 SEC. 501. During fiscal year 2023, none of the  
21 amounts made available by this Act may be used to final-  
22 ize or implement the Safety Standard for Recreational  
23 Off-Highway Vehicles published by the Consumer Product  
24 Safety Commission in the Federal Register on November  
25 19, 2014 (79 Fed. Reg. 68964) until after—

1           (1) the National Academy of Sciences, in con-  
2           sultation with the National Highway Traffic Safety  
3           Administration and the Department of Defense,  
4           completes a study to determine—

5                   (A) the technical validity of the lateral sta-  
6           bility and vehicle handling requirements pro-  
7           posed by such standard for purposes of reduc-  
8           ing the risk of Recreational Off-Highway Vehi-  
9           cle (referred to in this section as “ROV”) roll-  
10          overs in the off-road environment, including the  
11          repeatability and reproducibility of testing for  
12          compliance with such requirements;

13                  (B) the number of ROV rollovers that  
14          would be prevented if the proposed require-  
15          ments were adopted;

16                  (C) whether there is a technical basis for  
17          the proposal to provide information on a point-  
18          of-sale hangtag about a ROV’s rollover resist-  
19          ance on a progressive scale; and

20                  (D) the effect on the utility of ROVs used  
21          by the United States military if the proposed  
22          requirements were adopted; and

23           (2) a report containing the results of the study  
24          completed under paragraph (1) is delivered to—

1 (A) the Committee on Commerce, Science,  
2 and Transportation of the Senate;

3 (B) the Committee on Energy and Com-  
4 merce of the House of Representatives;

5 (C) the Committee on Appropriations of  
6 the Senate; and

7 (D) the Committee on Appropriations of  
8 the House of Representatives.

9 ELECTION ASSISTANCE COMMISSION

10 SALARIES AND EXPENSES

11 For necessary expenses to carry out the Help Amer-  
12 ica Vote Act of 2002 (Public Law 107–252), \$34,087,000,  
13 of which \$1,500,000 shall be made available to the Na-  
14 tional Institute of Standards and Technology for election  
15 reform activities authorized under the Help America Vote  
16 Act of 2002, and of which \$4,000,000, to remain available  
17 until expended, shall be for the Help America Vote College  
18 Program as authorized by title V of the Help America  
19 Vote Act of 2002.

20 ELECTION SECURITY GRANTS

21 Notwithstanding section 104(c)(2)(B) of the Help  
22 America Vote Act of 2002 (52 U.S.C. 20904(c)(2)(B)),  
23 \$400,000,000 (increased by \$5,000,000) (reduced by  
24 \$5,000,000) is provided to the Election Assistance Com-  
25 mission for necessary expenses to make payments to

1 States for activities to improve the administration of elec-  
2 tions for Federal office, including to enhance election tech-  
3 nology and make election security improvements, as au-  
4 thorized by sections 101, 103, and 104 of such Act: *Pro-*  
5 *vided*, That for purposes of applying such sections, the  
6 Commonwealth of the Northern Mariana Islands shall be  
7 deemed to be a State and, for purposes of sections  
8 101(d)(2) and 103(a), shall be treated in the same manner  
9 as the Commonwealth of Puerto Rico, Guam, American  
10 Samoa, and the United States Virgin Islands: *Provided*  
11 *further*, That each reference to the “Administrator of Gen-  
12 eral Services” or the “Administrator” in sections 101 and  
13 103 shall be deemed to refer to the “Election Assistance  
14 Commission”: *Provided further*, That each reference to  
15 “\$5,000,000” in section 103 shall be deemed to refer to  
16 “\$3,000,000” and each reference to “\$1,000,000” in sec-  
17 tion 103 shall be deemed to refer to “\$600,000”: *Provided*  
18 *further*, That not later than 45 days after the date of en-  
19 actment of this Act, the Election Assistance Commission  
20 shall make the payments to States under this heading:  
21 *Provided further*, That a State shall use such payment to  
22 replace voting systems which use direct-recording elec-  
23 tronic voting machines with a voting system which uses  
24 an individual, durable, voter-verified paper ballot which is  
25 marked by the voter by hand or through the use of a non-

1 tabulating ballot-marking device or system, so long as the  
2 voter shall have the option to mark his or her ballot by  
3 hand, and provides the voter with an opportunity to in-  
4 spect and confirm the marked ballot before casting (in this  
5 heading referred to as a “qualified voting system”): *Pro-*  
6 *vided further*, That for purposes of determining whether  
7 a voting system is a qualified voting system, a voter-  
8 verified paper audit trail receipt generated by a direct-re-  
9 cording electronic voting machine is not a paper ballot:  
10 *Provided further*, That none of the funds made available  
11 under this heading may be used to purchase or obtain any  
12 voting system which is not a qualified voting system: *Pro-*  
13 *vided further*, That a State may use such payment to carry  
14 out other authorized activities to improve the administra-  
15 tion of elections for Federal office only if the State cer-  
16 tifies to the Election Assistance Commission that the  
17 State has replaced all voting systems which use direct-re-  
18 cording electronic voting machines with qualified voting  
19 systems: *Provided further*, That not less than 67 percent  
20 of the amount of the payment made to a State under this  
21 heading shall be allocated in cash or in kind to the units  
22 of local government which are responsible for the adminis-  
23 tration of elections for Federal office in the State: *Pro-*  
24 *vided further*, That States shall submit quarterly financial  
25 reports and annual progress reports.

## 1 FEDERAL COMMUNICATIONS COMMISSION

## 2 SALARIES AND EXPENSES

3 For necessary expenses of the Federal Communica-  
4 tions Commission, as authorized by law, including uni-  
5 forms and allowances therefor, as authorized by 5 U.S.C.  
6 5901–5902; not to exceed \$4,000 for official reception and  
7 representation expenses; purchase and hire of motor vehi-  
8 cles; special counsel fees; and services as authorized by  
9 5 U.S.C. 3109, \$390,192,000, to remain available until  
10 expended: *Provided*, That \$390,192,000 of offsetting col-  
11 lections shall be assessed and collected pursuant to section  
12 9 of title I of the Communications Act of 1934, shall be  
13 retained and used for necessary expenses, and shall re-  
14 main available until expended: *Provided further*, That the  
15 sum herein appropriated shall be reduced as such offset-  
16 ting collections are received during fiscal year 2023 so as  
17 to result in a final fiscal year 2023 appropriation esti-  
18 mated at \$0: *Provided further*, That, notwithstanding 47  
19 U.S.C. 309(j)(8)(B), proceeds from the use of a competi-  
20 tive bidding system that may be retained and made avail-  
21 able for obligation shall not exceed \$132,231,000 for fiscal  
22 year 2023: *Provided further*, That, of the amount appro-  
23 priated under this heading, not less than \$12,131,000  
24 shall be for the salaries and expenses of the Office of In-  
25 spector General.

## ADMINISTRATIVE PROVISIONS—FEDERAL

## COMMUNICATIONS COMMISSION

SEC. 510. Section 302 of the Universal Service Antideficiency Temporary Suspension Act is amended by striking “December 31, 2022” each place it appears and inserting “December 31, 2024”.

SEC. 511. None of the funds appropriated by this Act may be used by the Federal Communications Commission to modify, amend, or change its rules or regulations for universal service support payments to implement the February 27, 2004, recommendations of the Federal-State Joint Board on Universal Service regarding single connection or primary line restrictions on universal service support payments.

SEC. 512. Notwithstanding section 421 of the Controlled Substances Act (21 U.S.C. 862), or any other provision of law, none of the funds made available in this Act to the Federal Communications Commission may be used, with respect to an authorization for radio or television stations, to deny, fail to renew for a full term or condition the authorization, decline to approve an application for authority to assign the authorization or transfer direct or indirect control of the licensee, require an early renewal application, or impose a forfeiture penalty because the station broadcast or otherwise transmitted advertisements (a)



1 of a business selling cannabis or cannabis-derived prod-  
2 ucts, the sale or distribution of which is authorized in the  
3 State, political subdivision of a State, or Indian country  
4 in which the community of license of a station is located,  
5 or (b) of a business selling hemp, hemp-derived CBD prod-  
6 ucts or other hemp-derived cannabinoid products.

7           FEDERAL DEPOSIT INSURANCE CORPORATION

8                   OFFICE OF THE INSPECTOR GENERAL

9           For necessary expenses of the Office of Inspector  
10 General in carrying out the provisions of the Inspector  
11 General Act of 1978, \$47,500,000, to be derived from the  
12 Deposit Insurance Fund or, only when appropriate, the  
13 FSLIC Resolution Fund.

14           FEDERAL ELECTION COMMISSION

15                   SALARIES AND EXPENSES

16           For necessary expenses to carry out the provisions  
17 of the Federal Election Campaign Act of 1971,  
18 \$81,674,000, of which not to exceed \$5,000 shall be avail-  
19 able for reception and representation expenses: *Provided*,  
20 That not less than \$2,211,000 shall be for the salaries  
21 and expenses of the Office of the Inspector General.

22           FEDERAL LABOR RELATIONS AUTHORITY

23                   SALARIES AND EXPENSES

24           For necessary expenses to carry out functions of the  
25 Federal Labor Relations Authority, pursuant to Reorga-

## 21 ENVIRONMENTAL REVIEW IMPROVEMENT FUND

**HR 8294 RFS**

## FEDERAL TRADE COMMISSION

## SALARIES AND EXPENSES

For necessary expenses of the Federal Trade Commission, including uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902; services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles; and not to exceed \$2,000 for official reception and representation expenses, \$490,000,000 (reduced by \$5,000,000) (increased by \$5,000,000), to remain available until expended: *Provided*, That not to exceed \$300,000 shall be available for use to contract with a person or persons for collection services in accordance with the terms of 31 U.S.C. 3718: *Provided further*, That, notwithstanding any other provision of law, fees collected for premerger notification filings under the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (15 U.S.C. 18a), regardless of the year of collection (and estimated to be \$190,000,000 in fiscal year 2023), shall be retained and used for necessary expenses in this appropriation and shall remain available until expended: *Provided further*, That, notwithstanding any other provision of law, fees collected to implement and enforce the Telemarketing Sales Rule, promulgated under the Telemarketing and Consumer Fraud and Abuse Prevention Act (15 U.S.C. 6101 et seq.), regardless of the year of collection (and estimated to be

1 \$20,000,000 in fiscal year 2023), shall be credited to this  
2 account, and be retained and used for necessary expenses  
3 in this appropriation, and shall remain available until ex-  
4 pended: *Provided further*, That the sum herein appro-  
5 priated from the general fund shall be reduced as such  
6 offsetting collections are received during fiscal year 2023,  
7 so as to result in a final fiscal year 2023 appropriation  
8 from the general fund estimated at not more than  
9 \$280,000,000: *Provided further*, That none of the funds  
10 made available to the Federal Trade Commission may be  
11 used to implement subsection (e)(2)(B) of section 43 of  
12 the Federal Deposit Insurance Act (12 U.S.C. 1831t).

13                   GENERAL SERVICES ADMINISTRATION

14                   REAL PROPERTY ACTIVITIES

15                   FEDERAL BUILDINGS FUND

16           LIMITATIONS ON AVAILABILITY OF REVENUE

17                   (INCLUDING TRANSFERS OF FUNDS)

18       Amounts in the Fund, including revenues and collec-  
19 tions deposited into the Fund, shall be available for nec-  
20 essary expenses of real property management and related  
21 activities not otherwise provided for, including operation,  
22 maintenance, and protection of federally owned and leased  
23 buildings; rental of buildings in the District of Columbia;  
24 restoration of leased premises; moving governmental agen-  
25 cies (including space adjustments and telecommunications

1 relocation expenses) in connection with the assignment, al-  
2 location, and transfer of space; contractual services inci-  
3 dent to cleaning or servicing buildings, and moving; repair  
4 and alteration of federally owned buildings, including  
5 grounds, approaches, and appurtenances; care and safe-  
6 guarding of sites; maintenance, preservation, demolition,  
7 and equipment; acquisition of buildings and sites by pur-  
8 chase, condemnation, or as otherwise authorized by law;  
9 acquisition of options to purchase buildings and sites; con-  
10 version and extension of federally owned buildings; pre-  
11 liminary planning and design of projects by contract or  
12 otherwise; construction of new buildings (including equip-  
13 ment for such buildings); and payment of principal, inter-  
14 est, and any other obligations for public buildings acquired  
15 by installment purchase and purchase contract; in the ag-  
16 gregate amount of \$10,485,535,000 (reduced by  
17 \$2,000,000) (reduced by \$1,000,000) (reduced by  
18 \$6,700,000) (reduced by \$1,000,000) (reduced by  
19 \$3,000,000), of which—

20 (1) \$962,438,000 shall remain available until  
21 expended for construction and acquisition (including  
22 funds for sites and expenses, and associated design  
23 and construction services) as follows:

1 (A) \$379,938,000 is for the Department of  
2 Homeland Security Consolidation at St. Eliza-  
3 beths, Washington, DC;

4 (B) \$21,000,000 is for the Federal Energy  
5 Regulatory Commission Lease Purchase;

6 (C) \$500,000,000 is for the Federal Bu-  
7 reau of Investigation Headquarters Consolida-  
8 tion in the National Capital Region; and

9 (D) \$61,500,000 is for the U.S. Court-  
10 house in Hartford, CT:

11 *Provided*, That each of the foregoing limits of costs  
12 on new construction and acquisition projects may be  
13 exceeded to the extent that savings are effected in  
14 other such projects, but not to exceed 10 percent of  
15 the amounts included in a transmitted prospectus, if  
16 required, unless advance approval is obtained from  
17 the Committees on Appropriations of the House of  
18 Representatives and the Senate of a greater amount;

19 (2) \$974,708,000 (increased by \$20,000,000)  
20 shall remain available until expended for repairs and  
21 alterations, including associated design and con-  
22 struction services, of which—

23 (A) \$475,911,000 is for Major Repairs and  
24 Alterations as follows:

25 Multiple Locations:

1                   National       Conveying       Systems,  
2                   \$63,198,000;  
3                   National Capital Region:  
4                   Fire Alarm Systems, \$81,125,000;  
5                   New York:  
6                   New York, Alexander Hamilton U.S.  
7                   Courthouse, \$68,497,000;  
8                   Pennsylvania:  
9                   Philadelphia, James A. Byrne U.S.  
10                  Courthouse, \$83,955,000;  
11                  Georgia:  
12                  Atlanta, Sam Nunn Atlanta Federal  
13                  Center, \$72,015,000;  
14                  Montana:  
15                  Butte, Mike Mansfield Federal Build-  
16                  ing and U.S. Courthouse, \$25,792,000;  
17                  California:  
18                  San Francisco Federal Building,  
19                  \$15,687,000;  
20                  Vermont:  
21                  St. Albans, Federal Building, U.S.  
22                  Post Office and Courthouse, \$17,978,000;  
23                  Colorado:  
24                  Denver, Federal Center Infrastruc-  
25                  ture, \$47,664,000;

1 (B) \$398,797,000 is for Basic Repairs and  
2 Alterations, of which \$3,000,000 is for repairs  
3 to the water feature at the Wilkie D. Ferguson  
4 Jr. U.S. Courthouse in Miami, FL; and

5 (C) \$100,000,000 (increased by  
6 \$20,000,000) is for the Special Emphasis Pro-  
7 grams:

8 *Provided*, That funds made available in this or any  
9 previous Act in the Federal Buildings Fund for Re-  
10 pairs and Alterations shall, for prospectus projects,  
11 be limited to the amount identified for each project,  
12 except each project in this or any previous Act may  
13 be increased by an amount not to exceed 10 percent  
14 unless advance approval is obtained from the Com-  
15 mittees on Appropriations of the House of Rep-  
16 resentatives and the Senate of a greater amount:

17 *Provided further*, That additional projects for which  
18 prospectuses have been fully approved may be fund-  
19 ed under this category only if advance approval is  
20 obtained from the Committees on Appropriations of  
21 the House of Representatives and the Senate: *Pro-*  
22 *vided further*, That the amounts provided in this or  
23 any prior Act for “Repairs and Alterations” may be  
24 used to fund costs associated with implementing se-  
25 curity improvements to buildings necessary to meet



1 the minimum standards for security in accordance  
 2 with current law and in compliance with the re-  
 3 programming guidelines of the appropriate commit-  
 4 tees of the House and Senate: *Provided further*,  
 5 That the difference between the funds appropriated  
 6 and expended on any projects in this or any prior  
 7 Act, under the heading “Repairs and Alterations”,  
 8 may be transferred to “Basic Repairs and Alter-  
 9 ations” or used to fund authorized increases in pro-  
 10 spectus projects: *Provided further*, That the amount  
 11 provided in this or any prior Act for “Basic Repairs  
 12 and Alterations” may be used to pay claims against  
 13 the Government arising from any projects under the  
 14 heading “Repairs and Alterations” or used to fund  
 15 authorized increases in prospectus projects;

16 (3) \$5,596,008,000 (reduced by \$20,000,000)  
 17 (reduced by \$2,000,000) (reduced by \$1,000,000)  
 18 (reduced by \$1,000,000) (increased by \$1,000,000)  
 19 (reduced by \$6,700,000) (reduced by \$1,000,000)  
 20 (reduced by \$3,000,000) for rental of space to re-  
 21 main available until expended; and

22 (4) \$2,952,381,000 for building operations to  
 23 remain available until expended: *Provided*, That the  
 24 total amount of funds made available from this  
 25 Fund to the General Services Administration shall

1 not be available for expenses of any construction, re-  
2 pair, alteration and acquisition project for which a  
3 prospectus, if required by 40 U.S.C. 3307(a), has  
4 not been approved, except that necessary funds may  
5 be expended for each project for required expenses  
6 for the development of a proposed prospectus: *Pro-*  
7 *vided further*, That funds available in the Federal  
8 Buildings Fund may be expended for emergency re-  
9 pairs when advance approval is obtained from the  
10 Committees on Appropriations of the House of Rep-  
11 resentatives and the Senate: *Provided further*, That  
12 amounts necessary to provide reimbursable special  
13 services to other agencies under 40 U.S.C. 592(b)(2)  
14 and amounts to provide such reimbursable fencing,  
15 lighting, guard booths, and other facilities on private  
16 or other property not in Government ownership or  
17 control as may be appropriate to enable the United  
18 States Secret Service to perform its protective func-  
19 tions pursuant to 18 U.S.C. 3056, shall be available  
20 from such revenues and collections: *Provided further*,  
21 That revenues and collections and any other sums  
22 accruing to this Fund during fiscal year 2022, ex-  
23 cluding reimbursements under 40 U.S.C. 592(b)(2),  
24 in excess of the aggregate new obligational authority  
25 authorized for Real Property Activities of the Fed-

1       eral Buildings Fund in this Act shall remain in the  
2       Fund and shall not be available for expenditure ex-  
3       cept as authorized in appropriations Acts.

4                               GENERAL ACTIVITIES

5                               GOVERNMENT-WIDE POLICY

6       For expenses authorized by law, not otherwise pro-  
7       vided for, for Government-wide policy and evaluation ac-  
8       tivities associated with the management of real and per-  
9       sonal property assets and certain administrative services;  
10      Government-wide policy support responsibilities relating to  
11      acquisition, travel, motor vehicles, information technology  
12      management, and related technology activities; and serv-  
13      ices as authorized by 5 U.S.C. 3109; \$71,186,000, of  
14      which \$4,000,000 shall remain available until September  
15      30, 2024.

16                            OPERATING EXPENSES

17      For expenses authorized by law, not otherwise pro-  
18      vided for, for Government-wide activities associated with  
19      utilization and donation of surplus personal property; dis-  
20      posal of real property; agency-wide policy direction, and  
21      management; and services as authorized by 5 U.S.C.  
22      3109; \$54,478,000, of which not to exceed \$7,500 is for  
23      official reception and representation expenses.

## 1           CIVILIAN BOARD OF CONTRACT APPEALS

2           For expenses authorized by law, not otherwise pro-  
3 vided for, for the activities associated with the Civilian  
4 Board of Contract Appeals, \$10,352,000, of which  
5 \$2,000,000 shall remain available until September 30,  
6 2024.

## 7           OFFICE OF INSPECTOR GENERAL

8           For necessary expenses of the Office of Inspector  
9 General and service authorized by 5 U.S.C. 3109,  
10 \$74,583,000: *Provided*, That not to exceed \$3,000,000  
11 shall be available for information technology enhance-  
12 ments related to implementing cloud services, improving  
13 security measures, and providing modern technology case  
14 management solutions: *Provided further*, That not to ex-  
15 ceed \$50,000 shall be available for payment for informa-  
16 tion and detection of fraud against the Government, in-  
17 cluding payment for recovery of stolen Government prop-  
18 erty: *Provided further*, That not to exceed \$2,500 shall be  
19 available for awards to employees of other Federal agen-  
20 cies and private citizens in recognition of efforts and ini-  
21 tiatives resulting in enhanced Office of Inspector General  
22 effectiveness.

1 ALLOWANCES AND OFFICE STAFF FOR FORMER  
2 PRESIDENTS

3 For carrying out the provisions of the Act of August  
4 25, 1958 (3 U.S.C. 102 note), and Public Law 95–138,  
5 \$5,200,000.

6 FEDERAL CITIZEN SERVICES FUND  
7 (INCLUDING TRANSFER OF FUNDS)

8 For necessary expenses of the Office of Products and  
9 Programs, including services authorized by 40 U.S.C. 323  
10 and 44 U.S.C. 3604; and for necessary expenses in sup-  
11 port of interagency projects that enable the Federal Gov-  
12 ernment to enhance its ability to conduct activities elec-  
13 tronically through the development and implementation of  
14 innovative uses of information technology; \$115,784,000,  
15 to be deposited into the Federal Citizen Services Fund:  
16 *Provided*, That the previous amount may be transferred  
17 to Federal agencies to carry out the purpose of the Fed-  
18 eral Citizen Services Fund: *Provided further*, That the ap-  
19 propriations, revenues, reimbursements, and collections  
20 deposited into the Fund shall be available until expended  
21 for necessary expenses of Federal Citizen Services and  
22 other activities that enable the Federal Government to en-  
23 hance its ability to conduct activities electronically in the  
24 aggregate amount not to exceed \$160,000,000: *Provided*  
25 *further*, That appropriations, revenues, reimbursements,

1 and collections accruing to this Fund during fiscal year  
2 2023 in excess of such amount shall remain in the Fund  
3 and shall not be available for expenditure except as au-  
4 thorized in appropriations Acts: *Provided further*, That, of  
5 the total amount appropriated, up to \$5,000,000 shall be  
6 available for support functions and full-time hires to sup-  
7 port activities related to the Administration's require-  
8 ments under title II of the Foundations for Evidence-  
9 Based Policymaking Act of 2018 (Public Law 115–435):  
10 *Provided further*, That the transfer authorities provided  
11 herein shall be in addition to any other transfer authority  
12 provided in this Act.

13 TECHNOLOGY MODERNIZATION FUND

14 For the Technology Modernization Fund,  
15 \$100,000,000, to remain available until expended, for  
16 technology-related modernization activities.

17 ASSET PROCEEDS AND SPACE MANAGEMENT FUND

18 For carrying out section 16(b) of the Federal Assets  
19 Sale and Transfer Act of 2016 (40 U.S.C. 1303 note),  
20 \$7,000,000, to remain available until expended.

21 WORKING CAPITAL FUND

22 (INCLUDING TRANSFER OF FUNDS)

23 For the Working Capital Fund of the General Serv-  
24 ices Administration, \$10,900,000, to remain available  
25 until expended, for necessary costs incurred by the Admin-

1 istrator to modernize rulemaking systems and to provide  
2 support services for Federal rulemaking agencies: *Pro-*  
3 *vided*, That amounts made available under this heading  
4 shall be in addition to any other amounts available for  
5 such purposes.

6 ELECTRIC VEHICLES FUND

7 (INCLUDING TRANSFER OF FUNDS)

8 For the procurement of zero emission and electric  
9 passenger motor vehicles and the associated charging in-  
10 frastructure, notwithstanding section 303(c) of the En-  
11 ergy Policy Act of 1992 (42 U.S.C. 13212(c)),  
12 \$100,000,000, to remain available until expended: *Pro-*  
13 *vided*, That amounts made available under this heading  
14 shall be in addition to any other amounts available for  
15 such purposes: *Provided further*, That amounts available  
16 under this heading may be transferred to and merged with  
17 appropriations at other Federal agencies, at the discretion  
18 of the Administrator, for carrying out the purposes under  
19 this heading, including for the procurement of charging  
20 infrastructure for the United States Postal Service.

## 1 ADMINISTRATIVE PROVISIONS—GENERAL SERVICES

## 2 ADMINISTRATION

## 3 (INCLUDING TRANSFER OF FUNDS)

4 SEC. 520. Funds available to the General Services  
5 Administration shall be available for the hire of passenger  
6 motor vehicles.

7 SEC. 521. Funds in the Federal Buildings Fund  
8 made available for fiscal year 2023 for Federal Buildings  
9 Fund activities may be transferred between such activities  
10 only to the extent necessary to meet program require-  
11 ments: *Provided*, That any proposed transfers shall be ap-  
12 proved in advance by the Committees on Appropriations  
13 of the House of Representatives and the Senate.

14 SEC. 522. Except as otherwise provided in this title,  
15 funds made available by this Act shall be used to transmit  
16 a fiscal year 2024 request for United States Courthouse  
17 construction only if the request: (1) meets the design guide  
18 standards for construction as established and approved by  
19 the General Services Administration, the Judicial Con-  
20 ference of the United States, and the Office of Manage-  
21 ment and Budget; (2) reflects the priorities of the Judicial  
22 Conference of the United States as set out in its approved  
23 Courthouse Project Priorities plan; and (3) includes a  
24 standardized courtroom utilization study of each facility  
25 to be constructed, replaced, or expanded.



1        SEC. 523. None of the funds provided in this Act may  
2 be used to increase the amount of occupiable square feet,  
3 provide cleaning services, security enhancements, or any  
4 other service usually provided through the Federal Build-  
5 ings Fund, to any agency that does not pay the rate per  
6 square foot assessment for space and services as deter-  
7 mined by the General Services Administration in consider-  
8 ation of the Public Buildings Amendments Act of 1972  
9 (Public Law 92–313).

10       SEC. 524. From funds made available under the  
11 heading “Federal Buildings Fund, Limitations on Avail-  
12 ability of Revenue”, claims against the Government of less  
13 than \$250,000 arising from direct construction projects  
14 and acquisition of buildings may be liquidated from sav-  
15 ings effected in other construction projects with prior noti-  
16 fication to the Committees on Appropriations of the House  
17 of Representatives and the Senate.

18       SEC. 525. In any case in which the Committee on  
19 Transportation and Infrastructure of the House of Rep-  
20 resentatives and the Committee on Environment and Pub-  
21 lic Works of the Senate adopt a resolution granting lease  
22 authority pursuant to a prospectus transmitted to Con-  
23 gress by the Administrator of the General Services Admin-  
24 istration under 40 U.S.C. 3307, the Administrator shall  
25 ensure that the delineated area of procurement is identical

1 to the delineated area included in the prospectus for all  
2 lease agreements, except that, if the Administrator deter-  
3 mines that the delineated area of the procurement should  
4 not be identical to the delineated area included in the pro-  
5 spectus, the Administrator shall provide an explanatory  
6 statement to each of such committees and the Committees  
7 on Appropriations of the House of Representatives and the  
8 Senate prior to exercising any lease authority provided in  
9 the resolution.

10 SEC. 526. With respect to E-Government projects  
11 funded under the heading “Federal Citizen Services  
12 Fund”, the Administrator of General Services shall submit  
13 a spending plan and explanation for each project to be  
14 undertaken to the Committees on Appropriations of the  
15 House of Representatives and the Senate not later than  
16 60 days after the date of enactment of this Act.

17 SEC. 527. None of the funds made available in this  
18 or any other Act for the Federal Bureau of Investigation  
19 Headquarters Consolidation project may be used to plan  
20 or design any facility that does not meet the requirements  
21 of a new, fully-consolidated headquarters building in the  
22 National Capital Region at one of the three sites listed  
23 in the General Services Administration Fiscal Year 2017  
24 PNCR-FBI-NCR 17 prospectus for a new fully-consoli-  
25 dated Federal Bureau of Investigation Headquarters, and

1 that does not meet Interagency Security Committee Level  
2 V security standards as described in the General Services  
3 Administration Fiscal Year 2017 PNCR–FBI–NCR 17  
4 prospectus.

5 SEC. 528. None of the funds made available in this  
6 Act may be used by the General Services Administration  
7 to award or facilitate the award of any contract for the  
8 provision of architectural, engineering, and related serv-  
9 ices in a manner inconsistent with the procedures in chap-  
10 ter 11 of title 40, United States Code, and subpart 36.6  
11 of title 48, Code of Federal Regulations.

12 SEC. 529. None of the funds made available in this  
13 Act may be used to implement or otherwise carry out di-  
14 rectives contained in any Executive order that would es-  
15 tablish a preferred architectural style for Federal build-  
16 ings and courthouses or that would otherwise conflict with  
17 the Guiding Principles of Federal Architecture, as estab-  
18 lished by the Ad Hoc Committee on Federal Space on  
19 June 1, 1962.

20 HARRY S TRUMAN SCHOLARSHIP FOUNDATION

21 SALARIES AND EXPENSES

22 For payment to the Harry S Truman Scholarship  
23 Foundation Trust Fund, established by section 10 of Pub-  
24 lic Law 93–642, \$2,500,000 (increased by \$500,000), to  
25 remain available until expended.

## 1 MERIT SYSTEMS PROTECTION BOARD

## 2 SALARIES AND EXPENSES

## 3 (INCLUDING TRANSFER OF FUNDS)

4 For necessary expenses to carry out functions of the  
5 Merit Systems Protection Board pursuant to Reorganiza-  
6 tion Plan Numbered 2 of 1978, the Civil Service Reform  
7 Act of 1978, and the Whistleblower Protection Act of  
8 1989 (5 U.S.C. 5509 note), including services as author-  
9 ized by 5 U.S.C. 3109, rental of conference rooms in the  
10 District of Columbia and elsewhere, hire of passenger  
11 motor vehicles, direct procurement of survey printing, and  
12 not to exceed \$2,000 for official reception and representa-  
13 tion expenses, \$51,139,000, to remain available until Sep-  
14 tember 30, 2024, and in addition \$2,345,000, to remain  
15 available until September 30, 2024, for administrative ex-  
16 penses to adjudicate retirement appeals to be transferred  
17 from the Civil Service Retirement and Disability Fund in  
18 amounts determined by the Merit Systems Protection  
19 Board.

## 20 MORRIS K. UDALL AND STEWART L. UDALL

## 21 FOUNDATION

## 22 MORRIS K. UDALL AND STEWART L. UDALL TRUST FUND

## 23 (INCLUDING TRANSFER OF FUNDS)

24 For payment to the Morris K. Udall and Stewart L.  
25 Udall Trust Fund, pursuant to the Morris K. Udall and

1 Stewart L. Udall Foundation Act (20 U.S.C. 5601 et  
2 seq.), \$1,800,000, to remain available for direct expendi-  
3 ture, and to remain available until expended, of which,  
4 notwithstanding sections 8 and 9 of such Act, up to  
5 \$1,000,000 shall be available to carry out the activities  
6 authorized by section 6(7) of Public Law 102-259 and  
7 section 817(a) of Public Law 106-568 (20 U.S.C.  
8 5604(7)): *Provided*, That all current and previous  
9 amounts transferred to the Office of Inspector General of  
10 the Department of the Interior will remain available until  
11 expended for audits and investigations of the Morris K.  
12 Udall and Stewart L. Udall Foundation, consistent with  
13 the Inspector General Act of 1978 (5 U.S.C. App.), as  
14 amended, and for annual independent financial audits of  
15 the Morris K. Udall and Stewart L. Udall Foundation  
16 pursuant to the Accountability of Tax Dollars Act of 2002  
17 (Public Law 107-289): *Provided further*, That previous  
18 amounts transferred to the Office of Inspector General of  
19 the Department of the Interior may be transferred to the  
20 Morris K. Udall and Stewart L. Udall Foundation for an-  
21 nual independent financial audits pursuant to the Ac-  
22 countability of Tax Dollars Act of 2002 (Public Law 107-  
23 289).

## 1 ENVIRONMENTAL DISPUTE RESOLUTION FUND

2 For payment to the Environmental Dispute Resolu-  
3 tion Fund to carry out activities under sections 10 and  
4 11 of the Morris K. Udall and Stewart L. Udall Founda-  
5 tion Act (Public Law 111–90), \$3,943,000, to remain  
6 available until expended: *Provided*, That during fiscal year  
7 2023 and each fiscal year thereafter, any amounts in such  
8 Fund shall, pursuant to section 1557 of title 31, United  
9 States Code, be exempt from the provisions of subchapter  
10 IV of chapter 15 of such title.

## 11 NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

## 12 OPERATING EXPENSES

13 For necessary expenses in connection with the admin-  
14 istration of the National Archives and Records Adminis-  
15 tration and archived Federal records and related activities,  
16 as provided by law, and for expenses necessary for the re-  
17 view and declassification of documents, the activities of  
18 the Public Interest Declassification Board, the operations  
19 and maintenance of the electronic records archives, the  
20 hire of passenger motor vehicles, and for uniforms or al-  
21 lowances therefor, as authorized by law (5 U.S.C. 5901),  
22 including maintenance, repairs, and cleaning,  
23 \$427,520,000, of which \$30,000,000 shall remain avail-  
24 able until expended for expenses necessary to enhance the  
25 Federal Government’s ability to electronically preserve,

1 manage, and store Government records, of which up to  
2 \$2,000,000 shall remain available until expended to imple-  
3 ment the Civil Rights Cold Case Records Collection Act  
4 of 2018 (Public Law 115–426), and of which \$1,000,000  
5 shall be for necessary expenses of the Public Interest De-  
6 classification Board in carrying out the provisions of the  
7 Public Interest Declassification Act of 2000 (title VII of  
8 Public Law 106–567; 50 U.S.C. 3301 note).

9 OFFICE OF INSPECTOR GENERAL

10 For necessary expenses of the Office of Inspector  
11 General in carrying out the provisions of the Inspector  
12 General Reform Act of 2008, Public Law 110–409, 122  
13 Stat. 4302–16 (2008), and the Inspector General Act of  
14 1978 (5 U.S.C. App.), and for the hire of passenger motor  
15 vehicles, \$5,980,000.

16 REPAIRS AND RESTORATION

17 For the repair, alteration, and improvement of ar-  
18 chives facilities and to provide adequate storage for hold-  
19 ings, \$7,500,000, to remain available until expended.

20 NATIONAL HISTORICAL PUBLICATIONS AND RECORDS

21 COMMISSION

22 GRANTS PROGRAM

23 For necessary expenses for allocations and grants for  
24 historical publications and records as authorized by 44

1 U.S.C. 2504, \$9,500,000, to remain available until ex-  
2 pended.

3 ADMINISTRATIVE PROVISION—NATIONAL ARCHIVES AND  
4 RECORDS ADMINISTRATION

5 SEC. 530. For an additional amount for “National  
6 Historical Publications and Records Commission Grants  
7 Program”, \$1,332,000, which shall be for initiatives in the  
8 amounts and for the projects specified in the table that  
9 appears under the heading “Administrative Provisions—  
10 National Archives and Records Administration” in the re-  
11 port accompanying this Act: *Provided*, That none of the  
12 funds made available by this section may be transferred  
13 for any other purpose.

14 NATIONAL CREDIT UNION ADMINISTRATION

15 COMMUNITY DEVELOPMENT REVOLVING LOAN FUND

16 For the Community Development Revolving Loan  
17 Fund program as authorized by 42 U.S.C. 9812, 9822  
18 and 9910, \$4,000,000 shall be available until September  
19 30, 2024, for technical assistance to low-income des-  
20 ignated credit unions.

21 OFFICE OF GOVERNMENT ETHICS

22 SALARIES AND EXPENSES

23 For necessary expenses to carry out functions of the  
24 Office of Government Ethics pursuant to the Ethics in  
25 Government Act of 1978, the Ethics Reform Act of 1989,



1 and the Representative Louise McIntosh Slaughter Stop  
2 Trading on Congressional Knowledge Act of 2012, includ-  
3 ing services as authorized by 5 U.S.C. 3109, rental of con-  
4 ference rooms in the District of Columbia and elsewhere,  
5 hire of passenger motor vehicles, and not to exceed \$1,500  
6 for official reception and representation expenses,  
7 \$25,400,000.

8 OFFICE OF PERSONNEL MANAGEMENT

9 SALARIES AND EXPENSES

10 (INCLUDING TRANSFERS OF TRUST FUNDS)

11 For necessary expenses to carry out functions of the  
12 Office of Personnel Management (OPM) pursuant to Re-  
13 organization Plan Numbered 2 of 1978 and the Civil Serv-  
14 ice Reform Act of 1978, including services as authorized  
15 by 5 U.S.C. 3109; medical examinations performed for  
16 veterans by private physicians on a fee basis; rental of con-  
17 ference rooms in the District of Columbia and elsewhere;  
18 hire of passenger motor vehicles; not to exceed \$2,500 for  
19 official reception and representation expenses; and pay-  
20 ment of per diem and/or subsistence allowances to employ-  
21 ees where Voting Rights Act activities require an employee  
22 to remain overnight at his or her post of duty,  
23 \$220,262,000: *Provided*, That of the total amount made  
24 available under this heading, \$19,373,000 shall remain  
25 available until expended, for information technology infra-

1 structure modernization and Trust Fund Federal Finan-  
2 cial System migration or modernization, and shall be in  
3 addition to funds otherwise made available for such pur-  
4 poses: *Provided further*, That of the total amount made  
5 available under this heading, \$1,381,748 may be made  
6 available for strengthening the capacity and capabilities  
7 of the acquisition workforce (as defined by the Office of  
8 Federal Procurement Policy Act, as amended (41 U.S.C.  
9 4001 et seq.)), including the recruitment, hiring, training,  
10 and retention of such workforce and information tech-  
11 nology in support of acquisition workforce effectiveness or  
12 for management solutions to improve acquisition manage-  
13 ment; and in addition \$190,316,000 for administrative ex-  
14 penses, to be transferred from the appropriate trust funds  
15 of OPM without regard to other statutes, including direct  
16 procurement of printed materials, for the retirement and  
17 insurance programs: *Provided further*, That the provisions  
18 of this appropriation shall not affect the authority to use  
19 applicable trust funds as provided by sections  
20 8348(a)(1)(B), 8958(f)(2)(A), 8988(f)(2)(A), and  
21 9004(f)(2)(A) of title 5, United States Code: *Provided fur-*  
22 *ther*, That no part of this appropriation shall be available  
23 for salaries and expenses of the Legal Examining Unit of  
24 OPM established pursuant to Executive Order No. 9358  
25 of July 1, 1943, or any successor unit of like purpose:

1 *Provided further*, That the President's Commission on  
2 White House Fellows, established by Executive Order No.  
3 11183 of October 3, 1964, may, during fiscal year 2023,  
4 accept donations of money, property, and personal serv-  
5 ices: *Provided further*, That such donations, including  
6 those from prior years, may be used for the development  
7 of publicity materials to provide information about the  
8 White House Fellows, except that no such donations shall  
9 be accepted for travel or reimbursement of travel expenses,  
10 or for the salaries of employees of such Commission: *Pro-*  
11 *vided further*, That not to exceed 5 percent of amounts  
12 made available under this heading may be transferred to  
13 an information technology working capital fund estab-  
14 lished for purposes authorized by subtitle G of title X of  
15 division A of the National Defense Authorization Act for  
16 Fiscal Year 2018 (Public Law 115–91; 40 U. S. C. 11301  
17 note) upon the advance approval of the Committees on Ap-  
18 propriations of the House of Representatives and the Sen-  
19 ate: *Provided further*, That amounts transferred to such  
20 a fund under the preceding proviso from any organiza-  
21 tional category of the Office of Personnel Management  
22 shall not exceed 5 percent of its budget as identified in  
23 the report required by section 608 of this Act: *Provided*  
24 *further*, That amounts transferred to such a fund shall re-  
25 main available for obligation through September 30, 2026.

1                   OFFICE OF INSPECTOR GENERAL  
2                   SALARIES AND EXPENSES  
3                   (INCLUDING TRANSFER OF TRUST FUNDS)

4       For necessary expenses of the Office of Inspector  
5 General in carrying out the provisions of the Inspector  
6 General Act of 1978, including services as authorized by  
7 5 U.S.C. 3109, hire of passenger motor vehicles,  
8 \$5,556,000, and in addition, not to exceed \$32,163,000  
9 for administrative expenses to audit, investigate, and pro-  
10 vide other oversight of the Office of Personnel Manage-  
11 ment's retirement and insurance programs, to be trans-  
12 ferred from the appropriate trust funds of the Office of  
13 Personnel Management, as determined by the Inspector  
14 General: *Provided*, That the Inspector General is author-  
15 ized to rent conference rooms in the District of Columbia  
16 and elsewhere.

17                   OFFICE OF SPECIAL COUNSEL  
18                   SALARIES AND EXPENSES

19       For necessary expenses to carry out functions of the  
20 Office of Special Counsel, including services as authorized  
21 by 5 U.S.C. 3109, payment of fees and expenses for wit-  
22 nesses, rental of conference rooms in the District of Co-  
23 lumbia and elsewhere, and hire of passenger motor vehi-  
24 cles, \$31,990,000.

## 1       PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD

## 2                               SALARIES AND EXPENSES

3       For necessary expenses of the Privacy and Civil Lib-  
4       erties Oversight Board, as authorized by section 1061 of  
5       the Intelligence Reform and Terrorism Prevention Act of  
6       2004 (42 U.S.C. 2000ee), \$10,700,000, to remain avail-  
7       able until September 30, 2024.

## 8                               PUBLIC BUILDINGS REFORM BOARD

## 9                               SALARIES AND EXPENSES

10      For salaries and expenses of the Public Buildings Re-  
11      form Board in carrying out the Federal Assets Sale and  
12      Transfer Act of 2016 (Public Law 114–287), \$4,000,000  
13      (reduced by \$4,000,000) (increased by \$4,000,000), to re-  
14      main available until expended.

## 15                           SECURITIES AND EXCHANGE COMMISSION

## 16                           SALARIES AND EXPENSES

17      For necessary expenses for the Securities and Ex-  
18      change Commission, including services as authorized by  
19      5 U.S.C. 3109, the rental of space (to include multiple  
20      year leases) in the District of Columbia and elsewhere, and  
21      not to exceed \$3,500 for official reception and representa-  
22      tion expenses, \$2,149,000,000, to remain available until  
23      expended; of which not less than \$18,979,400 shall be for  
24      the Office of Inspector General; of which not to exceed  
25      \$275,000 shall be available for a permanent secretariat

1 for the International Organization of Securities Commis-  
2 sions; and of which not to exceed \$100,000 shall be avail-  
3 able for expenses for consultations and meetings hosted  
4 by the Commission with foreign governmental and other  
5 regulatory officials, members of their delegations and  
6 staffs to exchange views concerning securities matters,  
7 such expenses to include necessary logistic and adminis-  
8 trative expenses and the expenses of Commission staff and  
9 foreign invitees in attendance including: (1) incidental ex-  
10 penses such as meals; (2) travel and transportation; and  
11 (3) related lodging or subsistence.

12 In addition to the foregoing appropriation, for move,  
13 replication, and related costs associated with a replace-  
14 ment lease for the Commission's District of Columbia  
15 headquarters facilities, not to exceed \$57,405,000, to re-  
16 main available until expended.

17 For purposes of calculating the fee rate under section  
18 31(j) of the Securities Exchange Act of 1934 (15 U.S.C.  
19 78ee(j)) for fiscal year 2023, all amounts appropriated  
20 under this heading shall be deemed to be the regular ap-  
21 propriation to the Commission for fiscal year 2023: *Pro-*  
22 *vided*, That fees and charges authorized by section 31 of  
23 the Securities Exchange Act of 1934 (15 U.S.C. 78ee)  
24 shall be credited to this account as offsetting collections:  
25 *Provided further*, That not to exceed \$2,149,000,000 of

1 such offsetting collections shall be available until expended  
2 for necessary expenses of this account; and not to exceed  
3 \$57,405,000 of such offsetting collections shall be avail-  
4 able until expended for move, replication, and related costs  
5 under this heading associated with a replacement lease for  
6 the Commission's District of Columbia headquarters facili-  
7 ties: *Provided further*, That the total amount appropriated  
8 under this heading from the general fund for fiscal year  
9 2023 shall be reduced as such offsetting fees are received  
10 so as to result in a final total fiscal year 2023 appropria-  
11 tion from the general fund estimated at not more than  
12 \$0: *Provided further*, That if any amount of the appropria-  
13 tion for move, replication, and related costs associated  
14 with a replacement lease for the Commission's District of  
15 Columbia headquarters facilities is subsequently de-obli-  
16 gated by the Commission, such amount that was derived  
17 from the general fund shall be returned to the general  
18 fund, and such amounts that were derived from fees or  
19 assessments collected for such purpose shall be paid to  
20 each national securities exchange and national securities  
21 association, respectively, in proportion to any fees or as-  
22 sessments paid by such national securities exchange or na-  
23 tional securities association under section 31 of the Securi-  
24 ties Exchange Act of 1934 (15 U.S.C. 78ee) in fiscal year  
25 2023.

1 ADMINISTRATIVE PROVISION—SECURITIES AND  
2 EXCHANGE COMMISSION

3 SEC. 540. None of the funds made available by this  
4 Act may be used to implement the amendments to sections  
5 240.14a–1(l), 240.14a–2, or 240.14a–9 of title 17, Code  
6 of Federal Regulations, that were adopted by the Securi-  
7 ties and Exchange Commission on July 22, 2020.

8 SELECTIVE SERVICE SYSTEM  
9 SALARIES AND EXPENSES

10 For necessary expenses of the Selective Service Sys-  
11 tem, including expenses of attendance at meetings and of  
12 training for uniformed personnel assigned to the Selective  
13 Service System, as authorized by 5 U.S.C. 4101–4118 for  
14 civilian employees; hire of passenger motor vehicles; serv-  
15 ices as authorized by 5 U.S.C. 3109; and not to exceed  
16 \$750 for official reception and representation expenses;  
17 \$29,300,000: *Provided*, That during the current fiscal  
18 year, the President may exempt this appropriation from  
19 the provisions of 31 U.S.C. 1341, whenever the President  
20 deems such action to be necessary in the interest of na-  
21 tional defense: *Provided further*, That none of the funds  
22 appropriated by this Act may be expended for or in con-  
23 nection with the induction of any person into the Armed  
24 Forces of the United States.



## 1 SMALL BUSINESS ADMINISTRATION

## 2 SALARIES AND EXPENSES

3 For necessary expenses, not otherwise provided for,  
4 of the Small Business Administration, including hire of  
5 passenger motor vehicles as authorized by sections 1343  
6 and 1344 of title 31, United States Code, and not to ex-  
7 ceed \$3,500 for official reception and representation ex-  
8 penses, \$313,872,000 (reduced by \$2,000,000) (reduced  
9 by \$30,000,000) (increased by \$30,000,000), of which not  
10 less than \$12,000,000 shall be available for examinations,  
11 reviews, and other lender oversight activities: *Provided*,  
12 That the Administrator is authorized to charge fees to  
13 cover the cost of publications developed by the Small Busi-  
14 ness Administration, and certain loan program activities,  
15 including fees authorized by section 5(b) of the Small  
16 Business Act: *Provided further*, That, notwithstanding 31  
17 U.S.C. 3302, revenues received from all such activities  
18 shall be credited to this account, to remain available until  
19 expended, for carrying out these purposes without further  
20 appropriations: *Provided further*, That the Small Business  
21 Administration may accept gifts in an amount not to ex-  
22 ceed \$4,000,000 and may co-sponsor activities, each in ac-  
23 cordance with section 132(a) of division K of Public Law  
24 108–447, during fiscal year 2023: *Provided further*, That  
25 \$6,100,000 shall remain available until September 30,

1 2024, for the Loan Modernization and Accounting Sys-  
2 tem: *Provided further*, That \$20,000,000 shall remain  
3 available until September 30, 2024, for expenses relating  
4 to the certification of small business concerns owned and  
5 controlled by veterans and small business concerns owned  
6 and controlled by service-disabled veterans under sections  
7 36 and 36A of the Small Business Act (15 U.S.C. 657f;  
8 657f–1).

9 ENTREPRENEURIAL DEVELOPMENT PROGRAMS

10 For necessary expenses of programs supporting en-  
11 trepreneurial and small business development,  
12 \$326,000,000 (reduced by \$5,000,000) (increased by  
13 \$5,000,000) (increased by \$6,700,000) (increased by  
14 \$2,000,000), to remain available until September 30,  
15 2024: *Provided*, That \$145,000,000 shall be available to  
16 fund grants for performance in fiscal year 2023 or fiscal  
17 year 2024 as authorized by section 21 of the Small Busi-  
18 ness Act: *Provided further*, That \$41,000,000 shall be for  
19 marketing, management, and technical assistance under  
20 section 7(m) of the Small Business Act (15 U.S.C.  
21 636(m)(4)) by intermediaries that make microloans under  
22 the microloan program: *Provided further*, That  
23 \$22,000,000 shall be available for grants to States to  
24 carry out export programs that assist small business con-

1 cerns authorized under section 22(l) of the Small Business  
2 Act (15 U.S.C. 649(l)).

3 OFFICE OF INSPECTOR GENERAL

4 For necessary expenses of the Office of Inspector  
5 General in carrying out the provisions of the Inspector  
6 General Act of 1978, \$32,020,000 (increased by  
7 \$1,000,000).

8 OFFICE OF ADVOCACY

9 For necessary expenses of the Office of Advocacy in  
10 carrying out the provisions of title II of Public Law 94–  
11 305 (15 U.S.C. 634a et seq.) and the Regulatory Flexi-  
12 bility Act of 1980 (5 U.S.C. 601 et seq.), \$10,211,000,  
13 to remain available until expended.

14 BUSINESS LOANS PROGRAM ACCOUNT

15 (INCLUDING TRANSFER OF FUNDS)

16 For the cost of direct loans, \$6,000,000, to remain  
17 available until expended: *Provided*, That such costs, in-  
18 cluding the cost of modifying such loans, shall be as de-  
19 fined in section 502 of the Congressional Budget Act of  
20 1974: *Provided further*, That subject to section 502 of the  
21 Congressional Budget Act of 1974, during fiscal year  
22 2023 commitments to guarantee loans under section 503  
23 of the Small Business Investment Act of 1958 shall not  
24 exceed \$11,000,000,000: *Provided further*, That during  
25 fiscal year 2023 commitments for general business loans

1 authorized under paragraphs (1) through (35) of section  
2 7(a) of the Small Business Act shall not exceed  
3 \$35,000,000,000 for a combination of amortizing term  
4 loans and the aggregated maximum line of credit provided  
5 by revolving loans: *Provided further*, That during fiscal  
6 year 2023 commitments for loans authorized under sub-  
7 paragraph (C) of section 502(7) of the Small Business In-  
8 vestment Act of 1958 (15 U.S.C. 696(7)) shall not exceed  
9 \$7,500,000,000: *Provided further*, That during fiscal year  
10 2023 commitments to guarantee loans for debentures  
11 under section 303(b) of the Small Business Investment  
12 Act of 1958 shall not exceed \$5,000,000,000: *Provided*  
13 *further*, That during fiscal year 2023, guarantees of trust  
14 certificates authorized by section 5(g) of the Small Busi-  
15 ness Act shall not exceed a principal amount of  
16 \$15,000,000,000. In addition, for administrative expenses  
17 to carry out the direct and guaranteed loan programs,  
18 \$165,300,000, which may be transferred to and merged  
19 with the appropriations for Salaries and Expenses.

20 DISASTER LOANS PROGRAM ACCOUNT

21 (INCLUDING TRANSFERS OF FUNDS)

22 For administrative expenses to carry out the direct  
23 loan program authorized by section 7(b) of the Small  
24 Business Act, \$179,000,000 (reduced by \$1,000,000) (in-  
25 creased by \$1,000,000), to be available until expended, of

1 which \$1,600,000 is for the Office of Inspector General  
2 of the Small Business Administration for audits and re-  
3 views of disaster loans and the disaster loan programs and  
4 shall be transferred to and merged with the appropriations  
5 for the Office of Inspector General; of which \$169,000,000  
6 is for direct administrative expenses of loan making and  
7 servicing to carry out the direct loan program, which may  
8 be transferred to and merged with the appropriations for  
9 Salaries and Expenses; and of which \$8,400,000 is for in-  
10 direct administrative expenses for the direct loan program,  
11 which may be transferred to and merged with the appro-  
12 priations for Salaries and Expenses: *Provided*, That, of the  
13 funds provided under this heading, \$143,000,000 shall be  
14 for major disasters declared pursuant to the Robert T.  
15 Stafford Disaster Relief and Emergency Assistance Act  
16 (42 U.S.C. 5122(2)): *Provided further*, That the amount  
17 for major disasters under this heading is designated by  
18 the Congress as being for disaster relief pursuant to sec-  
19 tion 1(f) of H. Res. 1151 (117th Congress), as engrossed  
20 in the House of Representatives on June 8, 2022.

21 ADMINISTRATIVE PROVISIONS—SMALL BUSINESS

22 ADMINISTRATION

23 (INCLUDING TRANSFERS OF FUNDS)

24 SEC. 550. Not to exceed 5 percent of any appropria-  
25 tion made available for the current fiscal year for the

1 Small Business Administration in this Act may be trans-  
2 ferred between such appropriations, but no such appro-  
3 priation shall be increased by more than 10 percent by  
4 any such transfers: *Provided*, That any transfer pursuant  
5 to this paragraph shall be treated as a reprogramming of  
6 funds under section 608 of this Act and shall not be avail-  
7 able for obligation or expenditure except in compliance  
8 with the procedures set forth in that section.

9 SEC. 551. Not to exceed 3 percent of any appropria-  
10 tion made available in this Act for the Small Business Ad-  
11 ministration under the headings “Salaries and Expenses”  
12 and “Business Loans Program Account” may be trans-  
13 ferred to the Administration’s information technology sys-  
14 tem modernization and working capital fund (IT WCF),  
15 as authorized by section 1077(b)(1) of title X of division  
16 A of the National Defense Authorization Act for Fiscal  
17 Year 2018, for the purposes specified in section  
18 1077(b)(3) of such Act, upon the advance approval of the  
19 Committees on Appropriations of the House of Represent-  
20 atives and the Senate: *Provided*, That amounts transferred  
21 to the IT WCF under this section shall remain available  
22 for obligation through September 30, 2026.

23 SEC. 552. For an additional amount under the head-  
24 ing “Small Business Administration—Salaries and Ex-  
25 penses”, \$75,159,000, which shall be for initiatives related

1 to small business development and entrepreneurship, in-  
2 cluding programmatic and construction activities, in the  
3 amounts and for the projects specified in the table that  
4 appears under the heading “Administrative Provisions—  
5 Small Business Administration” in the report accom-  
6 panying this Act: *Provided*, That, notwithstanding sections  
7 2701.92 and 2701.93 of title 2, Code of Federal Regula-  
8 tions, the Administrator of the Small Business Adminis-  
9 tration may permit awards to subrecipients for initiatives  
10 funded under this section: *Provided further*, That none of  
11 the funds made available by this section may be trans-  
12 ferred for any other purpose.

13 UNITED STATES POSTAL SERVICE

14 PAYMENT TO THE POSTAL SERVICE FUND

15 For payment to the Postal Service Fund for revenue  
16 forgone on free and reduced rate mail, pursuant to sub-  
17 sections (c) and (d) of section 2401 of title 39, United  
18 States Code, \$56,253,000: *Provided*, That mail for over-  
19 seas voting and mail for the blind shall continue to be free:  
20 *Provided further*, That none of the funds made available  
21 to the Postal Service by this Act shall be used to imple-  
22 ment any rule, regulation, or policy of charging any officer  
23 or employee of any State or local child support enforce-  
24 ment agency, or any individual participating in a State  
25 or local program of child support enforcement, a fee for

1 information requested or provided concerning an address  
2 of a postal customer: *Provided further*, That none of the  
3 funds provided in this Act shall be used to consolidate or  
4 close small rural and other small post offices: *Provided*  
5 *further*, That the Postal Service may not destroy, and shall  
6 continue to offer for sale, any copies of the Multinational  
7 Species Conservation Funds Semipostal Stamp, as author-  
8 ized under the Multinational Species Conservation Funds  
9 Semipostal Stamp Act of 2010 (Public Law 111–241).

10 OFFICE OF INSPECTOR GENERAL

11 SALARIES AND EXPENSES

12 (INCLUDING TRANSFER OF FUNDS)

13 For necessary expenses of the Office of Inspector  
14 General in carrying out the provisions of the Inspector  
15 General Act of 1978, \$271,000,000, to be derived by  
16 transfer from the Postal Service Fund and expended as  
17 authorized by section 603(b)(3) of the Postal Account-  
18 ability and Enhancement Act (Public Law 109–435).

19 UNITED STATES TAX COURT

20 SALARIES AND EXPENSES

21 For necessary expenses, including contract reporting  
22 and other services as authorized by 5 U.S.C. 3109, and  
23 not to exceed \$3,000 for official reception and representa-  
24 tion expenses; \$57,300,000, of which \$1,000,000 shall re-  
25 main available until expended: *Provided*, That travel ex-



1 penses of the judges shall be paid upon the written certifi-  
2 cate of the judge.

## 3 TITLE VI

### 4 GENERAL PROVISIONS—THIS ACT

5 SEC. 601. None of the funds in this Act shall be used  
6 for the planning or execution of any program to pay the  
7 expenses of, or otherwise compensate, non-Federal parties  
8 intervening in regulatory or adjudicatory proceedings  
9 funded in this Act.

10 SEC. 602. None of the funds appropriated in this Act  
11 shall remain available for obligation beyond the current  
12 fiscal year, nor may any be transferred to other appropria-  
13 tions, unless expressly so provided herein.

14 SEC. 603. The expenditure of any appropriation  
15 under this Act for any consulting service through procure-  
16 ment contract pursuant to 5 U.S.C. 3109, shall be limited  
17 to those contracts where such expenditures are a matter  
18 of public record and available for public inspection, except  
19 where otherwise provided under existing law, or under ex-  
20 isting Executive order issued pursuant to existing law.

21 SEC. 604. None of the funds made available in this  
22 Act may be transferred to any department, agency, or in-  
23 strumentality of the United States Government, except  
24 pursuant to a transfer made by, or transfer authority pro-  
25 vided in, this Act or any other appropriations Act.

1       SEC. 605. None of the funds made available by this  
2 Act shall be available for any activity or for paying the  
3 salary of any Government employee where funding an ac-  
4 tivity or paying a salary to a Government employee would  
5 result in a decision, determination, rule, regulation, or pol-  
6 icy that would prohibit the enforcement of section 307 of  
7 the Tariff Act of 1930 (19 U.S.C. 1307).

8       SEC. 606. No funds appropriated pursuant to this  
9 Act may be expended by an entity unless the entity agrees  
10 that in expending the assistance the entity will comply  
11 with chapter 83 of title 41, United States Code.

12       SEC. 607. No funds appropriated or otherwise made  
13 available under this Act shall be made available to any  
14 person or entity that has been convicted of violating chap-  
15 ter 83 of title 41, United States Code.

16       SEC. 608. Except as otherwise provided in this Act,  
17 none of the funds provided in this Act, provided by pre-  
18 vious appropriations Acts to the agencies or entities fund-  
19 ed in this Act that remain available for obligation or ex-  
20 penditure in fiscal year 2023, or provided from any ac-  
21 counts in the Treasury derived by the collection of fees  
22 and available to the agencies funded by this Act, shall be  
23 available for obligation or expenditure through a re-  
24 programming of funds that: (1) creates a new program;  
25 (2) eliminates a program, project, or activity; (3) increases

1 funds or personnel for any program, project, or activity  
2 for which funds have been denied or restricted by the Con-  
3 gress; (4) proposes to use funds directed for a specific ac-  
4 tivity by the Committee on Appropriations of either the  
5 House of Representatives or the Senate for a different  
6 purpose; (5) augments existing programs, projects, or ac-  
7 tivities in excess of \$5,000,000 or 10 percent, whichever  
8 is less; (6) reduces existing programs, projects, or activi-  
9 ties by \$5,000,000 or 10 percent, whichever is less; or (7)  
10 creates or reorganizes offices, programs, or activities un-  
11 less prior approval is received from the Committees on Ap-  
12 propriations of the House of Representatives and the Sen-  
13 ate: *Provided*, That prior to any significant reorganization,  
14 restructuring, relocation, or closing of offices, programs,  
15 or activities, each agency or entity funded in this Act shall  
16 consult with the Committees on Appropriations of the  
17 House of Representatives and the Senate: *Provided fur-*  
18 *ther*, That not later than 60 days after the date of enact-  
19 ment of this Act, each agency funded by this Act shall  
20 submit a report to the Committees on Appropriations of  
21 the House of Representatives and the Senate to establish  
22 the baseline for application of reprogramming and trans-  
23 fer authorities for the current fiscal year: *Provided further*,  
24 That at a minimum the report shall include: (1) a table  
25 for each appropriation, detailing both full-time employee

1 equivalents and budget authority, with separate columns  
2 to display the prior year enacted level, the President's  
3 budget request, adjustments made by Congress, adjust-  
4 ments due to enacted rescissions, if appropriate, and the  
5 fiscal year enacted level; (2) a delineation in the table for  
6 each appropriation and its respective prior year enacted  
7 level by object class and program, project, and activity as  
8 detailed in this Act, in the accompanying report, or in the  
9 budget appendix for the respective appropriation, which-  
10 ever is more detailed, and which shall apply to all items  
11 for which a dollar amount is specified and to all programs  
12 for which new budget authority is provided, as well as to  
13 discretionary grants and discretionary grant allocations;  
14 and (3) an identification of items of special congressional  
15 interest: *Provided further*, That the amount appropriated  
16 or limited for salaries and expenses for an agency shall  
17 be reduced by \$100,000 per day for each day after the  
18 required date that the report has not been submitted to  
19 the Congress.

20       SEC. 609. Except as otherwise specifically provided  
21 by law, not to exceed 50 percent of unobligated balances  
22 remaining available at the end of fiscal year 2023 from  
23 appropriations made available for salaries and expenses  
24 for fiscal year 2023 in this Act, shall remain available  
25 through September 30, 2024, for each such account for

1 the purposes authorized: *Provided*, That a request shall  
2 be submitted to the Committees on Appropriations of the  
3 House of Representatives and the Senate for approval  
4 prior to the expenditure of such funds: *Provided further*,  
5 That these requests shall be made in compliance with re-  
6 programming guidelines.

7 SEC. 610. (a) None of the funds made available in  
8 this Act may be used by the Executive Office of the Presi-  
9 dent to request—

10 (1) any official background investigation report  
11 on any individual from the Federal Bureau of Inves-  
12 tigation; or

13 (2) a determination with respect to the treat-  
14 ment of an organization as described in section  
15 501(c) of the Internal Revenue Code of 1986 and  
16 exempt from taxation under section 501(a) of such  
17 Code from the Department of the Treasury or the  
18 Internal Revenue Service.

19 (b) Subsection (a) shall not apply—

20 (1) in the case of an official background inves-  
21 tigation report, if such individual has given express  
22 written consent for such request not more than 6  
23 months prior to the date of such request and during  
24 the same presidential administration; or

1           (2) if such request is required due to extraor-  
2       dinary circumstances involving national security.

3       SEC. 611. The cost accounting standards promul-  
4       gated under chapter 15 of title 41, United States Code  
5       shall not apply with respect to a contract under the Fed-  
6       eral Employees Health Benefits Program established  
7       under chapter 89 of title 5, United States Code.

8       SEC. 612. For the purpose of resolving litigation and  
9       implementing any settlement agreements regarding the  
10      nonforeign area cost-of-living allowance program, the Of-  
11      fice of Personnel Management may accept and utilize  
12      (without regard to any restriction on unanticipated travel  
13      expenses imposed in an Appropriations Act) funds made  
14      available to the Office of Personnel Management pursuant  
15      to court approval.

16      SEC. 613. In order to promote Government access to  
17      commercial information technology, the restriction on pur-  
18      chasing nondomestic articles, materials, and supplies set  
19      forth in chapter 83 of title 41, United States Code (popu-  
20      larly known as the Buy American Act), shall not apply  
21      to the acquisition by the Federal Government of informa-  
22      tion technology (as defined in section 11101 of title 40,  
23      United States Code), that is a commercial item (as defined  
24      in section 103 of title 41, United States Code).

1        SEC. 614. Notwithstanding section 1353 of title 31,  
2 United States Code, no officer or employee of any regu-  
3 latory agency or commission funded by this Act may ac-  
4 cept on behalf of that agency, nor may such agency or  
5 commission accept, payment or reimbursement from a  
6 non-Federal entity for travel, subsistence, or related ex-  
7 penses for the purpose of enabling an officer or employee  
8 to attend and participate in any meeting or similar func-  
9 tion relating to the official duties of the officer or em-  
10 ployee when the entity offering payment or reimbursement  
11 is a person or entity subject to regulation by such agency  
12 or commission, or represents a person or entity subject  
13 to regulation by such agency or commission, unless the  
14 person or entity is an organization described in section  
15 501(c)(3) of the Internal Revenue Code of 1986 and ex-  
16 empt from tax under section 501(a) of such Code.

17        SEC. 615. (a)(1) Notwithstanding any other provision  
18 of law, an Executive agency covered by this Act otherwise  
19 authorized to enter into contracts for either leases or the  
20 construction or alteration of real property for office, meet-  
21 ing, storage, or other space must consult with the General  
22 Services Administration before issuing a solicitation for of-  
23 fers of new leases or construction contracts, and in the  
24 case of succeeding leases, before entering into negotiations  
25 with the current lessor.

1       (2) Any such agency with authority to enter into an  
2 emergency lease may do so during any period declared by  
3 the President to require emergency leasing authority with  
4 respect to such agency.

5       (b) For purposes of this section, the term “Executive  
6 agency covered by this Act” means any Executive agency  
7 provided funds by this Act, but does not include the Gen-  
8 eral Services Administration or the United States Postal  
9 Service.

10       SEC. 616. (a) There are appropriated for the fol-  
11 lowing activities the amounts required under current law:

12               (1) Compensation of the President (3 U.S.C.  
13       102).

14               (2) Payments to—

15                       (A) the Judicial Officers’ Retirement Fund  
16       (28 U.S.C. 377(o));

17                       (B) the Judicial Survivors’ Annuities Fund  
18       (28 U.S.C. 376(c)); and

19                       (C) the United States Court of Federal  
20       Claims Judges’ Retirement Fund (28 U.S.C.  
21       178(l)).

22               (3) Payment of Government contributions—

23                       (A) with respect to the health benefits of  
24       retired employees, as authorized by chapter 89  
25       of title 5, United States Code, and the Retired



1 Federal Employees Health Benefits Act (74  
2 Stat. 849); and

3 (B) with respect to the life insurance bene-  
4 fits for employees retiring after December 31,  
5 1989 (5 U.S.C. ch. 87).

6 (4) Payment to finance the unfunded liability of  
7 new and increased annuity benefits under the Civil  
8 Service Retirement and Disability Fund (5 U.S.C.  
9 8348).

10 (5) Payment of annuities authorized to be paid  
11 from the Civil Service Retirement and Disability  
12 Fund by statutory provisions other than subchapter  
13 III of chapter 83 or chapter 84 of title 5, United  
14 States Code.

15 (b) Nothing in this section may be construed to ex-  
16 empt any amount appropriated by this section from any  
17 otherwise applicable limitation on the use of funds con-  
18 tained in this Act.

19 SEC. 617. (a) The head of each executive branch  
20 agency funded by this Act shall ensure that the Chief In-  
21 formation Officer of the agency has the authority to par-  
22 ticipate in decisions regarding the budget planning process  
23 related to information technology.

24 (b) Amounts appropriated for any executive branch  
25 agency funded by this Act that are available for informa-

1 tion technology shall be allocated within the agency, con-  
2 sistent with the provisions of appropriations Acts and  
3 budget guidelines and recommendations from the Director  
4 of the Office of Management and Budget, in such manner  
5 as specified by, or approved by, the Chief Information Of-  
6 ficer of the agency in consultation with the Chief Financial  
7 Officer of the agency and budget officials.

8       SEC. 618. None of the funds made available in this  
9 Act may be used in contravention of chapter 29, 31, or  
10 33 of title 44, United States Code.

11       SEC. 619. None of the funds made available in this  
12 Act may be used by a governmental entity to require the  
13 disclosure by a provider of electronic communication serv-  
14 ice to the public or remote computing service of the con-  
15 tents of a wire or electronic communication that is in elec-  
16 tronic storage with the provider (as such terms are defined  
17 in sections 2510 and 2711 of title 18, United States Code)  
18 in a manner that violates the Fourth Amendment to the  
19 Constitution of the United States.

20       SEC. 620. No funds provided in this Act shall be used  
21 to deny an Inspector General funded under this Act timely  
22 access to any records, documents, or other materials avail-  
23 able to the department or agency over which that Inspec-  
24 tor General has responsibilities under the Inspector Gen-  
25 eral Act of 1978, or to prevent or impede that Inspector

1 General's access to such records, documents, or other ma-  
2 terials, under any provision of law, except a provision of  
3 law that expressly refers to the Inspector General and ex-  
4 pressly limits the Inspector General's right of access. A  
5 department or agency covered by this section shall provide  
6 its Inspector General with access to all such records, docu-  
7 ments, and other materials in a timely manner. Each In-  
8 spector General shall ensure compliance with statutory  
9 limitations on disclosure relevant to the information pro-  
10 vided by the establishment over which that Inspector Gen-  
11 eral has responsibilities under the Inspector General Act  
12 of 1978. Each Inspector General covered by this section  
13 shall report to the Committees on Appropriations of the  
14 House of Representatives and the Senate within 5 cal-  
15 endar days any failures to comply with this requirement.

16 SEC. 621. None of the funds appropriated by this Act  
17 may be used by the Federal Communications Commission  
18 to modify, amend, or change the rules or regulations of  
19 the Commission for universal service high-cost support for  
20 competitive eligible telecommunications carriers in a way  
21 that is inconsistent with paragraph (e)(5) or (e)(6) of sec-  
22 tion 54.307 of title 47, Code of Federal Regulations, as  
23 in effect on July 15, 2015: *Provided*, That this section  
24 shall not prohibit the Commission from considering, devel-  
25 oping, or adopting other support mechanisms as an alter-

1 native to Mobility Fund Phase II: *Provided further*, That  
2 any such alternative mechanism shall maintain existing  
3 high-cost support to competitive eligible telecommuni-  
4 cations carriers until support under such mechanism com-  
5 mences.

6 SEC. 622. (a) None of the funds made available in  
7 this Act may be used to maintain or establish a computer  
8 network unless such network blocks the viewing,  
9 downloading, and exchanging of pornography.

10 (b) Nothing in subsection (a) shall limit the use of  
11 funds necessary for any Federal, State, tribal, or local law  
12 enforcement agency or any other entity carrying out crimi-  
13 nal investigations, prosecution, adjudication activities, or  
14 other law enforcement- or victim assistance-related activ-  
15 ity.

16 SEC. 623. None of the funds appropriated or other-  
17 wise made available by this Act may be used to pay award  
18 or incentive fees for contractors whose performance has  
19 been judged to be below satisfactory, behind schedule, over  
20 budget, or has failed to meet the basic requirements of  
21 a contract, unless the Agency determines that any such  
22 deviations are due to unforeseeable events, government-  
23 driven scope changes, or are not significant within the  
24 overall scope of the project and/or program and unless

1 such awards or incentive fees are consistent with  
2 16.401(e)(2) of the Federal Acquisition Regulation.

3 SEC. 624. (a) None of the funds made available under  
4 this Act may be used to pay for travel and conference ac-  
5 tivities that result in a total cost to an Executive branch  
6 department, agency, board or commission funded by this  
7 Act of more than \$500,000 at any single conference unless  
8 the agency or entity determines that such attendance is  
9 in the national interest and advance notice is transmitted  
10 to the Committees on Appropriations of the House of Rep-  
11 resentatives and the Senate that includes the basis of that  
12 determination.

13 (b) None of the funds made available under this Act  
14 may be used to pay for the travel to or attendance of more  
15 than 50 employees, who are stationed in the United  
16 States, at any single conference occurring outside the  
17 United States unless the agency or entity determines that  
18 such attendance is in the national interest and advance  
19 notice is transmitted to the Committees on Appropriations  
20 of the House of Representatives and the Senate that in-  
21 cludes the basis of that determination.

22 SEC. 625. None of the funds made available by this  
23 Act may be used for first-class or business-class travel by  
24 the employees of executive branch agencies funded by this

1 Act in contravention of sections 301–10.122 through 301–  
2 10.125 of title 41, Code of Federal Regulations.

3 SEC. 626. In addition to any amounts appropriated  
4 or otherwise made available for expenses related to en-  
5 hancements to [www.oversight.gov](http://www.oversight.gov), \$850,000, to remain  
6 available until expended, shall be provided for an addi-  
7 tional amount for such purpose to the Inspectors General  
8 Council Fund established pursuant to section 11(c)(3)(B)  
9 of the Inspector General Act of 1978 (5 U.S.C. App.):  
10 *Provided*, That these amounts shall be in addition to any  
11 amounts or any authority available to the Council of the  
12 Inspectors General on Integrity and Efficiency under sec-  
13 tion 11 of the Inspector General Act of 1978 (5 U.S.C.  
14 App.).

15 SEC. 627. None of the funds made available by this  
16 Act may be obligated on contracts in excess of \$5,000 for  
17 public relations, as that term is defined in Office and Man-  
18 agement and Budget Circular A–87 (revised May 10,  
19 2004), unless advance notice of such an obligation is  
20 transmitted to the Committees on Appropriations of the  
21 House of Representatives and the Senate.

22 SEC. 628. Federal agencies funded under this Act  
23 shall clearly state within the text, audio, or video used for  
24 advertising or educational purposes, including emails or  
25 Internet postings, that the communication is printed, pub-

1 lished, or produced and disseminated at U.S. taxpayer ex-  
2 pense. The funds used by a Federal agency to carry out  
3 this requirement shall be derived from amounts made  
4 available to the agency for advertising or other commu-  
5 nications regarding the programs and activities of the  
6 agency.

7       SEC. 629. When issuing statements, press releases,  
8 requests for proposals, bid solicitations and other docu-  
9 ments describing projects or programs funded in whole or  
10 in part with Federal money, all grantees receiving Federal  
11 funds included in this Act, shall clearly state—

12               (1) the percentage of the total costs of the pro-  
13 gram or project which will be financed with Federal  
14 money;

15               (2) the dollar amount of Federal funds for the  
16 project or program; and

17               (3) percentage and dollar amount of the total  
18 costs of the project or program that will be financed  
19 by non-governmental sources.

20       SEC. 630. Not later than 45 days after the last day  
21 of each quarter, each agency funded in this Act shall sub-  
22 mit to the Committees on Appropriations of the House  
23 of Representatives and the Senate a quarterly budget re-  
24 port that includes total obligations of the Agency for that

1 quarter for each appropriation, by the source year of the  
2 appropriation.

3       SEC. 631. None of the funds made available in this  
4 Act may be used to penalize a financial institution solely  
5 because the institution provides financial services to an en-  
6 tity that is a manufacturer, a producer, or a person that  
7 participates in any business or organized activity that in-  
8 volves handling hemp, hemp-derived cannabidiol products,  
9 other hemp-derived cannabinoid products, marijuana,  
10 marijuana products, or marijuana proceeds, and engages  
11 in such activity pursuant to a law established by a State,  
12 political subdivision of a State, or Indian Tribe. In this  
13 section, the term “State” means each of the several  
14 States, the District of Columbia, and any territory or pos-  
15 session of the United States.

## 16                                   TITLE VII

### 17       GENERAL PROVISIONS—GOVERNMENT-WIDE

#### 18           DEPARTMENTS, AGENCIES, AND CORPORATIONS

##### 19                           (INCLUDING TRANSFER OF FUNDS)

20       SEC. 701. No department, agency, or instrumentality  
21 of the United States receiving appropriated funds under  
22 this or any other Act for fiscal year 2023 shall obligate  
23 or expend any such funds, unless such department, agen-  
24 cy, or instrumentality has in place, and will continue to  
25 administer in good faith, a written policy designed to en-



1 sure that all of its workplaces are free from the illegal  
2 use, possession, or distribution of controlled substances  
3 (as defined in the Controlled Substances Act (21 U.S.C.  
4 802)) by the officers and employees of such department,  
5 agency, or instrumentality.

6       SEC. 702. Unless otherwise specifically provided, the  
7 maximum amount allowable during the current fiscal year  
8 in accordance with subsection 1343(c) of title 31, United  
9 States Code, for the purchase of any passenger motor ve-  
10 hicle (exclusive of buses, ambulances, law enforcement ve-  
11 hicles, protective vehicles, and undercover surveillance ve-  
12 hicles), is hereby fixed at \$19,947 except station wagons  
13 for which the maximum shall be \$19,997: *Provided*, That  
14 these limits may be exceeded by not to exceed \$7,250 for  
15 police-type vehicles: *Provided further*, That the limits set  
16 forth in this section may not be exceeded by more than  
17 5 percent for electric or hybrid vehicles purchased for  
18 demonstration under the provisions of the Electric and  
19 Hybrid Vehicle Research, Development, and Demonstra-  
20 tion Act of 1976: *Provided further*, That the limits set  
21 forth in this section may be exceeded by the incremental  
22 cost of clean alternative fuels vehicles acquired pursuant  
23 to Public Law 101-549 over the cost of comparable con-  
24 ventionally fueled vehicles: *Provided further*, That the lim-  
25 its set forth in this section shall not apply to any vehicle

1 that is a commercial item and which operates on alter-  
2 native fuel, including but not limited to electric, plug-in  
3 hybrid electric, and hydrogen fuel cell vehicles.

4 SEC. 703. Appropriations of the executive depart-  
5 ments and independent establishments for the current fis-  
6 cal year available for expenses of travel, or for the ex-  
7 penses of the activity concerned, are hereby made available  
8 for quarters allowances and cost-of-living allowances, in  
9 accordance with 5 U.S.C. 5922–5924.

10 SEC. 704. Unless otherwise specified in law during  
11 the current fiscal year, no part of any appropriation con-  
12 tained in this or any other Act shall be used to pay the  
13 compensation of any officer or employee of the Govern-  
14 ment of the United States (including any agency the ma-  
15 jority of the stock of which is owned by the Government  
16 of the United States) whose post of duty is in the conti-  
17 nental United States unless such person: (1) is a citizen  
18 of the United States; (2) is a person who is lawfully admit-  
19 ted for permanent residence and is seeking citizenship as  
20 outlined in 8 U.S.C. 1324b(a)(3)(B); (3) is a person who  
21 is admitted as a refugee under 8 U.S.C. 1157 or is grant-  
22 ed asylum under 8 U.S.C. 1158 and has filed a declaration  
23 of intention to become a lawful permanent resident and  
24 then a citizen when eligible; (4) is a person who owes alle-  
25 giance to the United States; or (5) is a person who is au-

1 thorized to be employed in the United States pursuant to  
2 the Deferred Action for Childhood Arrivals program estab-  
3 lished under the memorandum of the Secretary of Home-  
4 land Security dated June 15, 2012: *Provided*, That for  
5 purposes of this section, affidavits signed by any such per-  
6 son shall be considered prima facie evidence that the re-  
7 quirements of this section with respect to his or her status  
8 are being complied with: *Provided further*, That for pur-  
9 poses of paragraphs (2) and (3) such affidavits shall be  
10 submitted prior to employment and updated thereafter as  
11 necessary: *Provided further*, That any person making a  
12 false affidavit shall be guilty of a felony, and upon convic-  
13 tion, shall be fined no more than \$4,000 or imprisoned  
14 for not more than 1 year, or both: *Provided further*, That  
15 the above penal clause shall be in addition to, and not in  
16 substitution for, any other provisions of existing law: *Pro-*  
17 *vided further*, That any payment made to any officer or  
18 employee contrary to the provisions of this section shall  
19 be recoverable in action by the Federal Government: *Pro-*  
20 *vided further*, That this section shall not apply to any per-  
21 son who is an officer or employee of the Government of  
22 the United States on the date of enactment of this Act,  
23 or to international broadcasters employed by the Broad-  
24 casting Board of Governors, or to temporary employment  
25 of translators, or to temporary employment in the field

1 service (not to exceed 60 days) as a result of emergencies:  
2 *Provided further*, That this section does not apply to the  
3 employment as Wildland firefighters for not more than  
4 120 days of nonresident aliens employed by the Depart-  
5 ment of the Interior or the USDA Forest Service pursuant  
6 to an agreement with another country.

7 SEC. 705. Appropriations available to any depart-  
8 ment or agency during the current fiscal year for nec-  
9 essary expenses, including maintenance or operating ex-  
10 penses, shall also be available for payment to the General  
11 Services Administration for charges for space and services  
12 and those expenses of renovation and alteration of build-  
13 ings and facilities which constitute public improvements  
14 performed in accordance with the Public Buildings Act of  
15 1959 (73 Stat. 479), the Public Buildings Amendments  
16 of 1972 (86 Stat. 216), or other applicable law.

17 SEC. 706. In addition to funds provided in this or  
18 any other Act, all Federal agencies are authorized to re-  
19 ceive and use funds resulting from the sale of materials,  
20 including Federal records disposed of pursuant to a  
21 records schedule recovered through recycling or waste pre-  
22 vention programs. Such funds shall be available until ex-  
23 pended for the following purposes:

24 (1) Acquisition, waste reduction and prevention,  
25 and recycling programs as described in Executive

1       Order No. 13834 (May 17, 2018), including any  
2       such programs adopted prior to the effective date of  
3       the Executive order.

4           (2) Other Federal agency environmental man-  
5       agement programs, including, but not limited to, the  
6       development and implementation of hazardous waste  
7       management and pollution prevention programs.

8           (3) Other employee programs as authorized by  
9       law or as deemed appropriate by the head of the  
10      Federal agency.

11      SEC. 707. Funds made available by this or any other  
12   Act for administrative expenses in the current fiscal year  
13   of the corporations and agencies subject to chapter 91 of  
14   title 31, United States Code, shall be available, in addition  
15   to objects for which such funds are otherwise available,  
16   for rent in the District of Columbia; services in accordance  
17   with 5 U.S.C. 3109; and the objects specified under this  
18   head, all the provisions of which shall be applicable to the  
19   expenditure of such funds unless otherwise specified in the  
20   Act by which they are made available: *Provided*, That in  
21   the event any functions budgeted as administrative ex-  
22   penses are subsequently transferred to or paid from other  
23   funds, the limitations on administrative expenses shall be  
24   correspondingly reduced.

1        SEC. 708. No part of any appropriation contained in  
2 this or any other Act shall be available for interagency  
3 financing of boards (except Federal Executive Boards),  
4 commissions, councils, committees, or similar groups  
5 (whether or not they are interagency entities) which do  
6 not have a prior and specific statutory approval to receive  
7 financial support from more than one agency or instru-  
8 mentality.

9        SEC. 709. None of the funds made available pursuant  
10 to the provisions of this or any other Act shall be used  
11 to implement, administer, or enforce any regulation which  
12 has been disapproved pursuant to a joint resolution duly  
13 adopted in accordance with the applicable law of the  
14 United States.

15       SEC. 710. During the period in which the head of  
16 any department or agency, or any other officer or civilian  
17 employee of the Federal Government appointed by the  
18 President of the United States, holds office, no funds may  
19 be obligated or expended in excess of \$5,000 to furnish  
20 or redecorate the office of such department head, agency  
21 head, officer, or employee, or to purchase furniture or  
22 make improvements for any such office, unless advance  
23 notice of such furnishing or redecoration is transmitted  
24 to the Committees on Appropriations of the House of Rep-  
25 resentatives and the Senate. For the purposes of this sec-

tion, the term “office” shall include the entire suite of offices assigned to the individual, as well as any other space used primarily by the individual or the use of which is directly controlled by the individual.

SEC. 711. Notwithstanding 31 U.S.C. 1346, or section 708 of this Act, funds made available for the current fiscal year by this or any other Act shall be available for the interagency funding of national security and emergency preparedness telecommunications initiatives which benefit multiple Federal departments, agencies, or entities, as provided by Executive Order No. 13618 (July 6, 2012).

SEC. 712. (a) None of the funds made available by this or any other Act may be obligated or expended by any department, agency, or other instrumentality of the Federal Government to pay the salaries or expenses of any individual appointed to a position of a confidential or policy-determining character that is excepted from the competitive service under section 3302 of title 5, United States Code, (pursuant to schedule C of subpart C of part 213 of title 5 of the Code of Federal Regulations) unless the head of the applicable department, agency, or other instrumentality employing such schedule C individual certifies to the Director of the Office of Personnel Management that the schedule C position occupied by the indi-

1   vidual was not created solely or primarily in order to detail  
2   the individual to the White House.

3       (b) The provisions of this section shall not apply to  
4   Federal employees or members of the armed forces de-  
5   tailed to or from an element of the intelligence community  
6   (as that term is defined under section 3(4) of the National  
7   Security Act of 1947 (50 U.S.C. 3003(4))).

8       SEC. 713. No part of any appropriation contained in  
9   this or any other Act shall be available for the payment  
10  of the salary of any officer or employee of the Federal  
11  Government, who—

12           (1) prohibits or prevents, or attempts or threat-  
13       ens to prohibit or prevent, any other officer or em-  
14       ployee of the Federal Government from having any  
15       direct oral or written communication or contact with  
16       any Member, committee, or subcommittee of the  
17       Congress in connection with any matter pertaining  
18       to the employment of such other officer or employee  
19       or pertaining to the department or agency of such  
20       other officer or employee in any way, irrespective of  
21       whether such communication or contact is at the ini-  
22       tiative of such other officer or employee or in re-  
23       sponse to the request or inquiry of such Member,  
24       committee, or subcommittee; or



1           (2) removes, suspends from duty without pay,  
2       demotes, reduces in rank, seniority, status, pay, or  
3       performance or efficiency rating, denies promotion  
4       to, relocates, reassigns, transfers, disciplines, or dis-  
5       criminates in regard to any employment right, enti-  
6       tlement, or benefit, or any term or condition of em-  
7       ployment of, any other officer or employee of the  
8       Federal Government, or attempts or threatens to  
9       commit any of the foregoing actions with respect to  
10      such other officer or employee, by reason of any  
11      communication or contact of such other officer or  
12      employee with any Member, committee, or sub-  
13      committee of the Congress as described in paragraph  
14      (1).

15      SEC. 714. (a) None of the funds made available in  
16      this or any other Act may be obligated or expended for  
17      any employee training that—

18           (1) does not meet identified needs for knowl-  
19      edge, skills, and abilities bearing directly upon the  
20      performance of official duties;

21           (2) contains elements likely to induce high lev-  
22      els of emotional response or psychological stress in  
23      some participants;

1           (3) does not require prior employee notification  
2           of the content and methods to be used in the train-  
3           ing and written end of course evaluation;

4           (4) contains any methods or content associated  
5           with religious or quasi-religious belief systems or  
6           “new age” belief systems as defined in Equal Em-  
7           ployment Opportunity Commission Notice N-  
8           915.022, dated September 2, 1988; or

9           (5) is offensive to, or designed to change, par-  
10          ticipants’ personal values or lifestyle outside the  
11          workplace.

12          (b) Nothing in this section shall prohibit, restrict, or  
13          otherwise preclude an agency from conducting training  
14          bearing directly upon the performance of official duties.

15          SEC. 715. No part of any funds appropriated in this  
16          or any other Act shall be used by an agency of the execu-  
17          tive branch, other than for normal and recognized execu-  
18          tive-legislative relationships, for publicity or propaganda  
19          purposes, and for the preparation, distribution or use of  
20          any kit, pamphlet, booklet, publication, radio, television,  
21          or film presentation designed to support or defeat legisla-  
22          tion pending before the Congress, except in presentation  
23          to the Congress itself.

24          SEC. 716. None of the funds appropriated by this or  
25          any other Act may be used by an agency to provide a Fed-

1 eral employee's home address to any labor organization  
2 except when the employee has authorized such disclosure  
3 or when such disclosure has been ordered by a court of  
4 competent jurisdiction.

5 SEC. 717. None of the funds made available in this  
6 or any other Act may be used to provide any non-public  
7 information such as mailing, telephone, or electronic mail-  
8 ing lists to any person or any organization outside of the  
9 Federal Government without the approval of the Commit-  
10 tees on Appropriations of the House of Representatives  
11 and the Senate.

12 SEC. 718. No part of any appropriation contained in  
13 this or any other Act shall be used directly or indirectly,  
14 including by private contractor, for publicity or propa-  
15 ganda purposes within the United States not heretofore  
16 authorized by Congress.

17 SEC. 719. (a) In this section, the term "agency"—

18 (1) means an Executive agency, as defined  
19 under 5 U.S.C. 105; and

20 (2) includes a military department, as defined  
21 under section 102 of such title, the United States  
22 Postal Service, and the Postal Regulatory Commis-  
23 sion.

24 (b) Unless authorized in accordance with law or regu-  
25 lations to use such time for other purposes, an employee

1 of an agency shall use official time in an honest effort  
2 to perform official duties. An employee not under a leave  
3 system, including a Presidential appointee exempted under  
4 5 U.S.C. 6301(2), has an obligation to expend an honest  
5 effort and a reasonable proportion of such employee's time  
6 in the performance of official duties.

7       SEC. 720. Notwithstanding 31 U.S.C. 1346 and sec-  
8 tion 708 of this Act, funds made available for the current  
9 fiscal year by this or any other Act to any department  
10 or agency, which is a member of the Federal Accounting  
11 Standards Advisory Board (FASAB), shall be available to  
12 finance an appropriate share of FASAB administrative  
13 costs.

14       SEC. 721. Notwithstanding 31 U.S.C. 1346 and sec-  
15 tion 708 of this Act, the head of each Executive depart-  
16 ment and agency is hereby authorized to transfer to or  
17 reimburse "General Services Administration, Government-  
18 wide Policy" with the approval of the Director of the Of-  
19 fice of Management and Budget, funds made available for  
20 the current fiscal year by this or any other Act, including  
21 rebates from charge card and other contracts: *Provided*,  
22 That these funds shall be administered by the Adminis-  
23 trator of General Services to support Government-wide  
24 and other multi-agency financial, information technology,  
25 procurement, and other management innovations, initia-

1 tives, and activities, including improving coordination and  
2 reducing duplication, as approved by the Director of the  
3 Office of Management and Budget, in consultation with  
4 the appropriate interagency and multi-agency groups des-  
5 ignated by the Director (including the President’s Man-  
6 agement Council for overall management improvement ini-  
7 tiatives, the Chief Financial Officers Council for financial  
8 management initiatives, the Chief Information Officers  
9 Council for information technology initiatives, the Chief  
10 Human Capital Officers Council for human capital initia-  
11 tives, the Chief Acquisition Officers Council for procure-  
12 ment initiatives, and the Performance Improvement Coun-  
13 cil for performance improvement initiatives): *Provided fur-*  
14 *ther*, That the total funds transferred or reimbursed shall  
15 not exceed \$15,000,000 to improve coordination, reduce  
16 duplication, and for other activities related to Federal  
17 Government Priority Goals established by 31 U.S.C. 1120,  
18 and not to exceed \$17,000,000 for Government-wide inno-  
19 vations, initiatives, and activities: *Provided further*, That  
20 the funds transferred to or for reimbursement of “General  
21 Services Administration, Government-wide Policy” during  
22 fiscal year 2023 shall remain available for obligation  
23 through September 30, 2024: *Provided further*, That such  
24 transfers or reimbursements may only be made after 15  
25 days following notification of the Committees on Appro-

1 priations of the House of Representatives and the Senate  
2 by the Director of the Office of Management and Budget.

3 SEC. 722. Notwithstanding any other provision of  
4 law, a woman may breastfeed her child at any location  
5 in a Federal building or on Federal property, if the woman  
6 and her child are otherwise authorized to be present at  
7 the location.

8 SEC. 723. Notwithstanding 31 U.S.C. 1346, or sec-  
9 tion 708 of this Act, funds made available for the current  
10 fiscal year by this or any other Act shall be available for  
11 the interagency funding of specific projects, workshops,  
12 studies, and similar efforts to carry out the purposes of  
13 the National Science and Technology Council (authorized  
14 by Executive Order No. 12881), which benefit multiple  
15 Federal departments, agencies, or entities: *Provided*, That  
16 the Office of Management and Budget shall provide a re-  
17 port describing the budget of and resources connected with  
18 the National Science and Technology Council to the Com-  
19 mittees on Appropriations, the House Committee on  
20 Science, Space, and Technology, and the Senate Com-  
21 mittee on Commerce, Science, and Transportation 90 days  
22 after enactment of this Act.

23 SEC. 724. Any request for proposals, solicitation,  
24 grant application, form, notification, press release, or  
25 other publications involving the distribution of Federal

1 funds shall comply with any relevant requirements in part  
2 200 of title 2, Code of Federal Regulations: *Provided*,  
3 That this section shall apply to direct payments, formula  
4 funds, and grants received by a State receiving Federal  
5 funds.

6 SEC. 725. (a) PROHIBITION OF FEDERAL AGENCY  
7 MONITORING OF INDIVIDUALS' INTERNET USE.—None of  
8 the funds made available in this or any other Act may  
9 be used by any Federal agency—

10 (1) to collect, review, or create any aggregation  
11 of data, derived from any means, that includes any  
12 personally identifiable information relating to an in-  
13 dividual's access to or use of any Federal Govern-  
14 ment Internet site of the agency; or

15 (2) to enter into any agreement with a third  
16 party (including another government agency) to col-  
17 lect, review, or obtain any aggregation of data, de-  
18 rived from any means, that includes any personally  
19 identifiable information relating to an individual's  
20 access to or use of any nongovernmental Internet  
21 site.

22 (b) EXCEPTIONS.—The limitations established in  
23 subsection (a) shall not apply to—

24 (1) any record of aggregate data that does not  
25 identify particular persons;

1           (2) any voluntary submission of personally iden-  
2       tifiable information;

3           (3) any action taken for law enforcement, regu-  
4       latory, or supervisory purposes, in accordance with  
5       applicable law; or

6           (4) any action described in subsection (a)(1)  
7       that is a system security action taken by the oper-  
8       ator of an Internet site and is necessarily incident  
9       to providing the Internet site services or to pro-  
10      tecting the rights or property of the provider of the  
11      Internet site.

12       (c) DEFINITIONS.—For the purposes of this section:

13           (1) The term “regulatory” means agency ac-  
14       tions to implement, interpret or enforce authorities  
15       provided in law.

16           (2) The term “supervisory” means examina-  
17       tions of the agency’s supervised institutions, includ-  
18       ing assessing safety and soundness, overall financial  
19       condition, management practices and policies and  
20       compliance with applicable standards as provided in  
21       law.

22       SEC. 726. (a) None of the funds appropriated by this  
23   Act may be used to enter into or renew a contract which  
24   includes a provision providing prescription drug coverage,



1 except where the contract also includes a provision for con-  
2 traceptive coverage.

3 (b) Nothing in this section shall apply to a contract  
4 with—

5 (1) any of the following religious plans:

6 (A) Personal Care’s HMO; and

7 (B) OSF HealthPlans, Inc.; and

8 (2) any existing or future plan, if the carrier  
9 for the plan objects to such coverage on the basis of  
10 religious beliefs.

11 (c) In implementing this section, any plan that enters  
12 into or renews a contract under this section may not sub-  
13 ject any individual to discrimination on the basis that the  
14 individual refuses to prescribe or otherwise provide for  
15 contraceptives because such activities would be contrary  
16 to the individual’s religious beliefs or moral convictions.

17 (d) Nothing in this section shall be construed to re-  
18 quire coverage of abortion or abortion-related services.

19 SEC. 727. The United States is committed to ensur-  
20 ing the health of its Olympic, Pan American, and  
21 Paralympic athletes, and supports the strict adherence to  
22 anti-doping in sport through testing, adjudication, edu-  
23 cation, and research as performed by nationally recognized  
24 oversight authorities.

1       SEC. 728. Notwithstanding any other provision of  
2 law, funds appropriated for official travel to Federal de-  
3 partments and agencies may be used by such departments  
4 and agencies, if consistent with Office of Management and  
5 Budget Circular A-126 regarding official travel for Gov-  
6 ernment personnel, to participate in the fractional aircraft  
7 ownership pilot program.

8       SEC. 729. Notwithstanding any other provision of  
9 law, none of the funds appropriated or made available  
10 under this or any other appropriations Act may be used  
11 to implement or enforce restrictions or limitations on the  
12 Coast Guard Congressional Fellowship Program, or to im-  
13 plement the proposed regulations of the Office of Per-  
14 sonnel Management to add sections 300.311 through  
15 300.316 to part 300 of title 5 of the Code of Federal Reg-  
16 ulations, published in the Federal Register, volume 68,  
17 number 174, on September 9, 2003 (relating to the detail  
18 of executive branch employees to the legislative branch).

19       SEC. 730. Notwithstanding any other provision of  
20 law, no executive branch agency shall purchase, construct,  
21 or lease any additional facilities, except within or contig-  
22 uous to existing locations, to be used for the purpose of  
23 conducting Federal law enforcement training without the  
24 advance approval of the Committees on Appropriations of  
25 the House of Representatives and the Senate, except that

1 the Federal Law Enforcement Training Centers is author-  
2 ized to obtain the temporary use of additional facilities  
3 by lease, contract, or other agreement for training which  
4 cannot be accommodated in existing Centers facilities.

5 SEC. 731. Unless otherwise authorized by existing  
6 law, none of the funds provided in this or any other Act  
7 may be used by an executive branch agency to produce  
8 any prepackaged news story intended for broadcast or dis-  
9 tribution in the United States, unless the story includes  
10 a clear notification within the text or audio of the pre-  
11 packaged news story that the prepackaged news story was  
12 prepared or funded by that executive branch agency.

13 SEC. 732. None of the funds made available in this  
14 Act may be used in contravention of section 552a of title  
15 5, United States Code (popularly known as the Privacy  
16 Act), and regulations implementing that section.

17 SEC. 733. (a) IN GENERAL.—None of the funds ap-  
18 propriated or otherwise made available by this or any  
19 other Act may be used for any Federal Government con-  
20 tract with any foreign incorporated entity which is treated  
21 as an inverted domestic corporation under section 835(b)  
22 of the Homeland Security Act of 2002 (6 U.S.C. 395(b))  
23 or any subsidiary of such an entity.

24 (b) WAIVERS.—

1           (1) IN GENERAL.—Any Secretary shall waive  
2           subsection (a) with respect to any Federal Govern-  
3           ment contract under the authority of such Secretary  
4           if the Secretary determines that the waiver is re-  
5           quired in the interest of national security.

6           (2) REPORT TO CONGRESS.—Any Secretary  
7           issuing a waiver under paragraph (1) shall report  
8           such issuance to Congress.

9           (c) EXCEPTION.—This section shall not apply to any  
10          Federal Government contract entered into before the date  
11          of the enactment of this Act, or to any task order issued  
12          pursuant to such contract.

13          SEC. 734. During fiscal year 2023, for each employee  
14          who—

15               (1) retires under section 8336(d)(2) or  
16               8414(b)(1)(B) of title 5, United States Code; or

17               (2) retires under any other provision of sub-  
18               chapter III of chapter 83 or chapter 84 of such title  
19               5 and receives a payment as an incentive to sepa-  
20               rate, the separating agency shall remit to the Civil  
21               Service Retirement and Disability Fund an amount  
22               equal to the Office of Personnel Management’s aver-  
23               age unit cost of processing a retirement claim for  
24               the preceding fiscal year. Such amounts shall be  
25               available until expended to the Office of Personnel

1 Management and shall be deemed to be an adminis-  
2 trative expense under section 8348(a)(1)(B) of title  
3 5, United States Code.

4 SEC. 735. None of the funds made available in this  
5 or any other Act may be used to pay for the painting of  
6 a portrait of an officer or employee of the Federal Govern-  
7 ment, including the President, the Vice President, a mem-  
8 ber of Congress (including a Delegate or a Resident Com-  
9 missioner to Congress), the head of an executive branch  
10 agency (as defined in section 133 of title 41, United States  
11 Code), or the head of an office of the legislative branch.

12 SEC. 736. (a)(1) Notwithstanding any other provision  
13 of law, and except as otherwise provided in this section,  
14 no part of any of the funds appropriated for fiscal year  
15 2023, by this or any other Act, may be used to pay any  
16 prevailing rate employee described in section  
17 5342(a)(2)(A) of title 5, United States Code—

18 (A) during the period from the date of expira-  
19 tion of the limitation imposed by the comparable sec-  
20 tion for the previous fiscal years until the normal ef-  
21 fective date of the applicable wage survey adjust-  
22 ment that is to take effect in fiscal year 2023, in an  
23 amount that exceeds the rate payable for the appli-  
24 cable grade and step of the applicable wage schedule  
25 in accordance with such section; and

1 (B) during the period consisting of the remain-  
2 der of fiscal year 2023, in an amount that exceeds,  
3 as a result of a wage survey adjustment, the rate  
4 payable under subparagraph (A) by more than the  
5 sum of—

6 (i) the percentage adjustment taking effect  
7 in fiscal year 2023 under section 5303 of title  
8 5, United States Code, in the rates of pay  
9 under the General Schedule; and

10 (ii) the difference between the overall aver-  
11 age percentage of the locality-based com-  
12 parability payments taking effect in fiscal year  
13 2023 under section 5304 of such title (whether  
14 by adjustment or otherwise), and the overall av-  
15 erage percentage of such payments which was  
16 effective in the previous fiscal year under such  
17 section.

18 (2) Notwithstanding any other provision of law, no  
19 prevailing rate employee described in subparagraph (B) or  
20 (C) of section 5342(a)(2) of title 5, United States Code,  
21 and no employee covered by section 5348 of such title,  
22 may be paid during the periods for which paragraph (1)  
23 is in effect at a rate that exceeds the rates that would  
24 be payable under paragraph (1) were paragraph (1) appli-  
25 cable to such employee.

1       (3) For the purposes of this subsection, the rates pay-  
2 able to an employee who is covered by this subsection and  
3 who is paid from a schedule not in existence on September  
4 30, 2022, shall be determined under regulations pre-  
5 scribed by the Office of Personnel Management.

6       (4) Notwithstanding any other provision of law, rates  
7 of premium pay for employees subject to this subsection  
8 may not be changed from the rates in effect on September  
9 30, 2022, except to the extent determined by the Office  
10 of Personnel Management to be consistent with the pur-  
11 pose of this subsection.

12       (5) This subsection shall apply with respect to pay  
13 for service performed after September 30, 2022.

14       (6) For the purpose of administering any provision  
15 of law (including any rule or regulation that provides pre-  
16 mium pay, retirement, life insurance, or any other em-  
17 ployee benefit) that requires any deduction or contribu-  
18 tion, or that imposes any requirement or limitation on the  
19 basis of a rate of salary or basic pay, the rate of salary  
20 or basic pay payable after the application of this sub-  
21 section shall be treated as the rate of salary or basic pay.

22       (7) Nothing in this subsection shall be considered to  
23 permit or require the payment to any employee covered  
24 by this subsection at a rate in excess of the rate that would  
25 be payable were this subsection not in effect.

1       (8) The Office of Personnel Management may provide  
2 for exceptions to the limitations imposed by this sub-  
3 section if the Office determines that such exceptions are  
4 necessary to ensure the recruitment or retention of quali-  
5 fied employees.

6       (b) Notwithstanding subsection (a), the adjustment  
7 in rates of basic pay for the statutory pay systems that  
8 take place in fiscal year 2023 under sections 5344 and  
9 5348 of title 5, United States Code, shall be—

10           (1) not less than the percentage received by em-  
11 ployees in the same location whose rates of basic pay  
12 are adjusted pursuant to the statutory pay systems  
13 under sections 5303 and 5304 of title 5, United  
14 States Code: *Provided*, That prevailing rate employ-  
15 ees at locations where there are no employees whose  
16 pay is increased pursuant to sections 5303 and 5304  
17 of title 5, United States Code, and prevailing rate  
18 employees described in section 5343(a)(5) of title 5,  
19 United States Code, shall be considered to be located  
20 in the pay locality designated as “Rest of United  
21 States” pursuant to section 5304 of title 5, United  
22 States Code, for purposes of this subsection; and

23           (2) effective as of the first day of the first ap-  
24 plicable pay period beginning after September 30,  
25 2022.



1        SEC. 737. (a) The head of any Executive branch de-  
2    partment, agency, board, commission, or office funded by  
3    this or any other appropriations Act shall submit annual  
4    reports to the Inspector General or senior ethics official  
5    for any entity without an Inspector General, regarding the  
6    costs and contracting procedures related to each con-  
7    ference held by any such department, agency, board, com-  
8    mission, or office during fiscal year 2023 for which the  
9    cost to the United States Government was more than  
10   \$100,000.

11        (b) Each report submitted shall include, for each con-  
12   ference described in subsection (a) held during the applica-  
13   ble period—

14            (1) a description of its purpose;

15            (2) the number of participants attending;

16            (3) a detailed statement of the costs to the  
17   United States Government, including—

18                    (A) the cost of any food or beverages;

19                    (B) the cost of any audio-visual services;

20                    (C) the cost of employee or contractor  
21   travel to and from the conference; and

22                    (D) a discussion of the methodology used  
23   to determine which costs relate to the con-  
24   ference; and

1           (4) a description of the contracting procedures  
2       used including—

3           (A) whether contracts were awarded on a  
4       competitive basis; and

5           (B) a discussion of any cost comparison  
6       conducted by the departmental component or  
7       office in evaluating potential contractors for the  
8       conference.

9       (c) Within 15 days after the end of a quarter, the  
10   head of any such department, agency, board, commission,  
11   or office shall notify the Inspector General or senior ethics  
12   official for any entity without an Inspector General, of the  
13   date, location, and number of employees attending a con-  
14   ference held by any Executive branch department, agency,  
15   board, commission, or office funded by this or any other  
16   appropriations Act during fiscal year 2023 for which the  
17   cost to the United States Government was more than  
18   \$20,000.

19       (d) A grant or contract funded by amounts appro-  
20   priated by this or any other appropriations Act may not  
21   be used for the purpose of defraying the costs of a con-  
22   ference described in subsection (c) that is not directly and  
23   programmatically related to the purpose for which the  
24   grant or contract was awarded, such as a conference held  
25   in connection with planning, training, assessment, review,

1 or other routine purposes related to a project funded by  
2 the grant or contract.

3 (e) None of the funds made available in this or any  
4 other appropriations Act may be used for travel and con-  
5 ference activities that are not in compliance with Office  
6 of Management and Budget Memorandum M-12-12  
7 dated May 11, 2012 or any subsequent revisions to that  
8 memorandum.

9 SEC. 738. None of the funds made available in this  
10 or any other appropriations Act may be used to increase,  
11 eliminate, or reduce funding for a program, project, or ac-  
12 tivity as proposed in the President's budget request for  
13 a fiscal year until such proposed change is subsequently  
14 enacted in an appropriation Act, or unless such change  
15 is made pursuant to the reprogramming or transfer provi-  
16 sions of this or any other appropriations Act.

17 SEC. 739. None of the funds made available by this  
18 or any other Act may be used to implement, administer,  
19 enforce, or apply the rule entitled "Competitive Area"  
20 published by the Office of Personnel Management in the  
21 Federal Register on April 15, 2008 (73 Fed. Reg. 20180  
22 et seq.).

23 SEC. 740. None of the funds appropriated or other-  
24 wise made available by this or any other Act may be used  
25 to begin or announce a study or public-private competition

1 regarding the conversion to contractor performance of any  
2 function performed by Federal employees pursuant to Of-  
3 fice of Management and Budget Circular A-76 or any  
4 other administrative regulation, directive, or policy.

5       SEC. 741. (a) None of the funds appropriated or oth-  
6 erwise made available by this or any other Act may be  
7 available for a contract, grant, or cooperative agreement  
8 with an entity that requires employees or contractors of  
9 such entity seeking to report fraud, waste, or abuse to sign  
10 internal confidentiality agreements or statements prohib-  
11 iting or otherwise restricting such employees or contrac-  
12 tors from lawfully reporting such waste, fraud, or abuse  
13 to a designated investigative or law enforcement represent-  
14 ative of a Federal department or agency authorized to re-  
15 ceive such information.

16       (b) The limitation in subsection (a) shall not con-  
17 travene requirements applicable to Standard Form 312,  
18 Form 4414, or any other form issued by a Federal depart-  
19 ment or agency governing the nondisclosure of classified  
20 information.

21       SEC. 742. (a) No funds appropriated in this or any  
22 other Act may be used to implement or enforce the agree-  
23 ments in Standard Forms 312 and 4414 of the Govern-  
24 ment or any other nondisclosure policy, form, or agree-  
25 ment if such policy, form, or agreement does not contain

1 the following provisions: “These provisions are consistent  
2 with and do not supersede, conflict with, or otherwise alter  
3 the employee obligations, rights, or liabilities created by  
4 existing statute or Executive order relating to (1) classi-  
5 fied information, (2) communications to Congress or the  
6 Office of Special Counsel, (3) the reporting to an Inspec-  
7 tor General of a violation of any law, rule, or regulation,  
8 or mismanagement, a gross waste of funds, an abuse of  
9 authority, or a substantial and specific danger to public  
10 health or safety, or (4) any other whistleblower protection.  
11 The definitions, requirements, obligations, rights, sanc-  
12 tions, and liabilities created by controlling Executive or-  
13 ders and statutory provisions are incorporated into this  
14 agreement and are controlling.”: *Provided*, That notwith-  
15 standing the preceding provision of this section, a non-  
16 disclosure policy form or agreement that is to be executed  
17 by a person connected with the conduct of an intelligence  
18 or intelligence-related activity, other than an employee or  
19 officer of the United States Government, may contain pro-  
20 visions appropriate to the particular activity for which  
21 such document is to be used. Such form or agreement  
22 shall, at a minimum, require that the person will not dis-  
23 close any classified information received in the course of  
24 such activity unless specifically authorized to do so by the  
25 United States Government. Such nondisclosure forms

1 shall also make it clear that they do not bar disclosures  
2 to Congress, or to an authorized official of an executive  
3 agency or the Department of Justice, that are essential  
4 to reporting a substantial violation of law.

5 (b) A nondisclosure agreement may continue to be  
6 implemented and enforced notwithstanding subsection (a)  
7 if it complies with the requirements for such agreement  
8 that were in effect when the agreement was entered into.

9 (c) No funds appropriated in this or any other Act  
10 may be used to implement or enforce any agreement en-  
11 tered into during fiscal year 2023 which does not contain  
12 substantially similar language to that required in sub-  
13 section (a).

14 SEC. 743. None of the funds made available by this  
15 or any other Act may be used to enter into a contract,  
16 memorandum of understanding, or cooperative agreement  
17 with, make a grant to, or provide a loan or loan guarantee  
18 to, any corporation that has any unpaid Federal tax liabil-  
19 ity that has been assessed, for which all judicial and ad-  
20 ministrative remedies have been exhausted or have lapsed,  
21 and that is not being paid in a timely manner pursuant  
22 to an agreement with the authority responsible for col-  
23 lecting the tax liability, where the awarding agency is  
24 aware of the unpaid tax liability, unless a Federal agency  
25 has considered suspension or debarment of the corporation

1 and has made a determination that this further action is  
2 not necessary to protect the interests of the Government.

3 SEC. 744. None of the funds made available by this  
4 or any other Act may be used to enter into a contract,  
5 memorandum of understanding, or cooperative agreement  
6 with, make a grant to, or provide a loan or loan guarantee  
7 to, any corporation that was convicted of a felony criminal  
8 violation under any Federal law within the preceding 24  
9 months, where the awarding agency is aware of the conviction,  
10 unless a Federal agency has considered suspension  
11 or debarment of the corporation and has made a determination  
12 that this further action is not necessary to protect  
13 the interests of the Government.

14 SEC. 745. (a) During fiscal year 2023, on the date  
15 on which a request is made for a transfer of funds in accordance  
16 with section 1017 of Public Law 111–203, the  
17 Bureau of Consumer Financial Protection shall notify the  
18 Committees on Appropriations of the House of Representatives  
19 and the Senate, the Committee on Financial Services  
20 of the House of Representatives, and the Committee  
21 on Banking, Housing, and Urban Affairs of the Senate  
22 of such request.

23 (b) Any notification required by this section shall be  
24 made available on the Bureau’s public website.

1        SEC. 746. (a) Notwithstanding any official rate ad-  
2        justed under section 104 of title 3, United States Code,  
3        the rate payable to the Vice President during calendar  
4        year 2023 shall be the rate payable to the Vice President  
5        on December 31, 2022, by operation of section 747 of divi-  
6        sion E of Public Law 117–103.

7        (b) Notwithstanding any official rate adjusted under  
8        section 5318 of title 5, United States Code, or any other  
9        provision of law, the payable rate during calendar year  
10       2023 for an employee serving in an Executive Schedule  
11       position, or in a position for which the rate of pay is fixed  
12       by statute at an Executive Schedule rate, shall be the rate  
13       payable for the applicable Executive Schedule level on De-  
14       cember 31, 2022, by operation of section 747 of division  
15       E of Public Law 117–103. Such an employee may not re-  
16       ceive a rate increase during calendar year 2023, except  
17       as provided in subsection (i).

18       (c) Notwithstanding section 401 of the Foreign Serv-  
19       ice Act of 1980 (Public Law 96–465) or any other provi-  
20       sion of law, a chief of mission or ambassador at large is  
21       subject to subsection (b) in the same manner as other em-  
22       ployees who are paid at an Executive Schedule rate.

23       (d)(1) This subsection applies to—

24                    (A) a noncareer appointee in the Senior  
25       Executive Service paid a rate of basic pay at or



1           above the official rate for level IV of the Execu-  
2           tive Schedule; or

3           (B) a limited term appointee or limited  
4           emergency appointee in the Senior Executive  
5           Service serving under a political appointment  
6           and paid a rate of basic pay at or above the of-  
7           ficial rate for level IV of the Executive Sched-  
8           ule.

9           (2) Notwithstanding sections 5382 and 5383 of  
10          title 5, United States Code, an employee described  
11          in paragraph (1) may not receive a pay rate increase  
12          during calendar year 2023, except as provided in  
13          subsection (i).

14          (e) Notwithstanding any other provision of law, any  
15          employee paid a rate of basic pay (including any locality-  
16          based payments under section 5304 of title 5, United  
17          States Code, or similar authority) at or above the official  
18          rate for level IV of the Executive Schedule who serves  
19          under a political appointment may not receive a pay rate  
20          increase during calendar year 2023, except as provided in  
21          subsection (i). This subsection does not apply to employees  
22          in the General Schedule pay system or the Foreign Service  
23          pay system, to employees appointed under section 3161  
24          of title 5, United States Code, or to employees in another  
25          pay system whose position would be classified at GS-15

1 or below if chapter 51 of title 5, United States Code, ap-  
2 plied to them.

3 (f) Nothing in subsections (b) through (e) shall pre-  
4 vent employees who do not serve under a political appoint-  
5 ment from receiving pay increases as otherwise provided  
6 under applicable law.

7 (g) This section does not apply to an individual who  
8 makes an election to retain Senior Executive Service basic  
9 pay under section 3392(c) of title 5, United States Code,  
10 for such time as that election is in effect.

11 (h) This section does not apply to an individual who  
12 makes an election to retain Senior Foreign Service pay  
13 entitlements under section 302(b) of the Foreign Service  
14 Act of 1980 (Public Law 96–465) for such time as that  
15 election is in effect.

16 (i) Notwithstanding subsections (b) through (e), an  
17 employee in a covered position may receive a pay rate in-  
18 crease upon an authorized movement to a different cov-  
19 ered position only if that new position has higher-level du-  
20 ties and a pre-established level or range of pay higher than  
21 the level or range for the position held immediately before  
22 the movement. Any such increase must be based on the  
23 rates of pay and applicable limitations on payable rates  
24 of pay in effect on December 31, 2022, by operation of  
25 section 747 of division E of Public Law 117–103.

1       (j) Notwithstanding any other provision of law, for  
2 an individual who is newly appointed to a covered position  
3 during the period of time subject to this section, the initial  
4 pay rate shall be based on the rates of pay and applicable  
5 limitations on payable rates of pay in effect on December  
6 31, 2022, by operation of section 747 of division E of Pub-  
7 lic Law 117–103.

8       (k) If an employee affected by this section is subject  
9 to a biweekly pay period that begins in calendar year 2023  
10 but ends in calendar year 2024, the bar on the employee’s  
11 receipt of pay rate increases shall apply through the end  
12 of that pay period.

13       (l) For the purpose of this section, the term “covered  
14 position” means a position occupied by an employee whose  
15 pay is restricted under this section.

16       (m) This section takes effect on the first day of the  
17 first applicable pay period beginning on or after January  
18 1, 2023.

19       SEC. 747. In the event of a violation of the Impound-  
20 ment Control Act of 1974, the President or the head of  
21 the relevant department or agency, as the case may be,  
22 shall report immediately to the Congress all relevant facts  
23 and a statement of actions taken: *Provided*, That a copy  
24 of each report shall also be transmitted to the Committees  
25 on Appropriations of the House of Representatives and the

1 Senate and the Comptroller General on the same date the  
2 report is transmitted to the Congress.

3 SEC. 748. During the current fiscal year—

4 (a) with respect to budget authority proposed to be  
5 rescinded or that is set to be reserved or proposed to be  
6 deferred in a special message transmitted under section  
7 1012 or 1013 of the Congressional Budget and Impound-  
8 ment Control Act of 1974, such budget authority—

9 (1) shall be made available for obligation in suf-  
10 ficient time to be prudently obligated as required  
11 under section 1012(b) or 1013 of such Act; and

12 (2) may not be deferred or otherwise withheld  
13 from obligation during the 90-day period before the  
14 expiration of the period of availability of such budget  
15 authority, including, if applicable, the 90-day period  
16 before the expiration of an initial period of avail-  
17 ability for which such budget authority was pro-  
18 vided.

19 (b) With respect to an apportionment of an appro-  
20 priation made pursuant to section 1513(b) of title 31,  
21 United States Code, an appropriation (as that term is de-  
22 fined in section 1511 of title 31, United States Code) shall  
23 be apportioned—

24 (1) to make available all amounts for obligation  
25 in sufficient time to be prudently obligated; and

1           (2) to make available all amounts for obligation,  
2       without precondition (including footnotes) that shall  
3       be met prior to obligation, not later than 90 days be-  
4       fore the expiration of the period of availability of  
5       such appropriation, including, if applicable, 90 days  
6       before the expiration of an initial period of avail-  
7       ability for which such appropriation was provided.

8       (c) As used in this section, the term “budget author-  
9   ity” includes budget authority made available by this or  
10   any other Act, by prior appropriations Acts, or by any law  
11   other than an appropriations Act.

12       (d)(1) The Comptroller General shall review compli-  
13   ance with this section and shall submit to the Committees  
14   on Appropriations and the Budget, and any other appro-  
15   priate congressional committees of the House of Rep-  
16   resentatives and Senate a report, and any relevant infor-  
17   mation related to the report, on any noncompliance with  
18   this section or the Impoundment Control Act of 1974.

19       (2) The President or the head of the relevant depart-  
20   ment or agency of the United States shall provide informa-  
21   tion, documentation, and views to the Comptroller Gen-  
22   eral, as is determined by the Comptroller General to be  
23   necessary to determine such compliance, not later than 20  
24   days after the date on which the request from the Comp-  
25   troller General is received, or if the Comptroller General

1 determines that a shorter or longer period is appropriate  
2 based on the specific circumstances, within such shorter  
3 or longer period.

4 (3) To carry out the responsibilities of this section  
5 and the Impoundment Control Act of 1974, the Comp-  
6 troller General shall also have access to interview the offi-  
7 cers, employees, contractors, and other agents and rep-  
8 resentatives of a department, agency, or office of the  
9 United States at any reasonable time as the Comptroller  
10 General may request.

11 (e)(1) An officer or employee of the Executive Branch  
12 of the United States Government violating this section  
13 shall be subject to appropriate administrative discipline in-  
14 cluding, when circumstances warrant, suspension from  
15 duty without pay or removal from office.

16 (2) In the event of a violation of this section, or in  
17 the case that the Government Accountability Office issues  
18 a legal decision concluding that a department, agency, or  
19 office of the United States violated this section, the Presi-  
20 dent or the head of the relevant department or agency as  
21 the case may be, shall report immediately to the Congress  
22 all relevant facts and a statement of actions taken: *Pro-*  
23 *vided*, That a copy of each report shall also be transmitted  
24 to the Comptroller General and the relevant inspector gen-

1 eral on the same date the report is transmitted to the Con-  
2 gress.

3 (3) Any such report shall include a summary of the  
4 facts pertaining to the violation, the title and Treasury  
5 Appropriation Fund Symbol of the appropriation or fund  
6 account, the amount involved for each violation, the date  
7 on which the violation occurred, the position of any indi-  
8 viduals responsible for the violation, a statement of the  
9 administrative discipline imposed and any further action  
10 taken with respect to any officer or employee involved in  
11 the violation, a statement of any additional action taken  
12 to prevent recurrence of the same type of violation, and  
13 any written response by any officer or employee identified  
14 by position as involved in the violation: *Provided*, That in  
15 the case that the Government Accountability Office issues  
16 a legal decision concluding that a department, agency, or  
17 office of the United States violated this section and the  
18 relevant department, agency, or office does not agree that  
19 a violation has occurred, the report provided to Congress,  
20 the Comptroller General, and relevant inspector general  
21 will explain such department, agency, or office's position.

22 SEC. 749. (a) If an executive agency or the District  
23 of Columbia government receives a written request for in-  
24 formation, documentation, or views from the Government  
25 Accountability Office relating to a decision or opinion on

1 budget or appropriations law, the executive agency or the  
2 District of Columbia government shall provide the re-  
3 quested information, documentation, or views not later  
4 than 20 days after receiving the written request, unless  
5 such written request specifically provides otherwise.

6 (b) If an executive agency or the District of Columbia  
7 government fails to respond to the request for information,  
8 documentation, or views within the time required by this  
9 section—

10 (1) the Comptroller General shall notify, in  
11 writing, the Committee on Oversight and Reform of  
12 the House of Representatives, the Committee on  
13 Homeland Security and Governmental Affairs of the  
14 Senate, and any other appropriate congressional  
15 committee of the House of Representatives and the  
16 Senate of such failure; and

17 (2) the Comptroller General is hereby expressly  
18 empowered, through attorneys of their own selection,  
19 to bring a civil action in the United States District  
20 Court for the District of Columbia to require such  
21 information, documentation, or views to be pro-  
22 duced, and such court is expressly empowered to  
23 enter in such civil action, against any department,  
24 agency, officer, or employee of the United States,



1       any decree, judgment, or order which may be nec-  
2       essary or appropriate to require such production.

3       (c) If the Government Accountability Office deter-  
4       mines that an officer or employee of an executive agency  
5       or an officer or employee of the District of Columbia gov-  
6       ernment has violated section 1341(a), 1342, or 1517(a)  
7       of title 31, United States Code, the head of the agency  
8       or the Mayor of the District of Columbia, as the case may  
9       be, shall report immediately to the President and Congress  
10      all relevant facts and a statement of actions taken: *Pro-*  
11      *vided*, That a copy of each report shall also be transmitted  
12      to the Comptroller General on the same date the report  
13      is transmitted to the President and Congress: *Provided*  
14      *further*, That in the case that the Government Account-  
15      ability Office issues a legal decision concluding that sec-  
16      tion 1341(a), 1342, or 1517(a) of title 31, United States  
17      Code was violated, and the executive agency or District  
18      of Columbia government, as applicable, does not agree  
19      that a violation has occurred, the report provided to the  
20      President, the Congress, and the Comptroller General will  
21      explain its position.

22      (d) The report required by subsection (c) and any re-  
23      port required by section 1351 or section 1517(b) of title  
24      31, United States Code, shall include a summary of the  
25      facts pertaining to the violation, the title and Treasury

1 Appropriation Fund Symbol of the appropriation or fund  
2 account, the amount involved for each violation, the date  
3 on which the violation occurred, the position of any officer  
4 or employee responsible for the violation, a statement of  
5 the administrative discipline imposed and any further ac-  
6 tion taken with respect to any officer or employee involved  
7 in the violation, a statement of any additional action taken  
8 to prevent recurrence of the same type of violation, a  
9 statement of any determination that the violation was not  
10 knowing and willful that has been made by the executive  
11 agency or District of Columbia government, and any writ-  
12 ten response by any officer or employee identified by posi-  
13 tion as involved in the violation.

14 SEC. 750. (a) Each department or agency of the exec-  
15 utive branch of the United States Government shall notify  
16 the Committees on Appropriations and the Budget of the  
17 House of Representatives and the Senate and any other  
18 appropriate congressional committees if—

19 (1) an apportionment is not made in the re-  
20 quired time period provided in section 1513(b) of  
21 title 31, United States Code;

22 (2) an approved apportionment received by the  
23 department or agency conditions the availability of  
24 an appropriation on further action; or

1           (3) an approved apportionment received by the  
2       department or agency may hinder the prudent obli-  
3       gation of such appropriation or the execution of a  
4       program, project, or activity by such department or  
5       agency.

6       (b) Any notification submitted to a congressional  
7       committee pursuant to this section shall contain informa-  
8       tion identifying the bureau, account name, appropriation  
9       name, and Treasury Appropriation Fund Symbol or fund  
10      account.

11       SEC. 751. (a) ESTABLISHMENT.—There is hereby es-  
12      tablished the Commission on Federal Naming and Dis-  
13      plays (hereinafter referred to as the “Commission”).

14       (b) DUTIES.—

15           (1) DEVELOPMENT OF LIST.—Not later than  
16      180 days after the day by which all of its members  
17      have been appointed, the Commission, with input  
18      from the general public, shall develop and publish a  
19      list of property names, monuments, statues, public  
20      artworks, historical markers, and other symbols  
21      owned by the Federal government or located on  
22      property owned by the Federal government (includ-  
23      ing the legislative branch and the judicial branch)  
24      which the Commission identifies as inconsistent with  
25      the values of diversity, equity, and inclusion, includ-

1 ing those that do not represent the demographic di-  
2 versity and history of the community.

3 (2) RECOMMENDATIONS.—Not later than 180  
4 days after publishing the list under paragraph (1),  
5 and after holding not fewer than two public meet-  
6 ings, the Commission shall submit to the President  
7 and Congress a report containing the following in-  
8 formation:

9 (A) A recommendation regarding whether  
10 each property name, monument, statue, public  
11 artwork, historical marker, or other symbol on  
12 the list developed under paragraph (1) should  
13 remain unchanged or should be renamed or re-  
14 moved.

15 (B) Supporting materials and context in-  
16 formation for each recommendation under sub-  
17 paragraph (A).

18 (C) Such other recommendations as the  
19 Commission may consider appropriate, includ-  
20 ing recommendations for educational programs,  
21 supplemental historical markers, or other activi-  
22 ties to promote diversity, equity, and inclusion  
23 and to promote national reconciliation.

24 (3) SEPARATE VIEWS OF MEMBERS.—The Com-  
25 mission may include in the report submitted under

1 paragraph (2) supplemental or dissenting rec-  
2 ommendations from individual members of the Com-  
3 mission.

4 (c) MEMBERSHIP.—

5 (1) APPOINTMENT.—The Commission shall con-  
6 sist of the following:

7 (A) Two members appointed by the Presi-  
8 dent.

9 (B) Two members appointed by the Speak-  
10 er of the House of Representatives.

11 (C) Two members appointed by the Major-  
12 ity Leader of the Senate.

13 (D) One member appointed by the Minor-  
14 ity Leader of the House of Representatives.

15 (E) One member appointed by the Minor-  
16 ity Leader of the Senate.

17 (F) Each of the following individuals:

18 (i) The Secretary of the Smithsonian  
19 Institution.

20 (ii) The Historian of the House of  
21 Representatives.

22 (iii) The Historian of the Senate.

23 (2) QUALIFICATIONS.—Each member of the  
24 Commission appointed under subparagraphs (A)  
25 through (E) of paragraph (1) shall have 10 or more

1 years of educational and professional experience in  
2 one or more of the following disciplines:

3 (A) History.

4 (B) Art and antiquities.

5 (C) Historic preservation.

6 (D) Cultural heritage.

7 (E) Education.

8 (3) NO COMPENSATION FOR SERVICE; TRAVEL  
9 EXPENSES.—Members of the Commission shall serve  
10 without pay, but each member shall receive travel  
11 expenses, including per diem in lieu of subsistence,  
12 in accordance with applicable provisions under sub-  
13 chapter I of chapter 57 of title 5, United States  
14 Code.

15 (4) DEADLINE FOR APPOINTMENT.—The mem-  
16 bers of the Commission shall be appointed not later  
17 than 45 days after the date of the enactment of this  
18 Act.

19 (5) CO-CHAIRS.—Not later than 10 days after  
20 the first meeting of the Commission, the members of  
21 the Commission shall select two co-chairs from  
22 among the members.

23 (d) POWERS.—

24 (1) HEARINGS AND SESSIONS.—The Commis-  
25 sion may, for the purpose of carrying out this Act,

1 hold hearings, sit and act at times and places, take  
2 testimony, and receive evidence as the Commission  
3 considers appropriate, except that the Commission  
4 shall hold its initial meeting not later than 10 days  
5 after the day by which all of its members have been  
6 appointed.

7 (2) OBTAINING OFFICIAL DATA.—The Commis-  
8 sion may secure directly from any department or  
9 agency of the United States information necessary  
10 to enable it to carry out its duties. Upon request of  
11 the Commission, the head of that department or  
12 agency shall furnish that information to the Com-  
13 mission.

14 (3) MAILS.—The Commission may use the  
15 United States mails in the same manner and under  
16 the same conditions as other departments and agen-  
17 cies of the United States.

18 (4) ADMINISTRATIVE SUPPORT SERVICES.—  
19 Upon the request of the Commission, the Librarian  
20 of Congress shall provide to the Commission, on a  
21 reimbursable basis, the administrative support serv-  
22 ices necessary for the Commission to carry out its  
23 duties.

24 (5) STAFF OF FEDERAL AGENCIES.—Upon the  
25 request of the Commission, the head of any Federal

1 department or agency may detail any of the per-  
2 sonnel of that department or agency to the Commis-  
3 sion to assist it in carrying out its duties. Any per-  
4 sonnel detailed to the Commission under this para-  
5 graph may receive travel expenses, including per  
6 diem in lieu of subsistence, in accordance with appli-  
7 cable provisions under subchapter I of chapter 57 of  
8 title 5, United States Code.

9 (6) CONTRACT AUTHORITY.—The Commission  
10 may contract with and compensate government and  
11 private agencies or persons for goods and services,  
12 without regard to section 6101 of title 41, United  
13 States Code.

14 (e) FUNDING.—There is hereby appropriated  
15 \$1,500,000, to remain available until expended, to carry  
16 out this section.

17 (f) TERMINATION.—The Commission shall terminate  
18 60 days after submitting the report under subsection  
19 (b)(2).

20 SEC. 752. Notwithstanding section 1346 of title 31,  
21 United States Code, or section 708 of this Act, funds  
22 made available by this or any other Act to any Federal  
23 agency may be used by that Federal agency for inter-  
24 agency funding for coordination with, participation in, or  
25 recommendations involving, activities of the U.S. Army



1 Medical Research and Development Command, the Con-  
2 gressionally Directed Medical Research Programs and the  
3 National Institutes of Health research programs.

4 SEC. 753. (a) As a condition of receiving funds pro-  
5 vided in this or any other appropriations Act for fiscal  
6 year 2023 that are specified in the disclosure table sub-  
7 mitted in compliance with clause 9 of rule XXI of the  
8 Rules of the House of Representatives that is included in  
9 the report or explanatory statement accompanying any  
10 such Act, any non-Federal entity shall, to the extent prac-  
11 ticable—

12 (1) retain until the date that is 3 years after the date  
13 on which such entity has expended such funds any records  
14 related to the planned or actual obligation or expenditure  
15 of such funds, and make available any such records to the  
16 Comptroller General of the United States, upon request;  
17 and

18 (2) subject to reasonable advance notification by the  
19 Comptroller General—

20 (A) make available to the Comptroller General  
21 or their designee for interview, any officers, employ-  
22 ees, or staff of such entity involved in the obligation  
23 or expenditure of such funds; and

24 (B) grant access to the Comptroller General or  
25 their designee for inspection, any facilities, work

1 sites, offices, or other locations, as the Comptroller  
2 General deems necessary, at which the individuals  
3 referenced in subparagraph (A) carry out their re-  
4 sponsibilities related to such funds. The Comptroller  
5 General may make and retain copies of these records  
6 as the Comptroller General determines necessary.

7 (b) Access, rights, and authority provided to the  
8 Comptroller General or their designee under this section  
9 shall be in addition to any other authority vested in the  
10 Comptroller General, and nothing in this section shall be  
11 construed to limit, amend, supersede, or restrict in any  
12 manner any existing authority of the Comptroller General.

13 SEC. 754. (a) Beginning on the date that is 180 days  
14 after the date of enactment of this Act, and except as pro-  
15 vided in subsection (b), none of the funds made available  
16 by this Act may be used to purchase infrastructure as a  
17 service except infrastructure as a service determined by  
18 the Government to take reasonable measures to—

19 (1) not store or transmit images which depict known  
20 violations of sections 2251, 2251A, 2252, 2252A, 2252B  
21 or 2260 of title 18, United States Code, with respect to  
22 child pornography; and

23 (2) comply with the reporting requirements under  
24 section 2258A(a) of such title for such violations.

1 (b) The limitation in subsection (a) shall not apply  
2 to such services used for bona fide law enforcement ac-  
3 tions.

4 SEC. 755. Except as expressly provided otherwise,  
5 any reference to “this Act” contained in any title other  
6 than title IV or VIII shall not apply to such title IV or  
7 VIII.

8 SEC. 756. None of the funds appropriated by this Act  
9 may be used in contravention of Executive Order No.  
10 14076 (87 Fed. Reg 42053; relating to protecting access  
11 to reproductive healthcare services).

12 TITLE VIII  
13 GENERAL PROVISIONS—DISTRICT OF  
14 COLUMBIA

15 SEC. 801. None of the Federal funds provided under  
16 this Act to the agencies funded by this Act, both Federal  
17 and District government agencies, that remain available  
18 for obligation or expenditure in fiscal year 2023, or pro-  
19 vided from any accounts in the Treasury of the United  
20 States derived by the collection of fees available to the  
21 agencies funded by this Act, shall be available for obliga-  
22 tion or expenditures for an agency through a reprogram-  
23 ming of funds which—

24 (1) creates new programs;

1           (2) eliminates a program, project, or responsi-  
2       bility center;

3           (3) establishes or changes allocations specifi-  
4       cally denied, limited or increased under this Act;

5           (4) increases funds or personnel by any means  
6       for any program, project, or responsibility center for  
7       which funds have been denied or restricted;

8           (5) re-establishes any program or project pre-  
9       viously deferred through reprogramming;

10          (6) augments any existing program, project, or  
11       responsibility center through a reprogramming of  
12       funds in excess of \$3,000,000 or 10 percent, which-  
13       ever is less; or

14          (7) increases by 20 percent or more personnel  
15       assigned to a specific program, project or responsi-  
16       bility center,

17       unless prior approval is received from the Committees on  
18       Appropriations of the House of Representatives and the  
19       Senate.

20       SEC. 802. None of the Federal funds appropriated  
21       in this Act shall remain available for obligation beyond  
22       the current fiscal year, nor may any be transferred to  
23       other appropriations, unless expressly so provided herein.

24       SEC. 803. Except as otherwise specifically provided  
25       by law or under this Act, not to exceed 50 percent of unob-

1 ligated balances remaining available at the end of fiscal  
2 year 2023 from appropriations of Federal funds made  
3 available for salaries and expenses for fiscal year 2023 in  
4 this Act, shall remain available through September 30,  
5 2024, for each such account for the purposes authorized:  
6 *Provided*, That a request shall be submitted to the Com-  
7 mittees on Appropriations of the House of Representatives  
8 and the Senate for approval prior to the expenditure of  
9 such funds: *Provided further*, That these requests shall be  
10 made in compliance with reprogramming guidelines out-  
11 lined in section 801 of this Act.

12       SEC. 804. (a)(1) During fiscal year 2024, during a  
13 period in which neither a District of Columbia continuing  
14 resolution or a regular District of Columbia appropriation  
15 bill is in effect, local funds are appropriated in the amount  
16 provided for any project or activity for which local funds  
17 are provided in the Act referred to in paragraph (2) (sub-  
18 ject to any modifications enacted by the District of Colum-  
19 bia as of the beginning of the period during which this  
20 subsection is in effect) at the rate set forth by such Act.

21       (2) The Act referred to in this paragraph is the Act  
22 of the Council of the District of Columbia pursuant to  
23 which a proposed budget is approved for fiscal year 2024  
24 which (subject to the requirements of the District of Co-  
25 lumbia Home Rule Act) will constitute the local portion

1 of the annual budget for the District of Columbia govern-  
2 ment for fiscal year 2024 for purposes of section 446 of  
3 the District of Columbia Home Rule Act (sec. 1–204.46,  
4 D.C. Official Code).

5 (b) Appropriations made by subsection (a) shall cease  
6 to be available—

7 (1) during any period in which a District of Co-  
8 lumbia continuing resolution for fiscal year 2024 is  
9 in effect; or

10 (2) upon the enactment into law of the regular  
11 District of Columbia appropriation bill for fiscal year  
12 2024.

13 (c) An appropriation made by subsection (a) is pro-  
14 vided under the authority and conditions as provided  
15 under this Act and shall be available to the extent and  
16 in the manner that would be provided by this Act.

17 (d) An appropriation made by subsection (a) shall  
18 cover all obligations or expenditures incurred for such  
19 project or activity during the portion of fiscal year 2024  
20 for which this section applies to such project or activity.

21 (e) This section shall not apply to a project or activity  
22 during any period of fiscal year 2024 if any other provi-  
23 sion of law (other than an authorization of appropria-  
24 tions)—

1           (1) makes an appropriation, makes funds avail-  
2           able, or grants authority for such project or activity  
3           to continue for such period; or

4           (2) specifically provides that no appropriation  
5           shall be made, no funds shall be made available, or  
6           no authority shall be granted for such project or ac-  
7           tivity to continue for such period.

8           (f) Nothing in this section shall be construed to affect  
9           obligations of the government of the District of Columbia  
10          mandated by other law.

11          SEC. 805. (a) Section 3(c)(2)(G) of the District of  
12          Columbia College Access Act of 1999 (sec. 38–  
13          2702(c)(2)(G), D.C. Official Code) is amended to read as  
14          follows:

15                       “(G) is from a family with a taxable an-  
16                       nual income of less than the applicable family  
17                       income limit, as defined in paragraph (7).”.

18          (b) Section 3(c) of such Act (sec. 38–2702(c), D.C.  
19          Official Code) is amended by adding at the end the fol-  
20          lowing new paragraph:

21                       “(7) APPLICABLE FAMILY INCOME LIMIT.—The  
22                       term ‘applicable family income limit’ means, with re-  
23                       spect to an individual, the following:

1           “(A) In the case of an individual who  
2 began an undergraduate course of study prior  
3 to school year 2015-2016, \$1,000,000.

4           “(B) In the case of an individual who be-  
5 gins an undergraduate course of study in school  
6 year 2016-2017, \$750,000.

7           “(C) In the case of an individual who be-  
8 gins an undergraduate course of study in school  
9 year 2017-2018 or school year 2018-2019, the  
10 applicable family income limit under this para-  
11 graph for an individual who began an under-  
12 graduate course of study in the previous school  
13 year, adjusted by the Mayor for inflation, as  
14 measured by the percentage increase, if any,  
15 from the preceding fiscal year in the Consumer  
16 Price Index for All Urban Consumers, pub-  
17 lished by the Bureau of Labor Statistics of the  
18 Department of Labor.

19           “(D) In the case of an individual who be-  
20 gins an undergraduate course of study in school  
21 year 2019-2020, \$500,000.

22           “(E) In the case of an individual who be-  
23 gins an undergraduate course of study in school  
24 year 2020-2021, the amount described in sub-  
25 paragraph (D), adjusted by the Mayor for infla-



tion, as measured by the percentage increase, if any, from the preceding fiscal year in the Consumer Price Index for All Urban Consumers, published by the Bureau of Labor Statistics of the Department of Labor.

“(F) In the case of an individual who begins an undergraduate course of study in school year 2021-2022, \$750,000.

“(G) In the case of an individual who begins an undergraduate course of study in school year 2022-2023 or any succeeding school year, the applicable family income limit under this paragraph for an individual who began an undergraduate course of study in the previous school year, adjusted by the Mayor for inflation, as measured by the percentage increase, if any, from the preceding fiscal year in the Consumer Price Index for All Urban Consumers, published by the Bureau of Labor Statistics of the Department of Labor.”.

(c) The amendments made by this section shall take effect as if included in the enactment of the Financial Services and General Government Appropriations Act, 2019 (division D of Public Law 116–6).

1        SEC. 806. Nothing in this Act may be construed to  
2 prevent the Council or Mayor of the District of Columbia  
3 from addressing the issue of the provision of contraceptive  
4 coverage by health insurance plans, but it is the intent  
5 of Congress that any legislation enacted on such issue  
6 should include a “conscience clause” which provides excep-  
7 tions for religious beliefs and moral convictions.

8        SEC. 807. (a) Section 244 of the Revised Statutes  
9 of the United States relating to the District of Columbia  
10 (sec. 9-1201.03, D.C. Official Code) does not apply with  
11 respect to any railroads installed pursuant to the Long  
12 Bridge Project.

13        (b) In this section, the term “Long Bridge Project”  
14 means the project carried out by the District of Columbia  
15 and the Commonwealth of Virginia to construct a new  
16 Long Bridge adjacent to the existing Long Bridge over  
17 the Potomac River, including related infrastructure and  
18 other related projects, to expand commuter and regional  
19 passenger rail service and to provide bike and pedestrian  
20 access crossings over the Potomac River.

21        SEC. 808. No services may be made available in ac-  
22 cordance with section 740(a) of the District of Columbia  
23 Home Rule Act (sec. 1-207.40(a), D.C. Official Code) at  
24 any time during fiscal year 2023.

1        SEC. 809. Section 3 of the District of Columbia Col-  
2 lege Access Act of 1999 (sec.38–2702, D.C. Official  
3 Code), is amended—

4            (1) in subsection (a)(2)(A), by striking  
5        “\$10,000” and inserting “\$15,000”;

6            (2) in subsection (a)(2)(B), by striking  
7        “\$50,000” and inserting “\$75,000”;

8            (3) in subsection (b)(1)(A), by striking “and”  
9        at the end;

10           (4) in subsection (b)(1), by redesignating sub-  
11        paragraph (B) as subparagraph (C) and inserting  
12        after subparagraph (A) the following new subpara-  
13        graph; “(B) after making reductions under subpara-  
14        graph (A), ratably reduce the amount of the tuition  
15        and fee payment of each eligible student who re-  
16        ceives more than \$10,000 for the award year; and”;  
17        and

18           (5) in subparagraph (C) of subsection (b)(1), as  
19        so redesignated, by striking “subparagraph (A)” and  
20        inserting “subparagraphs (A) and (B)”.

21        SEC. 810. ADJUSTMENTS IN COMPENSATION RATES  
22 FOR CERTAIN PERSONNEL.—

23        (a) ATTORNEYS REPRESENTING INDIGENT DEFEND-  
24 ANTS.—

1           (1) Section 11–2604(a), District of Columbia  
2           Official Code, is amended by striking “at a fixed  
3           rate of \$90 per hour” and inserting “an hourly rate  
4           not to exceed the rate payable under section  
5           3006A(d)(1) of title 18, United States Code”.

6           (2) The amendments made by this section shall  
7           apply with respect to cases and proceedings initiated  
8           on or after the date of the enactment of this Act.

9           (b) CRIMINAL JUSTICE INVESTIGATORS.—

10           (1) Section 11–2605, District of Columbia Offi-  
11           cial Code, is amended in subsections (b) and (c) by  
12           striking “(or, in the case of investigative services, a  
13           fixed rate of \$25 per hour)” each place it appears.

14           (2) The amendments made by this section shall  
15           apply with respect to investigative services provided  
16           in connection with cases and proceedings initiated on  
17           or after the date of the enactment of this Act.

18           SEC. 811. Except as expressly provided otherwise,  
19           any reference to “this Act” contained in this title or in  
20           title IV shall be treated as referring only to the provisions  
21           of this title or of title IV.

22           This division may be cited as the “Financial Services  
23           and General Government Appropriations Act, 2023”.

1 **DIVISION E—DEPARTMENT OF THE INTE-**  
2 **RIOR, ENVIRONMENT, AND RELATED**  
3 **AGENCIES APPROPRIATIONS ACT, 2023**

4 TITLE I

5 DEPARTMENT OF THE INTERIOR

6 BUREAU OF LAND MANAGEMENT

7 MANAGEMENT OF LANDS AND RESOURCES

8 For necessary expenses for protection, use, improve-  
9 ment, development, disposal, cadastral surveying, classi-  
10 fication, acquisition of easements and other interests in  
11 lands, and performance of other functions, including main-  
12 tenance of facilities, as authorized by law, in the manage-  
13 ment of lands and their resources under the jurisdiction  
14 of the Bureau of Land Management, including the general  
15 administration of the Bureau, and assessment of mineral  
16 potential of public lands pursuant to section 1010(a) of  
17 Public Law 96–487 (16 U.S.C. 3150(a)), \$1,416,126,000  
18 (reduced by \$1,000,000) (increased by \$1,000,000), to re-  
19 main available until September 30, 2024; of which  
20 \$79,345,000 for annual and deferred maintenance and  
21 \$156,100,000 for the wild horse and burro program, as  
22 authorized by Public Law 92–195 (16 U.S.C. 1331 et  
23 seq.), shall remain available until expended: *Provided*,  
24 That amounts in the fee account of the BLM Permit Proc-  
25 essing Improvement Fund may be used for any bureau-

1 related expenses associated with the processing of oil and  
2 gas applications for permits to drill and related use of au-  
3 thorizations: *Provided further*, That of the amounts made  
4 available under this heading, up to \$1,000,000 may be  
5 made available for the purposes described in section  
6 122(e)(1)(A) of division G of Public Law 115–31 (43  
7 U.S.C. 1748c(e)(1)(A)).

8       In addition, \$51,020,000, to remain available until  
9 expended, is for conducting oil and gas inspection activi-  
10 ties, to be reduced by amounts collected by the Bureau  
11 and credited to this appropriation from onshore oil and  
12 gas inspection fees that the Bureau shall collect, as pro-  
13 vided for in this Act; and \$39,696,000 is for Mining Law  
14 Administration program operations, including the cost of  
15 administering the mining claim fee program, to remain  
16 available until expended, to be reduced by amounts col-  
17 lected by the Bureau and credited to this appropriation  
18 from mining claim maintenance fees and location fees that  
19 are hereby authorized for fiscal year 2023, so as to result  
20 in a final appropriation estimated at not more than  
21 \$1,416,126,000 and \$2,000,000, to remain available until  
22 expended, from communication site rental fees established  
23 by the Bureau for the cost of administering communica-  
24 tion site activities.

## 1 OREGON AND CALIFORNIA GRANT LANDS

2 For expenses necessary for management, protection,  
3 and development of resources and for construction, oper-  
4 ation, and maintenance of access roads, reforestation, and  
5 other improvements on the revested Oregon and California  
6 Railroad grant lands, on other Federal lands in the Or-  
7 egon and California land-grant counties of Oregon, and  
8 on adjacent rights-of-way; and acquisition of lands or in-  
9 terests therein, including existing connecting roads on or  
10 adjacent to such grant lands; \$125,049,000, to remain  
11 available until expended: *Provided*, That 25 percent of the  
12 aggregate of all receipts during the current fiscal year  
13 from the revested Oregon and California Railroad grant  
14 lands is hereby made a charge against the Oregon and  
15 California land-grant fund and shall be transferred to the  
16 General Fund in the Treasury in accordance with the sec-  
17 ond paragraph of subsection (b) of title II of the Act of  
18 August 28, 1937 (43 U.S.C. 2605).

## 19 RANGE IMPROVEMENTS

20 For rehabilitation, protection, and acquisition of  
21 lands and interests therein, and improvement of Federal  
22 rangelands pursuant to section 401 of the Federal Land  
23 Policy and Management Act of 1976 (43 U.S.C. 1751),  
24 notwithstanding any other Act, sums equal to 50 percent  
25 of all moneys received during the prior fiscal year under

1 sections 3 and 15 of the Taylor Grazing Act (43 U.S.C.  
2 315b, 315m) and the amount designated for range im-  
3 provements from grazing fees and mineral leasing receipts  
4 from Bankhead-Jones lands transferred to the Depart-  
5 ment of the Interior pursuant to law, but not less than  
6 \$10,000,000, to remain available until expended: *Pro-*  
7 *vided*, That not to exceed \$600,000 shall be available for  
8 administrative expenses.

9 SERVICE CHARGES, DEPOSITS, AND FORFEITURES

10 For administrative expenses and other costs related  
11 to processing application documents and other authoriza-  
12 tions for use and disposal of public lands and resources,  
13 for costs of providing copies of official public land docu-  
14 ments, for monitoring construction, operation, and termi-  
15 nation of facilities in conjunction with use authorizations,  
16 and for rehabilitation of damaged property, such amounts  
17 as may be collected under Public Law 94–579 (43 U.S.C.  
18 1701 et seq.), and under section 28 of the Mineral Leasing  
19 Act (30 U.S.C. 185), to remain available until expended:  
20 *Provided*, That notwithstanding any provision to the con-  
21 trary of section 305(a) of Public Law 94–579 (43 U.S.C.  
22 1735(a)), any moneys that have been or will be received  
23 pursuant to that section, whether as a result of forfeiture,  
24 compromise, or settlement, if not appropriate for refund  
25 pursuant to section 305(c) of that Act (43 U.S.C.



1 1735(c)), shall be available and may be expended under  
2 the authority of this Act by the Secretary of the Interior  
3 to improve, protect, or rehabilitate any public lands ad-  
4 ministered through the Bureau of Land Management  
5 which have been damaged by the action of a resource de-  
6 veloper, purchaser, permittee, or any unauthorized person,  
7 without regard to whether all moneys collected from each  
8 such action are used on the exact lands damaged which  
9 led to the action: *Provided further*, That any such moneys  
10 that are in excess of amounts needed to repair damage  
11 to the exact land for which funds were collected may be  
12 used to repair other damaged public lands.

13 MISCELLANEOUS TRUST FUNDS

14 In addition to amounts authorized to be expended  
15 under existing laws, there is hereby appropriated such  
16 amounts as may be contributed under section 307 of Pub-  
17 lic Law 94-579 (43 U.S.C. 1737), and such amounts as  
18 may be advanced for administrative costs, surveys, ap-  
19 praisals, and costs of making conveyances of omitted lands  
20 under section 211(b) of that Act (43 U.S.C. 1721(b)), to  
21 remain available until expended.

22 ADMINISTRATIVE PROVISIONS

23 The Bureau of Land Management may carry out the  
24 operations funded under this Act by direct expenditure,  
25 contracts, grants, cooperative agreements, and reimburs-

1 able agreements with public and private entities, including  
2 with States. Appropriations for the Bureau shall be avail-  
3 able for purchase, erection, and dismantlement of tem-  
4 porary structures, and alteration and maintenance of nec-  
5 essary buildings and appurtenant facilities to which the  
6 United States has title; up to \$100,000 for payments, at  
7 the discretion of the Secretary, for information or evidence  
8 concerning violations of laws administered by the Bureau;  
9 miscellaneous and emergency expenses of enforcement ac-  
10 tivities authorized or approved by the Secretary and to be  
11 accounted for solely on the Secretary's certificate, not to  
12 exceed \$10,000: *Provided*, That notwithstanding Public  
13 Law 90–620 (44 U.S.C. 501), the Bureau may, under co-  
14 operative cost-sharing and partnership arrangements au-  
15 thorized by law, procure printing services from cooperators  
16 in connection with jointly produced publications for which  
17 the cooperators share the cost of printing either in cash  
18 or in services, and the Bureau determines the cooperator  
19 is capable of meeting accepted quality standards: *Provided*  
20 *further*, That projects to be funded pursuant to a written  
21 commitment by a State government to provide an identi-  
22 fied amount of money in support of the project may be  
23 carried out by the Bureau on a reimbursable basis.

1 UNITED STATES FISH AND WILDLIFE SERVICE  
2 RESOURCE MANAGEMENT

3 For necessary expenses of the United States Fish and  
4 Wildlife Service, as authorized by law, and for scientific  
5 and economic studies, general administration, and for the  
6 performance of other authorized functions related to such  
7 resources, \$1,649,753,000, to remain available until Sep-  
8 tember 30, 2024: *Provided*, That not to exceed  
9 \$25,946,000 shall be used for implementing subsections  
10 (a), (b), (c), and (e) of section 4 of the Endangered Spe-  
11 cies Act of 1973 (16 U.S.C. 1533) (except for processing  
12 petitions, developing and issuing proposed and final regu-  
13 lations, and taking any other steps to implement actions  
14 described in subsection (c)(2)(A), (c)(2)(B)(i), or  
15 (c)(2)(B)(ii)) of such section.

16 CONSTRUCTION

17 For construction, improvement, acquisition, or re-  
18 moval of buildings and other facilities required in the con-  
19 servation, management, investigation, protection, and uti-  
20 lization of fish and wildlife resources, and the acquisition  
21 of lands and interests therein; \$32,904,000, to remain  
22 available until expended: *Provided*, That such amounts are  
23 available for the modernization of field communication ca-  
24 pabilities, in addition to amounts otherwise available for  
25 such purpose.

1 COOPERATIVE ENDANGERED SPECIES CONSERVATION  
2 FUND

3 For expenses necessary to carry out section 6 of the  
4 Endangered Species Act of 1973 (16 U.S.C. 1535),  
5 \$24,564,000, to remain available until expended, to be de-  
6 rived from the Cooperative Endangered Species Conserva-  
7 tion Fund.

8 NATIONAL WILDLIFE REFUGE FUND

9 For expenses necessary to implement the Act of Octo-  
10 ber 17, 1978 (16 U.S.C. 715s), \$13,228,000.

11 NORTH AMERICAN WETLANDS CONSERVATION FUND

12 For expenses necessary to carry out the provisions  
13 of the North American Wetlands Conservation Act (16  
14 U.S.C. 4401 et seq.), \$50,000,000, to remain available  
15 until expended.

16 NEOTROPICAL MIGRATORY BIRD CONSERVATION

17 For expenses necessary to carry out the Neotropical  
18 Migratory Bird Conservation Act (16 U.S.C. 6101 et  
19 seq.), \$5,100,000, to remain available until expended.

20 MULTINATIONAL SPECIES CONSERVATION FUND

21 For expenses necessary to carry out the African Ele-  
22 phant Conservation Act (16 U.S.C. 4201 et seq.), the  
23 Asian Elephant Conservation Act of 1997 (16 U.S.C.  
24 4261 et seq.), the Rhinoceros and Tiger Conservation Act  
25 of 1994 (16 U.S.C. 5301 et seq.), the Great Ape Con-

1 servation Act of 2000 (16 U.S.C. 6301 et seq.), and the  
2 Marine Turtle Conservation Act of 2004 (16 U.S.C. 6601  
3 et seq.), \$25,500,000, to remain available until expended.

4 STATE AND TRIBAL WILDLIFE GRANTS

5 For wildlife conservation grants to States and to the  
6 District of Columbia, Puerto Rico, Guam, the United  
7 States Virgin Islands, the Northern Mariana Islands,  
8 American Samoa, and Indian tribes under the provisions  
9 of the Fish and Wildlife Act of 1956 and the Fish and  
10 Wildlife Coordination Act, for the development and imple-  
11 mentation of programs for the benefit of wildlife and their  
12 habitat, including species that are not hunted or fished,  
13 \$74,362,000 (increased by \$74,362,000) (reduced by  
14 \$74,362,000) (increased by \$1,000,000), to remain avail-  
15 able until expended: *Provided*, That of the amount pro-  
16 vided herein, \$6,250,000 is for a competitive grant pro-  
17 gram for Indian tribes not subject to the remaining provi-  
18 sions of this appropriation: *Provided further*, That  
19 \$7,862,000 is for a competitive grant program to imple-  
20 ment approved plans for States, territories, and other ju-  
21 risdictions and at the discretion of affected States, the re-  
22 gional Associations of fish and wildlife agencies, not sub-  
23 ject to the remaining provisions of this appropriation: *Pro-*  
24 *vided further*, That the Secretary shall, after deducting  
25 \$14,112,000 and administrative expenses, apportion the

1 amount provided herein in the following manner: (1) to  
2 the District of Columbia and to the Commonwealth of  
3 Puerto Rico, each a sum equal to not more than one-half  
4 of 1 percent thereof; and (2) to Guam, American Samoa,  
5 the United States Virgin Islands, and the Commonwealth  
6 of the Northern Mariana Islands, each a sum equal to not  
7 more than one-fourth of 1 percent thereof: *Provided fur-*  
8 *ther*, That the Secretary of the Interior shall apportion  
9 the remaining amount in the following manner: (1) one-  
10 third of which is based on the ratio to which the land area  
11 of such State bears to the total land area of all such  
12 States; and (2) two-thirds of which is based on the ratio  
13 to which the population of such State bears to the total  
14 population of all such States: *Provided further*, That the  
15 amounts apportioned under this paragraph shall be ad-  
16 justed equitably so that no State shall be apportioned a  
17 sum which is less than 1 percent of the amount available  
18 for apportionment under this paragraph for any fiscal year  
19 or more than 5 percent of such amount: *Provided further*,  
20 That the Federal share of planning grants shall not exceed  
21 75 percent of the total costs of such projects and the Fed-  
22 eral share of implementation grants shall not exceed 65  
23 percent of the total costs of such projects: *Provided fur-*  
24 *ther*, That the non-Federal share of such projects may not  
25 be derived from Federal grant programs: *Provided further*,

1 That any amount apportioned in 2023 to any State, terri-  
2 tory, or other jurisdiction that remains unobligated as of  
3 September 30, 2024, shall be reapportioned, together with  
4 funds appropriated in 2025, in the manner provided here-  
5 in.

6 ADMINISTRATIVE PROVISIONS

7 The United States Fish and Wildlife Service may  
8 carry out the operations of Service programs by direct ex-  
9 penditure, contracts, grants, cooperative agreements and  
10 reimbursable agreements with public and private entities.  
11 Appropriations and funds available to the United States  
12 Fish and Wildlife Service shall be available for repair of  
13 damage to public roads within and adjacent to reservation  
14 areas caused by operations of the Service; options for the  
15 purchase of land at not to exceed one dollar for each op-  
16 tion; facilities incident to such public recreational uses on  
17 conservation areas as are consistent with their primary  
18 purpose; and the maintenance and improvement of aquar-  
19 ia, buildings, and other facilities under the jurisdiction of  
20 the Service and to which the United States has title, and  
21 which are used pursuant to law in connection with man-  
22 agement, and investigation of fish and wildlife resources:  
23 *Provided*, That notwithstanding 44 U.S.C. 501, the Serv-  
24 ice may, under cooperative cost sharing and partnership  
25 arrangements authorized by law, procure printing services

1 from cooperators in connection with jointly produced pub-  
2 lications for which the cooperators share at least one-half  
3 the cost of printing either in cash or services and the Serv-  
4 ice determines the cooperator is capable of meeting accept-  
5 ed quality standards: *Provided further*, That the Service  
6 may accept donated aircraft as replacements for existing  
7 aircraft: *Provided further*, That notwithstanding 31 U.S.C.  
8 3302, all fees collected for non-toxic shot review and ap-  
9 proval shall be deposited under the heading “United  
10 States Fish and Wildlife Service—Resource Management”  
11 and shall be available to the Secretary, without further  
12 appropriation, to be used for expenses of processing of  
13 such non-toxic shot type or coating applications and revis-  
14 ing regulations as necessary, and shall remain available  
15 until expended: *Provided further*, That the second proviso  
16 under the heading “United States Fish and Wildlife Serv-  
17 ice—Resource Management” in title I of division E of Pub-  
18 lic Law 112–74 (16 U.S.C. 742l–1) is amended by striking  
19 “2012” and inserting “2023” and striking “\$400,000”  
20 and inserting “\$750,000”.

21 NATIONAL PARK SERVICE

22 OPERATION OF THE NATIONAL PARK SYSTEM

23 For expenses necessary for the management, oper-  
24 ation, and maintenance of areas and facilities adminis-  
25 tered by the National Park Service and for the general



1 administration of the National Park Service,  
2 \$3,089,856,000 (reduced by \$5,000,000) (increased by  
3 \$5,000,000), of which \$11,661,000 for planning and  
4 interagency coordination in support of Everglades restora-  
5 tion and \$135,980,000 for maintenance, repair, or reha-  
6 bilitation projects for constructed assets and  
7 \$188,184,000 for cyclic maintenance projects for con-  
8 structed assets and cultural resources and \$5,000,000 for  
9 uses authorized by section 101122 of title 54, United  
10 States Code shall remain available until September 30,  
11 2024: *Provided*, That funds appropriated under this head-  
12 ing in this Act are available for the purposes of section  
13 5 of Public Law 95–348: *Provided further*, That notwith-  
14 standing section 9 of the 400 Years of African-American  
15 History Commission Act (36 U.S.C. note prec. 101; Public  
16 Law 115–102), \$3,300,000 of the funds provided under  
17 this heading shall be made available for the purposes spec-  
18 ified by that Act: *Provided further*, That sections (7)(b)  
19 and (8) of that Act shall be amended by striking “July  
20 1, 2023” and inserting “July 1, 2024”.

21 In addition, for purposes described in section 2404  
22 of Public Law 116–9, an amount equal to the amount de-  
23 posited in this fiscal year into the National Park Medical  
24 Services Fund established pursuant to such section of

1 such Act, to remain available until expended, shall be de-  
2 rived from such Fund.

3 NATIONAL RECREATION AND PRESERVATION

4 For expenses necessary to carry out recreation pro-  
5 grams, natural programs, cultural programs, heritage  
6 partnership programs, environmental compliance and re-  
7 view, international park affairs, and grant administration,  
8 not otherwise provided for, \$88,243,000, to remain avail-  
9 able until September 30, 2024.

10 HISTORIC PRESERVATION FUND

11 For expenses necessary in carrying out the National  
12 Historic Preservation Act (division A of subtitle III of title  
13 54, United States Code), \$170,825,000 (reduced by  
14 \$3,000,000) (increased by \$3,000,000), to be derived from  
15 the Historic Preservation Fund and to remain available  
16 until September 30, 2024, of which \$26,500,000 shall be  
17 for Save America's Treasures grants for preservation of  
18 nationally significant sites, structures and artifacts as au-  
19 thorized by section 7303 of the Omnibus Public Land  
20 Management Act of 2009 (54 U.S.C. 3089): *Provided*,  
21 That an individual Save America's Treasures grant shall  
22 be matched by non-Federal funds: *Provided further*, That  
23 individual projects shall only be eligible for one grant: *Pro-*  
24 *vided further*, That all projects to be funded shall be ap-  
25 proved by the Secretary of the Interior in consultation

1 with the House and Senate Committees on Appropria-  
2 tions: *Provided further*, That of the funds provided for the  
3 Historic Preservation Fund, \$1,250,000 is for competitive  
4 grants for the survey and nomination of properties to the  
5 National Register of Historic Places and as National His-  
6 toric Landmarks associated with communities currently  
7 under-represented, as determined by the Secretary;  
8 \$26,750,000 is for competitive grants to preserve the sites  
9 and stories of the Civil Rights movement; \$10,000,000 is  
10 for grants to Historically Black Colleges and Universities;  
11 \$10,000,000 is for competitive grants for the restoration  
12 of historic properties of national, State, and local signifi-  
13 cance listed on or eligible for inclusion on the National  
14 Register of Historic Places, to be made without imposing  
15 the usage or direct grant restrictions of section 101(e)(3)  
16 (54 U.S.C. 302904) of the National Historical Preserva-  
17 tion Act; \$3,000,000 is for a competitive grant program  
18 to honor the semiquincentennial anniversary of the United  
19 States by restoring and preserving sites and structures  
20 listed on the National Register of Historic Places that  
21 commemorate the founding of the nation; and  
22 \$11,650,000 is for projects specified for the Historic Pres-  
23 ervation Fund in the table titled “Interior and Environ-  
24 ment Incorporation of Community Project Funding  
25 Items” included for this division in the report accom-

1 panying this Act: *Provided further*, That such competitive  
2 grants shall be made without imposing the matching re-  
3 quirements in section 302902(b)(3) of title 54, United  
4 States Code to States and Indian tribes as defined in  
5 chapter 3003 of such title, Native Hawaiian organizations,  
6 local governments, including Certified Local Governments,  
7 and non-profit organizations.

8 CONSTRUCTION

9 For construction, improvements, repair, or replace-  
10 ment of physical facilities, and compliance and planning  
11 for programs and areas administered by the National  
12 Park Service, \$279,340,000, to remain available until ex-  
13 pended: *Provided*, That notwithstanding any other provi-  
14 sion of law, for any project initially funded in fiscal year  
15 2023 with a future phase indicated in the National Park  
16 Service 5–Year Line Item Construction Plan, a single pro-  
17 curement may be issued which includes the full scope of  
18 the project: *Provided further*, That the solicitation and  
19 contract shall contain the clause availability of funds  
20 found at 48 CFR 52.232–18: *Provided further*, That Na-  
21 tional Park Service Donations, Park Concessions Fran-  
22 chise Fees, and Recreation Fees may be made available  
23 for the cost of adjustments and changes within the origi-  
24 nal scope of effort for projects funded by the National  
25 Park Service Construction appropriation: *Provided further*,

1 That the Secretary of the Interior shall consult with the  
2 Committees on Appropriations, in accordance with current  
3 reprogramming thresholds, prior to making any charges  
4 authorized by this section.

5 CENTENNIAL CHALLENGE

6 For expenses necessary to carry out the provisions  
7 of section 101701 of title 54, United States Code, relating  
8 to challenge cost share agreements, \$15,000,000, to re-  
9 main available until expended, for Centennial Challenge  
10 projects and programs: *Provided*, That not less than 50  
11 percent of the total cost of each project or program shall  
12 be derived from non-Federal sources in the form of do-  
13 nated cash, assets, or a pledge of donation guaranteed by  
14 an irrevocable letter of credit.

15 ADMINISTRATIVE PROVISIONS

16 (INCLUDING TRANSFER OF FUNDS)

17 In addition to other uses set forth in section  
18 101917(c)(2) of title 54, United States Code, franchise  
19 fees credited to a sub-account shall be available for ex-  
20 penditure by the Secretary, without further appropriation,  
21 for use at any unit within the National Park System to  
22 extinguish or reduce liability for Possessory Interest or  
23 leasehold surrender interest. Such funds may only be used  
24 for this purpose to the extent that the benefitting unit an-  
25 ticipated franchise fee receipts over the term of the con-

1 tract at that unit exceed the amount of funds used to ex-  
2 tinguish or reduce liability. Franchise fees at the benefit-  
3 ting unit shall be credited to the sub-account of the origi-  
4 nating unit over a period not to exceed the term of a single  
5 contract at the benefitting unit, in the amount of funds  
6 so expended to extinguish or reduce liability.

7       For the costs of administration of the Land and  
8 Water Conservation Fund grants authorized by section  
9 105(a)(2)(B) of the Gulf of Mexico Energy Security Act  
10 of 2006 (Public Law 109–432), the National Park Service  
11 may retain up to 3 percent of the amounts which are au-  
12 thorized to be disbursed under such section, such retained  
13 amounts to remain available until expended.

14       National Park Service funds may be transferred to  
15 the Federal Highway Administration (FHWA), Depart-  
16 ment of Transportation, for purposes authorized under 23  
17 U.S.C. 203. Transfers may include a reasonable amount  
18 for FHWA administrative support costs.

19                   UNITED STATES GEOLOGICAL SURVEY

20                   SURVEYS, INVESTIGATIONS, AND RESEARCH

21       For expenses necessary for the United States Geo-  
22 logical Survey to perform surveys, investigations, and re-  
23 search covering topography, geology, hydrology, biology,  
24 and the mineral and water resources of the United States,  
25 its territories and possessions, and other areas as author-

1 ized by 43 U.S.C. 31, 1332, and 1340; classify lands as  
2 to their mineral and water resources; give engineering su-  
3 pervision to power permittees and Federal Energy Regu-  
4 latory Commission licensees; administer the minerals ex-  
5 ploration program (30 U.S.C. 641); conduct inquiries into  
6 the economic conditions affecting mining and materials  
7 processing industries (30 U.S.C. 3, 21a, and 1603; 50  
8 U.S.C. 98g(a)(1)) and related purposes as authorized by  
9 law; and to publish and disseminate data relative to the  
10 foregoing activities; \$1,644,232,000, to remain available  
11 until September 30, 2024; of which \$92,274,000 shall re-  
12 main available until expended for satellite operations; and  
13 of which \$74,840,000 shall be available until expended for  
14 deferred maintenance and capital improvement projects  
15 that exceed \$100,000 in cost: *Provided*, That none of the  
16 funds provided for the ecosystem research activity shall  
17 be used to conduct new surveys on private property, unless  
18 specifically authorized in writing by the property owner:  
19 *Provided further*, That no part of this appropriation shall  
20 be used to pay more than one-half the cost of topographic  
21 mapping or water resources data collection and investiga-  
22 tions carried on in cooperation with States and municipali-  
23 ties.

From within the amount appropriated for activities of the United States Geological Survey such sums as are necessary shall be available for contracting for the furnishing of topographic maps and for the making of geophysical or other specialized surveys when it is administratively determined that such procedures are in the public interest; construction and maintenance of necessary buildings and appurtenant facilities; acquisition of lands for gauging stations, observation wells, and seismic equipment; expenses of the United States National Committee for Geological Sciences; and payment of compensation and expenses of persons employed by the Survey duly appointed to represent the United States in the negotiation and administration of interstate compacts: *Provided*, That activities funded by appropriations herein made may be accomplished through the use of contracts, grants, or cooperative agreements as defined in section 6302 of title 31, United States Code: *Provided further*, That the United States Geological Survey may enter into contracts or cooperative agreements directly with individuals or indirectly with institutions or nonprofit organizations, without regard to 41 U.S.C. 6101, for the temporary or intermittent services of students or recent graduates, who shall be considered employees for the purpose of chapters 57 and 81



1 of title 5, United States Code, relating to compensation  
2 for travel and work injuries, and chapter 171 of title 28,  
3 United States Code, relating to tort claims, but shall not  
4 be considered to be Federal employees for any other pur-  
5 poses.

6 BUREAU OF OCEAN ENERGY MANAGEMENT

7 OCEAN ENERGY MANAGEMENT

8 For expenses necessary for granting and admin-  
9 istering leases, easements, rights-of-way, and agreements  
10 for use for oil and gas, other minerals, energy, and ma-  
11 rine-related purposes on the Outer Continental Shelf and  
12 approving operations related thereto, as authorized by law;  
13 for environmental studies, as authorized by law; for imple-  
14 menting other laws and to the extent provided by Presi-  
15 dential or Secretarial delegation; and for matching grants  
16 or cooperative agreements \$228,765,000 (increased by  
17 \$1,000,000) (increased by \$2,000,000) (reduced by  
18 \$2,000,000), of which \$191,765,000 (increased by  
19 \$1,000,000) is to remain available until September 30,  
20 2024, and of which \$37,000,000 is to remain available  
21 until expended: *Provided*, That this total appropriation  
22 shall be reduced by amounts collected by the Secretary of  
23 the Interior and credited to this appropriation from addi-  
24 tions to receipts resulting from increases to lease rental  
25 rates in effect on August 5, 1993, and from cost recovery

1 fees from activities conducted by the Bureau of Ocean En-  
 2 ergy Management pursuant to the Outer Continental Shelf  
 3 Lands Act, including studies, assessments, analysis, and  
 4 miscellaneous administrative activities: *Provided further*,  
 5 That the sum herein appropriated shall be reduced as such  
 6 collections are received during the fiscal year, so as to re-  
 7 sult in a final fiscal year 2023 appropriation estimated  
 8 at not more than \$191,765,000 (increased by  
 9 \$1,000,000): *Provided further*, That not to exceed \$3,000  
 10 shall be available for reasonable expenses related to pro-  
 11 moting volunteer beach and marine cleanup activities.

12 BUREAU OF SAFETY AND ENVIRONMENTAL

13 ENFORCEMENT

14 OFFSHORE SAFETY AND ENVIRONMENTAL ENFORCEMENT

15 For expenses necessary for the regulation of oper-  
 16 ations related to leases, easements, rights-of-way, and  
 17 agreements for use for oil and gas, other minerals, energy,  
 18 and marine-related purposes on the Outer Continental  
 19 Shelf, as authorized by law; for enforcing and imple-  
 20 menting laws and regulations as authorized by law and  
 21 to the extent provided by Presidential or Secretarial dele-  
 22 gation; and for matching grants or cooperative agree-  
 23 ments, \$175,086,000, of which \$151,086,000 is to remain  
 24 available until September 30, 2024, and of which  
 25 \$24,000,000 is to remain available until expended, includ-

1 ing \$5,000,000 for offshore decommissioning activities:  
2 *Provided*, That this total appropriation shall be reduced  
3 by amounts collected by the Secretary of the Interior and  
4 credited to this appropriation from additions to receipts  
5 resulting from increases to lease rental rates in effect on  
6 August 5, 1993, and from cost recovery fees from activi-  
7 ties conducted by the Bureau of Safety and Environmental  
8 Enforcement pursuant to the Outer Continental Shelf  
9 Lands Act, including studies, assessments, analysis, and  
10 miscellaneous administrative activities: *Provided further*,  
11 That the sum herein appropriated shall be reduced as such  
12 collections are received during the fiscal year, so as to re-  
13 sult in a final fiscal year 2023 appropriation estimated  
14 at not more than \$156,086,000.

15 For an additional amount, \$44,000,000, to remain  
16 available until expended, to be reduced by amounts col-  
17 lected by the Secretary and credited to this appropriation,  
18 which shall be derived from non-refundable inspection fees  
19 collected in fiscal year 2023, as provided in this Act: *Pro-*  
20 *vided*, That to the extent that amounts realized from such  
21 inspection fees exceed \$44,000,000, the amounts realized  
22 in excess of \$44,000,000 shall be credited to this appro-  
23 priation and remain available until expended: *Provided*  
24 *further*, That for fiscal year 2023, not less than 50 percent  
25 of the inspection fees expended by the Bureau of Safety

1 and Environmental Enforcement will be used to fund per-  
2 sonnel and mission-related costs to expand capacity and  
3 expedite the orderly development, subject to environmental  
4 safeguards, of the Outer Continental Shelf pursuant to the  
5 Outer Continental Shelf Lands Act (43 U.S.C. 1331 et  
6 seq.), including the review of applications for permits to  
7 drill.

8 OIL SPILL RESEARCH

9 For necessary expenses to carry out title I, section  
10 1016; title IV, sections 4202 and 4303; title VII; and title  
11 VIII, section 8201 of the Oil Pollution Act of 1990,  
12 \$15,099,000, which shall be derived from the Oil Spill Li-  
13 ability Trust Fund, to remain available until expended.

14 OFFICE OF SURFACE MINING RECLAMATION AND  
15 ENFORCEMENT

16 REGULATION AND TECHNOLOGY

17 For necessary expenses to carry out the provisions  
18 of the Surface Mining Control and Reclamation Act of  
19 1977, Public Law 95–87, \$122,076,000, to remain avail-  
20 able until September 30, 2024, of which \$65,000,000 shall  
21 be available for state and tribal regulatory grants: *Pro-*  
22 *vided*, That appropriations for the Office of Surface Min-  
23 ing Reclamation and Enforcement may provide for the  
24 travel and per diem expenses of State and tribal personnel

1 attending Office of Surface Mining Reclamation and En-  
2 forcement sponsored training.

3       In addition, for costs to review, administer, and en-  
4 force permits issued by the Office pursuant to section 507  
5 of Public Law 95–87 (30 U.S.C. 1257), \$40,000, to re-  
6 main available until expended: *Provided*, That fees as-  
7 sessed and collected by the Office pursuant to such section  
8 507 shall be credited to this account as discretionary off-  
9 setting collections, to remain available until expended:  
10 *Provided further*, That the sum herein appropriated from  
11 the general fund shall be reduced as collections are re-  
12 ceived during the fiscal year, so as to result in a fiscal  
13 year 2023 appropriation estimated at not more than  
14 \$122,076,000.

15                   ABANDONED MINE RECLAMATION FUND

16       For necessary expenses to carry out title IV of the  
17 Surface Mining Control and Reclamation Act of 1977,  
18 Public Law 95–87, \$34,142,000, to be derived from re-  
19 ceipts of the Abandoned Mine Reclamation Fund and to  
20 remain available until expended: *Provided*, That pursuant  
21 to Public Law 97–365, the Department of the Interior is  
22 authorized to use up to 20 percent from the recovery of  
23 the delinquent debt owed to the United States Government  
24 to pay for contracts to collect these debts: *Provided fur-*  
25 *ther*, That funds made available under title IV of Public

1 Law 95–87 may be used for any required non-Federal  
2 share of the cost of projects funded by the Federal Gov-  
3 ernment for the purpose of environmental restoration re-  
4 lated to treatment or abatement of acid mine drainage  
5 from abandoned mines: *Provided further*, That such  
6 projects must be consistent with the purposes and prior-  
7 ities of the Surface Mining Control and Reclamation Act:  
8 *Provided further*, That amounts provided under this head-  
9 ing may be used for the travel and per diem expenses of  
10 State and tribal personnel attending Office of Surface  
11 Mining Reclamation and Enforcement sponsored training.

12 In addition, \$135,000,000, to remain available until  
13 expended, for grants to States and federally recognized In-  
14 dian Tribes for reclamation of abandoned mine lands and  
15 other related activities in accordance with the terms and  
16 conditions described in the report accompanying this Act:  
17 *Provided*, That such additional amount shall be used for  
18 economic and community development in conjunction with  
19 the priorities in section 403(a) of the Surface Mining Con-  
20 trol and Reclamation Act of 1977 (30 U.S.C. 1233(a)):  
21 *Provided further*, That of such additional amount,  
22 \$88,042,000 shall be distributed in equal amounts to the  
23 three Appalachian States with the greatest amount of un-  
24 funded needs to meet the priorities described in para-  
25 graphs (1) and (2) of such section, \$35,218,000 shall be

1 distributed in equal amounts to the three Appalachian  
2 States with the subsequent greatest amount of unfunded  
3 needs to meet such priorities, and \$11,740,000 shall be  
4 for grants to federally recognized Indian Tribes without  
5 regard to their status as certified or uncertified under the  
6 Surface Mining Control and Reclamation Act of 1977 (30  
7 U.S.C. 1233(a)), for reclamation of abandoned mine lands  
8 and other related activities in accordance with the terms  
9 and conditions described in the report accompanying this  
10 Act and shall be used for economic and community devel-  
11 opment in conjunction with the priorities in section 403(a)  
12 of the Surface Mining Control and Reclamation Act of  
13 1977: *Provided further*, That such additional amount shall  
14 be allocated to States and Indian Tribes within 60 days  
15 after the date of enactment of this Act.

16 INDIAN AFFAIRS

17 BUREAU OF INDIAN AFFAIRS

18 OPERATION OF INDIAN PROGRAMS

19 (INCLUDING TRANSFERS OF FUNDS)

20 For expenses necessary for the operation of Indian  
21 programs, as authorized by law, including the Snyder Act  
22 of November 2, 1921 (25 U.S.C. 13) and the Indian Self-  
23 Determination and Education Assistance Act of 1975 (25  
24 U.S.C. 5301 et seq.), \$2,149,387,000, to remain available  
25 until September 30, 2024, except as otherwise provided

1 herein; of which not to exceed \$8,500 may be for official  
2 reception and representation expenses; of which not to ex-  
3 ceed \$78,488,000 shall be for welfare assistance pay-  
4 ments: *Provided*, That in cases of designated Federal dis-  
5 asters, the Secretary of the Interior may exceed such cap-  
6 for welfare payments from the amounts provided herein,  
7 to provide for disaster relief to Indian communities af-  
8 fected by the disaster: *Provided further*, That federally rec-  
9 ognized Indian tribes and tribal organizations of federally  
10 recognized Indian tribes may use their tribal priority allo-  
11 cations for unmet welfare assistance costs: *Provided fur-*  
12 *ther*, That not to exceed \$67,084,000 shall remain avail-  
13 able until expended for housing improvement, road main-  
14 tenance, land acquisition, attorney fees, litigation support,  
15 land records improvement, and the Navajo-Hopi Settle-  
16 ment Program: *Provided further*, That any forestry funds  
17 allocated to a federally recognized tribe which remain un-  
18 obligated as of September 30, 2024, may be transferred  
19 during fiscal year 2025 to an Indian forest land assistance  
20 account established for the benefit of the holder of the  
21 funds within the holder's trust fund account: *Provided fur-*  
22 *ther*, That any such unobligated balances not so trans-  
23 ferred shall expire on September 30, 2025: *Provided fur-*  
24 *ther*, That in order to enhance the safety of Bureau field  
25 employees, the Bureau may use funds to purchase uni-



1 forms or other identifying articles of clothing for per-  
2 sonnel: *Provided further*, That the Bureau of Indian Af-  
3 fairs may accept transfers of funds from United States  
4 Customs and Border Protection to supplement any other  
5 funding available for reconstruction or repair of roads  
6 owned by the Bureau of Indian Affairs as identified on  
7 the National Tribal Transportation Facility Inventory, 23  
8 U.S.C. 202(b)(1).

9                                   INDIAN LAND CONSOLIDATION

10       For the acquisition of fractional interests to further  
11 land consolidation as authorized under the Indian Land  
12 Consolidation Act Amendments of 2000 (Public Law 106–  
13 462), and the American Indian Probate Reform Act of  
14 2004 (Public Law 108–374), \$50,000,000, to remain  
15 available until expended: *Provided*, That any provision of  
16 the Indian Land Consolidation Act Amendments of 2000  
17 (Public Law 106–462) that requires or otherwise relates  
18 to application of a lien shall not apply to the acquisitions  
19 funded herein.

20                                   CONTRACT SUPPORT COSTS

21       For payments to tribes and tribal organizations for  
22 contract support costs associated with Indian Self-Deter-  
23 mination and Education Assistance Act agreements with  
24 the Bureau of Indian Affairs and the Bureau of Indian  
25 Education for fiscal year 2023, such sums as may be nec-

1   essary, which shall be available for obligation through Sep-  
2   tember 30, 2024: *Provided*, That notwithstanding any  
3   other provision of law, no amounts made available under  
4   this heading shall be available for transfer to another  
5   budget account.

6                                   PAYMENTS FOR TRIBAL LEASES

7           For payments to tribes and tribal organizations for  
8   leases pursuant to section 105(l) of the Indian Self-Deter-  
9   mination and Education Assistance Act (25 U.S.C.  
10  5324(l)) for fiscal year 2023, such sums as may be nec-  
11  essary, which shall be available for obligation through Sep-  
12  tember 30, 2024: *Provided*, That notwithstanding any  
13  other provision of law, no amounts made available under  
14  this heading shall be available for transfer to another  
15  budget account.

16                                   CONSTRUCTION

17                                   (INCLUDING TRANSFER OF FUNDS)

18           For construction, repair, improvement, and mainte-  
19  nance of irrigation and power systems, buildings, utilities,  
20  and other facilities, including architectural and engineer-  
21  ing services by contract; acquisition of lands, and interests  
22  in lands; and preparation of lands for farming, and for  
23  construction of the Navajo Indian Irrigation Project pur-  
24  suant to Public Law 87-483; \$181,009,000, to remain  
25  available until expended: *Provided*, That such amounts as

1 may be available for the construction of the Navajo Indian  
2 Irrigation Project may be transferred to the Bureau of  
3 Reclamation: *Provided further*, That any funds provided  
4 for the Safety of Dams program pursuant to the Act of  
5 November 2, 1921 (25 U.S.C. 13), shall be made available  
6 on a nonreimbursable basis: *Provided further*, That this  
7 appropriation may be reimbursed from the Office of the  
8 Special Trustee for American Indians appropriation for  
9 the appropriate share of construction costs for space ex-  
10 pansion needed in agency offices to meet trust reform im-  
11 plementation: *Provided further*, That of the funds made  
12 available under this heading, \$10,000,000 shall be derived  
13 from the Indian Irrigation Fund established by section  
14 3211 of the WIIN Act (Public Law 114–322; 130 Stat.  
15 1749).

16 INDIAN LAND AND WATER CLAIM SETTLEMENTS AND  
17 MISCELLANEOUS PAYMENTS TO INDIANS

18 For payments and necessary administrative expenses  
19 for implementation of Indian land and water claim settle-  
20 ments pursuant to Public Laws 99–264, 114–322, and  
21 116–260, and for implementation of other land and water  
22 rights settlements, \$825,000, to remain available until ex-  
23 pended.

## 1 INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

2 For the cost of guaranteed loans and insured loans,  
3 \$13,884,000, to remain available until September 30,  
4 2024, of which \$2,680,000 is for administrative expenses,  
5 as authorized by the Indian Financing Act of 1974: *Pro-*  
6 *vided*, That such costs, including the cost of modifying  
7 such loans, shall be as defined in section 502 of the Con-  
8 gressional Budget Act of 1974: *Provided further*, That  
9 these funds are available to subsidize total loan principal,  
10 any part of which is to be guaranteed or insured, not to  
11 exceed \$150,213,551.

## 12 BUREAU OF INDIAN EDUCATION

## 13 OPERATION OF INDIAN EDUCATION PROGRAMS

14 For expenses necessary for the operation of Indian  
15 education programs, as authorized by law, including the  
16 Snyder Act of November 2, 1921 (25 U.S.C. 13), the In-  
17 dian Self-Determination and Education Assistance Act of  
18 1975 (25 U.S.C. 5301 et seq.), the Education Amend-  
19 ments of 1978 (25 U.S.C. 2001–2019), and the Tribally  
20 Controlled Schools Act of 1988 (25 U.S.C. 2501 et seq.),  
21 \$1,202,676,000 to remain available until September 30,  
22 2024, except as otherwise provided herein: *Provided*, That  
23 federally recognized Indian tribes and tribal organizations  
24 of federally recognized Indian tribes may use their tribal  
25 priority allocations for unmet welfare assistance costs:

1 *Provided further*, That not to exceed \$870,288,000 for  
2 school operations costs of Bureau-funded schools and  
3 other education programs shall become available on July  
4 1, 2023, and shall remain available until September 30,  
5 2024: *Provided further*, That notwithstanding any other  
6 provision of law, including but not limited to the Indian  
7 Self-Determination Act of 1975 (25 U.S.C. 5301 et seq.)  
8 and section 1128 of the Education Amendments of 1978  
9 (25 U.S.C. 2008), not to exceed \$99,107,000 within and  
10 only from such amounts made available for school oper-  
11 ations shall be available for administrative cost grants as-  
12 sociated with grants approved prior to July 1, 2023: *Pro-*  
13 *vided further*, That in order to enhance the safety of Bu-  
14 reau field employees, the Bureau may use funds to pur-  
15 chase uniforms or other identifying articles of clothing for  
16 personnel.

#### 17 EDUCATION CONSTRUCTION

18 For construction, repair, improvement, and mainte-  
19 nance of buildings, utilities, and other facilities necessary  
20 for the operation of Indian education programs, including  
21 architectural and engineering services by contract; acquisi-  
22 tion of lands, and interests in lands; \$375,102,000 to re-  
23 main available until expended: *Provided*, That in order to  
24 ensure timely completion of construction projects, the Sec-  
25 retary of the Interior may assume control of a project and

1 all funds related to the project, if, not later than 18  
2 months after the date of the enactment of this Act, any  
3 Public Law 100–297 (25 U.S.C. 2501, et seq.) grantee  
4 receiving funds appropriated in this Act or in any prior  
5 Act, has not completed the planning and design phase of  
6 the project and commenced construction.

7 ADMINISTRATIVE PROVISIONS

8 The Bureau of Indian Affairs and the Bureau of In-  
9 dian Education may carry out the operation of Indian pro-  
10 grams by direct expenditure, contracts, cooperative agree-  
11 ments, compacts, and grants, either directly or in coopera-  
12 tion with States and other organizations.

13 Notwithstanding Public Law 87–279 (25 U.S.C. 15),  
14 the Bureau of Indian Affairs may contract for services in  
15 support of the management, operation, and maintenance  
16 of the Power Division of the San Carlos Irrigation Project.

17 Notwithstanding any other provision of law, no funds  
18 available to the Bureau of Indian Affairs or the Bureau  
19 of Indian Education for central office oversight and Exec-  
20 utive Direction and Administrative Services (except Exec-  
21 utive Direction and Administrative Services funding for  
22 Tribal Priority Allocations, regional offices, and facilities  
23 operations and maintenance) shall be available for con-  
24 tracts, grants, compacts, or cooperative agreements with  
25 the Bureau of Indian Affairs or the Bureau of Indian

1 Education under the provisions of the Indian Self-Deter-  
2 mination Act or the Tribal Self-Governance Act of 1994  
3 (Public Law 103–413).

4 In the event any tribe returns appropriations made  
5 available by this Act to the Bureau of Indian Affairs or  
6 the Bureau of Indian Education, this action shall not di-  
7 minish the Federal Government’s trust responsibility to  
8 that tribe, or the government-to-government relationship  
9 between the United States and that tribe, or that tribe’s  
10 ability to access future appropriations.

11 Notwithstanding any other provision of law, no funds  
12 available to the Bureau of Indian Education, other than  
13 the amounts provided herein for assistance to public  
14 schools under 25 U.S.C. 452 et seq., shall be available to  
15 support the operation of any elementary or secondary  
16 school in the State of Alaska.

17 No funds available to the Bureau of Indian Edu-  
18 cation shall be used to support expanded grades for any  
19 school or dormitory beyond the grade structure in place  
20 or approved by the Secretary of the Interior at each school  
21 in the Bureau of Indian Education school system as of  
22 October 1, 1995, except that the Secretary of the Interior  
23 may waive this prohibition to support expansion of up to  
24 one additional grade when the Secretary determines such  
25 waiver is needed to support accomplishment of the mission

1 of the Bureau of Indian Education, or more than one  
2 grade to expand the elementary grade structure for Bu-  
3 reau-funded schools with a K–2 grade structure on Octo-  
4 ber 1, 1996. Appropriations made available in this or any  
5 prior Act for schools funded by the Bureau shall be avail-  
6 able, in accordance with the Bureau’s funding formula,  
7 only to the schools in the Bureau school system as of Sep-  
8 tember 1, 1996, and to any school or school program that  
9 was reinstated in fiscal year 2012. Funds made available  
10 under this Act may not be used to establish a charter  
11 school at a Bureau-funded school (as that term is defined  
12 in section 1141 of the Education Amendments of 1978  
13 (25 U.S.C. 2021)), except that a charter school that is  
14 in existence on the date of the enactment of this Act and  
15 that has operated at a Bureau-funded school before Sep-  
16 tember 1, 1999, may continue to operate during that pe-  
17 riod, but only if the charter school pays to the Bureau  
18 a pro rata share of funds to reimburse the Bureau for  
19 the use of the real and personal property (including buses  
20 and vans), the funds of the charter school are kept sepa-  
21 rate and apart from Bureau funds, and the Bureau does  
22 not assume any obligation for charter school programs of  
23 the State in which the school is located if the charter  
24 school loses such funding. Employees of Bureau-funded  
25 schools sharing a campus with a charter school and per-



1 forming functions related to the charter school's operation  
2 and employees of a charter school shall not be treated as  
3 Federal employees for purposes of chapter 171 of title 28,  
4 United States Code.

5       Notwithstanding any other provision of law, including  
6 section 113 of title I of appendix C of Public Law 106–  
7 113, if in fiscal year 2003 or 2004 a grantee received indi-  
8 rect and administrative costs pursuant to a distribution  
9 formula based on section 5(f) of Public Law 101–301, the  
10 Secretary shall continue to distribute indirect and admin-  
11 istrative cost funds to such grantee using the section 5(f)  
12 distribution formula.

13       Funds available under this Act may not be used to  
14 establish satellite locations of schools in the Bureau school  
15 system as of September 1, 1996, except that the Secretary  
16 may waive this prohibition in order for an Indian tribe  
17 to provide language and cultural immersion educational  
18 programs for non-public schools located within the juris-  
19 dictional area of the tribal government which exclusively  
20 serve tribal members, do not include grades beyond those  
21 currently served at the existing Bureau-funded school,  
22 provide an educational environment with educator pres-  
23 ence and academic facilities comparable to the Bureau-  
24 funded school, comply with all applicable Tribal, Federal,  
25 or State health and safety standards, and the Americans

1 with Disabilities Act, and demonstrate the benefits of es-  
2 tablishing operations at a satellite location in lieu of incur-  
3 ring extraordinary costs, such as for transportation or  
4 other impacts to students such as those caused by busing  
5 students extended distances: *Provided*, That no funds  
6 available under this Act may be used to fund operations,  
7 maintenance, rehabilitation, construction, or other facili-  
8 ties-related costs for such assets that are not owned by  
9 the Bureau: *Provided further*, That the term “satellite  
10 school” means a school location physically separated from  
11 the existing Bureau school by more than 50 miles but that  
12 forms part of the existing school in all other respects.

13 Funds made available for Tribal Priority Allocations  
14 within Operation of Indian Programs and Operation of In-  
15 dian Education Programs may be used to execute re-  
16 quested adjustments in tribal priority allocations initiated  
17 by an Indian Tribe.

18 OFFICE OF THE SPECIAL TRUSTEE FOR AMERICAN

19 INDIANS

20 FEDERAL TRUST PROGRAMS

21 (INCLUDING TRANSFER OF FUNDS)

22 For the operation of trust programs for Indians by  
23 direct expenditure, contracts, cooperative agreements,  
24 compacts, and grants, \$111,286,000, to remain available  
25 until expended, of which not to exceed \$17,867,000 from

1 this or any other Act, may be available for historical ac-  
2 counting: *Provided*, That funds for trust management im-  
3 provements and litigation support may, as needed, be  
4 transferred to or merged with the Bureau of Indian Af-  
5 fairs, “Operation of Indian Programs” and Bureau of In-  
6 dian Education, “Operation of Indian Education Pro-  
7 grams” accounts; the Office of the Solicitor, “Salaries and  
8 Expenses” account; and the Office of the Secretary, “De-  
9 partmental Operations” account: *Provided further*, That  
10 funds made available through contracts or grants obli-  
11 gated during fiscal year 2023, as authorized by the Indian  
12 Self-Determination Act of 1975 (25 U.S.C. 5301 et seq.),  
13 shall remain available until expended by the contractor or  
14 grantee: *Provided further*, That notwithstanding any other  
15 provision of law, the Secretary shall not be required to  
16 provide a quarterly statement of performance for any In-  
17 dian trust account that has not had activity for at least  
18 15 months and has a balance of \$15 or less: *Provided fur-*  
19 *ther*, That the Secretary shall issue an annual account  
20 statement and maintain a record of any such accounts and  
21 shall permit the balance in each such account to be with-  
22 drawn upon the express written request of the account  
23 holder: *Provided further*, That not to exceed \$100,000 is  
24 available for the Secretary to make payments to correct  
25 administrative errors of either disbursements from or de-

1 posits to Individual Indian Money or Tribal accounts after  
2 September 30, 2002: *Provided further*, That erroneous  
3 payments that are recovered shall be credited to and re-  
4 main available in this account for this purpose: *Provided*  
5 *further*, That the Secretary shall not be required to rec-  
6 oncile Special Deposit Accounts with a balance of less than  
7 \$500 unless the Office of the Special Trustee receives  
8 proof of ownership from a Special Deposit Accounts claim-  
9 ant: *Provided further*, That notwithstanding section 102  
10 of the American Indian Trust Fund Management Reform  
11 Act of 1994 (Public Law 103–412) or any other provision  
12 of law, the Secretary may aggregate the trust accounts  
13 of individuals whose whereabouts are unknown for a con-  
14 tinuous period of at least 5 years and shall not be required  
15 to generate periodic statements of performance for the in-  
16 dividual accounts: *Provided further*, That with respect to  
17 the eighth proviso, the Secretary shall continue to main-  
18 tain sufficient records to determine the balance of the indi-  
19 vidual accounts, including any accrued interest and in-  
20 come, and such funds shall remain available to the indi-  
21 vidual account holders.

## 1 DEPARTMENTAL OFFICES

## 2 OFFICE OF THE SECRETARY

## 3 DEPARTMENTAL OPERATIONS

## 4 (INCLUDING TRANSFER OF FUNDS)

5 For necessary expenses for management of the De-  
6 partment of the Interior and for grants and cooperative  
7 agreements, as authorized by law, \$147,706,000 (reduced  
8 by \$1,000,000) (reduced by \$1,000,000) (reduced by  
9 \$1,000,000) (reduced by \$8,000,000) (increased by  
10 \$8,000,000) (reduced by \$4,000,000) (increased by  
11 \$4,000,000), to remain available until September 30,  
12 2024; of which not to exceed \$15,000 may be for official  
13 reception and representation expenses; of which up to  
14 \$1,000,000 shall be available for workers compensation  
15 payments and unemployment compensation payments as-  
16 sociated with the orderly closure of the United States Bu-  
17 reau of Mines; and of which \$14,295,000 for Indian land,  
18 mineral, and resource valuation activities shall remain  
19 available until expended: *Provided*, That funds for Indian  
20 land, mineral, and resource valuation activities may, as  
21 needed, be transferred to and merged with the Bureau of  
22 Indian Affairs “Operation of Indian Programs” and Bu-  
23 reau of Indian Education “Operation of Indian Education  
24 Programs” accounts and the Office of the Special Trustee  
25 “Federal Trust Programs” account: *Provided further*,

1 That funds made available through contracts or grants ob-  
2 ligated during fiscal year 2023, as authorized by the In-  
3 dian Self-Determination Act of 1975 (25 U.S.C. 5301 et  
4 seq.), shall remain available until expended by the con-  
5 tractor or grantee.

6 ADMINISTRATIVE PROVISIONS

7 For fiscal year 2023, up to \$400,000 of the payments  
8 authorized by chapter 69 of title 31, United States Code,  
9 may be retained for administrative expenses of the Pay-  
10 ments in Lieu of Taxes Program: *Provided*, That the  
11 amounts provided under this Act specifically for the Pay-  
12 ments in Lieu of Taxes program are the only amounts  
13 available for payments authorized under chapter 69 of  
14 title 31, United States Code: *Provided further*, That in the  
15 event the sums appropriated for any fiscal year for pay-  
16 ments pursuant to this chapter are insufficient to make  
17 the full payments authorized by that chapter to all units  
18 of local government, then the payment to each local gov-  
19 ernment shall be made proportionally: *Provided further*,  
20 That the Secretary may make adjustments to payment to  
21 individual units of local government to correct for prior  
22 overpayments or underpayments: *Provided further*, That  
23 no payment shall be made pursuant to that chapter to oth-  
24 erwise eligible units of local government if the computed  
25 amount of the payment is less than \$100.

## 1 INSULAR AFFAIRS

## 2 ASSISTANCE TO TERRITORIES

3 For expenses necessary for assistance to territories  
4 under the jurisdiction of the Department of the Interior  
5 and other jurisdictions identified in section 104(e) of Pub-  
6 lic Law 108–188, \$121,257,000, of which: (1)  
7 \$111,040,000 shall remain available until expended for  
8 territorial assistance, including general technical assist-  
9 ance, maintenance assistance, disaster assistance, coral  
10 reef initiative and natural resources activities, and brown  
11 tree snake control and research; grants to the judiciary  
12 in American Samoa for compensation and expenses, as au-  
13 thorized by law (48 U.S.C. 1661(c)); grants to the Govern-  
14 ment of American Samoa, in addition to current local rev-  
15 enues, for construction and support of governmental func-  
16 tions; grants to the Government of the Virgin Islands, as  
17 authorized by law; grants to the Government of Guam,  
18 as authorized by law; and grants to the Government of  
19 the Northern Mariana Islands, as authorized by law (Pub-  
20 lic Law 94–241; 90 Stat. 272); and (2) \$10,217,000 shall  
21 be available until September 30, 2024, for salaries and  
22 expenses of the Office of Insular Affairs: *Provided*, That  
23 all financial transactions of the territorial and local gov-  
24 ernments herein provided for, including such transactions  
25 of all agencies or instrumentalities established or used by

1 such governments, may be audited by the Government Ac-  
2 countability Office, at its discretion, in accordance with  
3 chapter 35 of title 31, United States Code: *Provided fur-*  
4 *ther*, That Northern Mariana Islands Covenant grant  
5 funding shall be provided according to those terms of the  
6 Agreement of the Special Representatives on Future  
7 United States Financial Assistance for the Northern Mar-  
8 iana Islands approved by Public Law 104–134: *Provided*  
9 *further*, That the funds for the program of operations and  
10 maintenance improvement are appropriated to institu-  
11 tionalize routine operations and maintenance improvement  
12 of capital infrastructure with territorial participation and  
13 cost sharing to be determined by the Secretary based on  
14 the grantee’s commitment to timely maintenance of its  
15 capital assets: *Provided further*, That any appropriation  
16 for disaster assistance under this heading in this Act or  
17 previous appropriations Acts may be used as non–Federal  
18 matching funds for the purpose of hazard mitigation  
19 grants provided pursuant to section 404 of the Robert T.  
20 Stafford Disaster Relief and Emergency Assistance Act  
21 (42 U.S.C. 5170c).

22 COMPACT OF FREE ASSOCIATION

23 For grants and necessary expenses, \$8,463,000, to  
24 remain available until expended, as provided for in sec-  
25 tions 221(a)(2) and 233 of the Compact of Free Associa-



tion for the Republic of Palau; and section 221(a)(2) of the Compacts of Free Association for the Government of the Republic of the Marshall Islands and the Federated States of Micronesia, as authorized by Public Law 99–658 and Public Law 108–188: *Provided*, That of the funds appropriated under this heading, \$5,000,000 is for deposit into the Compact Trust Fund of the Republic of the Marshall Islands as compensation authorized by Public Law 108–188 for adverse financial and economic impacts.

#### ADMINISTRATIVE PROVISIONS

##### (INCLUDING TRANSFER OF FUNDS)

At the request of the Governor of Guam, the Secretary may transfer discretionary funds or mandatory funds provided under section 104(e) of Public Law 108–188 and Public Law 104–134, that are allocated for Guam, to the Secretary of Agriculture for the subsidy cost of direct or guaranteed loans, plus not to exceed three percent of the amount of the subsidy transferred for the cost of loan administration, for the purposes authorized by the Rural Electrification Act of 1936 and section 306(a)(1) of the Consolidated Farm and Rural Development Act for construction and repair projects in Guam, and such funds shall remain available until expended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act

1 of 1974: *Provided further*, That such loans or loan guaran-  
2 tees may be made without regard to the population of the  
3 area, credit elsewhere requirements, and restrictions on  
4 the types of eligible entities under the Rural Electrifica-  
5 tion Act of 1936 and section 306(a)(1) of the Consolidated  
6 Farm and Rural Development Act: *Provided further*, That  
7 any funds transferred to the Secretary of Agriculture shall  
8 be in addition to funds otherwise made available to make  
9 or guarantee loans under such authorities.

10 OFFICE OF THE SOLICITOR

11 SALARIES AND EXPENSES

12 For necessary expenses of the Office of the Solicitor,  
13 \$103,190,000, to remain available until September 30,  
14 2024.

15 OFFICE OF INSPECTOR GENERAL

16 SALARIES AND EXPENSES

17 For necessary expenses of the Office of Inspector  
18 General, \$76,870,000, to remain available until September  
19 30, 2024.

20 DEPARTMENT-WIDE PROGRAMS

21 WILDLAND FIRE MANAGEMENT

22 (INCLUDING TRANSFERS OF FUNDS)

23 For necessary expenses for fire preparedness, fire  
24 suppression operations, fire science and research, emer-  
25 gency rehabilitation, fuels management activities, and

1 rural fire assistance by the Department of the Interior,  
2 \$1,202,130,000 (increased by \$1,000,000), to remain  
3 available until expended, of which not to exceed  
4 \$10,000,000 shall be for the renovation or construction  
5 of fire facilities: *Provided*, That such funds are also avail-  
6 able for repayment of advances to other appropriation ac-  
7 counts from which funds were previously transferred for  
8 such purposes: *Provided further*, That of the funds pro-  
9 vided \$304,344,000 is for fuels management activities:  
10 *Provided further*, That of the funds provided \$22,470,000  
11 is for burned area rehabilitation: *Provided further*, That  
12 persons hired pursuant to 43 U.S.C. 1469 may be fur-  
13 nished subsistence and lodging without cost from funds  
14 available from this appropriation: *Provided further*, That  
15 notwithstanding 42 U.S.C. 1856d, sums received by a bu-  
16 reau or office of the Department of the Interior for fire  
17 protection rendered pursuant to 42 U.S.C. 1856 et seq.,  
18 protection of United States property, may be credited to  
19 the appropriation from which funds were expended to pro-  
20 vide that protection, and are available without fiscal year  
21 limitation: *Provided further*, That using the amounts des-  
22 ignated under this title of this Act, the Secretary of the  
23 Interior may enter into procurement contracts, grants, or  
24 cooperative agreements, for fuels management activities,  
25 and for training and monitoring associated with such fuels

1 management activities on Federal land, or on adjacent  
2 non-Federal land for activities that benefit resources on  
3 Federal land: *Provided further*, That the costs of imple-  
4 menting any cooperative agreement between the Federal  
5 Government and any non-Federal entity may be shared,  
6 as mutually agreed on by the affected parties: *Provided*  
7 *further*, That notwithstanding requirements of the Com-  
8 petition in Contracting Act, the Secretary, for purposes  
9 of fuels management activities, may obtain maximum  
10 practicable competition among: (1) local private, non-  
11 profit, or cooperative entities; (2) Youth Conservation  
12 Corps crews, Public Lands Corps (Public Law 109–154),  
13 or related partnerships with State, local, or nonprofit  
14 youth groups; (3) small or micro-businesses; or (4) other  
15 entities that will hire or train locally a significant percent-  
16 age, defined as 50 percent or more, of the project work-  
17 force to complete such contracts: *Provided further*, That  
18 in implementing this section, the Secretary shall develop  
19 written guidance to field units to ensure accountability  
20 and consistent application of the authorities provided here-  
21 in: *Provided further*, That funds appropriated under this  
22 heading may be used to reimburse the United States Fish  
23 and Wildlife Service and the National Marine Fisheries  
24 Service for the costs of carrying out their responsibilities  
25 under the Endangered Species Act of 1973 (16 U.S.C.

1 1531 et seq.) to consult and conference, as required by  
2 section 7 of such Act, in connection with wildland fire  
3 management activities: *Provided further*, That the Sec-  
4 retary of the Interior may use wildland fire appropriations  
5 to enter into leases of real property with local govern-  
6 ments, at or below fair market value, to construct capital-  
7 ized improvements for fire facilities on such leased prop-  
8 erties, including but not limited to fire guard stations, re-  
9 tardant stations, and other initial attack and fire support  
10 facilities, and to make advance payments for any such  
11 lease or for construction activity associated with the lease:  
12 *Provided further*, That the Secretary of the Interior and  
13 the Secretary of Agriculture may authorize the transfer  
14 of funds appropriated for wildland fire management, in  
15 an aggregate amount not to exceed \$50,000,000 between  
16 the Departments when such transfers would facilitate and  
17 expedite wildland fire management programs and projects:  
18 *Provided further*, That funds provided for wildfire suppres-  
19 sion shall be available for support of Federal emergency  
20 response actions: *Provided further*, That funds appro-  
21 priated under this heading shall be available for assistance  
22 to or through the Department of State in connection with  
23 forest and rangeland research, technical information, and  
24 assistance in foreign countries, and, with the concurrence  
25 of the Secretary of State, shall be available to support for-

1 estry, wildland fire management, and related natural re-  
2 source activities outside the United States and its terri-  
3 tories and possessions, including technical assistance, edu-  
4 cation and training, and cooperation with United States  
5 and international organizations: *Provided further*, That of  
6 the funds provided under this heading, \$383,657,000 shall  
7 be available for wildfire suppression operations, and is pro-  
8 vided to meet the terms of section 4004(b)(5)(B) of S.  
9 Con. Res. 14 (117th Congress), the concurrent resolution  
10 on the budget for fiscal year 2022, and section 1(g)(2)  
11 of H. Res. 1151 (117th Congress), as engrossed in the  
12 House of Representatives on June 8, 2022.

13 WILDFIRE SUPPRESSION OPERATIONS RESERVE FUND  
14 (INCLUDING TRANSFERS OF FUNDS)

15 In addition to the amounts provided under the head-  
16 ing “Department of the Interior—Department-Wide Pro-  
17 grams—Wildland Fire Management” for wildfire suppres-  
18 sion operations, \$340,000,000, to remain available until  
19 transferred, is additional new budget authority as speci-  
20 fied for purposes of section 4004(b)(5) of S. Con. Res.  
21 14 (117th Congress), the concurrent resolution on the  
22 budget for fiscal year 2022, and section 1(g) of H. Res.  
23 1151 (117th Congress), as engrossed in the House of Rep-  
24 resentatives on June 8, 2022: *Provided*, That such  
25 amounts may be transferred to and merged with amounts

1 made available under the headings “Department of Agri-  
2 culture—Forest Service—Wildland Fire Management”  
3 and “Department of the Interior—Department-Wide Pro-  
4 grams—Wildland Fire Management” for wildfire suppres-  
5 sion operations in the fiscal year in which such amounts  
6 are transferred: *Provided further*, That amounts may be  
7 transferred to the “Wildland Fire Management” accounts  
8 in the Department of Agriculture or the Department of  
9 the Interior only upon the notification of the House and  
10 Senate Committees on Appropriations that all wildfire  
11 suppression operations funds appropriated under that  
12 heading in this and prior appropriations Acts to the agen-  
13 cy to which the funds will be transferred will be obligated  
14 within 30 days: *Provided further*, That the transfer au-  
15 thority provided under this heading is in addition to any  
16 other transfer authority provided by law: *Provided further*,  
17 That, in determining whether all wildfire suppression op-  
18 erations funds appropriated under the heading “Wildland  
19 Fire Management” in this and prior appropriations Acts  
20 to either the Department of Agriculture or the Depart-  
21 ment of the Interior will be obligated within 30 days pur-  
22 suant to the preceding proviso, any funds transferred or  
23 permitted to be transferred pursuant to any other transfer  
24 authority provided by law shall be excluded.

1           CENTRAL HAZARDOUS MATERIALS FUND

2           For necessary expenses of the Department of the In-  
3   terior and any of its component offices and bureaus for  
4   the response action, including associated activities, per-  
5   formed pursuant to the Comprehensive Environmental Re-  
6   sponse, Compensation, and Liability Act (42 U.S.C. 9601  
7   et seq.), \$10,064,000, to remain available until expended.

8           ENERGY COMMUNITY REVITALIZATION PROGRAM  
9           (INCLUDING TRANSFERS OF FUNDS)

10          For necessary expenses of the Department of the In-  
11   terior to inventory, assess, decommission, reclaim, respond  
12   to hazardous substance releases, remediate lands pursuant  
13   to section 40704 of Public Law 117–58 (30 U.S.C. 1245),  
14   and carry out the purposes of section 349 of the Energy  
15   Policy Act of 2005 (42 U.S.C. 15907), as amended,  
16   \$45,000,000, to remain available until expended: *Pro-*  
17   *vided*, That such amount shall be in addition to amounts  
18   otherwise available for such purposes: *Provided further*,  
19   That amounts appropriated under this heading are avail-  
20   able for program management and oversight of these ac-  
21   tivities: *Provided further*, That the Secretary may transfer  
22   the funds provided under this heading in this Act to any  
23   other account in the Department to carry out such pur-  
24   poses, and may expend such funds directly, or through  
25   grants: *Provided further*, That these amounts are not



1 available to fulfill Comprehensive Environmental Re-  
2 sponse, Compensation, and Liability Act (42 U.S.C. 9601  
3 et seq.) obligations agreed to in settlement or imposed by  
4 a court, whether for payment of funds or for work to be  
5 performed.

6 NATURAL RESOURCE DAMAGE ASSESSMENT AND  
7 RESTORATION

8 NATURAL RESOURCE DAMAGE ASSESSMENT FUND

9 To conduct natural resource damage assessment, res-  
10 toration activities, and onshore oil spill preparedness by  
11 the Department of the Interior necessary to carry out the  
12 provisions of the Comprehensive Environmental Response,  
13 Compensation, and Liability Act (42 U.S.C. 9601 et seq.),  
14 the Federal Water Pollution Control Act (33 U.S.C. 1251  
15 et seq.), the Oil Pollution Act of 1990 (33 U.S.C. 2701  
16 et seq.), and 54 U.S.C. 100721 et seq., \$8,059,000, to  
17 remain available until expended.

18 WORKING CAPITAL FUND

19 For the operation and maintenance of a departmental  
20 financial and business management system, data manage-  
21 ment, and information technology improvements of gen-  
22 eral benefit to the Department, cybersecurity, and the con-  
23 solidation of facilities and operations throughout the De-  
24 partment, \$118,746,000 (reduced by \$2,000,000), to re-  
25 main available until expended: *Provided*, That none of the

1 funds appropriated in this Act or any other Act may be  
2 used to establish reserves in the Working Capital Fund  
3 account other than for accrued annual leave and deprecia-  
4 tion of equipment without prior approval of the Commit-  
5 tees on Appropriations of the House of Representatives  
6 and the Senate: *Provided further*, That the Secretary of  
7 the Interior may assess reasonable charges to State, local,  
8 and tribal government employees for training services pro-  
9 vided by the National Indian Program Training Center,  
10 other than training related to Public Law 93–638: *Pro-*  
11 *vided further*, That the Secretary may lease or otherwise  
12 provide space and related facilities, equipment, or profes-  
13 sional services of the National Indian Program Training  
14 Center to State, local and tribal government employees or  
15 persons or organizations engaged in cultural, educational,  
16 or recreational activities (as defined in section 3306(a) of  
17 title 40, United States Code) at the prevailing rate for  
18 similar space, facilities, equipment, or services in the vicin-  
19 ity of the National Indian Program Training Center: *Pro-*  
20 *vided further*, That all funds received pursuant to the two  
21 preceding provisos shall be credited to this account, shall  
22 be available until expended, and shall be used by the Sec-  
23 retary for necessary expenses of the National Indian Pro-  
24 gram Training Center: *Provided further*, That the Sec-  
25 retary may enter into grants and cooperative agreements

1 to support the Office of Natural Resource Revenue's col-  
2 lection and disbursement of royalties, fees, and other min-  
3 eral revenue proceeds, as authorized by law.

4 ADMINISTRATIVE PROVISION

5 There is hereby authorized for acquisition from avail-  
6 able resources within the Working Capital Fund, aircraft  
7 which may be obtained by donation, purchase, or through  
8 available excess surplus property: *Provided*, That existing  
9 aircraft being replaced may be sold, with proceeds derived  
10 or trade-in value used to offset the purchase price for the  
11 replacement aircraft.

12 OFFICE OF NATURAL RESOURCES REVENUE

13 For necessary expenses for management of the collec-  
14 tion and disbursement of royalties, fees, and other mineral  
15 revenue proceeds, and for grants and cooperative agree-  
16 ments, as authorized by law, \$174,977,000, to remain  
17 available until September 30, 2024; of which \$69,751,000  
18 shall remain available until expended for the purpose of  
19 mineral revenue management activities: *Provided*, That  
20 notwithstanding any other provision of law, \$15,000 shall  
21 be available for refunds of overpayments in connection  
22 with certain Indian leases in which the Secretary of the  
23 Interior concurred with the claimed refund due, to pay  
24 amounts owed to Indian allottees or tribes, or to correct  
25 prior unrecoverable erroneous payments.

1 GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR  
2 (INCLUDING TRANSFERS OF FUNDS)

3 EMERGENCY TRANSFER AUTHORITY—INTRA-BUREAU

4 SEC. 101. Appropriations made in this title shall be  
5 available for expenditure or transfer (within each bureau  
6 or office), with the approval of the Secretary of the Inte-  
7 rior, for the emergency reconstruction, replacement, or re-  
8 pair of aircraft, buildings, utilities, or other facilities or  
9 equipment damaged or destroyed by fire, flood, storm, or  
10 other unavoidable causes: *Provided*, That no funds shall  
11 be made available under this authority until funds specifi-  
12 cally made available to the Department of the Interior for  
13 emergencies shall have been exhausted: *Provided further*,  
14 That all funds used pursuant to this section must be re-  
15 plenished by a supplemental appropriation, which must be  
16 requested as promptly as possible.

17 EMERGENCY TRANSFER AUTHORITY—DEPARTMENT-WIDE

18 SEC. 102. The Secretary of the Interior may author-  
19 ize the expenditure or transfer of any no year appropria-  
20 tion in this title, in addition to the amounts included in  
21 the budget programs of the several agencies, for the sup-  
22 pression or emergency prevention of wildland fires on or  
23 threatening lands under the jurisdiction of the Depart-  
24 ment of the Interior; for the emergency rehabilitation of  
25 burned-over lands under its jurisdiction; for emergency ac-

1 tions related to potential or actual earthquakes, floods,  
2 volcanoes, storms, or other unavoidable causes; for contin-  
3 gency planning subsequent to actual oil spills; for response  
4 and natural resource damage assessment activities related  
5 to actual oil spills or releases of hazardous substances into  
6 the environment; for the prevention, suppression, and con-  
7 trol of actual or potential grasshopper and Mormon cricket  
8 outbreaks on lands under the jurisdiction of the Secretary,  
9 pursuant to the authority in section 417(b) of Public Law  
10 106–224 (7 U.S.C. 7717(b)); for emergency reclamation  
11 projects under section 410 of Public Law 95–87; and shall  
12 transfer, from any no year funds available to the Office  
13 of Surface Mining Reclamation and Enforcement, such  
14 funds as may be necessary to permit assumption of regu-  
15 latory authority in the event a primacy State is not car-  
16 rying out the regulatory provisions of the Surface Mining  
17 Act: *Provided*, That appropriations made in this title for  
18 wildland fire operations shall be available for the payment  
19 of obligations incurred during the preceding fiscal year,  
20 and for reimbursement to other Federal agencies for de-  
21 struction of vehicles, aircraft, or other equipment in con-  
22 nection with their use for wildland fire operations, with  
23 such reimbursement to be credited to appropriations cur-  
24 rently available at the time of receipt thereof: *Provided*  
25 *further*, That for wildland fire operations, no funds shall

1 be made available under this authority until the Secretary  
2 determines that funds appropriated for “wildland fire sup-  
3 pression” shall be exhausted within 30 days: *Provided fur-*  
4 *ther*, That all funds used pursuant to this section must  
5 be replenished by a supplemental appropriation, which  
6 must be requested as promptly as possible: *Provided fur-*  
7 *ther*, That such replenishment funds shall be used to reim-  
8 burse, on a pro rata basis, accounts from which emergency  
9 funds were transferred.

10 AUTHORIZED USE OF FUNDS

11 SEC. 103. Appropriations made to the Department  
12 of the Interior in this title shall be available for services  
13 as authorized by section 3109 of title 5, United States  
14 Code, when authorized by the Secretary of the Interior,  
15 in total amount not to exceed \$500,000; purchase and re-  
16 placement of motor vehicles, including specially equipped  
17 law enforcement vehicles; hire, maintenance, and oper-  
18 ation of aircraft; hire of passenger motor vehicles; pur-  
19 chase of reprints; payment for telephone service in private  
20 residences in the field, when authorized under regulations  
21 approved by the Secretary; and the payment of dues, when  
22 authorized by the Secretary, for library membership in so-  
23 cieties or associations which issue publications to members  
24 only or at a price to members lower than to subscribers  
25 who are not members.

## 1 AUTHORIZED USE OF FUNDS, INDIAN TRUST

## 2 MANAGEMENT

3 SEC. 104. Appropriations made in this Act under the  
4 headings Bureau of Indian Affairs and Bureau of Indian  
5 Education, and Office of the Special Trustee for American  
6 Indians and any unobligated balances from prior appro-  
7 priations Acts made under the same headings shall be  
8 available for expenditure or transfer for Indian trust man-  
9 agement and reform activities. Total funding for historical  
10 accounting activities shall not exceed amounts specifically  
11 designated in this Act for such purpose. The Secretary  
12 shall notify the House and Senate Committees on Appro-  
13 priations within 60 days of the expenditure or transfer of  
14 any funds under this section, including the amount ex-  
15 pended or transferred and how the funds will be used.

## 16 REDISTRIBUTION OF FUNDS, BUREAU OF INDIAN

## 17 AFFAIRS

18 SEC. 105. Notwithstanding any other provision of  
19 law, the Secretary of the Interior is authorized to redis-  
20 tribute any Tribal Priority Allocation funds, including  
21 tribal base funds, to alleviate tribal funding inequities by  
22 transferring funds to address identified, unmet needs,  
23 dual enrollment, overlapping service areas or inaccurate  
24 distribution methodologies. No tribe shall receive a reduc-  
25 tion in Tribal Priority Allocation funds of more than 10

1 percent in fiscal year 2023. Under circumstances of dual  
2 enrollment, overlapping service areas or inaccurate dis-  
3 tribution methodologies, the 10 percent limitation does not  
4 apply.

5            ELLIS, GOVERNORS, AND LIBERTY ISLANDS

6            SEC. 106. Notwithstanding any other provision of  
7 law, the Secretary of the Interior is authorized to acquire  
8 lands, waters, or interests therein, including the use of all  
9 or part of any pier, dock, or landing within the State of  
10 New York and the State of New Jersey, for the purpose  
11 of operating and maintaining facilities in the support of  
12 transportation and accommodation of visitors to Ellis,  
13 Governors, and Liberty Islands, and of other program and  
14 administrative activities, by donation or with appropriated  
15 funds, including franchise fees (and other monetary con-  
16 sideration), or by exchange; and the Secretary is author-  
17 ized to negotiate and enter into leases, subleases, conces-  
18 sion contracts, or other agreements for the use of such  
19 facilities on such terms and conditions as the Secretary  
20 may determine reasonable: *Provided*, That for the pur-  
21 poses of 54 U.S.C. 200306(a), such lands, waters, or in-  
22 terests therein shall be considered to be within the exterior  
23 boundary of a System unit authorized or established.



## 1        OUTER CONTINENTAL SHELF INSPECTION FEES

2        SEC. 107. (a) In fiscal year 2023, the Secretary of  
3 the Interior shall collect a nonrefundable inspection fee,  
4 which shall be deposited in the “Offshore Safety and Envi-  
5 ronmental Enforcement” account, from the designated op-  
6 erator for facilities subject to inspection under 43 U.S.C.  
7 1348(c).

8        (b) Annual fees shall be collected for facilities that  
9 are above the waterline, excluding drilling rigs, and are  
10 in place at the start of the fiscal year. Fees for fiscal year  
11 2023 shall be—

12            (1) \$11,725 for facilities with no wells, but with  
13 processing equipment or gathering lines;

14            (2) \$18,984 for facilities with 1 to 10 wells,  
15 with any combination of active or inactive wells; and

16            (3) \$35,176 for facilities with more than 10  
17 wells, with any combination of active or inactive  
18 wells.

19        (c) Fees shall be assessed for facilities that are above  
20 the waterline, excluding drilling rigs, and require follow-  
21 up inspections. Fees for fiscal year 2023 shall be—

22            (1) \$5,863 for facilities with no wells, but with  
23 processing or gathering lines;

24            (2) \$9,492 for facilities with 1 to 10 wells, with  
25 any combination of active or inactive wells; and

1           (3) \$17,588 for facilities with more than 10  
2       wells, with any combination of active or inactive  
3       wells.

4       (d) Fees for drilling rigs shall be assessed for all in-  
5       spections completed in fiscal year 2023. Fees for fiscal  
6       year 2023 shall be—

7           (1) \$34,059 per inspection for rigs operating in  
8       water depths of 500 feet or more; and

9           (2) \$18,649 per inspection for rigs operating in  
10      water depths of less than 500 feet.

11      (e) Fees for inspection of well operations conducted  
12      via non-rig units as outlined in title 30 CFR 250 subparts  
13      D, E, F, and Q shall be assessed for all inspections com-  
14      pleted in fiscal year 2023. Fees for fiscal year 2023 shall  
15      be—

16           (1) \$13,260 per inspection for non-rig units op-  
17      erating in water depths of 2,500 feet or more;

18           (2) \$11,530 per inspection for non-rig units op-  
19      erating in water depths between 500 and 2,499 feet;  
20      and

21           (3) \$4,470 per inspection for non-rig units op-  
22      erating in water depths of less than 500 feet.

23      (f) The Secretary shall bill designated operators  
24      under subsection (b) quarterly, with payment required  
25      within 30 days of billing. The Secretary shall bill des-

8 SEC. 108. Notwithstanding any other provision of  
9 this Act, the Secretary of the Interior may enter into  
10 multiyear cooperative agreements with nonprofit organiza-  
11 tions and other appropriate entities, and may enter into  
12 multiyear contracts in accordance with the provisions of  
13 section 3903 of title 41, United States Code (except that  
14 the 5-year term restriction in subsection (a) shall not  
15 apply), for the long-term care and maintenance of excess  
16 wild free roaming horses and burros by such organizations  
17 or entities on private land. Such cooperative agreements  
18 and contracts may not exceed 10 years, subject to renewal  
19 at the discretion of the Secretary.

SEC. 109. The United States Fish and Wildlife Service shall, in carrying out its responsibilities to protect threatened and endangered species of salmon, implement a system of mass marking of salmonid stocks, intended for harvest, that are released from federally operated or

1 federally financed hatcheries including but not limited to  
2 fish releases of coho, chinook, and steelhead species.  
3 Marked fish must have a visible mark that can be readily  
4 identified by commercial and recreational fishers.

5 CONTRACTS AND AGREEMENTS WITH INDIAN AFFAIRS

6 SEC. 110. Notwithstanding any other provision of  
7 law, during fiscal year 2023, in carrying out work involv-  
8 ing cooperation with State, local, and tribal governments  
9 or any political subdivision thereof, Indian Affairs may  
10 record obligations against accounts receivable from any  
11 such entities, except that total obligations at the end of  
12 the fiscal year shall not exceed total budgetary resources  
13 available at the end of the fiscal year.

14 DEPARTMENT OF THE INTERIOR EXPERIENCED SERVICES  
15 PROGRAM

16 SEC. 111. (a) Notwithstanding any other provision  
17 of law relating to Federal grants and cooperative agree-  
18 ments, the Secretary of the Interior is authorized to make  
19 grants to, or enter into cooperative agreements with, pri-  
20 vate nonprofit organizations designated by the Secretary  
21 of Labor under title V of the Older Americans Act of 1965  
22 to utilize the talents of older Americans in programs au-  
23 thorized by other provisions of law administered by the  
24 Secretary and consistent with such provisions of law.

1 (b) Prior to awarding any grant or agreement under  
2 subsection (a), the Secretary shall ensure that the agree-  
3 ment would not—

4 (1) result in the displacement of individuals  
5 currently employed by the Department, including  
6 partial displacement through reduction of non-over-  
7 time hours, wages, or employment benefits;

8 (2) result in the use of an individual under the  
9 Department of the Interior Experienced Services  
10 Program for a job or function in a case in which a  
11 Federal employee is in a layoff status from the same  
12 or substantially equivalent job within the Depart-  
13 ment; or

14 (3) affect existing contracts for services.

15 OBLIGATION OF FUNDS

16 SEC. 112. Amounts appropriated by this Act to the  
17 Department of the Interior shall be available for obligation  
18 and expenditure not later than 60 days after the date of  
19 enactment of this Act.

20 SEPARATION OF ACCOUNTS

21 SEC. 113. The Secretary of the Interior, in order to  
22 implement an orderly transition to separate accounts of  
23 the Bureau of Indian Affairs and the Bureau of Indian  
24 Education, may transfer funds among and between the  
25 successor offices and bureaus affected by the reorganiza-

1 tion only in conformance with the reprogramming guide-  
2 lines described in this Act.

3 PAYMENTS IN LIEU OF TAXES (PILT)

4 SEC. 114. Section 6906 of title 31, United States  
5 Code, shall be applied by substituting “fiscal year 2023”  
6 for “fiscal year 2019”.

7 DISCLOSURE OF DEPARTURE OR ALTERNATE PROCEDURE

8 APPROVAL

9 SEC. 115. (a) Subject to subsection (b), in any case  
10 in which the Bureau of Safety and Environmental En-  
11 forcement or the Bureau of Ocean Energy Management  
12 prescribes or approves any departure or use of alternate  
13 procedure or equipment, in regards to a plan or permit,  
14 under 30 CFR 585.103; 30 CFR 550.141; 30 CFR  
15 550.142; 30 CFR 250.141; or 30 CFR 250.142, the head  
16 of such bureau shall post a description of such departure  
17 or alternate procedure or equipment use approval on such  
18 bureau’s publicly available website not more than 15 busi-  
19 ness days after such issuance.

20 (b) The head of each bureau may exclude confidential  
21 business information.

22 LONG BRIDGE PROJECT

23 SEC. 116. (a) AUTHORIZATION OF CONVEYANCE.—  
24 On request by the State of Virginia or the District of Co-  
25 lumbia for the purpose of the construction of rail and

1 other infrastructure relating to the Long Bridge Project,  
2 the Secretary of the Interior may convey to the State or  
3 the District of Columbia, as applicable, all right, title, and  
4 interest of the United States in and to any portion of the  
5 approximately 4.4 acres of National Park Service land de-  
6 picted as “Permanent Impact to NPS Land” on the Map  
7 dated May 15, 2020, that is identified by the State or  
8 the District of Columbia.

9 (b) TERMS AND CONDITIONS.—Such conveyance of  
10 the National Park Service land under subsection (a) shall  
11 be subject to any terms and conditions that the Secretary  
12 may require. If such conveyed land is no longer being used  
13 for the purposes specified in this section, the lands or in-  
14 terests therein shall revert to the National Park Service  
15 after they have been restored or remediated to the satis-  
16 faction of the Secretary.

17 (c) CORRECTIONS.—The Secretary and the State or  
18 the District of Columbia, as applicable, by mutual agree-  
19 ment, may—

20 (1) make minor boundary adjustments to the  
21 National Park Service land to be conveyed to the  
22 State or the District of Columbia under subsection  
23 (a); and

24 (2) correct any minor errors in the Map re-  
25 ferred to in subsection (a).

1 (d) DEFINITIONS.—For purposes of this section:

2 (1) LONG BRIDGE PROJECT.—The term “Long  
3 Bridge Project” means the rail project, as identified  
4 by the Federal Railroad Administration, from  
5 Rosslyn (RO) Interlocking in Arlington, Virginia, to  
6 L’Enfant (LE) Interlocking in Washington, DC,  
7 which includes a bicycle and pedestrian bridge.

8 (2) SECRETARY.—The term “Secretary” means  
9 the Secretary of the Interior, acting through the Di-  
10 rector of the National Park Service.

11 (3) STATE.—The term “State” means the State  
12 of Virginia.

13 INTERAGENCY MOTOR POOL

14 SEC. 117. Notwithstanding any other provision of law  
15 or Federal regulation, federally recognized Indian tribes  
16 or authorized tribal organizations that receive Tribally-  
17 Controlled School Grants pursuant to Public Law 100–  
18 297 may obtain interagency motor vehicles and related  
19 services for performance of any activities carried out  
20 under such grants to the same extent as if they were con-  
21 tracting under the Indian Self-Determination and Edu-  
22 cation Assistance Act.

23 DELAWARE WATER GAP AUTHORITY

24 SEC. 118. Section 4(b) of The Delaware Water Gap  
25 National Recreation Area Improvement Act, as amended



1 by section 1 of Public Law 115–101, shall be applied by  
2 substituting “2023” for “2021”.

3 NATIONAL HERITAGE AREAS AND CORRIDORS

4 SEC. 119. (a) Section 109(a) of the Quinebaug and  
5 Shetucket Rivers Valley National Heritage Corridor Act  
6 of 1994 (title I of Public Law 103–449), is amended by  
7 striking “\$17,000,000” and inserting “\$19,000,000”.

8 (b) Section 409(a) of the Steel Industry American  
9 Heritage Area Act of 1996 (title IV of division II of Public  
10 Law 104–333) is amended by striking “\$20,000,000” and  
11 inserting “\$22,000,000”.

12 (c) Section 608(a) of the South Carolina National  
13 Heritage Corridor Act of 1996 (title VI of division II of  
14 Public Law 104–333) is amended by striking  
15 “\$17,000,000” and inserting “\$19,000,000”.

16 (d) Subsection 157(h)(1) of the Wheeling National  
17 Heritage Area Act of 2000 (section 157 of Public Law  
18 106–291) is amended by striking “\$15,000,000” and in-  
19 serting “\$17,000,000”.

20 (e) Sections 411, 432, and 451 of title IV of the Con-  
21 solidated Natural Resources Act of 2008 (Public Law  
22 110–229), are each amended by striking “the date that  
23 is 15 years after the date of” and all that follows through  
24 the end of each section and inserting “September 30,  
25 2024.”.

1 (f) Section 512 of the National Aviation Heritage  
2 Area Act (title V of division J of Public Law 108–447),  
3 is amended by striking “2022” and inserting “2024”.

4 (g) Section 608 of the Oil Region National Heritage  
5 Area Act (title VI of Public Law 108–447) is amended  
6 by striking “2022” and inserting “2024”.

7 (h) Section 125(a) of Public Law 98–398, as amend-  
8 ed by section 402 of Public Law 109–338 (120 Stat.  
9 1853), is amended by striking “\$10,000,000” and insert-  
10 ing “\$12,000,000”.

11 STUDY FOR SELMA TO MONTGOMERY NATIONAL HISTORIC  
12 TRAIL

13 SEC. 120. (a) STUDY.—The Secretary of the Interior  
14 (Secretary) shall conduct a study to evaluate—

15 (1) resources associated with the 1965 Voting  
16 Rights March from Selma to Montgomery not cur-  
17 rently part of the Selma to Montgomery National  
18 Historic Trail (Trail) (16 U.S.C. 1244(a)(20)) that  
19 would be appropriate for addition to the Trail; and

20 (2) the potential designation of the Trail as a  
21 unit of the National Park System instead of, or in  
22 addition to, remaining a designated part of the Na-  
23 tional Trails System.

24 (b) REPORT.—Not later than one year after the date  
25 of enactment of this Act, the Secretary shall submit to

1 the House and Senate Committees on Appropriations, the  
2 Committee on Natural Resources of the House of Rep-  
3 resentatives and the Committee on Energy and Natural  
4 Resources of the Senate a report that describes the results  
5 of the study and the conclusions and recommendations of  
6 the study.

7 (c) LAND ACQUISITION.—The Secretary is author-  
8 ized, subject to the availability of appropriations and at  
9 her discretion, to acquire property or interests therein lo-  
10 cated in the city of Selma, Alabama and generally depicted  
11 on the map entitled, “Selma to Montgomery NHT Pro-  
12 posed Addition,” numbered 628/177376 and dated Sep-  
13 tember 14, 2021, with the consent of the owner, for the  
14 benefit of the Selma to Montgomery National Historic  
15 Trail and to further the purpose for which the trail has  
16 been established.

17 APPRAISER PAY AUTHORITY

18 SEC. 121. For fiscal year 2023, funds made available  
19 in this or any other Act or otherwise made available to  
20 the Department of the Interior for the Appraisal and  
21 Valuation Services Office may be used by the Secretary  
22 of the Interior to establish higher minimum rates of basic  
23 pay for employees of the Department of the Interior in  
24 the Appraiser (GS–1171) job series at grades 11 through  
25 15 carrying out appraisals of real property and appraisal

1 reviews conducted in support of the Department’s realty  
2 programs at rates no greater than 15 percent above the  
3 minimum rates of basic pay normally scheduled, and such  
4 higher rates shall be consistent with subsections (e)  
5 through (h) of section 5305 of title 5, United States Code.

6           ONSHORE OIL AND GAS INSPECTION FEE

7           SEC. 122. (a) ONSHORE OIL AND GAS INSPECTION  
8 FEES.—The designated operator under each oil and gas  
9 lease on Federal or Indian lands, or under each unit and  
10 communitization agreement that includes one or more  
11 such Federal or Indian leases, that is subject to inspection  
12 under section 108(b) of the Federal Oil and Gas Royalty  
13 Management Act of 1982 (30 U.S.C. 1718(b)) and that  
14 is in force at the start of fiscal year 2022 shall pay a non-  
15 refundable annual inspection fee that the Bureau of Land  
16 Management (BLM) shall collect and deposit in the “Man-  
17 agement of Lands and Resources” account.

18           (b) FEES.—Fees for fiscal year 2023 shall be—

19           (1) \$1,560 for each lease or unit or  
20 communitization agreement with 1 to 10 wells, with  
21 any combination of active or inactive wells;

22           (2) \$7,000 for each lease or unit or  
23 communitization agreement with 11 to 50 wells, with  
24 any combination of active or inactive wells; and

1           (3) \$14,000 for each lease or unit or  
2           communitization agreement with more than 50 wells,  
3           with any combination of active or inactive wells.

4           (c) BILLING AND PAYMENT.—BLM shall bill des-  
5           ignated operators not later than 60 days after the date  
6           of enactment of this Act, with payment required within  
7           30 days of billing.

8           (d) PENALTY.—If the designated operator fails to  
9           pay the full amount of the fee as prescribed in this section,  
10          the Secretary may, in addition to utilizing any other appli-  
11          cable enforcement authority, assess civil penalties against  
12          the operator in the same manner as if this section were  
13          a mineral leasing law as defined in paragraph (8) of sec-  
14          tion 3 of Public Law 97–451 (30 U.S.C 1702(8)), as  
15          amended.

16          (e) EXEMPTION FOR TRIBAL OPERATORS.—An oper-  
17          ator that is a Tribe or is controlled by a Tribe is not sub-  
18          ject to subsection (a) with respect to a lease, unit, or  
19          communitization agreement that is located entirely on the  
20          lands of such Tribe.

21                                   DECOMMISSIONING ACCOUNT

22          SEC. 123. (a) Effective upon the later of October 1,  
23          2022, or the date of enactment of this Act, the fifth and  
24          sixth provisos under the amended heading “Royalty and  
25          Offshore Minerals Management” for the Minerals Man-

1 agement Service in Public Law 101–512 shall hereafter  
2 have no force or effect.

3 (b) Beginning on the later of October 1, 2022, or the  
4 date of enactment of this Act, and in each fiscal year here-  
5 after—

6 (1) Notwithstanding section 3302 of title 31,  
7 any moneys hereafter received as a result of the for-  
8 feiture of a bond or other security by an Outer Con-  
9 tinental Shelf permittee, lessee, or right-of-way hold-  
10 er that does not fulfill the requirements of its per-  
11 mit, lease, or right-of-way or does not comply with  
12 the regulations of the Secretary, or as a bankruptcy  
13 distribution or settlement associated with such fail-  
14 ure or noncompliance, shall be credited to a separate  
15 account established in the Treasury for decommis-  
16 sioning activities and shall be available to the Bu-  
17 reau of Ocean Energy Management without further  
18 appropriation or fiscal year limitation to cover the  
19 cost to the United States of any improvement, pro-  
20 tection, rehabilitation, or decommissioning work ren-  
21 dered necessary by the action or inaction that led to  
22 the forfeiture or bankruptcy distribution or settle-  
23 ment, to remain available until expended.

24 (2) Amounts deposited into the decommis-  
25 sioning account may be allocated to the Bureau of

1 Safety and Environmental Enforcement for such  
2 costs.

3 (3) Any moneys received for such costs cur-  
4 rently held in the Ocean Energy Management ac-  
5 count shall be transferred to the decommissioning  
6 account.

7 (4) Any portion of the moneys so credited shall  
8 be returned to the bankruptcy estate, permittee, les-  
9 see, or right-of-way holder to the extent that the  
10 money is in excess of the amount expended in per-  
11 forming the work necessitated by the action or inac-  
12 tion which led to their receipt or, if the bond or se-  
13 curity was forfeited for failure to pay the civil pen-  
14 alty, in excess of the civil penalty imposed.

15 LAND AND WATER CONSERVATION FUND FINANCIAL

16 ASSISTANCE TO STATES

17 SEC. 124. For expenses necessary to carry out section  
18 200305 of title 54, United States Code, the National Park  
19 Service may retain up to 7 percent of the State Conserva-  
20 tion Grants program to provide to States, the District of  
21 Columbia, and insular areas, as matching grants to sup-  
22 port state program administrative costs.

## 1 INCORPORATION BY REFERENCE

2 SEC. 125. (a) H.R. 6707 as introduced in the 117th  
3 Congress (Advancing Equality for Wabanaki Nations Act)  
4 is hereby enacted into law.

5 (b) In publishing this Act in slip form and in the  
6 United States Statutes at large pursuant to section 112  
7 of title 1, United States Code, the Archivist of the United  
8 States shall include after the date of approval at the end  
9 an appendix setting forth the text of the sections of the  
10 bill referred to in subsection (a).

## 11 INDIAN RESERVATION GAMING REGULATIONS

12 SEC. 126. The Ysleta del Sur Pueblo and Alabama  
13 and Coushatta Indian Tribes of Texas Restoration Act  
14 (Public Law 100—89; 101 Stat. 666) is amended by add-  
15 ing at the end the following:

16 **“SEC. 301 RULE OF CONSTRUCTION.**

17 “Nothing in this Act shall be construed to preclude  
18 or limit the applicability of the Indian Gaming Regulatory  
19 Act (25 U.S.C. 2701 et seq.).”.

## 20 INDIAN REORGANIZATION ACT

21 SEC. 127. (a) MODIFICATION.—(1) IN GENERAL.—  
22 The first sentence of section 19 of the Act of June 18,  
23 1934 (commonly known as the “Indian Reorganization  
24 Act”) (25 U.S.C. 5129), is amended—



1       (A) by striking “The term” and inserting “Effective  
2 beginning on June 18, 1934, the term”; and

3       (B) by striking “any recognized Indian tribe now  
4 under Federal jurisdiction” and inserting “any federally  
5 recognized Indian tribe”.

6       (2) EFFECTIVE DATE.—The amendments made by  
7 paragraph (1) shall take effect as if included in the Act  
8 of June 18, 1934 (commonly known as the “Indian Reor-  
9 ganization Act”) (25 U.S.C. 5129), on the date of enact-  
10 ment of that Act.

11       (b) RATIFICATION AND CONFIRMATION OF AC-  
12 TIONS.—Any action taken by the Secretary of the Interior  
13 pursuant to the Act of June 18, 1934 (commonly known  
14 as the “Indian Reorganization Act”) (25 U.S.C. 5101 et  
15 seq.) for any Indian tribe that was federally recognized  
16 on the date of the action is ratified and confirmed, to the  
17 extent such action is subjected to challenge based on  
18 whether the Indian tribe was federally recognized or under  
19 Federal jurisdiction on June 18, 1934, as if the action  
20 had, by prior act of Congress, been specifically authorized  
21 and directed.

22       (c) EFFECT ON OTHER LAWS.—(1) IN GENERAL.—  
23 Nothing in this section or the amendments made by this  
24 section affects—

1 (A) the application or effect of any Federal law other  
2 than the Act of June 18, 1934 (25 U.S.C. 5101 et seq.)  
3 (as amended by subsection (a)); or

4 (B) any limitation on the authority of the Secretary  
5 of the Interior under any Federal law or regulation other  
6 than the Act of June 18, 1934 (25 U.S.C. 5101 et seq.)  
7 (as so amended).

8 (2) REFERENCES IN OTHER LAWS.—An express ref-  
9 erence to the Act of June 18, 1934 (25 U.S.C. 5101 et  
10 seq.) contained in any other Federal law shall be consid-  
11 ered to be a reference to that Act as amended by sub-  
12 section (a).

13 LOWELL NATIONAL HISTORIC PARK

14 SEC. 128. Section 103(a) of Public Law 95–290 (16  
15 U.S.C. 410cc–13; 92 Stat. 292) is amended by striking  
16 paragraph (1) and redesignating paragraph (2) as para-  
17 graph (1).

18 RESTRICTION ON USE OF FUNDS

19 SEC. 129. (a) None of the funds made available in  
20 this Act may be used by the Secretary of the Interior or  
21 the Director of the Bureau of Ocean Energy Management  
22 to conduct or authorize oil and gas preleasing, leasing, or  
23 related activities, including but not limited to the issuance  
24 of permits for geological and geophysical exploration, in  
25 any planning area where the 2017-2022 Outer Continental

1 Shelf Oil and Gas Leasing Proposed Final Program (No-  
2 vember 2016) did not schedule leases.

3 (b) The restrictions under subsection (a) apply to the  
4 formal steps identified by the Department of the Interior  
5 and the enabling steps prior to leasing, including the  
6 issuance of permits for geological and geophysical explo-  
7 ration.

8 TRIBAL CANNABIS

9 SEC. 130. None of the funds appropriated by this Act  
10 to the Department of Justice or its agencies or bureaus  
11 or the Department of the Interior, Bureau of Indian Af-  
12 fairs, Office of Justice Services, including those agency  
13 funds distributed to any Indian tribe (as such term is de-  
14 fined in the Federally Recognized Indian Tribe List Act  
15 of 1994 (25 U.S.C. 5130(2))) via the Indian Self-Deter-  
16 mination and Education Assistance Act (25 U.S.C. §  
17 5301, et. seq.), may be used to enforce federal laws crim-  
18 inalizing the use, distribution, possession, or cultivation of  
19 marijuana against any person engaged in the use, dis-  
20 tribution, possession, or cultivation of marijuana in Indian  
21 country (as defined by 18 U.S.C. § 1151), where tribal  
22 laws authorize such use, distribution, possession, or cul-  
23 tivation of marijuana, subject to the following:

24 (1) unless federal law subjects the Indian lands  
25 (as such term is defined in the Indian Gaming Reg-

1        ulatory Act (25 U.S.C. 2703(4)) to the civil and  
2        criminal laws of the state and the tribal laws author-  
3        izing the use, distribution, possession, or cultivation  
4        of marijuana do not comply therewith or the Indian  
5        lands are not in a state that has legalized marijuana  
6        for any purpose; and

7            (2) provided the governing Indian tribe (Feder-  
8        ally Recognized Indian Tribe List Act) takes reason-  
9        able measures under tribal marijuana laws to ensure  
10       that marijuana is prohibited for minors; marijuana  
11       is not diverted to states or tribes where marijuana  
12       is prohibited by state or tribal law; marijuana is not  
13       used as a means for trafficking other illegal drugs  
14       or used to support organized crime activity; and  
15       marijuana is not permitted on Federal public lands.

16       VISITOR EXPERIENCE IMPROVEMENT AUTHORITY

17       SEC. 131. Section 101938 of title 54, United States  
18       Code, is amended by striking “7” and inserting “9”.

19            BIG CYPRESS NATIONAL PRESERVE

20       SEC. 132. The Secretary of the Interior, acting  
21       through the Director of the National Park Service, shall  
22       prepare an environmental impact statement under the Na-  
23       tional Environmental Policy Act of 1969 (42 U.S.C. 4321  
24       et seq.), prior to approving an operations permit, as de-  
25       scribed in 36 Code of Federal Regulations, subpart B

1 §§9.80 through 9.90, for the purpose of conducting or pro-  
2 posing to conduct non-federal oil or gas operations within  
3 the Big Cypress National Preserve.

## 4 TITLE II

### 5 ENVIRONMENTAL PROTECTION AGENCY

#### 6 SCIENCE AND TECHNOLOGY

7 For science and technology, including research and  
8 development activities, which shall include research and  
9 development activities under the Comprehensive Environ-  
10 mental Response, Compensation, and Liability Act of  
11 1980; necessary expenses for personnel and related costs  
12 and travel expenses; procurement of laboratory equipment  
13 and supplies; hire, maintenance, and operation of aircraft;  
14 and other operating expenses in support of research and  
15 development, \$872,743,000 (reduced by \$2,000,000) (in-  
16 creased by \$2,000,000), to remain available until Sep-  
17 tember 30, 2024: *Provided*, That of the funds included  
18 under this heading, \$10,000,000 shall be for Research:  
19 National Priorities as specified in the report accom-  
20 panying this Act.

#### 21 ENVIRONMENTAL PROGRAMS AND MANAGEMENT

22 For environmental programs and management, in-  
23 cluding necessary expenses not otherwise provided for, for  
24 personnel and related costs and travel expenses; hire of  
25 passenger motor vehicles; hire, maintenance, and oper-

1 ation of aircraft; purchase of reprints; library member-  
2 ships in societies or associations which issue publications  
3 to members only or at a price to members lower than to  
4 subscribers who are not members; administrative costs of  
5 the brownfields program under the Small Business Liabil-  
6 ity Relief and Brownfields Revitalization Act of 2002; im-  
7 plementation of a coal combustion residual permit pro-  
8 gram under section 2301 of the Water and Waste Act of  
9 2016; and not to exceed \$9,000 for official reception and  
10 representation expenses, \$3,792,315,000 (reduced by  
11 \$80,000,000) (increased by \$80,000,000) (reduced by  
12 \$5,000,000) (increased by \$5,000,000) (reduced by  
13 \$15,000,000) (increased by \$15,000,000), to remain avail-  
14 able until September 30, 2024: *Provided*, That of the  
15 amounts made available under this heading, \$27,700,000  
16 shall be for Environmental Protection: National Priorities  
17 as specified in the report accompanying this Act: *Provided*  
18 *further*, That of the amounts made available under this  
19 heading, \$679,938,000 shall be for Geographic Programs  
20 specified in the report accompanying this Act: *Provided*  
21 *further*, That amounts made available under this heading  
22 may be used for environmental justice implementation and  
23 training grants, and associated program support costs.  
24 *Provided further*, That of the amounts made available  
25 under this heading, the Chemical Risk Review and Reduc-

1 tion program project shall be allocated for this fiscal year,  
2 excluding the amount of any fees appropriated, not less  
3 than the amount of appropriations for that program  
4 project for fiscal year 2014.

5 OFFICE OF INSPECTOR GENERAL

6 For necessary expenses of the Office of Inspector  
7 General in carrying out the provisions of the Inspector  
8 General Act of 1978, \$55,865,000, to remain available  
9 until September 30, 2024.

10 BUILDINGS AND FACILITIES

11 For construction, repair, improvement, extension, al-  
12 teration, and purchase of fixed equipment or facilities of,  
13 or for use by, the Environmental Protection Agency,  
14 \$80,570,000, to remain available until expended.

15 HAZARDOUS SUBSTANCE SUPERFUND

16 (INCLUDING TRANSFERS OF FUNDS)

17 For necessary expenses to carry out the Comprehen-  
18 sive Environmental Response, Compensation, and Liabil-  
19 ity Act of 1980 (CERCLA), including sections 111(c)(3),  
20 (c)(5), (c)(6), and (e)(4) (42 U.S.C. 9611), and hire,  
21 maintenance, and operation of aircraft, \$1,313,638,000,  
22 to remain available until expended, consisting of, in the  
23 following order, amounts made available for fiscal year  
24 2023 pursuant to section 613 of Public Law 117–58; to  
25 the extent necessary, such sums as are available in the

1 Trust Fund on September 30, 2022, and not otherwise  
2 appropriated from the Trust Fund, as authorized by sec-  
3 tion 517(a) of the Superfund Amendments and Reauthor-  
4 ization Act of 1986 (SARA); and to the extent necessary,  
5 up to \$1,313,638,000 as a payment from general revenues  
6 to the Hazardous Substance Superfund for purposes as  
7 authorized by section 517(b) of SARA: *Provided*, That  
8 funds appropriated under this heading may be allocated  
9 to other Federal agencies in accordance with section  
10 111(a) of CERCLA: *Provided further*, That of the funds  
11 appropriated under this heading, \$12,111,000 shall be  
12 paid to the “Office of Inspector General” appropriation  
13 to remain available until September 30, 2024, and  
14 \$31,391,000 shall be paid to the “Science and Tech-  
15 nology” appropriation to remain available until September  
16 30, 2024.

17 LEAKING UNDERGROUND STORAGE TANK TRUST FUND  
18 PROGRAM

19 For necessary expenses to carry out leaking under-  
20 ground storage tank cleanup activities authorized by sub-  
21 title I of the Solid Waste Disposal Act, \$93,814,000, to  
22 remain available until expended, of which \$67,145,000  
23 shall be for carrying out leaking underground storage tank  
24 cleanup activities authorized by section 9003(h) of the  
25 Solid Waste Disposal Act; \$26,669,000 shall be for car-



1 rying out the other provisions of the Solid Waste Disposal  
2 Act specified in section 9508(c) of the Internal Revenue  
3 Code: *Provided*, That the Administrator is authorized to  
4 use appropriations made available under this heading to  
5 implement section 9013 of the Solid Waste Disposal Act  
6 to provide financial assistance to federally recognized In-  
7 dian tribes for the development and implementation of  
8 programs to manage underground storage tanks.

9 INLAND OIL SPILL PROGRAMS

10 For expenses necessary to carry out the Environ-  
11 mental Protection Agency's responsibilities under the Oil  
12 Pollution Act of 1990, including hire, maintenance, and  
13 operation of aircraft, \$26,502,000, to be derived from the  
14 Oil Spill Liability trust fund, to remain available until ex-  
15 pended.

16 STATE AND TRIBAL ASSISTANCE GRANTS

17 For environmental programs and infrastructure as-  
18 sistance, including capitalization grants for State revolv-  
19 ing funds and performance partnership grants,  
20 \$5,177,332,000 (reduced by \$1,000,000) (increased by  
21 \$1,000,000), to remain available until expended, of  
22 which—

23 (1) \$1,751,646,000 (reduced by \$1,000,000)  
24 (increased by \$1,000,000) shall be for making cap-  
25 italization grants for the Clean Water State Revolv-

1        ing Funds under title VI of the Federal Water Pol-  
2        lution Control Act; and of which \$1,126,096,000  
3        shall be for making capitalization grants for the  
4        Drinking Water State Revolving Funds under sec-  
5        tion 1452 of the Safe Drinking Water Act: *Provided*,  
6        That \$553,401,264 of the funds made available for  
7        capitalization grants for the Clean Water State Re-  
8        volving Funds and \$381,263,499 of the funds made  
9        available for capitalization grants for the Drinking  
10       Water State Revolving Funds shall be for the con-  
11       struction of drinking water, wastewater, and storm  
12       water infrastructure and for water quality protection  
13       in accordance with the terms and conditions speci-  
14       fied for such grants in the report accompanying this  
15       Act for projects specified for “STAG—Drinking  
16       Water SRF” and “STAG—Clean Water SRF”, in  
17       the table titled “Interior and Environment Incorpor-  
18       ation of Community Project Funding Items” in-  
19       cluded in the report accompanying this Act, and, for  
20       purposes of these grants, each grantee shall con-  
21       tribute not less than 20 percent of the cost of the  
22       project unless the grantee is approved for a waiver  
23       by the Agency: *Provided further*, That for fiscal year  
24       2023, to the extent there are sufficient eligible  
25       project applications and projects are consistent with

1 State Intended Use Plans, not less than 10 percent  
2 of the funds made available under this title to each  
3 State for Clean Water State Revolving Fund capital-  
4 ization grants shall be used by the State for projects  
5 to address green infrastructure, water or energy effi-  
6 ciency improvements, or other environmentally inno-  
7 vative activities: *Provided further*, That the Adminis-  
8 trator is authorized to use up to \$1,500,000 of  
9 amounts made available for the Clean Water State  
10 Revolving Funds under this heading under title VI  
11 of the Federal Water Pollution Control Act (33  
12 U.S.C. 1381) to conduct the Clean Watersheds  
13 Needs Survey: *Provided further*, That for fiscal year  
14 2023, amounts made available under this title to  
15 each State for Drinking Water State Revolving  
16 Fund capitalization grants may, at the discretion of  
17 each State, be used for projects to address green in-  
18 frastructure, water or energy efficiency improve-  
19 ments, or other environmentally innovative activities:  
20 *Provided further*, That notwithstanding section  
21 603(d)(7) of the Federal Water Pollution Control  
22 Act, the limitation on the amounts in a State water  
23 pollution control revolving fund that may be used by  
24 a State to administer the fund shall not apply to  
25 amounts included as principal in loans made by such

1 fund in fiscal year 2023 and prior years where such  
2 amounts represent costs of administering the fund  
3 to the extent that such amounts are or were deemed  
4 reasonable by the Administrator, accounted for separately from other assets in the fund, and used for  
5 eligible purposes of the fund, including administration: *Provided further*, That for fiscal year 2023,  
6 notwithstanding the provisions of subsections (g)(1),  
7 (h), and (l) of section 201 of the Federal Water Pollution Control Act, grants made under title II of  
8 such Act for American Samoa, Guam, the Commonwealth of the Northern Marianas, the United States  
9 Virgin Islands, and the District of Columbia may  
10 also be made for the purpose of providing assistance:  
11 (1) solely for facility plans, design activities, or  
12 plans, specifications, and estimates for any proposed  
13 project for the construction of treatment works; and  
14 (2) for the construction, repair, or replacement of  
15 privately owned treatment works serving one or  
16 more principal residences or small commercial establishments: *Provided further*, That for fiscal year  
17 2023, notwithstanding the provisions of such subsections (g)(1), (h), and (l) of section 201 and section  
18 518(c) of the Federal Water Pollution Control  
19 Act, funds reserved by the Administrator for grants  
20  
21  
22  
23  
24  
25

1 under section 518(c) of the Federal Water Pollution  
2 Control Act may also be used to provide assistance:  
3 (1) solely for facility plans, design activities, or  
4 plans, specifications, and estimates for any proposed  
5 project for the construction of treatment works; and  
6 (2) for the construction, repair, or replacement of  
7 privately owned treatment works serving one or  
8 more principal residences or small commercial estab-  
9 lishments: *Provided further*, That for fiscal year  
10 2023, notwithstanding any provision of the Federal  
11 Water Pollution Control Act and regulations issued  
12 pursuant thereof, up to a total of \$2,000,000 of the  
13 funds reserved by the Administrator for grants  
14 under section 518(c) of such Act may also be used  
15 for grants for training, technical assistance, and  
16 educational programs relating to the operation and  
17 management of the treatment works specified in sec-  
18 tion 518(c) of such Act: *Provided further*, That for  
19 fiscal year 2023, funds reserved under section  
20 518(c) of such Act shall be available for grants only  
21 to Indian tribes, as defined in section 518(h) of such  
22 Act and former Indian reservations in Oklahoma (as  
23 determined by the Secretary of the Interior) and Na-  
24 tive Villages as defined in Public Law 92-203: *Pro-*  
25 *vided further*, That for fiscal year 2023, notwith-

1 standing the limitation on amounts in section 518(c)  
2 of the Federal Water Pollution Control Act, up to a  
3 total of 2 percent of the funds appropriated, or  
4 \$30,000,000, whichever is greater, and notwith-  
5 standing the limitation on amounts in section  
6 1452(i) of the Safe Drinking Water Act, up to a  
7 total of 2 percent of the funds appropriated, or  
8 \$20,000,000, whichever is greater, for State Revolv-  
9 ing Funds under such Acts may be reserved by the  
10 Administrator for grants under section 518(c) and  
11 section 1452(i) of such Acts: *Provided further*, That  
12 for fiscal year 2023, notwithstanding the amounts  
13 specified in section 205(c) of the Federal Water Pol-  
14 lution Control Act, up to 1.5 percent of the aggre-  
15 gate funds appropriated for the Clean Water State  
16 Revolving Fund program under the Act less any  
17 sums reserved under section 518(c) of the Act, may  
18 be reserved by the Administrator for grants made  
19 under title II of the Federal Water Pollution Control  
20 Act for American Samoa, Guam, the Commonwealth  
21 of the Northern Marianas, and United States Virgin  
22 Islands: *Provided further*, That for fiscal year 2023,  
23 notwithstanding the limitations on amounts specified  
24 in section 1452(j) of the Safe Drinking Water Act,  
25 up to 1.5 percent of the funds appropriated for the

1     Drinking Water State Revolving Fund programs  
2     under the Safe Drinking Water Act may be reserved  
3     by the Administrator for grants made under section  
4     1452(j) of the Safe Drinking Water Act: *Provided*  
5     *further*, That 10 percent of the funds made available  
6     under this title to each State for Clean Water State  
7     Revolving Fund capitalization grants and 14 percent  
8     of the funds made available under this title to each  
9     State for Drinking Water State Revolving Fund cap-  
10    italization grants shall be used by the State to pro-  
11    vide additional subsidy to eligible recipients in the  
12    form of forgiveness of principal, negative interest  
13    loans, or grants (or any combination of these), and  
14    shall be so used by the State only where such funds  
15    are provided as initial financing for an eligible re-  
16    cipient or to buy, refinance, or restructure the debt  
17    obligations of eligible recipients only where such debt  
18    was incurred on or after the date of enactment of  
19    this Act, or where such debt was incurred prior to  
20    the date of enactment of this Act if the State, with  
21    concurrence from the Administrator, determines that  
22    such funds could be used to help address a threat  
23    to public health from heightened exposure to lead in  
24    drinking water or if a Federal or State emergency  
25    declaration has been issued due to a threat to public

1 health from heightened exposure to lead in a munic-  
2 ipal drinking water supply before the date of enact-  
3 ment of this Act: *Provided further*, That in a State  
4 in which such an emergency declaration has been  
5 issued, the State may use more than 14 percent of  
6 the funds made available under this title to the  
7 State for Drinking Water State Revolving Fund cap-  
8 italization grants to provide additional subsidy to eli-  
9 gible recipients: *Provided further*, That notwith-  
10 standing section 1452(o) of the Safe Drinking Water  
11 Act (42 U.S.C. 300j-12(o)), the Administrator shall  
12 reserve \$12,000,000 of amounts made available  
13 under this paragraph for making capitalization  
14 grants for the Drinking Water State Revolving  
15 Funds to pay the costs of monitoring for unregu-  
16 lated contaminants under section 1445(a)(2)(C) of  
17 such Act during fiscal years 2023 through 2027;

18 (2) \$35,000,000 shall be for architectural, engi-  
19 neering, planning, design, construction and related  
20 activities in connection with the construction of high  
21 priority water and wastewater facilities in the area  
22 of the United States-Mexico Border, after consulta-  
23 tion with the appropriate border commission: *Pro-*  
24 *vided*, That no funds provided by this appropriations  
25 Act to address the water, wastewater and other crit-



1        ical infrastructure needs of the colonias in the  
2        United States along the United States-Mexico bor-  
3        der shall be made available to a county or municipal  
4        government unless that government has established  
5        an enforceable local ordinance, or other zoning rule,  
6        which prevents in that jurisdiction the development  
7        or construction of any additional colonia areas, or  
8        the development within an existing colonia the con-  
9        struction of any new home, business, or other struc-  
10       ture which lacks water, wastewater, or other nec-  
11       essary infrastructure;

12            (3) \$40,000,000 shall be for grants to the State  
13        of Alaska to address drinking water and wastewater  
14        infrastructure needs of rural and Alaska Native Vil-  
15        lages: *Provided*, That of these funds: (A) the State  
16        of Alaska shall provide a match of 25 percent; (B)  
17        no more than 5 percent of the funds may be used  
18        for administrative and overhead expenses; and (C)  
19        the State of Alaska shall make awards consistent  
20        with the Statewide priority list established in con-  
21        junction with the Agency and the U.S. Department  
22        of Agriculture for all water, sewer, waste disposal,  
23        and similar projects carried out by the State of Alas-  
24        ka that are funded under section 221 of the Federal  
25        Water Pollution Control Act (33 U.S.C. 1301) or

1 the Consolidated Farm and Rural Development Act  
2 (7 U.S.C. 1921 et seq.) which shall allocate not less  
3 than 25 percent of the funds provided for projects  
4 in regional hub communities;

5 (4) \$130,982,000 shall be to carry out section  
6 104(k) of the Comprehensive Environmental Re-  
7 sponse, Compensation, and Liability Act of 1980  
8 (CERCLA), including grants, interagency agree-  
9 ments, and associated program support costs: *Pro-*  
10 *vided*, That at least 10 percent shall be allocated for  
11 assistance in persistent poverty counties: *Provided*  
12 *further*, That for purposes of this section, the term  
13 “persistent poverty counties” means any county that  
14 has had 20 percent or more of its population living  
15 in poverty over the past 30 years, as measured by  
16 the 1993 Small Area Income and Poverty Estimates,  
17 the 2000 decennial census, and the most recent  
18 Small Area Income and Poverty Estimates, or any  
19 territory or possession of the United States;

20 (5) \$150,000,000 shall be for grants under title  
21 VII, subtitle G of the Energy Policy Act of 2005;

22 (6) \$100,000,000 shall be for targeted airshed  
23 grants in accordance with the terms and conditions  
24 in the explanatory statement described in section 4

1 (in the matter preceding division A of this consoli-  
2 dated Act);

3 (7) \$4,000,000 shall be to carry out the water  
4 quality program authorized in section 5004(d) of the  
5 Water Infrastructure Improvements for the Nation  
6 Act (Public Law 114–322);

7 (8) \$42,593,000 shall be for grants under sub-  
8 sections (a) through (j) of section 1459A of the Safe  
9 Drinking Water Act (42 U.S.C. 300j–19a);

10 (9) \$36,000,000 shall be for grants under sec-  
11 tion 1464(d) of the Safe Drinking Water Act (42  
12 U.S.C. 300j–24(d));

13 (10) \$51,011,000 shall be for grants under sec-  
14 tion 1459B of the Safe Drinking Water Act (42  
15 U.S.C. 300j–19b);

16 (11) \$6,000,000 shall be for grants under sec-  
17 tion 1459A(l) of the Safe Drinking Water Act (42  
18 U.S.C. 300j–19a(l));

19 (12) \$33,000,000 shall be for grants under sec-  
20 tion 104(b)(8) of the Federal Water Pollution Con-  
21 trol Act (33 U.S.C. 1254(b)(8));

22 (13) \$280,000,000 shall be for grants under  
23 section 221 of the Federal Water Pollution Control  
24 Act (33 U.S.C. 1301);

1           (14) \$5,000,000 shall be for grants under sec-  
2           tion 4304(b) of the America's Water Infrastructure  
3           Act of 2018 (Public Law 115–270);

4           (15) \$10,000,000 shall be for grants under sec-  
5           tion 1442(b) of the Safe Drinking Water Act (42  
6           U.S.C. 300j–1(b));

7           (16) \$10,000,000 shall be for grants under sec-  
8           tion 1459F of the Safe Drinking Water Act (42  
9           U.S.C. 300j–19g);

10          (17) \$5,000,000, in addition to amounts other-  
11          wise available, shall be for grants under sections  
12          104(b)(3), 104(b)(8), and 104(g) of the Federal  
13          Water Pollution Control Act (33 U.S.C. 1254(b)(3),  
14          1254(b)(8) and 1254(g));

15          (18) \$5,000,000 shall be for grants under sec-  
16          tion 224 of the Federal Water Pollution Control Act  
17          (33 U.S.C. 1302b);

18          (19) \$5,000,000 shall be for grants under sec-  
19          tion 226 of the Federal Water Pollution Control Act  
20          (33 U.S.C. 1302d);

21          (20) \$5,000,000 shall be for grants under sec-  
22          tion 50213 of the Infrastructure Investment and  
23          Jobs Act (42 U.S.C. 10361; Public Law 117–58);

1           (21) \$5,000,000 shall be for grants under sec-  
2           tion 50217(b) of the Infrastructure Investment and  
3           Jobs Act (33 U.S.C. 1302f(b); Public Law 117–58);

4           (22) \$5,000,000 shall be for grants under sec-  
5           tion 50217(c) of the Infrastructure Investment and  
6           Jobs Act (33 U.S.C. 1302f(c); Public Law 117–58);

7           (23) \$10,000,000 shall be for grants under sec-  
8           tion 220 of the Federal Water Pollution Control Act  
9           (33 U.S.C. 1300);

10          (24) \$5,000,000 shall be for grants under sec-  
11          tion 124 of the Federal Water Pollution Control Act  
12          (33 U.S.C. 1276); and

13          (25) \$1,321,004,000 shall be for grants, includ-  
14          ing associated program support costs, to States, fed-  
15          erally recognized Tribes, interstate agencies, tribal  
16          consortia, and air pollution control agencies for  
17          multi-media or single media pollution prevention,  
18          control and abatement, and related activities, includ-  
19          ing activities pursuant to the provisions set forth  
20          under this heading in Public Law 104–134, and for  
21          making grants under section 103 of the Clean Air  
22          Act for particulate matter monitoring and data col-  
23          lection activities subject to terms and conditions  
24          specified by the Administrator, and under section  
25          2301 of the Water and Waste Act of 2016 to assist

1 States in developing and implementing programs for  
2 control of coal combustion residuals, of which:  
3 \$46,954,000 shall be for carrying out section 128 of  
4 CERCLA; \$15,000,000 shall be for Environmental  
5 Information Exchange Network grants, including as-  
6 sociated program support costs; \$1,505,000 shall be  
7 for grants to States under section 2007(f)(2) of the  
8 Solid Waste Disposal Act, which shall be in addition  
9 to funds appropriated under the heading “Leaking  
10 Underground Storage Tank Trust Fund Program”  
11 to carry out the provisions of the Solid Waste Dis-  
12 posal Act specified in section 9508(c) of the Internal  
13 Revenue Code other than section 9003(h) of the  
14 Solid Waste Disposal Act; \$18,512,000 of the funds  
15 available for grants under section 106 of the Federal  
16 Water Pollution Control Act shall be for State par-  
17 ticipation in national- and State-level statistical sur-  
18 veys of water resources and enhancements to State  
19 monitoring programs; and \$10,000,000 shall be for  
20 carrying out section 302(a) of the Save Our Seas  
21 2.0 Act (33 U.S.C. 4283(a)), of which not more  
22 than 2 percent shall be for administrative costs to  
23 carry out such section: *Provided*, That grants made  
24 pursuant to the authority in such section 302(a)  
25 may also be used for the construction, maintenance,

1 and operation of post consumer materials manage-  
2 ment or recycling facilities: *Provided further*, That  
3 notwithstanding such section 302(a), the Adminis-  
4 trator may also provide grants pursuant to such au-  
5 thority to intertribal consortia consistent with the  
6 requirements in 40 CFR 35.504(a), to former In-  
7 dian reservations in Oklahoma (as determined by the  
8 Secretary of the Interior), and Alaska Native Vil-  
9 lages as defined in Public Law 92–203).

10 WATER INFRASTRUCTURE FINANCE AND INNOVATION

11 PROGRAM ACCOUNT

12 For the cost of direct loans and for the cost of guar-  
13 anteed loans, as authorized by the Water Infrastructure  
14 Finance and Innovation Act of 2014, \$72,108,000, to re-  
15 main available until expended: *Provided*, That such costs,  
16 including the cost of modifying such loans, shall be as de-  
17 fined in section 502 of the Congressional Budget Act of  
18 1974: *Provided further*, That these funds are available to  
19 subsidize gross obligations for the principal amount of di-  
20 rect loans, including capitalized interest, and total loan  
21 principal, including capitalized interest, any part of which  
22 is to be guaranteed, not to exceed \$12,500,000,000: *Pro-*  
23 *vided further*, That of the funds made available under this  
24 heading, \$5,000,000 shall be used solely for the cost of  
25 direct loans and for the cost of guaranteed loans for

1 projects described in section 5026(9) of the Water Infra-  
2 structure Finance and Innovation Act of 2014 to State  
3 infrastructure financing authorities, as authorized by sec-  
4 tion 5033(e) of such Act: *Provided further*, That the use  
5 of direct loans or loan guarantee authority under this  
6 heading for direct loans or commitments to guarantee  
7 loans for any project shall be in accordance with the cri-  
8 teria published in the Federal Register on June 30, 2020  
9 (85 FR 39189) pursuant to the fourth proviso under the  
10 heading “Water Infrastructure Finance and Innovation  
11 Program Account” in division D of the Further Consoli-  
12 dated Appropriations Act, 2020 (Public Law 116–94):  
13 *Provided further*, That none of the direct loans or loan  
14 guarantee authority made available under this heading  
15 shall be available for any project unless the Administrator  
16 and the Director of the Office of Management and Budget  
17 have certified in advance in writing that the direct loan  
18 or loan guarantee, as applicable, and the project comply  
19 with the criteria referenced in the preceding proviso: *Pro-*  
20 *vided further*, That, for the purposes of carrying out the  
21 Congressional Budget Act of 1974, the Director of the  
22 Congressional Budget Office may request, and the Admin-  
23 istrator shall promptly provide, documentation and infor-  
24 mation relating to a project identified in a Letter of Inter-  
25 est submitted to the Administrator pursuant to a Notice



1 of Funding Availability for applications for credit assist-  
2 ance under the Water Infrastructure Finance and Innova-  
3 tion Act Program, including with respect to a project that  
4 was initiated or completed before the date of enactment  
5 of this Act.

6 In addition, fees authorized to be collected pursuant  
7 to sections 5029 and 5030 of the Water Infrastructure  
8 Finance and Innovation Act of 2014 shall be deposited  
9 in this account, to remain available until expended.

10 In addition, for administrative expenses to carry out  
11 the direct and guaranteed loan programs, notwithstanding  
12 section 5033 of the Water Infrastructure Finance and In-  
13 novation Act of 2014, \$8,236,000, to remain available  
14 until September 30, 2024.

15 ADMINISTRATIVE PROVISIONS—ENVIRONMENTAL  
16 PROTECTION AGENCY  
17 (INCLUDING TRANSFERS OF FUNDS)

18 For fiscal year 2023, notwithstanding 31 U.S.C.  
19 6303(1) and 6305(1), the Administrator of the Environ-  
20 mental Protection Agency, in carrying out the Agency's  
21 function to implement directly Federal environmental pro-  
22 grams required or authorized by law in the absence of an  
23 acceptable tribal program, may award cooperative agree-  
24 ments to federally recognized Indian tribes or Intertribal  
25 consortia, if authorized by their member tribes, to assist

1 the Administrator in implementing Federal environmental  
2 programs for Indian tribes required or authorized by law,  
3 except that no such cooperative agreements may be award-  
4 ed from funds designated for State financial assistance  
5 agreements.

6 The Administrator of the Environmental Protection  
7 Agency is authorized to collect and obligate pesticide reg-  
8 istration service fees in accordance with section 33 of the  
9 Federal Insecticide, Fungicide, and Rodenticide Act (7  
10 U.S.C. 136w–8), to remain available until expended.

11 Notwithstanding section 33(d)(2) of the Federal In-  
12 secticide, Fungicide, and Rodenticide Act (FIFRA) (7  
13 U.S.C. 136w–8(d)(2)), the Administrator of the Environ-  
14 mental Protection Agency may assess fees under section  
15 33 of FIFRA (7 U.S.C. 136w–8) for fiscal year 2023.

16 The Administrator is authorized to transfer up to  
17 \$368,000,000 of the funds appropriated for the Great  
18 Lakes Restoration Initiative under the heading “Environ-  
19 mental Programs and Management” to the head of any  
20 Federal department or agency, with the concurrence of  
21 such head, to carry out activities that would support the  
22 Great Lakes Restoration Initiative and Great Lakes  
23 Water Quality Agreement programs, projects, or activities;  
24 to enter into an interagency agreement with the head of  
25 such Federal department or agency to carry out these ac-

1 tivities; and to make grants to governmental entities, non-  
2 profit organizations, institutions, and individuals for plan-  
3 ning, research, monitoring, outreach, and implementation  
4 in furtherance of the Great Lakes Restoration Initiative  
5 and the Great Lakes Water Quality Agreement.

6       The Science and Technology, Environmental Pro-  
7 grams and Management, Office of Inspector General, Haz-  
8 ardous Substance Superfund, and Leaking Underground  
9 Storage Tank Trust Fund Program Accounts, are avail-  
10 able for the construction, alteration, repair, rehabilitation,  
11 and renovation of facilities, provided that the cost does  
12 not exceed \$350,000 per project.

13       The Administrator of the Environmental Protection  
14 Agency is authorized to collect and obligate fees in accord-  
15 ance with section 3024 of the Solid Waste Disposal Act  
16 (42 U.S.C. 6939g) for fiscal year 2023, to remain avail-  
17 able until expended.

18       The Administrator of the Environmental Protection  
19 Agency is authorized to collect and obligate fees in accord-  
20 ance with section 26(b) of the Toxic Substances Control  
21 Act (15 U.S.C. 2625(b)) for fiscal year 2023, to remain  
22 available until expended.

23       For fiscal year 2023, and notwithstanding section  
24 518(f) of the Federal Water Pollution Control Act (33  
25 U.S.C. 1377(f)), the Administrator is authorized to use

1 the amounts appropriated for any fiscal year under section  
2 319 of the Act to make grants to Indian tribes pursuant  
3 to sections 319(h) and 518(e) of that Act.

4 The Administrator is authorized to use the amounts  
5 appropriated under the heading “Environmental Pro-  
6 grams and Management” for fiscal year 2023 to provide  
7 grants to implement the Southeastern New England Wa-  
8 tershed Restoration Program.

9 Notwithstanding the limitations on amounts in sec-  
10 tion 320(i)(2)(B) of the Federal Water Pollution Control  
11 Act, not less than \$4,000,000 of the funds made available  
12 under this title for the National Estuary Program shall  
13 be for making competitive awards described in section  
14 320(g)(4).

15 Section 122(b)(3) of the Comprehensive Environ-  
16 mental Response, Compensation, and Liability Act of  
17 1980 (42 U.S.C. 9622(b)(3)), shall be applied by inserting  
18 before the period: “, including for the hire, maintenance,  
19 and operation of aircraft.”.

20 For fiscal years 2023 through 2027, the Office of  
21 Chemical Safety and Pollution Prevention and the Office  
22 of Water may, using funds appropriated under the head-  
23 ings “Environmental Programs and Management” and  
24 “Science and Technology”, contract directly with individ-  
25 uals or indirectly with institutions or nonprofit organiza-

1 tions, without regard to 41 U.S.C. 5, for the temporary  
2 or intermittent personal services of students or recent  
3 graduates, who shall be considered employees for the pur-  
4 poses of chapters 57 and 81 of title 5, United States Code,  
5 relating to compensation for travel and work injuries, and  
6 chapter 171 of title 28, United States Code, relating to  
7 tort claims, but shall not be considered to be Federal em-  
8 ployees for any other purpose: *Provided*, That amounts  
9 used for this purpose by the Office of Chemical Safety and  
10 Pollution Prevention and the Office of Water collectively  
11 may not exceed \$2,000,000.

### 12 TITLE III

#### 13 RELATED AGENCIES

#### 14 DEPARTMENT OF AGRICULTURE

#### 15 OFFICE OF THE UNDER SECRETARY FOR NATURAL

#### 16 RESOURCES AND ENVIRONMENT

17 For necessary expenses of the Office of the Under  
18 Secretary for Natural Resources and Environment,  
19 \$1,429,000: *Provided*, That funds made available by this  
20 Act to any agency in the Natural Resources and Environ-  
21 ment mission area for salaries and expenses are available  
22 to fund up to one administrative support staff for the of-  
23 fice.

## 1 FOREST SERVICE

## 2 FOREST SERVICE OPERATIONS

## 3 (INCLUDING TRANSFERS OF FUNDS)

4 For necessary expenses of the Forest Service, not  
5 otherwise provided for, \$1,112,652,000 (reduced by  
6 \$1,000,000) (increased by \$1,000,000), to remain avail-  
7 able through September 30, 2026: *Provided*, That a por-  
8 tion of the funds made available under this heading shall  
9 be for the base salary and expenses of employees in the  
10 Chief's Office, the Work Environment and Performance  
11 Office, the Business Operations Deputy Area, and the  
12 Chief Financial Officer's Office to carry out administra-  
13 tive and general management support functions: *Provided*  
14 *further*, That funds provided under this heading shall be  
15 available for the costs of facility maintenance, repairs, and  
16 leases for buildings and sites where these administrative,  
17 general management and other Forest Service support  
18 functions take place; the costs of all utility and tele-  
19 communication expenses of the Forest Service, as well as  
20 business services; and, for information technology, includ-  
21 ing cyber security requirements: *Provided further*, That  
22 funds provided under this heading may be used for nec-  
23 essary expenses to carry out administrative and general  
24 management support functions of the Forest Service not  
25 otherwise provided for and necessary for its operation.

## 1 FOREST AND RANGELAND RESEARCH

2 For necessary expenses of forest and rangeland re-  
3 search as authorized by law, \$360,370,000, to remain  
4 available through September 30, 2026: *Provided*, That of  
5 the funds provided, \$37,700,000 is for the forest inventory  
6 and analysis program: *Provided further*, That all authori-  
7 ties for the use of funds, including the use of contracts,  
8 grants, and cooperative agreements, available to execute  
9 the Forest and Rangeland Research appropriation, are  
10 also available in the utilization of these funds for Fire  
11 Science Research.

## 12 STATE AND PRIVATE FORESTRY

13 For necessary expenses of cooperating with and pro-  
14 viding technical and financial assistance to States, terri-  
15 tories, possessions, and others, and for forest health man-  
16 agement, including for invasive plants, and conducting an  
17 international program and trade compliance activities as  
18 authorized, \$332,626,000, to remain available through  
19 September 30, 2026, as authorized by law, of which  
20 \$9,482,000 shall be for projects specified for Forest Re-  
21 source Information and Analysis in the table titled “Inte-  
22 rior and Environment Incorporation of Community  
23 Project Funding Items” included in the report accom-  
24 panying this Act.

## 1 NATIONAL FOREST SYSTEM

## 2 (INCLUDING TRANSFER OF FUNDS)

3 For necessary expenses of the Forest Service, not  
4 otherwise provided for, for management, protection, im-  
5 provement, and utilization of the National Forest System,  
6 and for hazardous fuels management on or adjacent to  
7 such lands, \$1,997,650,000 (reduced by \$5,000,000) (in-  
8 creased by \$5,000,000) (reduced by \$8,000,000) (in-  
9 creased by \$8,000,000), to remain available through Sep-  
10 tember 30, 2026: *Provided*, That of the funds provided,  
11 \$60,000,000 shall be deposited in the Collaborative Forest  
12 Landscape Restoration Fund for ecological restoration  
13 treatments as authorized by 16 U.S.C. 7303(f): *Provided*  
14 *further*, That of the funds provided, \$38,000,000 shall be  
15 for forest products: *Provided further*, That of the amounts  
16 made available for hazardous fuels management under  
17 this heading in prior Acts, any unobligated amounts may  
18 be transferred to “Forest Service—Wildland Fire Man-  
19 agement” to be used for the purposes provided therein:  
20 *Provided further*, That funds made available to implement  
21 the Community Forest Restoration Act, Public Law 106–  
22 393, title VI, shall be available for use on non-Federal  
23 lands in accordance with authorities made available to the  
24 Forest Service under the “State and Private Forestry” ap-  
25 propriation: *Provided further*, That notwithstanding sec-



tion 33 of the Bankhead Jones Farm Tenant Act (7 U.S.C. 1012), the Secretary of Agriculture, in calculating a fee for grazing on a National Grassland, may provide a credit of up to 50 percent of the calculated fee to a Grazing Association or direct permittee for a conservation practice approved by the Secretary in advance of the fiscal year in which the cost of the conservation practice is incurred, and that the amount credited shall remain available to the Grazing Association or the direct permittee, as appropriate, in the fiscal year in which the credit is made and each fiscal year thereafter for use on the project for conservation practices approved by the Secretary: *Provided further*, That funds appropriated to this account shall be available for the base salary and expenses of employees that carry out the functions funded by the “Capital Improvement and Maintenance” account, the “Range Betterment Fund” account, and the “Management of National Forest Lands for Subsistence Uses” account.

CAPITAL IMPROVEMENT AND MAINTENANCE

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Forest Service, not otherwise provided for, \$162,182,000 (reduced by \$5,000,000) (increased by \$5,000,000), to remain available through September 30, 2026, for construction, capital improvement, maintenance, and acquisition of buildings

1 and other facilities and infrastructure; and for construc-  
2 tion, reconstruction, and decommissioning of roads that  
3 are no longer needed, including unauthorized roads that  
4 are not part of the transportation system; and for mainte-  
5 nance of forest roads and trails by the Forest Service as  
6 authorized by 16 U.S.C. 532–538 and 23 U.S.C. 101 and  
7 205: *Provided*, That \$15,000,000 shall be for activities au-  
8 thorized by 16 U.S.C. 538(a): *Provided further*, That  
9 funds becoming available in fiscal year 2023 under the Act  
10 of March 4, 1913 (16 U.S.C. 501) shall be transferred  
11 to the General Fund of the Treasury and shall not be  
12 available for transfer or obligation for any other purpose  
13 unless the funds are appropriated.

14 ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL  
15 ACTS

16 For acquisition of lands within the exterior bound-  
17 aries of the Cache, Uinta, and Wasatch National Forests,  
18 Utah; the Toiyabe National Forest, Nevada; and the An-  
19 geles, San Bernardino, Sequoia, and Cleveland National  
20 Forests, California; and the Ozark-St. Francis and  
21 Ouachita National Forests, Arkansas; as authorized by  
22 law, \$664,000, to be derived from forest receipts.

23 ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

24 For acquisition of lands, such sums, to be derived  
25 from funds deposited by State, county, or municipal gov-

1 ernments, public school districts, or other public school au-  
2 thorities, and for authorized expenditures from funds de-  
3 posited by non-Federal parties pursuant to Land Sale and  
4 Exchange Acts, pursuant to the Act of December 4, 1967  
5 (16 U.S.C. 484a), to remain available through September  
6 30, 2026, (16 U.S.C. 516–617a, 555a; Public Law 96–  
7 586; Public Law 76–589, Public Law 76–591; and Public  
8 Law 78–310).

9 RANGE BETTERMENT FUND

10 For necessary expenses of range rehabilitation, pro-  
11 tection, and improvement, 50 percent of all moneys re-  
12 ceived during the prior fiscal year, as fees for grazing do-  
13 mestic livestock on lands in National Forests in the 16  
14 Western States, pursuant to section 401(b)(1) of Public  
15 Law 94–579, to remain available through September 30,  
16 2026, of which not to exceed 6 percent shall be available  
17 for administrative expenses associated with on-the-ground  
18 range rehabilitation, protection, and improvements.

19 GIFTS, DONATIONS AND BEQUESTS FOR FOREST AND

20 RANGELAND RESEARCH

21 For expenses authorized by 16 U.S.C. 1643(b),  
22 \$45,000, to remain available through September 30, 2026,  
23 to be derived from the fund established pursuant to the  
24 above Act.

8 WILDLAND FIRE MANAGEMENT  
9 (INCLUDING TRANSFERS OF FUNDS)

HR 8294 RFS

1 to the extent such reimbursements by the Forest Service  
2 for non-fire emergencies are fully repaid by the responsible  
3 emergency management agency: *Provided further*, That  
4 funds provided shall be available for support to Federal  
5 emergency response: *Provided further*, That the costs of  
6 implementing any cooperative agreement between the Fed-  
7 eral Government and any non-Federal entity may be  
8 shared, as mutually agreed on by the affected parties: *Pro-*  
9 *vided further*, That of the funds provided, \$321,388,000  
10 shall be for hazardous fuels management activities, of  
11 which not to exceed \$15,000,000 may be used to make  
12 grants, using any authorities available to the Forest Serv-  
13 ice under the “State and Private Forestry” appropriation,  
14 for the purpose of creating incentives for increased use  
15 of biomass from National Forest System lands: *Provided*  
16 *further*, That funds made available in the preceding pro-  
17 viso to implement the Community Forest Restoration Act,  
18 Public Law 106–393, title VI, shall be available for use  
19 on non-Federal lands in accordance with authorities made  
20 available to the Forest Service under the “State and Pri-  
21 vate Forestry” appropriation: *Provided further*, That of  
22 the funds provided under this heading, \$20,000,000 may  
23 be used by the Secretary of Agriculture to enter into pro-  
24 curement contracts or cooperative agreements; to issue  
25 grants for hazardous fuels management activities; for

1 training or monitoring associated with such hazardous  
2 fuels management activities on Federal land; or for train-  
3 ing or monitoring associated with such hazardous fuels  
4 management activities on non-Federal land if the Sec-  
5 retary determines such activities benefit resources on Fed-  
6 eral land: *Provided further*, That of the funds provided  
7 under this heading, \$1,011,000,000 shall be available for  
8 wildfire suppression operations, and is provided to meet  
9 the terms of section 4004(b)(5)(B) of S. Con. Res. 14  
10 (117th Congress), the concurrent resolution on the budget  
11 for fiscal year 2022, and section 1(g)(2) of H. Res. 1151  
12 (117th Congress), as engrossed in the House of Rep-  
13 resentatives on June 8, 2022.

14 WILDFIRE SUPPRESSION OPERATIONS RESERVE FUND  
15 (INCLUDING TRANSFERS OF FUNDS)

16 In addition to the amounts provided under the head-  
17 ing “Department of Agriculture—Forest Service—  
18 Wildland Fire Management” for wildfire suppression oper-  
19 ations, \$2,210,000,000, to remain available until trans-  
20 ferred, is additional new budget authority as specified for  
21 purposes of section 4004(b)(5) of S. Con. Res. 14 (117th  
22 Congress), the concurrent resolution on the budget for fis-  
23 cal year 2022, and section 1(g) of H. Res. 1151 (117th  
24 Congress), as engrossed in the House of Representatives  
25 on June 8, 2022: *Provided*, That such amounts may be

1 transferred to and merged with amounts made available  
2 under the headings “Department of the Interior—Depart-  
3 ment-Wide Programs—Wildland Fire Management” and  
4 “Department of Agriculture—Forest Service—Wildland  
5 Fire Management” for wildfire suppression operations in  
6 the fiscal year in which such amounts are transferred: *Pro-*  
7 *vided further*, That amounts may be transferred to the  
8 “Wildland Fire Management” accounts in the Department  
9 of the Interior or the Department of Agriculture only upon  
10 the notification of the House and Senate Committees on  
11 Appropriations that all wildfire suppression operations  
12 funds appropriated under that heading in this and prior  
13 appropriations Acts to the agency to which the funds will  
14 be transferred will be obligated within 30 days: *Provided*  
15 *further*, That the transfer authority provided under this  
16 heading is in addition to any other transfer authority pro-  
17 vided by law: *Provided further*, That, in determining  
18 whether all wildfire suppression operations funds appro-  
19 priated under the heading “Wildland Fire Management”  
20 in this and prior appropriations Acts to either the Depart-  
21 ment of Agriculture or the Department of the Interior will  
22 be obligated within 30 days pursuant to the preceding pro-  
23 viso, any funds transferred or permitted to be transferred  
24 pursuant to any other transfer authority provided by law  
25 shall be excluded.

## 1 COMMUNICATIONS SITE ADMINISTRATION

## 2 (INCLUDING TRANSFER OF FUNDS)

3 Amounts collected in this fiscal year pursuant to sec-  
4 tion 8705(f)(2) of the Agriculture Improvement Act of  
5 2018 (Public Law 115–334), shall be deposited in the spe-  
6 cial account established by section 8705(f)(1) of such Act,  
7 shall be available to cover the costs described in subsection  
8 (c)(3) of such section of such Act, and shall remain avail-  
9 able until expended: *Provided*, That such amounts shall  
10 be transferred to the “National Forest System” account.

## 11 ADMINISTRATIVE PROVISIONS—FOREST SERVICE

## 12 (INCLUDING TRANSFERS OF FUNDS)

13 Appropriations to the Forest Service for the current  
14 fiscal year shall be available for: (1) purchase of passenger  
15 motor vehicles; acquisition of passenger motor vehicles  
16 from excess sources, and hire of such vehicles; purchase,  
17 lease, operation, maintenance, and acquisition of aircraft  
18 to maintain the operable fleet for use in Forest Service  
19 wildland fire programs and other Forest Service programs;  
20 notwithstanding other provisions of law, existing aircraft  
21 being replaced may be sold, with proceeds derived or  
22 trade-in value used to offset the purchase price for the  
23 replacement aircraft; (2) services pursuant to 7 U.S.C.  
24 2225, and not to exceed \$100,000 for employment under  
25 5 U.S.C. 3109; (3) purchase, erection, and alteration of



1 buildings and other public improvements (7 U.S.C. 2250);  
2 (4) acquisition of land, waters, and interests therein pur-  
3 suant to 7 U.S.C. 428a; (5) for expenses pursuant to the  
4 Volunteers in the National Forest Act of 1972 (16 U.S.C.  
5 558a, 558d, and 558a note); (6) the cost of uniforms as  
6 authorized by 5 U.S.C. 5901–5902; and (7) for debt col-  
7 lection contracts in accordance with 31 U.S.C. 3718(c).

8 Funds made available to the Forest Service in this  
9 Act may be transferred between accounts affected by the  
10 Forest Service budget restructure outlined in section 435  
11 of division D of the Further Consolidated Appropriations  
12 Act, 2020 (Public Law 116–94): *Provided*, That any  
13 transfer of funds pursuant to this paragraph shall not in-  
14 crease or decrease the funds appropriated to any account  
15 in this fiscal year by more than ten percent: *Provided fur-*  
16 *ther*, That such transfer authority is in addition to any  
17 other transfer authority provided by law.

18 Any appropriations or funds available to the Forest  
19 Service may be transferred to the Wildland Fire Manage-  
20 ment appropriation for forest firefighting, emergency re-  
21 habilitation of burned-over or damaged lands or waters  
22 under its jurisdiction, and fire preparedness due to severe  
23 burning conditions upon the Secretary of Agriculture’s no-  
24 tification of the House and Senate Committees on Appro-  
25 priations that all fire suppression funds appropriated

1 under the heading “Wildland Fire Management” will be  
2 obligated within 30 days: *Provided*, That all funds used  
3 pursuant to this paragraph must be replenished by a sup-  
4 plemental appropriation which must be requested as  
5 promptly as possible.

6 Not more than \$50,000,000 of funds appropriated to  
7 the Forest Service shall be available for expenditure or  
8 transfer to the Department of the Interior for wildland  
9 fire management, hazardous fuels management, and State  
10 fire assistance when such transfers would facilitate and  
11 expedite wildland fire management programs and projects.

12 Notwithstanding any other provision of this Act, the  
13 Forest Service may transfer unobligated balances of dis-  
14 cretionary funds appropriated to the Forest Service by  
15 this Act to or within the National Forest System Account,  
16 or reprogram funds to be used for the purposes of haz-  
17 ardous fuels management and urgent rehabilitation of  
18 burned-over National Forest System lands and water: *Pro-*  
19 *vided*, That such transferred funds shall remain available  
20 through September 30, 2026: *Provided further*, That none  
21 of the funds transferred pursuant to this paragraph shall  
22 be available for obligation without written notification to  
23 and the prior approval of the Committees on Appropria-  
24 tions of both Houses of Congress.

1 Funds appropriated to the Forest Service shall be  
2 available for assistance to or through the Agency for Inter-  
3 national Development in connection with forest and range-  
4 land research, technical information, and assistance in for-  
5 eign countries, and shall be available to support forestry  
6 and related natural resource activities outside the United  
7 States and its territories and possessions, including tech-  
8 nical assistance, education and training, and cooperation  
9 with United States government, private sector, and inter-  
10 national organizations. The Forest Service, acting for the  
11 International Program, may sign direct funding agree-  
12 ments with foreign governments and institutions as well  
13 as other domestic agencies (including the U.S. Agency for  
14 International Development, the Department of State, and  
15 the Millennium Challenge Corporation), United States pri-  
16 vate sector firms, institutions and organizations to provide  
17 technical assistance and training programs on forestry and  
18 rangeland management: *Provided*, That to maximize effec-  
19 tiveness of domestic and international research and co-  
20 operation, the International Program may utilize all au-  
21 thorities related to forestry, research, and cooperative as-  
22 sistance regardless of program designations.

23 Funds appropriated to the Forest Service shall be  
24 available for expenditure or transfer to the Department  
25 of the Interior, Bureau of Land Management, for removal,

1 preparation, and adoption of excess wild horses and burros  
2 from National Forest System lands, and for the perform-  
3 ance of cadastral surveys to designate the boundaries of  
4 such lands.

5       None of the funds made available to the Forest Serv-  
6 ice in this Act or any other Act with respect to any fiscal  
7 year shall be subject to transfer under the provisions of  
8 section 702(b) of the Department of Agriculture Organic  
9 Act of 1944 (7 U.S.C. 2257), section 442 of Public Law  
10 106–224 (7 U.S.C. 7772), or section 10417(b) of Public  
11 Law 107–171 (7 U.S.C. 8316(b)).

12       Not more than \$82,000,000 of funds available to the  
13 Forest Service shall be transferred to the Working Capital  
14 Fund of the Department of Agriculture and not more than  
15 \$14,500,000 of funds available to the Forest Service shall  
16 be transferred to the Department of Agriculture for De-  
17 partment Reimbursable Programs, commonly referred to  
18 as Greenbook charges. Nothing in this paragraph shall  
19 prohibit or limit the use of reimbursable agreements re-  
20 quested by the Forest Service in order to obtain informa-  
21 tion technology services, including telecommunications and  
22 system modifications or enhancements, from the Working  
23 Capital Fund of the Department of Agriculture.

24       Of the funds available to the Forest Service, up to  
25 \$5,000,000 shall be available for priority projects within

1 the scope of the approved budget, which shall be carried  
2 out by the Youth Conservation Corps and shall be carried  
3 out under the authority of the Public Lands Corps Act  
4 of 1993 (16 U.S.C. 1721 et seq.).

5       Of the funds available to the Forest Service, \$4,000  
6 is available to the Chief of the Forest Service for official  
7 reception and representation expenses.

8       Pursuant to sections 405(b) and 410(b) of Public  
9 Law 101–593, of the funds available to the Forest Service,  
10 up to \$3,000,000 may be advanced in a lump sum to the  
11 National Forest Foundation to aid conservation partner-  
12 ship projects in support of the Forest Service mission,  
13 without regard to when the Foundation incurs expenses,  
14 for projects on or benefitting National Forest System  
15 lands or related to Forest Service programs: *Provided*,  
16 That of the Federal funds made available to the Founda-  
17 tion, no more than \$300,000 shall be available for admin-  
18 istrative expenses: *Provided further*, That the Foundation  
19 shall obtain, by the end of the period of Federal financial  
20 assistance, private contributions to match funds made  
21 available by the Forest Service on at least a one-for-one  
22 basis: *Provided further*, That the Foundation may transfer  
23 Federal funds to a Federal or a non-Federal recipient for  
24 a project at the same rate that the recipient has obtained  
25 the non-Federal matching funds.

1 Pursuant to section 2(b)(2) of Public Law 98–244,  
2 up to \$3,000,000 of the funds available to the Forest  
3 Service may be advanced to the National Fish and Wildlife  
4 Foundation in a lump sum to aid cost-share conservation  
5 projects, without regard to when expenses are incurred,  
6 on or benefitting National Forest System lands or related  
7 to Forest Service programs: *Provided*, That such funds  
8 shall be matched on at least a one-for-one basis by the  
9 Foundation or its sub-recipients: *Provided further*, That  
10 the Foundation may transfer Federal funds to a Federal  
11 or non-Federal recipient for a project at the same rate  
12 that the recipient has obtained the non-Federal matching  
13 funds.

14 Funds appropriated to the Forest Service shall be  
15 available for interactions with and providing technical as-  
16 sistance to rural communities and natural resource-based  
17 businesses for sustainable rural development purposes.

18 Funds appropriated to the Forest Service shall be  
19 available for payments to counties within the Columbia  
20 River Gorge National Scenic Area, pursuant to section  
21 14(c)(1) and (2), and section 16(a)(2) of Public Law 99–  
22 663.

23 Any funds appropriated to the Forest Service may  
24 be used to meet the non-Federal share requirement in sec-

1 tion 502(c) of the Older Americans Act of 1965 (42  
2 U.S.C. 3056(c)(2)).

3       The Forest Service shall not assess funds for the pur-  
4 pose of performing fire, administrative, and other facilities  
5 maintenance and decommissioning.

6       Notwithstanding any other provision of law, of any  
7 appropriations or funds available to the Forest Service,  
8 not to exceed \$500,000 may be used to reimburse the Of-  
9 fice of the General Counsel (OGC), Department of Agri-  
10 culture, for travel and related expenses incurred as a re-  
11 sult of OGC assistance or participation requested by the  
12 Forest Service at meetings, training sessions, management  
13 reviews, land purchase negotiations, and similar matters  
14 unrelated to civil litigation. Future budget justifications  
15 for both the Forest Service and the Department of Agri-  
16 culture should clearly display the sums previously trans-  
17 ferred and the sums requested for transfer.

18       An eligible individual who is employed in any project  
19 funded under title V of the Older Americans Act of 1965  
20 (42 U.S.C. 3056 et seq.) and administered by the Forest  
21 Service shall be considered to be a Federal employee for  
22 purposes of chapter 171 of title 28, United States Code.

23       Funds appropriated to the Forest Service shall be  
24 available to pay, from a single account, the base salary  
25 and expenses of employees who carry out functions funded

1 by other accounts for Enterprise Program, Geospatial  
2 Technology and Applications Center, remnant Natural Re-  
3 source Manager, Job Corps, and National Technology and  
4 Development Program.

5 DEPARTMENT OF HEALTH AND HUMAN  
6 SERVICES

7 INDIAN HEALTH SERVICE

8 INDIAN HEALTH SERVICES

9 For expenses necessary to carry out the Act of Au-  
10 gust 5, 1954 (68 Stat. 674), the Indian Self-Determina-  
11 tion and Education Assistance Act, the Indian Health  
12 Care Improvement Act, and titles II and III of the Public  
13 Health Service Act with respect to the Indian Health Serv-  
14 ice, \$5,734,044,000, to remain available until September  
15 30, 2024, except as otherwise provided herein, together  
16 with payments received during the fiscal year pursuant to  
17 sections 231(b) and 233 of the Public Health Service Act  
18 (42 U.S.C. 238(b) and 238b), for services furnished by the  
19 Indian Health Service: *Provided*, That funds made avail-  
20 able to tribes and tribal organizations through contracts,  
21 grant agreements, or any other agreements or compacts  
22 authorized by the Indian Self-Determination and Edu-  
23 cation Assistance Act of 1975 (25 U.S.C. 450), shall be  
24 deemed to be obligated at the time of the grant or contract  
25 award and thereafter shall remain available to the tribe



1 or tribal organization without fiscal year limitation: *Pro-*  
2 *vided further*, That \$2,500,000 shall be available for  
3 grants or contracts with public or private institutions to  
4 provide alcohol or drug treatment services to Indians, in-  
5 cluding alcohol detoxification services: *Provided further*,  
6 That \$1,097,255,000 for Purchased/Referred Care, in-  
7 cluding \$54,000,000 for the Indian Catastrophic Health  
8 Emergency Fund, shall remain available until expended:  
9 *Provided further*, That of the funds provided, up to  
10 \$66,000,000 shall remain available until expended for im-  
11 plementation of the loan repayment program under section  
12 108 of the Indian Health Care Improvement Act: *Provided*  
13 *further*, That of the funds provided, \$58,000,000 shall be  
14 for costs related to or resulting from accreditation emer-  
15 gencies, including supplementing activities funded under  
16 the heading “Indian Health Facilities,” of which up to  
17 \$4,000,000 may be used to supplement amounts otherwise  
18 available for Purchased/Referred Care: *Provided further*,  
19 That the amounts collected by the Federal Government  
20 as authorized by sections 104 and 108 of the Indian  
21 Health Care Improvement Act (25 U.S.C. 1613a and  
22 1616a) during the preceding fiscal year for breach of con-  
23 tracts shall be deposited in the Fund authorized by section  
24 108A of that Act (25 U.S.C. 1616a–1) and shall remain  
25 available until expended and, notwithstanding section

1 108A(c) of that Act (25 U.S.C. 1616a–1(c)), funds shall  
2 be available to make new awards under the loan repay-  
3 ment and scholarship programs under sections 104 and  
4 108 of that Act (25 U.S.C. 1613a and 1616a): *Provided*  
5 *further*, That the amounts made available within this ac-  
6 count for the substance use and suicide prevention pro-  
7 gram, for Opioid Prevention, Treatment and Recovery  
8 Services, for the Domestic Violence Prevention Program,  
9 for the Zero Suicide Initiative, for the housing subsidy au-  
10 thority for civilian employees, for Aftercare Pilot Pro-  
11 grams at Youth Regional Treatment Centers, for trans-  
12 formation and modernization costs of the Indian Health  
13 Service Electronic Health Record system, for national  
14 quality and oversight activities, to improve collections from  
15 public and private insurance at Indian Health Service and  
16 tribally operated facilities, for an initiative to treat or re-  
17 duce the transmission of HIV and HCV, for a maternal  
18 health initiative, for the Telebehaviorial Health Center of  
19 Excellence, for Alzheimer’s grants, for Village Built Clin-  
20 ics, for a produce prescription pilot, and for accreditation  
21 emergencies shall be allocated at the discretion of the Di-  
22 rector of the Indian Health Service and shall remain avail-  
23 able until expended: *Provided further*, That funds provided  
24 in this Act may be used for annual contracts and grants  
25 that fall within 2 fiscal years, provided the total obligation

1 is recorded in the year the funds are appropriated: *Pro-*  
2 *vided further*, That the amounts collected by the Secretary  
3 of Health and Human Services under the authority of title  
4 IV of the Indian Health Care Improvement Act (25 U.S.C.  
5 1613) shall remain available until expended for the pur-  
6 pose of achieving compliance with the applicable condi-  
7 tions and requirements of titles XVIII and XIX of the So-  
8 cial Security Act, except for those related to the planning,  
9 design, or construction of new facilities: *Provided further*,  
10 That funding contained herein for scholarship programs  
11 under the Indian Health Care Improvement Act (25  
12 U.S.C. 1613) shall remain available until expended: *Pro-*  
13 *vided further*, That amounts received by tribes and tribal  
14 organizations under title IV of the Indian Health Care Im-  
15 provement Act shall be reported and accounted for and  
16 available to the receiving tribes and tribal organizations  
17 until expended: *Provided further*, That the Bureau of In-  
18 dian Affairs may collect from the Indian Health Service,  
19 and from tribes and tribal organizations operating health  
20 facilities pursuant to Public Law 93–638, such individ-  
21 ually identifiable health information relating to disabled  
22 children as may be necessary for the purpose of carrying  
23 out its functions under the Individuals with Disabilities  
24 Education Act (20 U.S.C. 1400 et seq.): *Provided further*,  
25 That of the funds provided, \$232,138,000 is for the In-

1 dian Health Care Improvement Fund and may be used,  
2 as needed, to carry out activities typically funded under  
3 the Indian Health Facilities account: *Provided further*,  
4 That none of the funds appropriated by this Act, or any  
5 other Act, to the Indian Health Service for the Electronic  
6 Health Record system shall be available for obligation or  
7 expenditure for the selection or implementation of a new  
8 Information Technology infrastructure system, unless the  
9 Committees on Appropriations of the House of Represent-  
10 atives and the Senate are consulted 90 days in advance  
11 of such obligation.

12 CONTRACT SUPPORT COSTS

13 For payments to tribes and tribal organizations for  
14 contract support costs associated with Indian Self-Deter-  
15 mination and Education Assistance Act agreements with  
16 the Indian Health Service for fiscal year 2023, such sums  
17 as may be necessary: *Provided*, That notwithstanding any  
18 other provision of law, no amounts made available under  
19 this heading shall be available for transfer to another  
20 budget account: *Provided further*, That amounts obligated  
21 but not expended by a tribe or tribal organization for con-  
22 tract support costs for such agreements for the current  
23 fiscal year shall be applied to contract support costs due  
24 for such agreements for subsequent fiscal years.

## 1 PAYMENTS FOR TRIBAL LEASES

2 For payments to tribes and tribal organizations for  
3 leases pursuant to section 105(l) of the Indian Self-Deter-  
4 mination and Education Assistance Act (25 U.S.C.  
5 5324(l)) for fiscal year 2023, such sums as may be nec-  
6 essary, which shall be available for obligation through Sep-  
7 tember 30, 2024: *Provided*, That notwithstanding any  
8 other provision of law, no amounts made available under  
9 this heading shall be available for transfer to another  
10 budget account.

## 11 INDIAN HEALTH FACILITIES

12 For construction, repair, maintenance, demolition,  
13 improvement, and equipment of health and related auxil-  
14 iary facilities, including quarters for personnel; prepara-  
15 tion of plans, specifications, and drawings; acquisition of  
16 sites, purchase and erection of modular buildings, and  
17 purchases of trailers; and for provision of domestic and  
18 community sanitation facilities for Indians, as authorized  
19 by section 7 of the Act of August 5, 1954 (42 U.S.C.  
20 2004a), the Indian Self-Determination Act, and the In-  
21 dian Health Care Improvement Act, and for expenses nec-  
22 essary to carry out such Acts and titles II and III of the  
23 Public Health Service Act with respect to environmental  
24 health and facilities support activities of the Indian Health  
25 Service, \$1,306,979,000, to remain available until ex-

1    pending: *Provided*, That notwithstanding any other provi-  
2    sion of law, funds appropriated for the planning, design,  
3    construction, renovation, or expansion of health facilities  
4    for the benefit of an Indian tribe or tribes may be used  
5    to purchase land on which such facilities will be located:  
6    *Provided further*, That not to exceed \$500,000 may be  
7    used by the Indian Health Service to purchase TRANSAM  
8    equipment from the Department of Defense for distribu-  
9    tion to the Indian Health Service and tribal facilities: *Pro-*  
10   *vided further*, That none of the funds appropriated to the  
11   Indian Health Service may be used for sanitation facilities  
12   construction for new homes funded with grants by the  
13   housing programs of the United States Department of  
14   Housing and Urban Development.

15   ADMINISTRATIVE PROVISIONS—INDIAN HEALTH SERVICE

16       Appropriations provided in this Act to the Indian  
17   Health Service shall be available for services as authorized  
18   by 5 U.S.C. 3109 at rates not to exceed the per diem rate  
19   equivalent to the maximum rate payable for senior-level  
20   positions under 5 U.S.C. 5376; hire of passenger motor  
21   vehicles and aircraft; purchase of medical equipment; pur-  
22   chase of reprints; purchase, renovation, and erection of  
23   modular buildings and renovation of existing facilities;  
24   payments for telephone service in private residences in the  
25   field, when authorized under regulations approved by the

1 Secretary of Health and Human Services; uniforms, or al-  
2 lowances therefor as authorized by 5 U.S.C. 5901–5902;  
3 and for expenses of attendance at meetings that relate to  
4 the functions or activities of the Indian Health Service:  
5 *Provided*, That in accordance with the provisions of the  
6 Indian Health Care Improvement Act, non-Indian patients  
7 may be extended health care at all tribally administered  
8 or Indian Health Service facilities, subject to charges, and  
9 the proceeds along with funds recovered under the Federal  
10 Medical Care Recovery Act (42 U.S.C. 2651–2653) shall  
11 be credited to the account of the facility providing the  
12 service and shall be available without fiscal year limitation:  
13 *Provided further*, That notwithstanding any other law or  
14 regulation, funds transferred from the Department of  
15 Housing and Urban Development to the Indian Health  
16 Service shall be administered under Public Law 86–121,  
17 the Indian Sanitation Facilities Act and Public Law 93–  
18 638: *Provided further*, That funds appropriated to the In-  
19 dian Health Service in this Act, except those used for ad-  
20 ministrative and program direction purposes, shall not be  
21 subject to limitations directed at curtailing Federal travel  
22 and transportation: *Provided further*, That none of the  
23 funds made available to the Indian Health Service in this  
24 Act shall be used for any assessments or charges by the  
25 Department of Health and Human Services unless identi-

1 fied in the budget justification and provided in this Act,  
2 or approved by the House and Senate Committees on Ap-  
3 propriations through the reprogramming process: *Pro-*  
4 *vided further*, That notwithstanding any other provision  
5 of law, funds previously or herein made available to a tribe  
6 or tribal organization through a contract, grant, or agree-  
7 ment authorized by title I or title V of the Indian Self-  
8 Determination and Education Assistance Act of 1975 (25  
9 U.S.C. 450 et seq.), may be deobligated and reobligated  
10 to a self-determination contract under title I, or a self-  
11 governance agreement under title V of such Act and there-  
12 after shall remain available to the tribe or tribal organiza-  
13 tion without fiscal year limitation: *Provided further*, That  
14 none of the funds made available to the Indian Health  
15 Service in this Act shall be used to implement the final  
16 rule published in the Federal Register on September 16,  
17 1987, by the Department of Health and Human Services,  
18 relating to the eligibility for the health care services of  
19 the Indian Health Service until the Indian Health Service  
20 has submitted a budget request reflecting the increased  
21 costs associated with the proposed final rule, and such re-  
22 quest has been included in an appropriations Act and en-  
23 acted into law: *Provided further*, That with respect to func-  
24 tions transferred by the Indian Health Service to tribes  
25 or tribal organizations, the Indian Health Service is au-



1 thorized to provide goods and services to those entities on  
2 a reimbursable basis, including payments in advance with  
3 subsequent adjustment, and the reimbursements received  
4 therefrom, along with the funds received from those enti-  
5 ties pursuant to the Indian Self-Determination Act, may  
6 be credited to the same or subsequent appropriation ac-  
7 count from which the funds were originally derived, with  
8 such amounts to remain available until expended: *Provided*  
9 *further*, That reimbursements for training, technical as-  
10 sistance, or services provided by the Indian Health Service  
11 will contain total costs, including direct, administrative,  
12 and overhead costs associated with the provision of goods,  
13 services, or technical assistance: *Provided further*, That  
14 the Indian Health Service may provide to civilian medical  
15 personnel serving in hospitals operated by the Indian  
16 Health Service housing allowances equivalent to those that  
17 would be provided to members of the Commissioned Corps  
18 of the United States Public Health Service serving in simi-  
19 lar positions at such hospitals: *Provided further*, That the  
20 appropriation structure for the Indian Health Service may  
21 not be altered without advance notification to the House  
22 and Senate Committees on Appropriations.

1 NATIONAL INSTITUTES OF HEALTH  
2 NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH  
3 SCIENCES

4 For necessary expenses for the National Institute of  
5 Environmental Health Sciences in carrying out activities  
6 set forth in section 311(a) of the Comprehensive Environ-  
7 mental Response, Compensation, and Liability Act of  
8 1980 (42 U.S.C. 9660(a)) and section 126(g) of the  
9 Superfund Amendments and Reauthorization Act of 1986,  
10 \$83,035,000.

11 AGENCY FOR TOXIC SUBSTANCES AND DISEASE  
12 REGISTRY  
13 TOXIC SUBSTANCES AND ENVIRONMENTAL PUBLIC  
14 HEALTH

15 For necessary expenses for the Agency for Toxic Sub-  
16 stances and Disease Registry (ATSDR) in carrying out  
17 activities set forth in sections 104(i) and 111(c)(4) of the  
18 Comprehensive Environmental Response, Compensation,  
19 and Liability Act of 1980 (CERCLA) and section 3019  
20 of the Solid Waste Disposal Act, \$85,020,000: *Provided*,  
21 That notwithstanding any other provision of law, in lieu  
22 of performing a health assessment under section 104(i)(6)  
23 of CERCLA, the Administrator of ATSDR may conduct  
24 other appropriate health studies, evaluations, or activities,  
25 including, without limitation, biomedical testing, clinical

1 evaluations, medical monitoring, and referral to accredited  
2 healthcare providers: *Provided further*, That in performing  
3 any such health assessment or health study, evaluation,  
4 or activity, the Administrator of ATSDR shall not be  
5 bound by the deadlines in section 104(i)(6)(A) of  
6 CERCLA: *Provided further*, That none of the funds appro-  
7 priated under this heading shall be available for ATSDR  
8 to issue in excess of 40 toxicological profiles pursuant to  
9 section 104(i) of CERCLA during fiscal year 2023, and  
10 existing profiles may be updated as necessary.

## 11 OTHER RELATED AGENCIES

### 12 EXECUTIVE OFFICE OF THE PRESIDENT

#### 13 COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF

#### 14 ENVIRONMENTAL QUALITY

15 For necessary expenses to continue functions as-  
16 signed to the Council on Environmental Quality and Office  
17 of Environmental Quality pursuant to the National Envi-  
18 ronmental Policy Act of 1969, the Environmental Quality  
19 Improvement Act of 1970, and Reorganization Plan No.  
20 1 of 1977, and not to exceed \$750 for official reception  
21 and representation expenses, \$4,676,000: *Provided*, That  
22 notwithstanding section 202 of the National Environ-  
23 mental Policy Act of 1970, the Council shall consist of  
24 one member, appointed by the President, by and with the

1 advice and consent of the Senate, serving as chairman and  
2 exercising all powers, functions, and duties of the Council.

3 CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

4 SALARIES AND EXPENSES

5 For necessary expenses in carrying out activities pur-  
6 suant to section 112(r)(6) of the Clean Air Act, including  
7 hire of passenger vehicles, uniforms or allowances there-  
8 for, as authorized by 5 U.S.C. 5901–5902, and for serv-  
9 ices authorized by 5 U.S.C. 3109 but at rates for individ-  
10 uals not to exceed the per diem equivalent to the maximum  
11 rate payable for senior level positions under 5 U.S.C.  
12 5376, \$14,400,000: *Provided*, That the Chemical Safety  
13 and Hazard Investigation Board (Board) shall have not  
14 more than three career Senior Executive Service positions:  
15 *Provided further*, That notwithstanding any other provi-  
16 sion of law, the individual appointed to the position of In-  
17 spector General of the Environmental Protection Agency  
18 (EPA) shall, by virtue of such appointment, also hold the  
19 position of Inspector General of the Board: *Provided fur-*  
20 *ther*, That notwithstanding any other provision of law, the  
21 Inspector General of the Board shall utilize personnel of  
22 the Office of Inspector General of EPA in performing the  
23 duties of the Inspector General of the Board, and shall  
24 not appoint any individuals to positions within the Board.

1     OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION  
2                                   SALARIES AND EXPENSES

3         For necessary expenses of the Office of Navajo and  
4 Hopi Indian Relocation as authorized by Public Law 93–  
5 531, \$3,060,000, to remain available until expended,  
6 which shall be derived from unobligated balances from  
7 prior year appropriations available under this heading:  
8 *Provided*, That funds provided in this or any other appro-  
9 priations Act are to be used to relocate eligible individuals  
10 and groups including evictees from District 6, Hopi-parti-  
11 tioned lands residents, those in significantly substandard  
12 housing, and all others certified as eligible and not in-  
13 cluded in the preceding categories: *Provided further*, That  
14 none of the funds contained in this or any other Act may  
15 be used by the Office of Navajo and Hopi Indian Reloca-  
16 tion to evict any single Navajo or Navajo family who, as  
17 of November 30, 1985, was physically domiciled on the  
18 lands partitioned to the Hopi Tribe unless a new or re-  
19 placement home is provided for such household: *Provided*  
20 *further*, That no relocatee will be provided with more than  
21 one new or replacement home: *Provided further*, That the  
22 Office shall relocate any certified eligible relocatees who  
23 have selected and received an approved homesite on the  
24 Navajo reservation or selected a replacement residence off

1 the Navajo reservation or on the land acquired pursuant  
2 to section 11 of Public Law 93–531 (88 Stat. 1716).

3 INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE  
4 CULTURE AND ARTS DEVELOPMENT  
5 PAYMENT TO THE INSTITUTE

6 For payment to the Institute of American Indian and  
7 Alaska Native Culture and Arts Development, as author-  
8 ized by part A of title XV of Public Law 99–498 (20  
9 U.S.C. 4411 et seq.), \$13,274,000, which shall become  
10 available on July 1, 2023, and shall remain available until  
11 September 30, 2024.

12 SMITHSONIAN INSTITUTION  
13 SALARIES AND EXPENSES

14 For necessary expenses of the Smithsonian Institu-  
15 tion, as authorized by law, including research in the fields  
16 of art, science, and history; development, preservation, and  
17 documentation of the National Collections; presentation of  
18 public exhibits and performances; collection, preparation,  
19 dissemination, and exchange of information and publica-  
20 tions; conduct of education, training, and museum assist-  
21 ance programs; maintenance, alteration, operation, lease  
22 agreements of no more than 30 years, and protection of  
23 buildings, facilities, and approaches; not to exceed  
24 \$100,000 for services as authorized by 5 U.S.C. 3109; and  
25 purchase, rental, repair, and cleaning of uniforms for em-

1 ployees, \$909,500,000, to remain available until Sep-  
2 tember 30, 2024, except as otherwise provided herein; of  
3 which not to exceed \$26,974,000 for the instrumentation  
4 program, collections acquisition, exhibition reinstallation,  
5 Smithsonian American Women's History Museum, Na-  
6 tional Museum of the American Latino, and the repatri-  
7 ation of skeletal remains program shall remain available  
8 until expended; and including such funds as may be nec-  
9 essary to support American overseas research centers:  
10 *Provided*, That funds appropriated herein are available for  
11 advance payments to independent contractors performing  
12 research services or participating in official Smithsonian  
13 presentations: *Provided further*, That the Smithsonian In-  
14 stitution may expend Federal appropriations designated in  
15 this Act for lease or rent payments, as rent payable to  
16 the Smithsonian Institution, and such rent payments may  
17 be deposited into the general trust funds of the Institution  
18 to be available as trust funds for expenses associated with  
19 the purchase of a portion of the building at 600 Maryland  
20 Avenue, SW, Washington, DC, to the extent that federally  
21 supported activities will be housed there: *Provided further*,  
22 That the use of such amounts in the general trust funds  
23 of the Institution for such purpose shall not be construed  
24 as Federal debt service for, a Federal guarantee of, a  
25 transfer of risk to, or an obligation of the Federal Govern-

1 ment: *Provided further*, That no appropriated funds may  
2 be used directly to service debt which is incurred to fi-  
3 nance the costs of acquiring a portion of the building at  
4 600 Maryland Avenue, SW, Washington, DC, or of plan-  
5 ning, designing, and constructing improvements to such  
6 building: *Provided further*, That any agreement entered  
7 into by the Smithsonian Institution for the sale of its own-  
8 ership interest, or any portion thereof, in such building  
9 so acquired may not take effect until the expiration of a  
10 30 day period which begins on the date on which the Sec-  
11 retary of the Smithsonian submits to the Committees on  
12 Appropriations of the House of Representatives and Sen-  
13 ate, the Committees on House Administration and Trans-  
14 portation and Infrastructure of the House of Representa-  
15 tives, and the Committee on Rules and Administration of  
16 the Senate a report, as outlined in the explanatory state-  
17 ment described in section 4 of the Further Consolidated  
18 Appropriations Act, 2020 (Public Law 116–94; 133 Stat.  
19 2536) on the intended sale.

20 FACILITIES CAPITAL

21 For necessary expenses of repair, revitalization, and  
22 alteration of facilities owned or occupied by the Smithso-  
23 nian Institution, by contract or otherwise, as authorized  
24 by section 2 of the Act of August 22, 1949 (63 Stat. 623),  
25 and for construction, including necessary personnel,



1 \$265,000,000, to remain available until expended, of  
2 which not to exceed \$10,000 shall be for services as au-  
3 thorized by 5 U.S.C. 3109.

4 NATIONAL GALLERY OF ART

5 SALARIES AND EXPENSES

6 For the upkeep and operations of the National Gal-  
7 lery of Art, the protection and care of the works of art  
8 therein, and administrative expenses incident thereto, as  
9 authorized by the Act of March 24, 1937 (50 Stat. 51),  
10 as amended by the public resolution of April 13, 1939  
11 (Public Resolution 9, 76th Congress), including services  
12 as authorized by 5 U.S.C. 3109; payment in advance when  
13 authorized by the treasurer of the Gallery for membership  
14 in library, museum, and art associations or societies whose  
15 publications or services are available to members only, or  
16 to members at a price lower than to the general public;  
17 purchase, repair, and cleaning of uniforms for guards, and  
18 uniforms, or allowances therefor, for other employees as  
19 authorized by law (5 U.S.C. 5901–5902); purchase or  
20 rental of devices and services for protecting buildings and  
21 contents thereof, and maintenance, alteration, improve-  
22 ment, and repair of buildings, approaches, and grounds;  
23 and purchase of services for restoration and repair of  
24 works of art for the National Gallery of Art by contracts  
25 made, without advertising, with individuals, firms, or or-

1 ganizations at such rates or prices and under such terms  
2 and conditions as the Gallery may deem proper,  
3 \$170,240,000, to remain available until September 30,  
4 2024, of which not to exceed \$3,875,000 for the special  
5 exhibition program shall remain available until expended.

6 REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

7 (INCLUDING TRANSFER OF FUNDS)

8 For necessary expenses of repair, restoration, and  
9 renovation of buildings, grounds and facilities owned or  
10 occupied by the National Gallery of Art, by contract or  
11 otherwise, for operating lease agreements of no more than  
12 10 years, that address space needs created by the ongoing  
13 renovations in the Master Facilities Plan, as authorized,  
14 \$39,000,000, to remain available until expended: *Pro-*  
15 *vided*, That of this amount, \$27,208,000 shall be available  
16 for design and construction of an off-site art storage facil-  
17 ity in partnership with the Smithsonian Institution and  
18 may be transferred to the Smithsonian Institution for such  
19 purposes: *Provided further*, That contracts awarded for en-  
20 vironmental systems, protection systems, and exterior re-  
21 pair or renovation of buildings of the National Gallery of  
22 Art may be negotiated with selected contractors and  
23 awarded on the basis of contractor qualifications as well  
24 as price.

8 CAPITAL REPAIR AND RESTORATION

13 WOODROW WILSON INTERNATIONAL CENTER FOR  
14 SCHOLARS

15 SALARIES AND EXPENSES

For expenses necessary in carrying out the provisions of the Woodrow Wilson Memorial Act of 1968 (82 Stat. 1356) including hire of passenger vehicles and services as authorized by 5 U.S.C. 3109, \$15,000,000, to remain available until September 30, 2024.

1 NATIONAL FOUNDATION ON THE ARTS AND THE  
2 HUMANITIES

3 NATIONAL ENDOWMENT FOR THE ARTS  
4 GRANTS AND ADMINISTRATION

5 For necessary expenses to carry out the National  
6 Foundation on the Arts and the Humanities Act of 1965,  
7 \$207,000,000 shall be available to the National Endow-  
8 ment for the Arts for the support of projects and produc-  
9 tions in the arts, including arts education and public out-  
10 reach activities, through assistance to organizations and  
11 individuals pursuant to section 5 of the Act, for program  
12 support, and for administering the functions of the Act,  
13 to remain available until expended.

14 NATIONAL ENDOWMENT FOR THE HUMANITIES  
15 GRANTS AND ADMINISTRATION

16 For necessary expenses to carry out the National  
17 Foundation on the Arts and the Humanities Act of 1965,  
18 \$207,000,000 to remain available until expended, of which  
19 \$188,250,000 shall be available for support of activities  
20 in the humanities, pursuant to section 7(c) of the Act and  
21 for administering the functions of the Act; and  
22 \$18,750,000 shall be available to carry out the matching  
23 grants program pursuant to section 10(a)(2) of the Act,  
24 including \$15,750,000 for the purposes of section 7(h):  
25 *Provided*, That appropriations for carrying out section

1 10(a)(2) shall be available for obligation only in such  
2 amounts as may be equal to the total amounts of gifts,  
3 bequests, devises of money, and other property accepted  
4 by the chairman or by grantees of the National Endow-  
5 ment for the Humanities under the provisions of sections  
6 11(a)(2)(B) and 11(a)(3)(B) during the current and pre-  
7 ceding fiscal years for which equal amounts have not pre-  
8 viously been appropriated.

9 ADMINISTRATIVE PROVISIONS

10 None of the funds appropriated to the National  
11 Foundation on the Arts and the Humanities may be used  
12 to process any grant or contract documents which do not  
13 include the text of 18 U.S.C. 1913: *Provided*, That none  
14 of the funds appropriated to the National Foundation on  
15 the Arts and the Humanities may be used for official re-  
16 ception and representation expenses: *Provided further*,  
17 That funds from nonappropriated sources may be used as  
18 necessary for official reception and representation ex-  
19 penses: *Provided further*, That the Chairperson of the Na-  
20 tional Endowment for the Arts may approve grants of up  
21 to \$10,000, if in the aggregate the amount of such grants  
22 does not exceed 5 percent of the sums appropriated for  
23 grantmaking purposes per year: *Provided further*, That  
24 such small grant actions are taken pursuant to the terms

1 of an expressed and direct delegation of authority from  
2 the National Council on the Arts to the Chairperson.

3 COMMISSION OF FINE ARTS

4 SALARIES AND EXPENSES

5 For expenses of the Commission of Fine Arts under  
6 chapter 91 of title 40, United States Code, \$3,661,000:  
7 *Provided*, That the Commission is authorized to charge  
8 fees to cover the full costs of its publications, and such  
9 fees shall be credited to this account as an offsetting col-  
10 lection, to remain available until expended without further  
11 appropriation: *Provided further*, That the Commission is  
12 authorized to accept gifts, including objects, papers, art-  
13 work, drawings and artifacts, that pertain to the history  
14 and design of the Nation's Capital or the history and ac-  
15 tivities of the Commission of Fine Arts, for the purpose  
16 of artistic display, study, or education: *Provided further*,  
17 That one-tenth of one percent of the funds provided under  
18 this heading may be used for official reception and rep-  
19 resentation expenses.

20 NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

21 For necessary expenses as authorized by Public Law  
22 99–190 (20 U.S.C. 956a), \$5,000,000: *Provided*, That the  
23 item relating to “National Capital Arts and Cultural Af-  
24 fairs” in the Department of the Interior and Related  
25 Agencies Appropriations Act, 1986, as enacted into law

1 by section 101(d) of Public Law 99–190 (20 U.S.C.  
 2 956a), shall be applied in fiscal year 2023 in the second  
 3 paragraph by inserting “, calendar year 2020 excluded”  
 4 before the first period: *Provided further*, That in deter-  
 5 mining an eligible organization’s annual income for cal-  
 6 endar years 2021, 2022, and 2023 funds or grants re-  
 7 ceived by the eligible organization from any supplemental  
 8 appropriations Act related to coronavirus or any other law  
 9 providing appropriations for the purpose of preventing,  
 10 preparing for, or responding to coronavirus shall be count-  
 11 ed as part of the eligible organization’s annual income.

#### 12 ADVISORY COUNCIL ON HISTORIC PRESERVATION

##### 13 SALARIES AND EXPENSES

14 For necessary expenses of the Advisory Council on  
 15 Historic Preservation (Public Law 89–665), \$8,585,000.

#### 16 NATIONAL CAPITAL PLANNING COMMISSION

##### 17 SALARIES AND EXPENSES

18 For necessary expenses of the National Capital Plan-  
 19 ning Commission under chapter 87 of title 40, United  
 20 States Code, including services as authorized by 5 U.S.C.  
 21 3109, \$8,750,000: *Provided*, That one-quarter of 1 per-  
 22 cent of the funds provided under this heading may be used  
 23 for official reception and representational expenses associ-  
 24 ated with hosting international visitors engaged in the  
 25 planning and physical development of world capitals.

1       UNITED STATES HOLOCAUST MEMORIAL MUSEUM  
2                   HOLOCAUST MEMORIAL MUSEUM

3       For expenses of the Holocaust Memorial Museum, as  
4 authorized by Public Law 106–292 (36 U.S.C. 2301–  
5 2310), \$65,231,000 (increased by \$2,000,000), of which  
6 \$1,000,000 shall remain available until September 30,  
7 2025, for the Museum’s equipment replacement program;  
8 and of which \$4,000,000 for the Museum’s repair and re-  
9 habilitation program and \$1,264,000 for the Museum’s  
10 outreach initiatives program shall remain available until  
11 expended.

12                   PRESIDIO TRUST

13       The Presidio Trust is authorized to issue obligations  
14 to the Secretary of the Treasury pursuant to section  
15 104(d)(3) of the Omnibus Parks and Public Lands Man-  
16 agement Act of 1996 (Public Law 104–333), in an  
17 amount not to exceed \$90,000,000: *Provided*, That such  
18 section is amended by striking “\$150,000,000” and in-  
19 serting “\$250,000,000”.

20                   WORLD WAR I CENTENNIAL COMMISSION

21                   SALARIES AND EXPENSES

22       Notwithstanding section 9 of the World War I Cen-  
23 tennial Commission Act, as authorized by the World War  
24 I Centennial Commission Act (Public Law 112–272) and  
25 the Carl Levin and Howard P. “Buck” McKeon National



1 Defense Authorization Act for Fiscal Year 2015 (Public  
2 Law 113–291), for necessary expenses of the World War  
3 I Centennial Commission, \$1,000,000, to remain available  
4 until September 30, 2024: *Provided*, That in addition to  
5 the authority provided by section 6(g) of such Act, the  
6 World War I Commission may accept money, in-kind per-  
7 sonnel services, contractual support, or any appropriate  
8 support from any executive branch agency for activities  
9 of the Commission.

10 UNITED STATES SEMIQUINCENTENNIAL COMMISSION

11 SALARIES AND EXPENSES

12 For necessary expenses of the United States  
13 Semiquincentennial Commission to plan and coordinate  
14 observances and activities associated with the 250th anni-  
15 versary of the founding of the United States, as authorized  
16 by Public Law 116–282, the technical amendments to  
17 Public Law 114–196, \$15,000,000, to remain available  
18 until September 30, 2024.

19 TITLE IV

20 GENERAL PROVISIONS

21 (INCLUDING TRANSFERS OF FUNDS)

22 RESTRICTION ON USE OF FUNDS

23 SEC. 401. No part of any appropriation contained in  
24 this Act shall be available for any activity or the publica-  
25 tion or distribution of literature that in any way tends to

1 promote public support or opposition to any legislative  
2 proposal on which Congressional action is not complete  
3 other than to communicate to Members of Congress as  
4 described in 18 U.S.C. 1913.

5 OBLIGATION OF APPROPRIATIONS

6 SEC. 402. No part of any appropriation contained in  
7 this Act shall remain available for obligation beyond the  
8 current fiscal year unless expressly so provided herein.

9 DISCLOSURE OF ADMINISTRATIVE EXPENSES

10 SEC. 403. The amount and basis of estimated over-  
11 head charges, deductions, reserves, or holdbacks, including  
12 working capital fund charges, from programs, projects, ac-  
13 tivities and subactivities to support government-wide, de-  
14 partmental, agency, or bureau administrative functions or  
15 headquarters, regional, or central operations shall be pre-  
16 sented in annual budget justifications and subject to ap-  
17 proval by the Committees on Appropriations of the House  
18 of Representatives and the Senate. Changes to such esti-  
19 mates shall be presented to the Committees on Appropria-  
20 tions for approval.

21 MINING APPLICATIONS

22 SEC. 404. (a) LIMITATION OF FUNDS.—None of the  
23 funds appropriated or otherwise made available pursuant  
24 to this Act shall be obligated or expended to accept or

1 process applications for a patent for any mining or mill  
2 site claim located under the general mining laws.

3 (b) EXCEPTIONS.—Subsection (a) shall not apply if  
4 the Secretary of the Interior determines that, for the claim  
5 concerned: (1) a patent application was filed with the Sec-  
6 retary on or before September 30, 1994; and (2) all re-  
7 quirements established under sections 2325 and 2326 of  
8 the Revised Statutes (30 U.S.C. 29 and 30) for vein or  
9 lode claims, sections 2329, 2330, 2331, and 2333 of the  
10 Revised Statutes (30 U.S.C. 35, 36, and 37) for placer  
11 claims, and section 2337 of the Revised Statutes (30  
12 U.S.C. 42) for mill site claims, as the case may be, were  
13 fully complied with by the applicant by that date.

14 (c) REPORT.—On September 30, 2024, the Secretary  
15 of the Interior shall file with the House and Senate Com-  
16 mittees on Appropriations and the Committee on Natural  
17 Resources of the House and the Committee on Energy and  
18 Natural Resources of the Senate a report on actions taken  
19 by the Department under the plan submitted pursuant to  
20 section 314(c) of the Department of the Interior and Re-  
21 lated Agencies Appropriations Act, 1997 (Public Law  
22 104–208).

23 (d) MINERAL EXAMINATIONS.—In order to process  
24 patent applications in a timely and responsible manner,  
25 upon the request of a patent applicant, the Secretary of

1 the Interior shall allow the applicant to fund a qualified  
2 third-party contractor to be selected by the Director of the  
3 Bureau of Land Management to conduct a mineral exam-  
4 ination of the mining claims or mill sites contained in a  
5 patent application as set forth in subsection (b). The Bu-  
6 reau of Land Management shall have the sole responsi-  
7 bility to choose and pay the third-party contractor in ac-  
8 cordance with the standard procedures employed by the  
9 Bureau of Land Management in the retention of third-  
10 party contractors.

11 CONTRACT SUPPORT COSTS, PRIOR YEAR LIMITATION

12 SEC. 405. Sections 405 and 406 of division F of the  
13 Consolidated and Further Continuing Appropriations Act,  
14 2015 (Public Law 113–235) shall continue in effect in fis-  
15 cal year 2023.

16 CONTRACT SUPPORT COSTS, FISCAL YEAR 2023

17 LIMITATION

18 SEC. 406. Amounts provided by this Act for fiscal  
19 year 2023 under the headings “Department of Health and  
20 Human Services, Indian Health Service, Contract Support  
21 Costs” and “Department of the Interior, Bureau of Indian  
22 Affairs and Bureau of Indian Education, Contract Sup-  
23 port Costs” are the only amounts available for contract  
24 support costs arising out of self-determination or self-gov-  
25 ernance contracts, grants, compacts, or annual funding

1 agreements for fiscal year 2023 with the Bureau of Indian  
2 Affairs, Bureau of Indian Education, and the Indian  
3 Health Service: *Provided*, That such amounts provided by  
4 this Act are not available for payment of claims for con-  
5 tract support costs for prior years, or for repayments of  
6 payments for settlements or judgments awarding contract  
7 support costs for prior years.

8 FOREST MANAGEMENT PLANS

9 SEC. 407. The Secretary of Agriculture shall not be  
10 considered to be in violation of subparagraph 6(f)(5)(A)  
11 of the Forest and Rangeland Renewable Resources Plan-  
12 ning Act of 1974 (16 U.S.C. 1604(f)(5)(A)) solely because  
13 more than 15 years have passed without revision of the  
14 plan for a unit of the National Forest System. Nothing  
15 in this section exempts the Secretary from any other re-  
16 quirement of the Forest and Rangeland Renewable Re-  
17 sources Planning Act (16 U.S.C. 1600 et seq.) or any  
18 other law: *Provided*, That if the Secretary is not acting  
19 expeditiously and in good faith, within the funding avail-  
20 able, to revise a plan for a unit of the National Forest  
21 System, this section shall be void with respect to such plan  
22 and a court of proper jurisdiction may order completion  
23 of the plan on an accelerated basis.

## 1           PROHIBITION WITHIN NATIONAL MONUMENTS

2           SEC. 408. No funds provided in this Act may be ex-  
3    pended to conduct preleasing, leasing and related activities  
4    under either the Mineral Leasing Act (30 U.S.C. 181 et  
5    seq.) or the Outer Continental Shelf Lands Act (43 U.S.C.  
6    1331 et seq.) within the boundaries of a National Monu-  
7    ment established pursuant to the Act of June 8, 1906 (16  
8    U.S.C. 431 et seq.) as such boundary existed on January  
9    20, 2001, except where such activities are allowed under  
10   the Presidential proclamation establishing such monu-  
11   ment.

## 12                           LIMITATION ON TAKINGS

13          SEC. 409. Unless otherwise provided herein, no funds  
14   appropriated in this Act for the acquisition of lands or  
15   interests in lands may be expended for the filing of dec-  
16   larations of taking or complaints in condemnation without  
17   the approval of the House and Senate Committees on Ap-  
18   propriations: *Provided*, That this provision shall not apply  
19   to funds appropriated to implement the Everglades Na-  
20   tional Park Protection and Expansion Act of 1989, or to  
21   funds appropriated for Federal assistance to the State of  
22   Florida to acquire lands for Everglades restoration pur-  
23   poses.

## PROHIBITION ON NO-BID CONTRACTS

SEC. 410. None of the funds appropriated or otherwise made available by this Act to executive branch agencies may be used to enter into any Federal contract unless such contract is entered into in accordance with the requirements of chapter 33 of title 41, United States Code, or chapter 137 of title 10, United States Code, and the Federal Acquisition Regulation, unless—

(1) Federal law specifically authorizes a contract to be entered into without regard for these requirements, including formula grants for States, or federally recognized Indian tribes;

(2) such contract is authorized by the Indian Self-Determination and Education Assistance Act (Public Law 93–638, 25 U.S.C. 450 et seq.) or by any other Federal laws that specifically authorize a contract within an Indian tribe as defined in section 4(e) of that Act (25 U.S.C. 450b(e)); or

(3) such contract was awarded prior to the date of enactment of this Act.

## POSTING OF REPORTS

SEC. 411. (a) Any agency receiving funds made available in this Act, shall, subject to subsections (b) and (c), post on the public website of that agency any report required to be submitted by the Congress in this or any

1 other Act, upon the determination by the head of the agen-  
2 cy that it shall serve the national interest.

3 (b) Subsection (a) shall not apply to a report if—

4 (1) the public posting of the report com-  
5 promises national security; or

6 (2) the report contains proprietary information.

7 (c) The head of the agency posting such report shall  
8 do so only after such report has been made available to  
9 the requesting Committee or Committees of Congress for  
10 no less than 45 days.

11 NATIONAL ENDOWMENT FOR THE ARTS GRANT

12 GUIDELINES

13 SEC. 412. Of the funds provided to the National En-  
14 dowment for the Arts—

15 (1) The Chairperson shall only award a grant  
16 to an individual if such grant is awarded to such in-  
17 dividual for a literature fellowship, National Herit-  
18 age Fellowship, or American Jazz Masters Fellow-  
19 ship.

20 (2) The Chairperson shall establish procedures  
21 to ensure that no funding provided through a grant,  
22 except a grant made to a State or local arts agency,  
23 or regional group, may be used to make a grant to  
24 any other organization or individual to conduct ac-  
25 tivity independent of the direct grant recipient.



(3) No grant shall be used for seasonal support to a group, unless the application is specific to the contents of the season, including identified programs or projects.

## 8 PRIORITIES

9 SEC. 413. (a) In providing services or awarding fi-  
10 nancial assistance under the National Foundation on the  
11 Arts and the Humanities Act of 1965 from funds appro-  
12 priated under this Act, the Chairperson of the National  
13 Endowment for the Arts shall ensure that priority is given  
14 to providing services or awarding financial assistance for  
15 projects, productions, workshops, or programs that serve  
16 underserved populations.

17 (b) In this section:

(1) The term “underserved population” means a population of individuals, including urban minorities, who have historically been outside the purview of arts and humanities programs due to factors such as a high incidence of income below the poverty line or to geographic isolation.

(2) The term “poverty line” means the poverty line (as defined by the Office of Management and

1        Budget, and revised annually in accordance with sec-  
2        tion 673(2) of the Community Services Block Grant  
3        Act (42 U.S.C. 9902(2))) applicable to a family of  
4        the size involved.

5        (c) In providing services and awarding financial as-  
6        sistance under the National Foundation on the Arts and  
7        Humanities Act of 1965 with funds appropriated by this  
8        Act, the Chairperson of the National Endowment for the  
9        Arts shall ensure that priority is given to providing serv-  
10       ices or awarding financial assistance for projects, produc-  
11       tions, workshops, or programs that will encourage public  
12       knowledge, education, understanding, and appreciation of  
13       the arts.

14       (d) With funds appropriated by this Act to carry out  
15       section 5 of the National Foundation on the Arts and Hu-  
16       manities Act of 1965—

17            (1) the Chairperson shall establish a grant cat-  
18       egory for projects, productions, workshops, or pro-  
19       grams that are of national impact or availability or  
20       are able to tour several States;

21            (2) the Chairperson shall not make grants ex-  
22       ceeding 15 percent, in the aggregate, of such funds  
23       to any single State, excluding grants made under the  
24       authority of paragraph (1);

1           (3) the Chairperson shall report to the Con-  
2       gress annually and by State, on grants awarded by  
3       the Chairperson in each grant category under sec-  
4       tion 5 of such Act; and

5           (4) the Chairperson shall encourage the use of  
6       grants to improve and support community-based  
7       music performance and education.

8           STATUS OF BALANCES OF APPROPRIATIONS

9       SEC. 414. The Department of the Interior, the Envi-  
10     ronmental Protection Agency, the Forest Service, and the  
11     Indian Health Service shall provide the Committees on  
12     Appropriations of the House of Representatives and Sen-  
13     ate quarterly reports on the status of balances of appro-  
14     priations including all uncommitted, committed, and unob-  
15     ligated funds in each program and activity within 60 days  
16     of enactment of this Act.

17           EXTENSION OF GRAZING PERMITS

18       SEC. 415. The terms and conditions of section 325  
19     of Public Law 108–108 (117 Stat. 1307), regarding graz-  
20     ing permits issued by the Forest Service on any lands not  
21     subject to administration under section 402 of the Federal  
22     Lands Policy and Management Act (43 U.S.C. 1752),  
23     shall remain in effect for fiscal year 2023.

## FUNDING PROHIBITION

SEC. 416. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network is designed to block access to pornography websites.

(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.

## HUMANE TRANSFER AND TREATMENT OF ANIMALS

SEC. 417. (a) Notwithstanding any other provision of law, the Secretary of the Interior, with respect to land administered by the Bureau of Land Management, or the Secretary of Agriculture, with respect to land administered by the Forest Service (referred to in this section as the “Secretary concerned”), may transfer excess wild horses and burros that have been removed from land administered by the Secretary concerned to other Federal, State, and local government agencies for use as work animals.

(b) The Secretary concerned may make a transfer under subsection (a) immediately on the request of a Federal, State, or local government agency.

(c) An excess wild horse or burro transferred under subsection (a) shall lose status as a wild free-roaming

1 horse or burro (as defined in section 2 of Public Law 92–  
2 195 (commonly known as the “Wild Free-Roaming Horses  
3 and Burros Act”) (16 U.S.C. 1332)).

4 (d) A Federal, State, or local government agency re-  
5 ceiving an excess wild horse or burro pursuant to sub-  
6 section (a) shall not—

7 (1) destroy the horse or burro in a manner that  
8 results in the destruction of the horse or burro into  
9 a commercial product;

10 (2) sell or otherwise transfer the horse or burro  
11 in a manner that results in the destruction of the  
12 horse or burro for processing into a commercial  
13 product; or

14 (3) euthanize the horse or burro, except on the  
15 recommendation of a licensed veterinarian in a case  
16 of severe injury, illness, or advanced age.

17 (e) Amounts appropriated by this Act shall not be  
18 available for—

19 (1) the destruction of any healthy, unadopted,  
20 and wild horse or burro under the jurisdiction of the  
21 Secretary concerned (including a contractor); or

22 (2) the sale of a wild horse or burro that results  
23 in the destruction of the wild horse or burro for  
24 processing into a commercial product.

1           FOREST SERVICE FACILITY REALIGNMENT AND  
2           ENHANCEMENT AUTHORIZATION EXTENSION

3           SEC. 418. Section 503(f) of Public Law 109–54 (16  
4 U.S.C. 580d note) shall be applied by substituting “Sep-  
5 tember 30, 2023” for “September 30, 2019”.

6           USE OF AMERICAN IRON AND STEEL

7           SEC. 419. (a)(1) None of the funds made available  
8 by a State water pollution control revolving fund as au-  
9 thorized by section 1452 of the Safe Drinking Water Act  
10 (42 U.S.C. 300j–12) shall be used for a project for the  
11 construction, alteration, maintenance, or repair of a public  
12 water system or treatment works unless all of the iron and  
13 steel products used in the project are produced in the  
14 United States.

15          (2) In this section, the term “iron and steel” products  
16 means the following products made primarily of iron or  
17 steel: lined or unlined pipes and fittings, manhole covers  
18 and other municipal castings, hydrants, tanks, flanges,  
19 pipe clamps and restraints, valves, structural steel, rein-  
20 forced precast concrete, and construction materials.

21          (b) Subsection (a) shall not apply in any case or cat-  
22 egory of cases in which the Administrator of the Environ-  
23 mental Protection Agency (in this section referred to as  
24 the “Administrator”) finds that—

1           (1) applying subsection (a) would be incon-  
2           sistent with the public interest;

3           (2) iron and steel products are not produced in  
4           the United States in sufficient and reasonably avail-  
5           able quantities and of a satisfactory quality; or

6           (3) inclusion of iron and steel products pro-  
7           duced in the United States will increase the cost of  
8           the overall project by more than 25 percent.

9           (c) If the Administrator receives a request for a waiv-  
10          er under this section, the Administrator shall make avail-  
11          able to the public on an informal basis a copy of the re-  
12          quest and information available to the Administrator con-  
13          cerning the request, and shall allow for informal public  
14          input on the request for at least 15 days prior to making  
15          a finding based on the request. The Administrator shall  
16          make the request and accompanying information available  
17          by electronic means, including on the official public Inter-  
18          net Web site of the Environmental Protection Agency.

19          (d) This section shall be applied in a manner con-  
20          sistent with United States obligations under international  
21          agreements.

22          (e) The Administrator may retain up to 0.25 percent  
23          of the funds appropriated in this Act for the Clean and  
24          Drinking Water State Revolving Funds for carrying out

1 the provisions described in subsection (a)(1) for manage-  
2 ment and oversight of the requirements of this section.

3 LOCAL COOPERATOR TRAINING AGREEMENTS AND TRANS-  
4 FERS OF EXCESS EQUIPMENT AND SUPPLIES FOR  
5 WILDFIRES

6 SEC. 420. The Secretary of the Interior is authorized  
7 to enter into grants and cooperative agreements with vol-  
8 unteer fire departments, rural fire departments, rangeland  
9 fire protection associations, and similar organizations to  
10 provide for wildland fire training and equipment, including  
11 supplies and communication devices. Notwithstanding sec-  
12 tion 121(c) of title 40, United States Code, or section 521  
13 of title 40, United States Code, the Secretary is further  
14 authorized to transfer title to excess Department of the  
15 Interior firefighting equipment no longer needed to carry  
16 out the functions of the Department's wildland fire man-  
17 agement program to such organizations.

18 RECREATION FEES

19 SEC. 421. Section 810 of the Federal Lands Recre-  
20 ation Enhancement Act (16 U.S.C. 6809) shall be applied  
21 by substituting "October 1, 2024" for "September 30,  
22 2019".

23 REPROGRAMMING GUIDELINES

24 SEC. 422. None of the funds made available in this  
25 Act, in this and prior fiscal years, may be reprogrammed



1 without the advance approval of the House and Senate  
2 Committees on Appropriations in accordance with the re-  
3 programming procedures contained in the explanatory  
4 statement described in section 4 (in the matter preceding  
5 division A of this consolidated Act).

6 LOCAL CONTRACTORS

7 SEC. 423. Section 412 of division E of Public Law  
8 112–74 shall be applied by substituting “fiscal year 2023”  
9 for “fiscal year 2019”.

10 SHASTA-TRINITY MARINA FEE AUTHORITY

11 AUTHORIZATION EXTENSION

12 SEC. 424. Section 422 of division F of Public Law  
13 110–161 (121 Stat 1844), as amended, shall be applied  
14 by substituting “fiscal year 2023” for “fiscal year 2019”.

15 INTERPRETIVE ASSOCIATION AUTHORIZATION EXTENSION

16 SEC. 425. Section 426 of division G of Public Law  
17 113–76 (16 U.S.C. 565a–1 note) shall be applied by sub-  
18 stituting “September 30, 2023” for “September 30,  
19 2019”.

20 PUERTO RICO SCHOOLING AUTHORIZATION EXTENSION

21 SEC. 426. The authority provided by the 19th un-  
22 numbered paragraph under heading “Administrative Pro-  
23 visions, Forest Service” in title III of Public Law 109–  
24 54, as amended, shall be applied by substituting “fiscal  
25 year 2023” for “fiscal year 2019”.

1       FOREST BOTANICAL PRODUCTS FEE COLLECTION  
2                   AUTHORIZATION EXTENSION

3       SEC. 427. Section 339 of the Department of the Inte-  
4 rior and Related Agencies Appropriations Act, 2000 (as  
5 enacted into law by Public Law 106–113; 16 U.S.C. 528  
6 note), as amended by section 335(6) of Public Law 108–  
7 108 and section 432 of Public Law 113–76, shall be ap-  
8 plied by substituting “fiscal year 2023” for “fiscal year  
9 2019”.

10                   CHACO CANYON

11       SEC. 428. None of the funds made available by this  
12 Act may be used to accept a nomination for oil and gas  
13 leasing under 43 CFR 3120.3 et seq., or to offer for oil  
14 and gas leasing, any Federal lands within the withdrawal  
15 area identified on the map of the Chaco Culture National  
16 Historical Park prepared by the Bureau of Land Manage-  
17 ment and dated April 2, 2019.

18                   TRIBAL LEASES

19       SEC. 429. Notwithstanding any other provision of  
20 law, in the case of any lease under section 105(l) of the  
21 Indian Self-Determination and Education Assistance Act  
22 (25 U.S.C. 5324(l)), the initial lease term shall commence  
23 no earlier than the date of receipt of the lease proposal.

1 FOREST ECOSYSTEM HEALTH AND RECOVERY FUND

2 SEC. 430. The authority provided under the heading  
3 “Forest Ecosystem Health and Recovery Fund” in title  
4 I of Public Law 111–88, as amended by section 117 of  
5 division F of Public Law 113–235, shall be applied by sub-  
6 stituting “fiscal year 2023” for “fiscal year 2020” each  
7 place it appears.

8 ALLOCATION OF PROJECTS, NATIONAL PARKS AND PUB-  
9 LIC LAND LEGACY RESTORATION FUND AND LAND  
10 AND WATER CONSERVATION FUND

11 SEC. 431. (a)(1) Within 45 days of enactment of this  
12 Act, the Secretary of the Interior shall allocate amounts  
13 made available from the National Parks and Public Land  
14 Legacy Restoration Fund for fiscal year 2023 pursuant  
15 to subsection (c) of section 200402 of title 54, United  
16 States Code, and as provided in subsection (e) of such sec-  
17 tion of such title, to the agencies of the Department of  
18 the Interior and the Department of Agriculture specified,  
19 in the amounts specified, for the stations and unit names  
20 specified, and for the projects and activities specified in  
21 the table titled “Allocation of Funds: National Parks and  
22 Public Land Legacy Restoration Fund Fiscal Year 2023”  
23 in the report accompanying this Act.

24 (2) Within 45 days of enactment of this Act, the Sec-  
25 retary of the Interior and the Secretary of Agriculture,

1 as appropriate, shall allocate amounts made available for  
2 expenditure from the Land and Water Conservation Fund  
3 for fiscal year 2023 pursuant to subsection (a) of section  
4 200303 of title 54, United States Code, to the agencies  
5 and accounts specified, in the amounts specified, and for  
6 the projects and activities specified in the table titled “Al-  
7 location of Funds: Land and Water Conservation Fund  
8 Fiscal Year 2023” in the report accompanying this Act.

9 (b) Except as otherwise provided by subsection (c)  
10 of this section, neither the President nor his designee may  
11 allocate any amounts that are made available for any fiscal  
12 year under subsection (c) of section 200402 of title 54,  
13 United States Code, or subsection (a) of section 200303  
14 of title 54, United States Code, other than in amounts  
15 and for projects and activities that are allocated by sub-  
16 sections (a)(1) and (a)(2) of this section: *Provided*, That  
17 in any fiscal year, the matter preceding this proviso shall  
18 not apply to the allocation of amounts for continuing ad-  
19 ministration of programs allocated funds from the Na-  
20 tional Parks and Public Land Legacy Restoration Fund  
21 or the Land and Water Conservation Fund, which may  
22 be allocated only in amounts that are no more than the  
23 allocation for such purposes in subsections (a)(1) and  
24 (a)(2) of this section.

1       (c) The Secretary of the Interior and the Secretary  
2 of Agriculture may reallocate amounts from each agency's  
3 "Contingency Fund" line in the table titled "Allocation  
4 of Funds: National Parks and Public Land Legacy Res-  
5 toration Fund Fiscal Year 2023" to any project funded  
6 by the National Parks and Public Land Legacy Restora-  
7 tion Fund within the same agency, from any fiscal year,  
8 that experienced a funding deficiency due to unforeseen  
9 cost overruns, in accordance with the following require-  
10 ments:

11           (1) "Contingency Fund" amounts may only be  
12       reallocated if there is a risk to project completion re-  
13       sulting from unforeseen cost overruns;

14           (2) "Contingency Fund" amounts may only be  
15       reallocated for cost of adjustments and changes  
16       within the original scope of effort for projects fund-  
17       ed by the National Parks and Public Land Legacy  
18       Restoration Fund; and

19           (3) The Secretary of the Interior or the Sec-  
20       retary of Agriculture must provide written notifica-  
21       tion to the Committees on Appropriations 30 days  
22       before taking any actions authorized by this sub-  
23       section if the amount reallocated from the "Contin-  
24       gency Fund" line for a project is projected to be 10  
25       percent or greater than the following, as applicable:

1           (A) The amount allocated to that project  
2           in the table titled “Allocation of Funds: Na-  
3           tional Parks and Public Land Legacy Restora-  
4           tion Fund Fiscal Year 2023” in the report ac-  
5           companying this Act; or

6           (B) The initial estimate in the most recent  
7           report submitted, prior to enactment of this  
8           Act, to the Committees on Appropriations pur-  
9           suant to section 434(e) of division G of the  
10          Consolidated Appropriations Act, 2021 (Public  
11          Law 116–260).

12          (d)(1) Concurrent with the annual budget submission  
13          of the President for fiscal year 2024, the Secretary of the  
14          Interior and the Secretary of Agriculture shall each sub-  
15          mit to the Committees on Appropriations of the House  
16          of Representatives and the Senate project data sheets for  
17          the projects in the “Submission of Annual List of Projects  
18          to Congress” required by section 200402(h) of title 54,  
19          United States Code: *Provided*, That the “Submission of  
20          Annual List of Projects to Congress” must include a  
21          “Contingency Fund” line for each agency within the allo-  
22          cations defined in subsection (e) of section 200402 of title  
23          54, United States Code: *Provided further*, That in the  
24          event amounts allocated by this Act or any prior Act for  
25          the National Parks and Public Land Legacy Restoration

1 Fund are no longer needed to complete a specified project,  
2 such amounts may be reallocated in such submission to  
3 that agency’s “Contingency Fund” line: *Provided further*,  
4 That any proposals to change the scope of or terminate  
5 a previously approved project must be clearly identified  
6 in such submission.

7           (2)(A) Concurrent with the annual budget sub-  
8 mission of the President for fiscal year 2024, the  
9 Secretary of the Interior and the Secretary of Agri-  
10 culture shall each submit to the Committees on Ap-  
11 propriations of the House of Representatives and the  
12 Senate a list of supplementary allocations for Fed-  
13 eral land acquisition and Forest Legacy Projects at  
14 the National Park Service, the U.S. Fish and Wild-  
15 life Service, the Bureau of Land Management, and  
16 the U.S. Forest Service that are in addition to the  
17 “Submission of Cost Estimates” required by section  
18 200303(c)(1) of title 54, United States Code, that  
19 are prioritized and detailed by account, program,  
20 and project, and that total no less than half the full  
21 amount allocated to each account for that land man-  
22 agement Agency under the allocations submitted  
23 under section 200303(c)(1) of title 54, United  
24 States Code: *Provided*, That in the event amounts  
25 allocated by this Act or any prior Act pursuant to

1 subsection (a) of section 200303 of title 54, United  
2 States Code are no longer needed because a project  
3 has been completed or can no longer be executed,  
4 such amounts must be clearly identified if proposed  
5 for reallocation in the annual budget submission.

6 (B) The Federal land acquisition and Forest  
7 Legacy projects in the “Submission of Cost Esti-  
8 mates” required by section 200303(c)(1) of title 54,  
9 United States Code, and on the list of supple-  
10 mentary allocations required by subparagraph (A)  
11 shall be comprised only of projects for which a will-  
12 ing seller has been identified and for which an ap-  
13 praisal or market research has been initiated.

14 (C) Concurrent with the annual budget submis-  
15 sion of the President for fiscal year 2024, the Sec-  
16 retary of the Interior and the Secretary of Agri-  
17 culture shall each submit to the Committees on Ap-  
18 propriations of the House of Representatives and the  
19 Senate project data sheets in the same format and  
20 containing the same level of detailed information  
21 that is found on such sheets in the Budget Justifica-  
22 tions annually submitted by the Department of the  
23 Interior with the President’s Budget for the projects  
24 in the “Submission of Cost Estimates” required by  
25 section 200303(c)(1) of title 54, United States Code,



1 and in the same format and containing the same  
2 level of detailed information that is found on such  
3 sheets submitted to the Committees pursuant to sec-  
4 tion 427 of division D of the Further Consolidated  
5 Appropriations Act, 2020 (Public Law 116–94) for  
6 the list of supplementary allocations required by  
7 subparagraph (A).

8 (e) The Department of the Interior and the Depart-  
9 ment of Agriculture shall provide the Committees on Ap-  
10 propriations of the House of Representatives and Senate  
11 quarterly reports on the status of balances of projects and  
12 activities funded by the National Parks and Public Land  
13 Legacy Restoration Fund for amounts allocated pursuant  
14 to subsection (a)(1) of this section and the status of bal-  
15 ances of projects and activities funded by the Land and  
16 Water Conservation Fund for amounts allocated pursuant  
17 to subsection (a)(2) of this section, including all uncom-  
18 mitted, committed, and unobligated funds, and, for  
19 amounts allocated pursuant to subsection (a)(1) of this  
20 section, National Parks and Public Land Legacy Restora-  
21 tion Fund amounts reallocated pursuant to subsection (c)  
22 of this section.

23 POLICIES RELATING TO BIOMASS ENERGY

24 SEC. 432. To support the key role that forests in the  
25 United States can play in addressing the energy needs of

1 the United States, the Secretary of Energy, the Secretary  
2 of Agriculture, and the Administrator of the Environ-  
3 mental Protection Agency shall, consistent with their mis-  
4 sions, jointly—

5 (1) ensure that Federal policy relating to forest  
6 bioenergy—

7 (A) is consistent across all Federal depart-  
8 ments and agencies; and

9 (B) using the best available science, recog-  
10 nizes the benefits of the use of forest biomass  
11 for energy, conservation, and responsible forest  
12 management; and

13 (2) establish clear and simple policies for the  
14 use of forest biomass as an energy solution, includ-  
15 ing policies that—

16 (A) reflect the carbon benefits of forest  
17 bioenergy and recognize biomass as a renewable  
18 energy source, provided the use of forest bio-  
19 mass for energy production does not cause con-  
20 version of forests to non-forest use;

21 (B) encourage private investment through-  
22 out the forest biomass supply chain, including  
23 in—

24 (i) working forests;

25 (ii) harvesting operations;

- 1 (iii) forest improvement operations;
- 2 (iv) forest bioenergy production;
- 3 (v) wood products manufacturing; or
- 4 (vi) paper manufacturing;
- 5 (C) encourage forest management to im-
- 6 prove forest health; and
- 7 (D) recognize State initiatives to produce
- 8 and use forest biomass.

9 TIMBER SALE REQUIREMENTS

10 SEC. 433. No timber sale in Alaska's Region 10 shall  
11 be advertised if the indicated rate is deficit (defined as  
12 the value of the timber is not sufficient to cover all logging  
13 and stumpage costs and provide a normal profit and risk  
14 allowance under the Forest Service's appraisal process)  
15 when appraised using a residual value appraisal. The west-  
16 ern red cedar timber from those sales which is surplus  
17 to the needs of the domestic processors in Alaska, shall  
18 be made available to domestic processors in the contiguous  
19 48 United States at prevailing domestic prices. All addi-  
20 tional western red cedar volume not sold to Alaska or con-  
21 tiguous 48 United States domestic processors may be ex-  
22 ported to foreign markets at the election of the timber sale  
23 holder. All Alaska yellow cedar may be sold at prevailing  
24 export prices at the election of the timber sale holder.

1 TRANSFER AUTHORITY TO FEDERAL HIGHWAY ADMINIS-  
2 TRATION FOR THE NATIONAL PARKS AND PUBLIC  
3 LAND LEGACY RESTORATION FUND

4 SEC. 434. Funds made available or allocated in this  
5 Act to the Department of the Interior or the Department  
6 of Agriculture that are subject to the allocations and limi-  
7 tations in 54 U.S.C. 200402(e) and prohibitions in 54  
8 U.S.C. 200402(f) may be further allocated or reallocated  
9 to the Federal Highway Administration for transportation  
10 projects of the covered agencies defined in 54 U.S.C.  
11 200401(2).

12 ICE AGE NATIONAL SCENIC TRAIL

13 SEC. 435. Section 5(a)(10) of the National Trails  
14 System Act (16 U.S.C. 1244(a)(10)) is amended by strik-  
15 ing the third and fourth sentences and inserting “The trail  
16 shall be administered by the Secretary of the Interior as  
17 a unit of the National Park System.”.

18 FACILITIES RENOVATION FOR URBAN INDIAN ORGANIZA-  
19 TIONS TO THE EXTENT AUTHORIZED FOR OTHER  
20 GOVERNMENT CONTRACTORS

21 SEC. 436. The Secretary of Health and Human Serv-  
22 ices may authorize an urban Indian organization (as de-  
23 fined in section 4 of the Indian Health Care Improvement  
24 Act (25 U.S.C. 1603) that is awarded a grant or contract  
25 under title V of that Act (25 U.S.C. 1651 et seq.)) to

1 use funds provided in such grant or contract for minor  
2 renovations to facilities or construction or expansion of fa-  
3 cilities, including leased facilities, to assist the urban In-  
4 dian organization in meeting or maintaining standards  
5 issued by Federal or State governments or by accredita-  
6 tion organizations.

7 TONGASS NATIONAL FOREST

8 SEC. 437. None of the funds made available by this  
9 Act may be used to plan, design, study, or construct, for  
10 the purpose of harvesting timber by private entities or in-  
11 dividuals, a forest development road in the Tongass Na-  
12 tional Forest.

13 ROAD CONSTRUCTION

14 SEC. 438. Section 8206(a)(4)(B)(i) of the Agricul-  
15 tural Act of 2014 (16 U.S.C. 2113a(a)(4)(B)(i)) is  
16 amended by inserting “or Bureau of Land Management  
17 managed” after “National Forest System”.

18 PERMIT PROHIBITION

19 SEC. 439. None of the funds made available by this  
20 Act may be used to issue a permit for the import of a  
21 sport-hunted trophy of an elephant or lion taken in Tan-  
22 zania, Zimbabwe, or Zambia. The limitation described in  
23 this section shall not apply in the case of the administra-  
24 tion of a tax or tariff.

1        SEC. 440. None of the funds made available by this  
2 division may be used to enforce the Presidential Memo-  
3 randum entitled “Memorandum on the Withdrawal of Cer-  
4 tain Areas of the United States Outer Continental Shelf  
5 from Leasing Disposition” (issued September 8, 2020) or  
6 the Presidential Memorandum entitled “Presidential De-  
7 termination on the Withdrawal of Certain Areas of the  
8 United States Outer Continental Shelf from Leasing Dis-  
9 position” (issued September 25, 2020), with respect to  
10 leasing activities pursuant to section 8(p)(1)(C) of the  
11 Outer Continental Shelf Lands Act (43 U.S.C.  
12 1337(p)(1)(C)) relating to the Mid Atlantic, South Atlan-  
13 tic, and Straits of Florida Planning Areas.

14        This division may be cited as the “Department of the  
15 Interior, Environment, and Related Agencies Appropria-  
16 tions Act, 2023”.

1 **DIVISION F—MILITARY CON-**  
2 **STRUCTION, VETERANS AF-**  
3 **FAIRS, AND RELATED AGEN-**  
4 **CIES APPROPRIATIONS ACT,**  
5 **2023**

6 TITLE I

7 DEPARTMENT OF DEFENSE

8 MILITARY CONSTRUCTION, ARMY

9 For acquisition, construction, installation, and equip-  
10 ment of temporary or permanent public works, military  
11 installations, facilities, and real property for the Army as  
12 currently authorized by law, including personnel in the  
13 Army Corps of Engineers and other personal services nec-  
14 essary for the purposes of this appropriation, and for con-  
15 struction and operation of facilities in support of the func-  
16 tions of the Commander in Chief, \$997,425,000 (in-  
17 creased by \$997,425,000) (reduced by \$997,425,000), to  
18 remain available until September 30, 2027: *Provided,*  
19 That, of the amount made available under this heading,  
20 not to exceed \$240,011,000 shall be available for study,  
21 planning, design, architect and engineer services, and host  
22 nation support, as authorized by law, unless the Secretary  
23 of the Army determines that additional obligations are  
24 necessary for such purposes and notifies the Committees  
25 on Appropriations of both Houses of Congress of the de-

1 termination and the reasons therefor: *Provided further*,  
2 That of the amount made available under this heading,  
3 \$101,860,000 shall be for the projects and activities, and  
4 in the amounts, specified in the table under the heading  
5 “Military Construction, Army” in the report accom-  
6 panying this Act, in addition to amounts otherwise avail-  
7 able for such purposes.

8 MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

9 For acquisition, construction, installation, and equip-  
10 ment of temporary or permanent public works, naval in-  
11 stallations, facilities, and real property for the Navy and  
12 Marine Corps as currently authorized by law, including  
13 personnel in the Naval Facilities Engineering Command  
14 and other personal services necessary for the purposes of  
15 this appropriation, \$3,808,340,000, to remain available  
16 until September 30, 2027: *Provided*, That, of the amount  
17 made available under this heading, not to exceed  
18 \$428,073,000 shall be available for study, planning, de-  
19 sign, and architect and engineer services, as authorized  
20 by law, unless the Secretary of the Navy determines that  
21 additional obligations are necessary for such purposes and  
22 notifies the Committees on Appropriations of both Houses  
23 of Congress of the determination and the reasons therefor:  
24 *Provided further*, That of the amount made available  
25 under this heading, \$5,949,000 shall be for the project



1 and activity, and in the amount, specified in the table  
2 under the heading “Military Construction, Navy and Ma-  
3 rine Corps” in the report accompanying this Act, in addi-  
4 tion to amounts otherwise available for such purposes.

5           MILITARY CONSTRUCTION, AIR FORCE

6           For acquisition, construction, installation, and equip-  
7 ment of temporary or permanent public works, military  
8 installations, facilities, and real property for the Air Force  
9 as currently authorized by law, \$2,291,156,000, to remain  
10 available until September 30, 2027: *Provided*, That, of the  
11 amount made available under this heading, not to exceed  
12 \$171,094,000 shall be available for study, planning, de-  
13 sign, and architect and engineer services, as authorized  
14 by law, unless the Secretary of the Air Force determines  
15 that additional obligations are necessary for such purposes  
16 and notifies the Committees on Appropriations of both  
17 Houses of Congress of the determination and the reasons  
18 therefor: *Provided further*, That of the amount made avail-  
19 able under this heading, \$185,700,000 shall be for the  
20 projects and activities, and in the amounts, specified in  
21 the table under the heading “Military Construction, Air  
22 Force” in the report accompanying this Act, in addition  
23 to amounts otherwise available for such purposes.

## 1           MILITARY CONSTRUCTION, DEFENSE-WIDE

2                   (INCLUDING TRANSFER OF FUNDS)

3           For acquisition, construction, installation, and equip-  
4   ment of temporary or permanent public works, installa-  
5   tions, facilities, and real property for activities and agen-  
6   cies of the Department of Defense (other than the military  
7   departments), as currently authorized by law,  
8   \$2,675,128,000, to remain available until September 30,  
9   2027: *Provided*, That such amounts of this appropriation  
10  as may be determined by the Secretary of Defense may  
11  be transferred to such appropriations of the Department  
12  of Defense available for military construction or family  
13  housing as the Secretary may designate, to be merged with  
14  and to be available for the same purposes, and for the  
15  same time period, as the appropriation or fund to which  
16  transferred: *Provided further*, That, of the amount made  
17  available under this heading, not to exceed \$506,107,000  
18  shall be available for study, planning, design, and architect  
19  and engineer services, as authorized by law, unless the  
20  Secretary of Defense determines that additional obliga-  
21  tions are necessary for such purposes and notifies the  
22  Committees on Appropriations of both Houses of Congress  
23  of the determination and the reasons therefor: *Provided*  
24  *further*, That of the amount made available under this  
25  heading, \$58,730,000 shall be for the projects and activi-

1 ties, and in the amounts, specified in the table under the  
2 heading “Military Construction, Defense-Wide” in the re-  
3 port accompanying this Act, in addition to amounts other-  
4 wise available for such purposes.

5     MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

6         For construction, acquisition, expansion, rehabilita-  
7 tion, and conversion of facilities for the training and ad-  
8 ministration of the Army National Guard, and contribu-  
9 tions therefor, as authorized by chapter 1803 of title 10,  
10 United States Code, and Military Construction Authoriza-  
11 tion Acts, \$325,658,000, to remain available until Sep-  
12 tember 30, 2027: *Provided*, That, of the amount made  
13 available under this heading, not to exceed \$43,625,000  
14 shall be available for study, planning, design, and architect  
15 and engineer services, as authorized by law, unless the Di-  
16 rector of the Army National Guard determines that addi-  
17 tional obligations are necessary for such purposes and no-  
18 tifies the Committees on Appropriations of both Houses  
19 of Congress of the determination and the reasons therefor:  
20 *Provided further*, That of the amount made available  
21 under this heading, \$3,380,000 shall be for the projects  
22 and activities, and in the amounts, specified in the table  
23 under the heading “Military Construction, Army National  
24 Guard” in the report accompanying this Act, in addition  
25 to amounts otherwise available for such purposes.

## 1        MILITARY CONSTRUCTION, AIR NATIONAL GUARD

2        For construction, acquisition, expansion, rehabilita-  
3        tion, and conversion of facilities for the training and ad-  
4        ministration of the Air National Guard, and contributions  
5        therefor, as authorized by chapter 1803 of title 10, United  
6        States Code, and Military Construction Authorization  
7        Acts, \$193,983,000, to remain available until September  
8        30, 2027: *Provided*, That, of the amount made available  
9        under this heading, not to exceed \$41,712,000 shall be  
10       available for study, planning, design, and architect and en-  
11       gineer services, as authorized by law, unless the Director  
12       of the Air National Guard determines that additional obli-  
13       gations are necessary for such purposes and notifies the  
14       Committees on Appropriations of both Houses of Congress  
15       of the determination and the reasons therefor: *Provided*  
16       *further*, That of the amount made available under this  
17       heading, \$20,100,000 shall be for the projects and activi-  
18       ties, and in the amounts, specified in the table under the  
19       heading “Military Construction, Air National Guard” in  
20       the report accompanying this Act, in addition to amounts  
21       otherwise available for such purposes.

## 22        MILITARY CONSTRUCTION, ARMY RESERVE

23        For construction, acquisition, expansion, rehabilita-  
24       tion, and conversion of facilities for the training and ad-  
25       ministration of the Army Reserve as authorized by chapter

1 1803 of title 10, United States Code, and Military Con-  
2 struction Authorization Acts, \$119,878,000, to remain  
3 available until September 30, 2027: *Provided*, That, of the  
4 amount made available under this heading, not to exceed  
5 \$19,829,000 shall be available for study, planning, design,  
6 and architect and engineer services, as authorized by law,  
7 unless the Chief of the Army Reserve determines that ad-  
8 ditional obligations are necessary for such purposes and  
9 notifies the Committees on Appropriations of both Houses  
10 of Congress of the determination and the reasons therefor.

11           MILITARY CONSTRUCTION, NAVY RESERVE

12       For construction, acquisition, expansion, rehabilita-  
13 tion, and conversion of facilities for the training and ad-  
14 ministration of the reserve components of the Navy and  
15 Marine Corps as authorized by chapter 1803 of title 10,  
16 United States Code, and Military Construction Authoriza-  
17 tion Acts, \$30,337,000, to remain available until Sep-  
18 tember 30, 2027: *Provided*, That, of the amount made  
19 available under this heading, not to exceed \$2,590,000  
20 shall be available for study, planning, design, and architect  
21 and engineer services, as authorized by law, unless the  
22 Secretary of the Navy determines that additional obliga-  
23 tions are necessary for such purposes and notifies the  
24 Committees on Appropriations of both Houses of Congress  
25 of the determination and the reasons therefor.

## 1        MILITARY CONSTRUCTION, AIR FORCE RESERVE

2        For construction, acquisition, expansion, rehabilita-  
3        tion, and conversion of facilities for the training and ad-  
4        ministration of the Air Force Reserve as authorized by  
5        chapter 1803 of title 10, United States Code, and Military  
6        Construction Authorization Acts, \$82,123,000, to remain  
7        available until September 30, 2027: *Provided*, That, of the  
8        amount made available under this heading, not to exceed  
9        \$21,773,000 shall be available for study, planning, design,  
10       and architect and engineer services, as authorized by law,  
11       unless the Chief of the Air Force Reserve determines that  
12       additional obligations are necessary for such purposes and  
13       notifies the Committees on Appropriations of both Houses  
14       of Congress of the determination and the reasons therefor:  
15       *Provided further*, That of the amount made available  
16       under this heading, \$5,500,000 shall be for the projects  
17       and activities, and in the amounts, specified in the table  
18       under the heading “Military Construction, Air Force Re-  
19       serve” in the report accompanying this Act, in addition  
20       to amounts otherwise available for such purposes.

## 21                NORTH ATLANTIC TREATY ORGANIZATION

## 22                        SECURITY INVESTMENT PROGRAM

23        For the United States share of the cost of the North  
24        Atlantic Treaty Organization Security Investment Pro-  
25        gram for the acquisition and construction of military fa-

1 cilities and installations (including international military  
2 headquarters) and for related expenses for the collective  
3 defense of the North Atlantic Treaty Area as authorized  
4 by section 2806 of title 10, United States Code, and Mili-  
5 tary Construction Authorization Acts, \$220,139,000, to  
6 remain available until expended.

7 DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT

8 For deposit into the Department of Defense Base  
9 Closure Account, established by section 2906(a) of the De-  
10 fense Base Closure and Realignment Act of 1990 (10  
11 U.S.C. 2687 note), \$574,687,000, to remain available  
12 until expended.

13 FAMILY HOUSING CONSTRUCTION, ARMY

14 For expenses of family housing for the Army for con-  
15 struction, including acquisition, replacement, addition, ex-  
16 pansion, extension, and alteration, as authorized by law,  
17 \$169,339,000, to remain available until September 30,  
18 2027.

19 FAMILY HOUSING OPERATION AND MAINTENANCE,

20 ARMY

21 For expenses of family housing for the Army for op-  
22 eration and maintenance, including debt payment, leasing,  
23 minor construction, principal and interest charges, and in-  
24 surance premiums, as authorized by law, \$446,411,000.

1 FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE  
2 CORPS

3 For expenses of family housing for the Navy and Ma-  
4 rine Corps for construction, including acquisition, replace-  
5 ment, addition, expansion, extension, and alteration, as  
6 authorized by law, \$337,297,000, to remain available until  
7 September 30, 2027.

8 FAMILY HOUSING OPERATION AND MAINTENANCE,  
9 NAVY AND MARINE CORPS

10 For expenses of family housing for the Navy and Ma-  
11 rine Corps for operation and maintenance, including debt  
12 payment, leasing, minor construction, principal and inter-  
13 est charges, and insurance premiums, as authorized by  
14 law, \$378,224,000.

15 FAMILY HOUSING CONSTRUCTION, AIR FORCE

16 For expenses of family housing for the Air Force for  
17 construction, including acquisition, replacement, addition,  
18 expansion, extension, and alteration, as authorized by law,  
19 \$232,788,000, to remain available until September 30,  
20 2027.

21 FAMILY HOUSING OPERATION AND MAINTENANCE, AIR  
22 FORCE

23 For expenses of family housing for the Air Force for  
24 operation and maintenance, including debt payment, leas-  
25 ing, minor construction, principal and interest charges,



1 and insurance premiums, as authorized by law,  
2 \$365,222,000.

3 FAMILY HOUSING OPERATION AND MAINTENANCE,  
4 DEFENSE-WIDE

5 For expenses of family housing for the activities and  
6 agencies of the Department of Defense (other than the  
7 military departments) for operation and maintenance,  
8 leasing, and minor construction, as authorized by law,  
9 \$50,113,000.

10 DEPARTMENT OF DEFENSE

11 FAMILY HOUSING IMPROVEMENT FUND

12 For the Department of Defense Family Housing Im-  
13 provement Fund, \$6,442,000, to remain available until ex-  
14 pended, for family housing initiatives undertaken pursu-  
15 ant to section 2883 of title 10, United States Code, pro-  
16 viding alternative means of acquiring and improving mili-  
17 tary family housing and supporting facilities.

18 DEPARTMENT OF DEFENSE

19 MILITARY UNACCOMPANIED HOUSING IMPROVEMENT  
20 FUND

21 For the Department of Defense Military Unaccom-  
22 panied Housing Improvement Fund, \$494,000, to remain  
23 available until expended, for unaccompanied housing ini-  
24 tiatives undertaken pursuant to section 2883 of title 10,  
25 United States Code, providing alternative means of acquir-

1 ing and improving military unaccompanied housing and  
2 supporting facilities.

3 ADMINISTRATIVE PROVISIONS

4 SEC. 101. None of the funds made available in this  
5 title shall be expended for payments under a cost-plus-a-  
6 fixed-fee contract for construction, where cost estimates  
7 exceed \$25,000, to be performed within the United States,  
8 except Alaska, without the specific approval in writing of  
9 the Secretary of Defense setting forth the reasons there-  
10 for.

11 SEC. 102. Funds made available in this title for con-  
12 struction shall be available for hire of passenger motor ve-  
13 hicles.

14 SEC. 103. Funds made available in this title for con-  
15 struction may be used for advances to the Federal High-  
16 way Administration, Department of Transportation, for  
17 the construction of access roads as authorized by section  
18 210 of title 23, United States Code, when projects author-  
19 ized therein are certified as important to the national de-  
20 fense by the Secretary of Defense.

21 SEC. 104. None of the funds made available in this  
22 title may be used to begin construction of new bases in  
23 the United States for which specific appropriations have  
24 not been made.

1       SEC. 105. None of the funds made available in this  
2 title shall be used for purchase of land or land easements  
3 in excess of 100 percent of the value as determined by  
4 the Army Corps of Engineers or the Naval Facilities Engi-  
5 neering Command, except: (1) where there is a determina-  
6 tion of value by a Federal court; (2) purchases negotiated  
7 by the Attorney General or the designee of the Attorney  
8 General; (3) where the estimated value is less than  
9 \$25,000; or (4) as otherwise determined by the Secretary  
10 of Defense to be in the public interest.

11       SEC. 106. None of the funds made available in this  
12 title shall be used to: (1) acquire land; (2) provide for site  
13 preparation; or (3) install utilities for any family housing,  
14 except housing for which funds have been made available  
15 in annual Acts making appropriations for military con-  
16 struction.

17       SEC. 107. None of the funds made available in this  
18 title for minor construction may be used to transfer or  
19 relocate any activity from one base or installation to an-  
20 other, without prior notification to the Committees on Ap-  
21 propriations of both Houses of Congress.

22       SEC. 108. None of the funds made available in this  
23 title may be used for the procurement of steel for any con-  
24 struction project or activity for which American steel pro-

1 ducers, fabricators, and manufacturers have been denied  
2 the opportunity to compete for such steel procurement.

3 SEC. 109. None of the funds available to the Depart-  
4 ment of Defense for military construction or family hous-  
5 ing during the current fiscal year may be used to pay real  
6 property taxes in any foreign nation.

7 SEC. 110. None of the funds made available in this  
8 title may be used to initiate a new installation overseas  
9 without prior notification to the Committees on Appro-  
10 priations of both Houses of Congress.

11 SEC. 111. None of the funds made available in this  
12 title may be obligated for architect and engineer contracts  
13 estimated by the Government to exceed \$500,000 for  
14 projects to be accomplished in Japan, in any North Atlan-  
15 tic Treaty Organization member country, or in countries  
16 bordering the Arabian Gulf, unless such contracts are  
17 awarded to United States firms or United States firms  
18 in joint venture with host nation firms.

19 SEC. 112. None of the funds made available in this  
20 title for military construction in the United States terri-  
21 tories and possessions in the Pacific and on Kwajalein  
22 Atoll, or in countries bordering the Arabian Gulf, may be  
23 used to award any contract estimated by the Government  
24 to exceed \$1,000,000 to a foreign contractor: *Provided*,  
25 That this section shall not be applicable to contract

1 awards for which the lowest responsive and responsible bid  
2 of a United States contractor exceeds the lowest respon-  
3 sive and responsible bid of a foreign contractor by greater  
4 than 20 percent: *Provided further*, That this section shall  
5 not apply to contract awards for military construction on  
6 Kwajalein Atoll for which the lowest responsive and re-  
7 sponsible bid is submitted by a Marshallese contractor.

8       SEC. 113. The Secretary of Defense shall inform the  
9 appropriate committees of both Houses of Congress, in-  
10 cluding the Committees on Appropriations, of plans and  
11 scope of any proposed military exercise involving United  
12 States personnel 30 days prior to its occurring, if amounts  
13 expended for construction, either temporary or permanent,  
14 are anticipated to exceed \$100,000.

15       SEC. 114. Funds appropriated to the Department of  
16 Defense for construction in prior years shall be available  
17 for construction authorized for each such military depart-  
18 ment by the authorizations enacted into law during the  
19 current session of Congress.

20       SEC. 115. For military construction or family housing  
21 projects that are being completed with funds otherwise ex-  
22 pired or lapsed for obligation, expired or lapsed funds may  
23 be used to pay the cost of associated supervision, inspec-  
24 tion, overhead, engineering and design on those projects  
25 and on subsequent claims, if any.

1        SEC. 116. Notwithstanding any other provision of  
2 law, any funds made available to a military department  
3 or defense agency for the construction of military projects  
4 may be obligated for a military construction project or  
5 contract, or for any portion of such a project or contract,  
6 at any time before the end of the fourth fiscal year after  
7 the fiscal year for which funds for such project were made  
8 available, if the funds obligated for such project: (1) are  
9 obligated from funds available for military construction  
10 projects; and (2) do not exceed the amount appropriated  
11 for such project, plus any amount by which the cost of  
12 such project is increased pursuant to law.

13                    (INCLUDING TRANSFER OF FUNDS)

14        SEC. 117. Subject to 30 days prior notification, or  
15 14 days for a notification provided in an electronic me-  
16 dium pursuant to sections 480 and 2883 of title 10,  
17 United States Code, to the Committees on Appropriations  
18 of both Houses of Congress, such additional amounts as  
19 may be determined by the Secretary of Defense may be  
20 transferred to: (1) the Department of Defense Family  
21 Housing Improvement Fund from amounts appropriated  
22 for construction in “Family Housing” accounts, to be  
23 merged with and to be available for the same purposes  
24 and for the same period of time as amounts appropriated  
25 directly to the Fund; or (2) the Department of Defense

1 Military Unaccompanied Housing Improvement Fund  
2 from amounts appropriated for construction of military  
3 unaccompanied housing in “Military Construction” ac-  
4 counts, to be merged with and to be available for the same  
5 purposes and for the same period of time as amounts ap-  
6 propriated directly to the Fund: *Provided*, That appropria-  
7 tions made available to the Funds shall be available to  
8 cover the costs, as defined in section 502 of the Congres-  
9 sional Budget Act of 1974, of direct loans or loan guaran-  
10 tees issued by the Department of Defense pursuant to the  
11 provisions of subchapter IV of chapter 169 of title 10,  
12 United States Code, pertaining to alternative means of ac-  
13 quiring and improving military family housing, military  
14 unaccompanied housing, and supporting facilities.

15 (INCLUDING TRANSFER OF FUNDS)

16 SEC. 118. In addition to any other transfer authority  
17 available to the Department of Defense, amounts may be  
18 transferred from the Department of Defense Base Closure  
19 Account to the fund established by section 1013(d) of the  
20 Demonstration Cities and Metropolitan Development Act  
21 of 1966 (42 U.S.C. 3374) to pay for expenses associated  
22 with the Homeowners Assistance Program incurred under  
23 42 U.S.C. 3374(a)(1)(A). Any amounts transferred shall  
24 be merged with and be available for the same purposes

1 and for the same time period as the fund to which trans-  
2 ferred.

3       SEC. 119. Notwithstanding any other provision of  
4 law, funds made available in this title for operation and  
5 maintenance of family housing shall be the exclusive  
6 source of funds for repair and maintenance of all family  
7 housing units, including general or flag officer quarters:  
8 *Provided*, That not more than \$35,000 per unit may be  
9 spent annually for the maintenance and repair of any gen-  
10 eral or flag officer quarters without 30 days prior notifica-  
11 tion, or 14 days for a notification provided in an electronic  
12 medium pursuant to sections 480 and 2883 of title 10,  
13 United States Code, to the Committees on Appropriations  
14 of both Houses of Congress, except that an after-the-fact  
15 notification shall be submitted if the limitation is exceeded  
16 solely due to costs associated with environmental remedi-  
17 ation that could not be reasonably anticipated at the time  
18 of the budget submission: *Provided further*, That the  
19 Under Secretary of Defense (Comptroller) is to report an-  
20 nually to the Committees on Appropriations of both  
21 Houses of Congress all operation and maintenance ex-  
22 penditures for each individual general or flag officer quar-  
23 ters for the prior fiscal year.

24       SEC. 120. Amounts contained in the Ford Island Im-  
25 provement Account established by subsection (h) of sec-



tion 2814 of title 10, United States Code, are appropriated and shall be available until expended for the purposes specified in subsection (i)(1) of such section or until transferred pursuant to subsection (i)(3) of such section.

(INCLUDING TRANSFER OF FUNDS)

SEC. 121. During the 5-year period after appropriations available in this Act to the Department of Defense for military construction and family housing operation and maintenance and construction have expired for obligation, upon a determination that such appropriations will not be necessary for the liquidation of obligations or for making authorized adjustments to such appropriations for obligations incurred during the period of availability of such appropriations, unobligated balances of such appropriations may be transferred into the appropriation “Foreign Currency Fluctuations, Construction, Defense”, to be merged with and to be available for the same time period and for the same purposes as the appropriation to which transferred.

SEC. 122. None of the funds made available in this title may be obligated or expended for planning and design and construction of projects at Arlington National Cemetery.

SEC. 123. All amounts appropriated to the “Department of Defense—Military Construction, Army”, “De-

1 partment of Defense—Military Construction, Navy and  
2 Marine Corps”, “Department of Defense—Military Con-  
3 struction, Air Force”, and “Department of Defense—Mili-  
4 tary Construction, Defense-Wide” accounts pursuant to  
5 the authorization of appropriations in a National Defense  
6 Authorization Act specified for fiscal year 2023 in the  
7 funding table in section 4601 of that Act shall be imme-  
8 diately available and allotted to contract for the full scope  
9 of authorized projects.

10 SEC. 124. Notwithstanding section 116 of this Act,  
11 funds made available in this Act or any available unobli-  
12 gated balances from prior appropriations Acts may be obli-  
13 gated before October 1, 2024 for fiscal years 2017 and  
14 2018 military construction projects for which project au-  
15 thorization has not lapsed or for which authorization is  
16 extended for fiscal year 2023 by a National Defense Au-  
17 thorization Act: *Provided*, That no amounts may be obli-  
18 gated pursuant to this section from amounts that were  
19 designated by the Congress as an emergency requirement  
20 pursuant to a concurrent resolution on the budget or the  
21 Balanced Budget and Emergency Deficit Control Act of  
22 1985.

23 SEC. 125. For the purposes of this Act, the term  
24 “congressional defense committees” means the Commit-  
25 tees on Armed Services of the House of Representatives

1 and the Senate, the Subcommittee on Military Construc-  
2 tion and Veterans Affairs of the Committee on Appropria-  
3 tions of the Senate, and the Subcommittee on Military  
4 Construction and Veterans Affairs of the Committee on  
5 Appropriations of the House of Representatives.

6 SEC. 126. For an additional amount for the accounts  
7 and in the amounts specified for planning and design and  
8 unspecified minor construction, for improving military in-  
9 stallation resilience, to remain available until September  
10 30, 2027:

11 “Military Construction, Army”, \$40,000,000;

12 “Military Construction, Navy and Marine  
13 Corps”, \$40,000,000;

14 “Military Construction, Air Force”,  
15 \$40,000,000; and

16 “Military Construction, Defense-Wide”,  
17 \$15,000,000:

18 *Provided*, That not later than 60 days after the date of  
19 enactment of this Act, the Secretary of the military de-  
20 partment concerned, or their designee, shall submit to the  
21 Committees on Appropriations of both Houses of Congress  
22 an expenditure plan for funds provided under this section:  
23 *Provided further*, That the Secretary of the military de-  
24 partment concerned may not obligate or expend any funds  
25 prior to approval by the Committees on Appropriations of

1 both Houses of Congress of the expenditure plan required  
2 by this section.

3 SEC. 127. For an additional amount for the accounts  
4 and in the amounts specified for planning and design, for  
5 child development centers, to remain available until Sep-  
6 tember 30, 2027:

7 “Military Construction, Army”, \$15,000,000;

8 “Military Construction, Navy and Marine  
9 Corps”, \$15,000,000; and

10 “Military Construction, Air Force”,  
11 \$15,000,000:

12 *Provided*, That not later than 60 days after the date of  
13 enactment of this Act, the Secretary of the military de-  
14 partment concerned, or their designee, shall submit to the  
15 Committees on Appropriations of both Houses of Congress  
16 an expenditure plan for funds provided under this section.

17 SEC. 128. For an additional amount for “Military  
18 Construction, Air Force”, \$360,000,000, to remain avail-  
19 able until September 30, 2027, for expenses incurred as  
20 a result of natural disasters: *Provided*, That not later than  
21 60 days after the date of enactment of this Act, the Sec-  
22 retary of the Air Force, or their designee, shall submit  
23 to the Committees on Appropriations of both Houses of  
24 Congress an expenditure plan for funds provided under  
25 this section.

1        SEC. 129. For an additional amount for the accounts  
2 and in the amounts specified for planning and design, un-  
3 specified minor construction, and authorized major con-  
4 struction projects, for construction improvements to De-  
5 partment of Defense laboratory facilities, to remain avail-  
6 able until September 30, 2027:

7            “Military Construction, Army”, \$40,000,000;

8            “Military Construction, Navy and Marine  
9 Corps”, \$30,000,000; and

10          “Military Construction, Air Force”,  
11 \$30,000,000:

12 *Provided*, That not later than 30 days after the date of  
13 enactment of this Act, the Secretary of the military de-  
14 partment concerned, or their designee, shall submit to the  
15 Committees on Appropriations of both Houses of Congress  
16 an expenditure plan for funds provided under this section:  
17 *Provided further*, That the Secretary of the military de-  
18 partment concerned may not obligate or expend any funds  
19 prior to approval by the Committees on Appropriations of  
20 both Houses of Congress of the expenditure plan required  
21 by this section.

22        SEC. 130. For an additional amount for “Military  
23 Construction, Air Force Reserve”, \$8,000,000, to remain  
24 available until September 30, 2027: *Provided*, That such  
25 funds may only be obligated to carry out construction

1 projects identified in the Department of the Air Force’s  
2 unfunded priority list for fiscal year 2023 submitted to  
3 Congress: *Provided further*, That not later than 60 days  
4 after the date of enactment of this Act, the Secretary of  
5 the Air Force, or a duly authorized designee, shall submit  
6 to the Committees on Appropriations of both Houses of  
7 Congress an expenditure plan for funds provided under  
8 this section.

9       SEC. 131. For an additional amount for the accounts  
10 and in the amounts specified to address cost increases  
11 identified subsequent to the fiscal year 2023 budget re-  
12 quest for authorized major construction projects included  
13 in that request, to remain available until September 30,  
14 2027:

15               “Military Construction, Army”, \$253,500,000;

16               “Military Construction, Navy and Marine  
17 Corps”, \$200,000,000;

18               “Military Construction, Air Force”,  
19 \$30,000,000;

20               “Military Construction, Defense-Wide”,  
21 \$37,897,000;

22               “Military Construction, Army National Guard”,  
23 \$89,000,000;

24               “Military Construction, Air National Guard”,  
25 \$11,000,000;

1           “Military Construction, Army Reserve”,  
2       \$66,000,000; and

3           “Military Construction, Navy Reserve”,  
4       \$2,660,000:

5 *Provided*, That not later than 30 days after the date of  
6 enactment of this Act, the Secretary of the military de-  
7 partment concerned, or their designee, shall submit to the  
8 Committees on Appropriations of both Houses of Congress  
9 an expenditure plan for funds provided under this section:  
10 *Provided further*, That the Secretary of the military de-  
11 partment concerned may not obligate or expend any funds  
12 prior to approval by the Committees on Appropriations of  
13 both Houses of Congress of the expenditure plan required  
14 by this section.

15       SEC. 132. For an additional amount for “Military  
16 Construction, Defense-Wide” , \$8,000,000, to remain  
17 available until September 30, 2027, to address cost in-  
18 creases for authorized major construction projects funded  
19 by this Act: *Provided*, That not later than 30 days after  
20 the date of enactment of this Act, the Secretary of De-  
21 fense, or their designee, shall submit to the Committees  
22 on Appropriations of both Houses of Congress an expendi-  
23 ture plan for funds provided under this section: *Provided*  
24 *further*, That the Secretary of Defense may not obligate  
25 or expend any funds prior to approval by the Committees

1 on Appropriations of both Houses of Congress of the ex-  
2 penditure plan required by this section.

3 SEC. 133. For an additional amount for “Military  
4 Construction, Navy and Marine Corps”, \$100,000,000, to  
5 remain available until September 30, 2027, for planning  
6 and design of water treatment and distribution facilities  
7 construction, including relating to improvements of infra-  
8 structure and defueling at the Red Hill Bulk Fuel Storage  
9 Facility: *Provided*, That not later than 180 days after the  
10 date of enactment of this Act, the Secretary of the Navy,  
11 or their designee, shall submit to the Committees on Ap-  
12 propriations of both Houses of Congress an expenditure  
13 plan for funds provided under this section: *Provided fur-*  
14 *ther*, That the Secretary of the Navy may not obligate or  
15 expend any funds prior to approval by the Committees on  
16 Appropriations of both Houses of Congress of the expendi-  
17 ture plan required by this section.

18 SEC. 134. For an additional amount for the accounts  
19 and in the amounts specified for barracks and unaccom-  
20 panied personnel housing, to remain available until Sep-  
21 tember 30, 2027:

22 “Military Construction, Army National Guard”,  
23 \$15,243,000; and  
24 “Military Construction, Army Reserve”,  
25 \$68,400,000:



1 *Provided*, That such funds may only be obligated to carry  
2 out construction projects identified in the Department's  
3 unfunded priority list for fiscal year 2023 submitted to  
4 Congress: *Provided further*, That not later than 30 days  
5 after the date of enactment of this Act, the Secretary of  
6 the Army, or their designee, shall submit to the Commit-  
7 tees on Appropriations of both Houses of Congress an ex-  
8 penditure plan for funds provided under this section.

9       SEC. 135. For an additional amount for "Family  
10 Housing Construction, Army" , \$138,783,000, to remain  
11 available until September 30, 2027: *Provided*, That such  
12 funds may only be obligated to carry out construction, im-  
13 provement, and replacement projects identified in the De-  
14 partment of the Army's cost to complete projects list of  
15 previously appropriated projects submitted to Congress:  
16 *Provided further*, That, of the amount made available  
17 under this section, \$28,900,000 shall be available for  
18 projects within the continental United States: *Provided*  
19 *further*, That such projects are subject to authorization  
20 prior to obligation and expenditure of funds to carry out  
21 construction: *Provided further*, That not later than 30  
22 days after the date of enactment of this Act, the Secretary  
23 of the Army, or their designee, shall submit to the Com-  
24 mittees on Appropriations of both Houses of Congress an  
25 expenditure plan for funds provided under this section.

1       SEC. 136. For an additional amount for the accounts  
2 and in the amounts specified for child development cen-  
3 ters, to remain available until September 30, 2027:

4               “Military Construction, Army”, \$9,000,000;

5               “Military Construction, Navy and Marine  
6 Corps”, \$47,940,000; and

7               “Military Construction, Air Force”,  
8 \$22,393,000:

9 *Provided*, That such funds may only be obligated to carry  
10 out construction projects identified in the respective mili-  
11 tary department’s Future Years Defense Program list for  
12 fiscal year 2023 submitted to Congress, or the respective  
13 military department’s cost to complete project list of pre-  
14 viously appropriated projects submitted to Congress: *Pro-*  
15 *vided further*, That not later than 30 days after the date  
16 of enactment of this Act, the Secretary of the military de-  
17 partment concerned, or their designee, shall submit to the  
18 Committees on Appropriations of both Houses of Congress  
19 an expenditure plan for funds provided under this section.

1 TITLE II  
2 DEPARTMENT OF VETERANS AFFAIRS  
3 VETERANS BENEFITS ADMINISTRATION  
4 COMPENSATION AND PENSIONS  
5 (INCLUDING TRANSFER OF FUNDS)

6 For the payment of compensation benefits to or on  
7 behalf of veterans and a pilot program for disability ex-  
8 aminations as authorized by section 107 and chapters 11,  
9 13, 18, 51, 53, 55, and 61 of title 38, United States Code;  
10 pension benefits to or on behalf of veterans as authorized  
11 by chapters 15, 51, 53, 55, and 61 of title 38, United  
12 States Code; and burial benefits, the Reinstated Entitle-  
13 ment Program for Survivors, emergency and other offi-  
14 cers' retirement pay, adjusted-service credits and certifi-  
15 cates, payment of premiums due on commercial life insur-  
16 ance policies guaranteed under the provisions of title IV  
17 of the Servicemembers Civil Relief Act (50 U.S.C. App.  
18 541 et seq.) and for other benefits as authorized by sec-  
19 tions 107, 1312, 1977, and 2106, and chapters 23, 51,  
20 53, 55, and 61 of title 38, United States Code,  
21 \$146,778,136,000, which shall become available on Octo-  
22 ber 1, 2023, to remain available until expended: *Provided*,  
23 That not to exceed \$21,423,000 of the amount made avail-  
24 able for fiscal year 2024 under this heading shall be reim-  
25 bursed to "General Operating Expenses, Veterans Bene-

1 fits Administration”, and “Information Technology Sys-  
2 tems” for necessary expenses in implementing the provi-  
3 sions of chapters 51, 53, and 55 of title 38, United States  
4 Code, the funding source for which is specifically provided  
5 as the “Compensation and Pensions” appropriation: *Pro-*  
6 *vided further*, That such sums as may be earned on an  
7 actual qualifying patient basis, shall be reimbursed to  
8 “Medical Care Collections Fund” to augment the funding  
9 of individual medical facilities for nursing home care pro-  
10 vided to pensioners as authorized.

11 READJUSTMENT BENEFITS

12 For the payment of readjustment and rehabilitation  
13 benefits to or on behalf of veterans as authorized by chap-  
14 ters 21, 30, 31, 33, 34, 35, 36, 39, 41, 51, 53, 55, and  
15 61 of title 38, United States Code, \$8,452,500,000, which  
16 shall become available on October 1, 2023, to remain  
17 available until expended: *Provided*, That expenses for re-  
18 habilitation program services and assistance which the  
19 Secretary is authorized to provide under subsection (a) of  
20 section 3104 of title 38, United States Code, other than  
21 under paragraphs (1), (2), (5), and (11) of that sub-  
22 section, shall be charged to this account.

23 VETERANS INSURANCE AND INDEMNITIES

24 For military and naval insurance, national service life  
25 insurance, servicemen’s indemnities, service-disabled vet-

1 erans insurance, and veterans mortgage life insurance as  
2 authorized by chapters 19 and 21 of title 38, United  
3 States Code, \$121,126,000, which shall become available  
4 on October 1, 2023, to remain available until expended.

5 VETERANS HOUSING BENEFIT PROGRAM FUND

6 For the cost of direct and guaranteed loans, such  
7 sums as may be necessary to carry out the program, as  
8 authorized by subchapters I through III of chapter 37 of  
9 title 38, United States Code: *Provided*, That such costs,  
10 including the cost of modifying such loans, shall be as de-  
11 fined in section 502 of the Congressional Budget Act of  
12 1974: *Provided further*, That, during fiscal year 2023,  
13 within the resources available, not to exceed \$500,000 in  
14 gross obligations for direct loans are authorized for spe-  
15 cially adapted housing loans.

16 In addition, for administrative expenses to carry out  
17 the direct and guaranteed loan programs, \$282,361,131.

18 VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

19 For the cost of direct loans, \$7,171, as authorized  
20 by chapter 31 of title 38, United States Code: *Provided*,  
21 That such costs, including the cost of modifying such  
22 loans, shall be as defined in section 502 of the Congres-  
23 sional Budget Act of 1974: *Provided further*, That funds  
24 made available under this heading are available to sub-

1 sidize gross obligations for the principal amount of direct  
 2 loans not to exceed \$942,330.

3 In addition, for administrative expenses necessary to  
 4 carry out the direct loan program, \$445,698, which may  
 5 be paid to the appropriation for “General Operating Ex-  
 6 penses, Veterans Benefits Administration”.

7 NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM  
 8 ACCOUNT

9 For administrative expenses to carry out the direct  
 10 loan program authorized by subchapter V of chapter 37  
 11 of title 38, United States Code, \$1,400,000.

12 GENERAL OPERATING EXPENSES, VETERANS BENEFITS  
 13 ADMINISTRATION

14 For necessary operating expenses of the Veterans  
 15 Benefits Administration, not otherwise provided for, in-  
 16 cluding hire of passenger motor vehicles, reimbursement  
 17 of the General Services Administration for security guard  
 18 services, and reimbursement of the Department of De-  
 19 fense for the cost of overseas employee mail,  
 20 \$3,863,000,000 (increased by \$1,000,000) (reduced by  
 21 \$1,000,000) (reduced by \$1,000,000) (increased by  
 22 \$1,000,000) (reduced by \$1,000,000) (increased by  
 23 \$1,000,000): *Provided*, That expenses for services and as-  
 24 sistance authorized under paragraphs (1), (2), (5), and  
 25 (11) of section 3104(a) of title 38, United States Code,

1 that the Secretary of Veterans Affairs determines are nec-  
2 essary to enable entitled veterans: (1) to the maximum ex-  
3 tent feasible, to become employable and to obtain and  
4 maintain suitable employment; or (2) to achieve maximum  
5 independence in daily living, shall be charged to this ac-  
6 count: *Provided further*, That, of the funds made available  
7 under this heading, not to exceed 10 percent shall remain  
8 available until September 30, 2024.

9 VETERANS HEALTH ADMINISTRATION

10 MEDICAL SERVICES

11 For necessary expenses for furnishing, as authorized  
12 by law, inpatient and outpatient care and treatment to  
13 beneficiaries of the Department of Veterans Affairs and  
14 veterans described in section 1705(a) of title 38, United  
15 States Code, including care and treatment in facilities not  
16 under the jurisdiction of the Department, and including  
17 medical supplies and equipment, bioengineering services,  
18 food services, and salaries and expenses of healthcare em-  
19 ployees hired under title 38, United States Code, assist-  
20 ance and support services for caregivers as authorized by  
21 section 1720G of title 38, United States Code, loan repay-  
22 ments authorized by section 604 of the Caregivers and  
23 Veterans Omnibus Health Services Act of 2010 (Public  
24 Law 111–163; 124 Stat. 1174; 38 U.S.C. 7681 note),  
25 monthly assistance allowances authorized by section

1 322(d) of title 38, United States Code, grants authorized  
 2 by section 521A of title 38, United States Code, and ad-  
 3 ministrative expenses necessary to carry out sections  
 4 322(d) and 521A of title 38, United States Code, and hos-  
 5 pital care and medical services authorized by section 1787  
 6 of title 38, United States Code; \$327,000,000 (increased  
 7 by \$5,000,000) (increased by \$1,000,000) (increased by  
 8 \$1,000,000) (reduced by \$1,000,000) (reduced by  
 9 \$10,000,000) (increased by \$10,000,000) (increased by  
 10 \$10,000,000) (reduced by \$10,000,000) (reduced by  
 11 \$3,000,000) (increased by \$3,000,000) (increased by  
 12 \$1,000,000) (increased by \$5,000,000), which shall be in  
 13 addition to funds previously appropriated under this head-  
 14 ing that become available on October 1, 2022; and, in ad-  
 15 dition, \$74,004,000,000, plus reimbursements, shall be-  
 16 come available on October 1, 2023, and shall remain avail-  
 17 able until September 30, 2024: *Provided*, That, of the  
 18 amount made available on October 1, 2023, under this  
 19 heading, \$1,500,000,000 shall remain available until Sep-  
 20 tember 30, 2025: *Provided further*, That, notwithstanding  
 21 any other provision of law, the Secretary of Veterans Af-  
 22 fairs shall establish a priority for the provision of medical  
 23 treatment for veterans who have service-connected disabil-  
 24 ities, lower income, or have special needs: *Provided further*,  
 25 That, notwithstanding any other provision of law, the Sec-



1   retary of Veterans Affairs shall give priority funding for  
2   the provision of basic medical benefits to veterans in en-  
3   rollment priority groups 1 through 6: *Provided further*,  
4   That, notwithstanding any other provision of law, the Sec-  
5   retary of Veterans Affairs may authorize the dispensing  
6   of prescription drugs from Veterans Health Administra-  
7   tion facilities to enrolled veterans with privately written  
8   prescriptions based on requirements established by the  
9   Secretary: *Provided further*, That the implementation of  
10  the program described in the previous proviso shall incur  
11  no additional cost to the Department of Veterans Affairs:  
12  *Provided further*, That the Secretary of Veterans Affairs  
13  shall ensure that sufficient amounts appropriated under  
14  this heading for medical supplies and equipment are avail-  
15  able for the acquisition of prosthetics designed specifically  
16  for female veterans.

17                                   MEDICAL COMMUNITY CARE

18       For necessary expenses for furnishing health care to  
19  individuals pursuant to chapter 17 of title 38, United  
20  States Code, at non-Department facilities, \$4,300,000,000  
21  (reduced by \$5,000,000), which shall be in addition to  
22  funds previously appropriated under this heading that be-  
23  come available on October 1, 2022; and, in addition,  
24  \$33,000,000,000, plus reimbursements, shall become  
25  available on October 1, 2023, and shall remain available

1 until September 30, 2024: *Provided*, That, of the amount  
2 made available on October 1, 2023, under this heading,  
3 \$2,000,000,000 shall remain available until September 30,  
4 2025.

5 MEDICAL SUPPORT AND COMPLIANCE

6 For necessary expenses in the administration of the  
7 medical, hospital, nursing home, domiciliary, construction,  
8 supply, and research activities, as authorized by law; ad-  
9 ministrative expenses in support of capital policy activi-  
10 ties; and administrative and legal expenses of the Depart-  
11 ment for collecting and recovering amounts owed the De-  
12 partment as authorized under chapter 17 of title 38,  
13 United States Code, and the Federal Medical Care Recov-  
14 ery Act (42 U.S.C. 2651 et seq.), \$1,400,000,000, which  
15 shall be in addition to funds previously appropriated under  
16 this heading that become available on October 1, 2022;  
17 and, in addition, \$12,300,000,000, plus reimbursements,  
18 shall become available on October 1, 2023, and shall re-  
19 main available until September 30, 2024: *Provided*, That,  
20 of the amount made available on October 1, 2023, under  
21 this heading, \$200,000,000 shall remain available until  
22 September 30, 2025.

23 MEDICAL FACILITIES

24 For necessary expenses for the maintenance and op-  
25 eration of hospitals, nursing homes, domiciliary facilities,

1 and other necessary facilities of the Veterans Health Ad-  
2 ministration; for administrative expenses in support of  
3 planning, design, project management, real property ac-  
4 quisition and disposition, construction, and renovation of  
5 any facility under the jurisdiction or for the use of the  
6 Department; for oversight, engineering, and architectural  
7 activities not charged to project costs; for repairing, alter-  
8 ing, improving, or providing facilities in the several hos-  
9 pitals and homes under the jurisdiction of the Depart-  
10 ment, not otherwise provided for, either by contract or by  
11 the hire of temporary employees and purchase of mate-  
12 rials; for leases of facilities; and for laundry services;  
13 \$1,500,000,000, which shall be in addition to funds pre-  
14 viously appropriated under this heading that become avail-  
15 able on October 1, 2022; and, in addition,  
16 \$8,800,000,000, plus reimbursements, shall become avail-  
17 able on October 1, 2023, and shall remain available until  
18 September 30, 2024: *Provided*, That, of the amount made  
19 available on October 1, 2023, under this heading,  
20 \$350,000,000 shall remain available until September 30,  
21 2025.

22 MEDICAL AND PROSTHETIC RESEARCH

23 For necessary expenses in carrying out programs of  
24 medical and prosthetic research and development as au-  
25 thorized by chapter 73 of title 38, United States Code,

1 \$926,000,000, plus reimbursements, shall remain avail-  
2 able until September 30, 2024: *Provided*, That the Sec-  
3 retary of Veterans Affairs shall ensure that sufficient  
4 amounts appropriated under this heading are available for  
5 prosthetic research specifically for female veterans, and  
6 for toxic exposure research.

7 NATIONAL CEMETERY ADMINISTRATION

8 For necessary expenses of the National Cemetery Ad-  
9 ministration for operations and maintenance, not other-  
10 wise provided for, including uniforms or allowances there-  
11 for; cemeterial expenses as authorized by law; purchase  
12 of one passenger motor vehicle for use in cemeterial oper-  
13 ations; hire of passenger motor vehicles; and repair, alter-  
14 ation or improvement of facilities under the jurisdiction  
15 of the National Cemetery Administration, \$430,000,000,  
16 of which not to exceed 10 percent shall remain available  
17 until September 30, 2024.

18 DEPARTMENTAL ADMINISTRATION

19 GENERAL ADMINISTRATION

20 (INCLUDING TRANSFER OF FUNDS)

21 For necessary operating expenses of the Department  
22 of Veterans Affairs, not otherwise provided for, including  
23 administrative expenses in support of Department-wide  
24 capital planning, management and policy activities, uni-  
25 forms, or allowances therefor; not to exceed \$25,000 for

1 official reception and representation expenses; hire of pas-  
2 senger motor vehicles; and reimbursement of the General  
3 Services Administration for security guard services,  
4 \$435,000,000 (reduced by \$10,000,000) (increased by  
5 \$10,000,000) (reduced by \$1,000,000), of which not to  
6 exceed 10 percent shall remain available until September  
7 30, 2024: *Provided*, That funds provided under this head-  
8 ing may be transferred to “General Operating Expenses,  
9 Veterans Benefits Administration”.

10 BOARD OF VETERANS APPEALS

11 For necessary operating expenses of the Board of  
12 Veterans Appeals, \$285,000,000, of which not to exceed  
13 10 percent shall remain available until September 30,  
14 2024.

15 INFORMATION TECHNOLOGY SYSTEMS

16 (INCLUDING TRANSFER OF FUNDS)

17 For necessary expenses for information technology  
18 systems and telecommunications support, including devel-  
19 opmental information systems and operational information  
20 systems; for pay and associated costs; and for the capital  
21 asset acquisition of information technology systems, in-  
22 cluding management and related contractual costs of said  
23 acquisitions, including contractual costs associated with  
24 operations authorized by section 3109 of title 5, United  
25 States Code, \$5,782,000,000 (reduced by \$1,000,000) (re-

duced by \$1,000,000), plus reimbursements: *Provided*,  
That \$1,494,230,000 (reduced by \$1,000,000) shall be for  
pay and associated costs, of which not to exceed 3 percent  
shall remain available until September 30, 2024: *Provided*  
*further*, That \$4,145,678,000 (reduced by \$1,000,000)  
shall be for operations and maintenance, of which not to  
exceed 5 percent shall remain available until September  
30, 2024: *Provided further*, That \$142,092,000 shall be  
for information technology systems development, and shall  
remain available until September 30, 2024: *Provided fur-*  
*ther*, That amounts made available for salaries and ex-  
penses, operations and maintenance, and information  
technology systems development may be transferred  
among the three subaccounts after the Secretary of Vet-  
erans Affairs requests from the Committees on Appropria-  
tions of both Houses of Congress the authority to make  
the transfer and an approval is issued: *Provided further*,  
That amounts made available for the “Information Tech-  
nology Systems” account for development may be trans-  
ferred among projects or to newly defined projects: *Pro-*  
*vided further*, That no project may be increased or de-  
creased by more than \$3,000,000 of cost prior to submit-  
ting a request to the Committees on Appropriations of  
both Houses of Congress to make the transfer and an ap-  
proval is issued, or absent a response, a period of 30 days

1 has elapsed: *Provided further*, That the funds made avail-  
2 able under this heading for information technology sys-  
3 tems development shall be for the projects, and in the  
4 amounts, specified in the table entitled “Information  
5 Technology Development Projects” under this heading in  
6 the report accompanying this Act.

7 VETERANS ELECTRONIC HEALTH RECORD

8 For activities related to implementation, preparation,  
9 development, interface, management, rollout, and mainte-  
10 nance of a Veterans Electronic Health Record system, in-  
11 cluding contractual costs associated with operations au-  
12 thorized by section 3109 of title 5, United States Code,  
13 and salaries and expenses of employees hired under titles  
14 5 and 38, United States Code, \$1,759,000,000 (reduced  
15 by \$5,000,000) (increased by \$5,000,000), to remain  
16 available until September 30, 2025: *Provided*, That the  
17 Secretary of Veterans Affairs shall submit to the Commit-  
18 tees on Appropriations of both Houses of Congress quar-  
19 terly reports detailing obligations, expenditures, and de-  
20 ployment implementation by facility, including any  
21 changes from the deployment plan or schedule: *Provided*  
22 *further*, That the funds provided in this account shall only  
23 be available to the Office of the Deputy Secretary, to be  
24 administered by that Office: *Provided further*, That 25  
25 percent of the funds made available under this heading

1 shall not be available until July 1, 2023, and are contin-  
2 gent upon the Secretary of Veterans Affairs providing a  
3 certification of any changes to the deployment schedules  
4 contained in the plan submitted pursuant to the last pro-  
5 viso under this heading in division J of Public Law 117–  
6 103, an updated plan with benchmarks and measurable  
7 metrics for deployment, and an updated plan for address-  
8 ing all required infrastructure upgrades, no later than 30  
9 days prior to that date to the Committees on Appropria-  
10 tions, and upon approval of the Committees on Appropria-  
11 tions prior to that date.

12 OFFICE OF INSPECTOR GENERAL

13 For necessary expenses of the Office of Inspector  
14 General, to include information technology, in carrying out  
15 the provisions of the Inspector General Act of 1978 (5  
16 U.S.C. App.), \$273,000,000, of which not to exceed 10  
17 percent shall remain available until September 30, 2024.

18 CONSTRUCTION, MAJOR PROJECTS

19 For constructing, altering, extending, and improving  
20 any of the facilities, including parking projects, under the  
21 jurisdiction or for the use of the Department of Veterans  
22 Affairs, or for any of the purposes set forth in sections  
23 316, 2404, 2406 and chapter 81 of title 38, United States  
24 Code, not otherwise provided for, including planning, ar-  
25 chitectural and engineering services, construction manage-



1 ment services, maintenance or guarantee period services  
2 costs associated with equipment guarantees provided  
3 under the project, services of claims analysts, offsite utility  
4 and storm drainage system construction costs, and site ac-  
5 quisition, where the estimated cost of a project is more  
6 than the amount set forth in section 8104(a)(3)(A) of title  
7 38, United States Code, or where funds for a project were  
8 made available in a previous major project appropriation,  
9 \$1,371,890,000 (increased by \$550,000,000) (reduced by  
10 \$550,000,000), of which \$731,722,000 shall remain avail-  
11 able until September 30, 2027, and of which  
12 \$640,168,000 shall remain available until expended, of  
13 which \$1,500,000 shall be available for seismic improve-  
14 ment projects and seismic program management activities,  
15 including for projects that would otherwise be funded by  
16 the Construction, Minor Projects, Medical Facilities or  
17 National Cemetery Administration accounts: *Provided,*  
18 That except for advance planning activities, including  
19 needs assessments which may or may not lead to capital  
20 investments, and other capital asset management related  
21 activities, including portfolio development and manage-  
22 ment activities, and planning, cost estimating, and design  
23 for major medical facility projects and major medical facil-  
24 ity leases and investment strategy studies funded through  
25 the advance planning fund and the planning and design

1 activities funded through the design fund, staffing ex-  
2 penses, and funds provided for the purchase, security, and  
3 maintenance of land for the National Cemetery Adminis-  
4 tration through the land acquisition line item, none of the  
5 funds made available under this heading shall be used for  
6 any project that has not been notified to Congress through  
7 the budgetary process or that has not been approved by  
8 the Congress through statute, joint resolution, or in the  
9 explanatory statement accompanying such Act and pre-  
10 sented to the President at the time of enrollment: *Provided*  
11 *further*, That such sums as may be necessary shall be  
12 available to reimburse the “General Administration” ac-  
13 count for payment of salaries and expenses of all Office  
14 of Construction and Facilities Management employees to  
15 support the full range of capital infrastructure services  
16 provided, including minor construction and leasing serv-  
17 ices: *Provided further*, That funds made available under  
18 this heading for fiscal year 2023, for each approved  
19 project shall be obligated: (1) by the awarding of a con-  
20 struction documents contract by September 30, 2023; and  
21 (2) by the awarding of a construction contract by Sep-  
22 tember 30, 2024: *Provided further*, That the Secretary of  
23 Veterans Affairs shall promptly submit to the Committees  
24 on Appropriations of both Houses of Congress a written  
25 report on any approved major construction project for

1 which obligations are not incurred within the time limita-  
2 tions established above: *Provided further*, That notwith-  
3 standing the requirements of section 8104(a) of title 38,  
4 United States Code, amounts made available under this  
5 heading for seismic improvement projects and seismic pro-  
6 gram management activities shall be available for the com-  
7 pletion of both new and existing seismic projects of the  
8 Department.

9 CONSTRUCTION, MINOR PROJECTS

10 For constructing, altering, extending, and improving  
11 any of the facilities, including parking projects, under the  
12 jurisdiction or for the use of the Department of Veterans  
13 Affairs, including planning and assessments of needs  
14 which may lead to capital investments, architectural and  
15 engineering services, maintenance or guarantee period  
16 services costs associated with equipment guarantees pro-  
17 vided under the project, services of claims analysts, offsite  
18 utility and storm drainage system construction costs, and  
19 site acquisition, or for any of the purposes set forth in  
20 sections 316, 2404, 2406 and chapter 81 of title 38,  
21 United States Code, not otherwise provided for, where the  
22 estimated cost of a project is equal to or less than the  
23 amount set forth in section 8104(a)(3)(A) of title 38,  
24 United States Code, \$626,110,000, of which  
25 \$563,499,000 shall remain available until September 30,

1 2027, and of which \$62,611,000 shall remain available  
2 until expended, along with unobligated balances of pre-  
3 vious “Construction, Minor Projects” appropriations  
4 which are hereby made available for any project where the  
5 estimated cost is equal to or less than the amount set forth  
6 in such section: *Provided*, That funds made available  
7 under this heading shall be for: (1) repairs to any of the  
8 nonmedical facilities under the jurisdiction or for the use  
9 of the Department which are necessary because of loss or  
10 damage caused by any natural disaster or catastrophe;  
11 and (2) temporary measures necessary to prevent or to  
12 minimize further loss by such causes.

13 GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE  
14 FACILITIES

15 For grants to assist States to acquire or construct  
16 State nursing home and domiciliary facilities and to re-  
17 model, modify, or alter existing hospital, nursing home,  
18 and domiciliary facilities in State homes, for furnishing  
19 care to veterans as authorized by sections 8131 through  
20 8137 of title 38, United States Code, \$150,000,000, to  
21 remain available until expended.

22 GRANTS FOR CONSTRUCTION OF VETERANS CEMETERIES

23 For grants to assist States and tribal organizations  
24 in establishing, expanding, or improving veterans ceme-  
25 teries as authorized by section 2408 of title 38, United

1 States Code, \$50,000,000 (increased by \$1,000,000), to  
2 remain available until expended.

3 ASSET AND INFRASTRUCTURE REVIEW

4 For carrying out the VA Asset and Infrastructure  
5 Review Act of 2018 (subtitle A of title II of Public Law  
6 115–182), \$5,000,000 (reduced by \$5,000,000), to remain  
7 available until September 30, 2024.

8 ADMINISTRATIVE PROVISIONS

9 (INCLUDING TRANSFER OF FUNDS)

10 SEC. 201. Any appropriation for fiscal year 2023 for  
11 “Compensation and Pensions”, “Readjustment Benefits”,  
12 and “Veterans Insurance and Indemnities” may be trans-  
13 ferred as necessary to any other of the mentioned appro-  
14 priations: *Provided*, That, before a transfer may take  
15 place, the Secretary of Veterans Affairs shall request from  
16 the Committees on Appropriations of both Houses of Con-  
17 gress the authority to make the transfer and such Com-  
18 mittees issue an approval, or absent a response, a period  
19 of 30 days has elapsed.

20 (INCLUDING TRANSFER OF FUNDS)

21 SEC. 202. Amounts made available for the Depart-  
22 ment of Veterans Affairs for fiscal year 2023, in this or  
23 any other Act, under the “Medical Services”, “Medical  
24 Community Care”, “Medical Support and Compliance”,  
25 and “Medical Facilities” accounts may be transferred

1 among the accounts: *Provided*, That any transfers among  
2 the “Medical Services”, “Medical Community Care”, and  
3 “Medical Support and Compliance” accounts of 1 percent  
4 or less of the total amount appropriated to the account  
5 in this or any other Act may take place subject to notifica-  
6 tion from the Secretary of Veterans Affairs to the Com-  
7 mittees on Appropriations of both Houses of Congress of  
8 the amount and purpose of the transfer: *Provided further*,  
9 That any transfers among the “Medical Services”, “Med-  
10 ical Community Care”, and “Medical Support and Compli-  
11 ance” accounts in excess of 1 percent, or exceeding the  
12 cumulative 1 percent for the fiscal year, may take place  
13 only after the Secretary requests from the Committees on  
14 Appropriations of both Houses of Congress the authority  
15 to make the transfer and an approval is issued: *Provided*  
16 *further*, That any transfers to or from the “Medical Facili-  
17 ties” account may take place only after the Secretary re-  
18 quests from the Committees on Appropriations of both  
19 Houses of Congress the authority to make the transfer  
20 and an approval is issued.

21 SEC. 203. Appropriations available in this title for  
22 salaries and expenses shall be available for services au-  
23 thorized by section 3109 of title 5, United States Code;  
24 hire of passenger motor vehicles; lease of a facility or land  
25 or both; and uniforms or allowances therefore, as author-

1 ized by sections 5901 through 5902 of title 5, United  
2 States Code.

3 SEC. 204. No appropriations in this title (except the  
4 appropriations for “Construction, Major Projects”, and  
5 “Construction, Minor Projects”) shall be available for the  
6 purchase of any site for or toward the construction of any  
7 new hospital or home.

8 SEC. 205. No appropriations in this title shall be  
9 available for hospitalization or examination of any persons  
10 (except beneficiaries entitled to such hospitalization or ex-  
11 amination under the laws providing such benefits to vet-  
12 erans, and persons receiving such treatment under sec-  
13 tions 7901 through 7904 of title 5, United States Code,  
14 or the Robert T. Stafford Disaster Relief and Emergency  
15 Assistance Act (42 U.S.C. 5121 et seq.)), unless reim-  
16 bursement of the cost of such hospitalization or examina-  
17 tion is made to the “Medical Services” account at such  
18 rates as may be fixed by the Secretary of Veterans Affairs.

19 SEC. 206. Appropriations available in this title for  
20 “Compensation and Pensions”, “Readjustment Benefits”,  
21 and “Veterans Insurance and Indemnities” shall be avail-  
22 able for payment of prior year accrued obligations re-  
23 quired to be recorded by law against the corresponding  
24 prior year accounts within the last quarter of fiscal year  
25 2022.

1        SEC. 207. Appropriations available in this title shall  
2 be available to pay prior year obligations of corresponding  
3 prior year appropriations accounts resulting from sections  
4 3328(a), 3334, and 3712(a) of title 31, United States  
5 Code, except that if such obligations are from trust fund  
6 accounts they shall be payable only from “Compensation  
7 and Pensions”.

8                    (INCLUDING TRANSFER OF FUNDS)

9        SEC. 208. Notwithstanding any other provision of  
10 law, during fiscal year 2023, the Secretary of Veterans  
11 Affairs shall, from the National Service Life Insurance  
12 Fund under section 1920 of title 38, United States Code,  
13 the Veterans’ Special Life Insurance Fund under section  
14 1923 of title 38, United States Code, and the United  
15 States Government Life Insurance Fund under section  
16 1955 of title 38, United States Code, reimburse the “Gen-  
17 eral Operating Expenses, Veterans Benefits Administra-  
18 tion” and “Information Technology Systems” accounts for  
19 the cost of administration of the insurance programs fi-  
20 nanced through those accounts: *Provided*, That reimburse-  
21 ment shall be made only from the surplus earnings accu-  
22 mulated in such an insurance program during fiscal year  
23 2023 that are available for dividends in that program after  
24 claims have been paid and actuarially determined reserves  
25 have been set aside: *Provided further*, That if the cost of



1 administration of such an insurance program exceeds the  
2 amount of surplus earnings accumulated in that program,  
3 reimbursement shall be made only to the extent of such  
4 surplus earnings: *Provided further*, That the Secretary  
5 shall determine the cost of administration for fiscal year  
6 2023 which is properly allocable to the provision of each  
7 such insurance program and to the provision of any total  
8 disability income insurance included in that insurance pro-  
9 gram.

10 SEC. 209. Amounts deducted from enhanced-use  
11 lease proceeds to reimburse an account for expenses in-  
12 curred by that account during a prior fiscal year for pro-  
13 viding enhanced-use lease services shall be available until  
14 expended.

15 (INCLUDING TRANSFER OF FUNDS)

16 SEC. 210. Funds available in this title or funds for  
17 salaries and other administrative expenses shall also be  
18 available to reimburse the Office of Resolution Manage-  
19 ment, Diversity and Inclusion, the Office of Employment  
20 Discrimination Complaint Adjudication, and the Alter-  
21 native Dispute Resolution function within the Office of  
22 Human Resources and Administration for all services pro-  
23 vided at rates which will recover actual costs but not to  
24 exceed \$86,481,000 for the Office of Resolution Manage-  
25 ment, Diversity and Inclusion, \$6,812,000 for the Office

1 of Employment Discrimination Complaint Adjudication,  
2 and \$4,576,000 for the Alternative Dispute Resolution  
3 function within the Office of Human Resources and Ad-  
4 ministration: *Provided*, That payments may be made in  
5 advance for services to be furnished based on estimated  
6 costs: *Provided further*, That amounts received shall be  
7 credited to the “General Administration” and “Informa-  
8 tion Technology Systems” accounts for use by the office  
9 that provided the service.

10 SEC. 211. No funds of the Department of Veterans  
11 Affairs shall be available for hospital care, nursing home  
12 care, or medical services provided to any person under  
13 chapter 17 of title 38, United States Code, for a non-serv-  
14 ice-connected disability described in section 1729(a)(2) of  
15 such title, unless that person has disclosed to the Sec-  
16 retary of Veterans Affairs, in such form as the Secretary  
17 may require, current, accurate third-party reimbursement  
18 information for purposes of section 1729 of such title: *Pro-*  
19 *vided*, That the Secretary may recover, in the same man-  
20 ner as any other debt due the United States, the reason-  
21 able charges for such care or services from any person who  
22 does not make such disclosure as required: *Provided fur-*  
23 *ther*, That any amounts so recovered for care or services  
24 provided in a prior fiscal year may be obligated by the

1 Secretary during the fiscal year in which amounts are re-  
2 ceived.

3 (INCLUDING TRANSFER OF FUNDS)

4 SEC. 212. Notwithstanding any other provision of  
5 law, proceeds or revenues derived from enhanced-use leas-  
6 ing activities (including disposal) may be deposited into  
7 the “Construction, Major Projects” and “Construction,  
8 Minor Projects” accounts and be used for construction  
9 (including site acquisition and disposition), alterations,  
10 and improvements of any medical facility under the juris-  
11 diction or for the use of the Department of Veterans Af-  
12 fairs. Such sums as realized are in addition to the amount  
13 provided for in “Construction, Major Projects” and “Con-  
14 struction, Minor Projects”.

15 SEC. 213. Amounts made available under “Medical  
16 Services” are available—

17 (1) for furnishing recreational facilities, sup-  
18 plies, and equipment; and

19 (2) for funeral expenses, burial expenses, and  
20 other expenses incidental to funerals and burials for  
21 beneficiaries receiving care in the Department.

22 (INCLUDING TRANSFER OF FUNDS)

23 SEC. 214. Such sums as may be deposited into the  
24 Medical Care Collections Fund pursuant to section 1729A  
25 of title 38, United States Code, may be transferred to the

1 “Medical Services” and “Medical Community Care” ac-  
2 counts to remain available until expended for the purposes  
3 of these accounts.

4 SEC. 215. The Secretary of Veterans Affairs may  
5 enter into agreements with Federally Qualified Health  
6 Centers in the State of Alaska and Indian tribes and tribal  
7 organizations which are party to the Alaska Native Health  
8 Compact with the Indian Health Service, to provide  
9 healthcare, including behavioral health and dental care, to  
10 veterans in rural Alaska. The Secretary shall require par-  
11 ticipating veterans and facilities to comply with all appro-  
12 priate rules and regulations, as established by the Sec-  
13 retary. The term “rural Alaska” shall mean those lands  
14 which are not within the boundaries of the municipality  
15 of Anchorage or the Fairbanks North Star Borough.

16 (INCLUDING TRANSFER OF FUNDS)

17 SEC. 216. Such sums as may be deposited into the  
18 Department of Veterans Affairs Capital Asset Fund pur-  
19 suant to section 8118 of title 38, United States Code, may  
20 be transferred to the “Construction, Major Projects” and  
21 “Construction, Minor Projects” accounts, to remain avail-  
22 able until expended for the purposes of these accounts.

23 SEC. 217. Not later than 30 days after the end of  
24 each fiscal quarter, the Secretary of Veterans Affairs shall  
25 submit to the Committees on Appropriations of both

1 Houses of Congress a report on the financial status of the  
2 Department of Veterans Affairs for the preceding quarter:  
3 *Provided*, That, at a minimum, the report shall include  
4 the direction contained in the paragraph entitled “Quar-  
5 terly reporting”, under the heading “General Administra-  
6 tion” in the joint explanatory statement accompanying  
7 Public Law 114–223.

8 (INCLUDING TRANSFER OF FUNDS)

9 SEC. 218. Amounts made available under the “Med-  
10 ical Services”, “Medical Community Care”, “Medical Sup-  
11 port and Compliance”, “Medical Facilities”, “General Op-  
12 erating Expenses, Veterans Benefits Administration”,  
13 “Board of Veterans Appeals”, “General Administration”,  
14 and “National Cemetery Administration” accounts for fis-  
15 cal year 2023 may be transferred to or from the “Informa-  
16 tion Technology Systems” account: *Provided*, That such  
17 transfers may not result in a more than 10 percent aggre-  
18 gate increase in the total amount made available by this  
19 Act for the “Information Technology Systems” account:  
20 *Provided further*, That, before a transfer may take place,  
21 the Secretary of Veterans Affairs shall request from the  
22 Committees on Appropriations of both Houses of Congress  
23 the authority to make the transfer and an approval is  
24 issued.

(INCLUDING TRANSFER OF FUNDS)

SEC. 219. Of the amounts appropriated to the Department of Veterans Affairs for fiscal year 2023 for “Medical Services”, “Medical Community Care”, “Medical Support and Compliance”, “Medical Facilities”, “Construction, Minor Projects”, and “Information Technology Systems”, up to \$330,140,000, plus reimbursements, may be transferred to the Joint Department of Defense—Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2571) and may be used for operation of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500): *Provided*, That additional funds may be transferred from accounts designated in this section to the Joint Department of Defense—Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress: *Provided further*, That section 220 of title II of division J of Public Law 117–103 is repealed.

(INCLUDING TRANSFER OF FUNDS)

SEC. 220. Of the amounts appropriated to the Department of Veterans Affairs which become available on October 1, 2023, for “Medical Services”, “Medical Community Care”, “Medical Support and Compliance”, and “Medical Facilities”, up to \$314,825,000, plus reimbursements, may be transferred to the Joint Department of Defense—Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2571) and may be used for operation of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500): *Provided*, That additional funds may be transferred from accounts designated in this section to the Joint Department of Defense—Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress.

(INCLUDING TRANSFER OF FUNDS)

SEC. 221. Such sums as may be deposited into the Medical Care Collections Fund pursuant to section 1729A of title 38, United States Code, for healthcare provided

1 at facilities designated as combined Federal medical facili-  
2 ties as described by section 706 of the Duncan Hunter  
3 National Defense Authorization Act for Fiscal Year 2009  
4 (Public Law 110–417; 122 Stat. 4500) shall also be avail-  
5 able: (1) for transfer to the Joint Department of De-  
6 fense—Department of Veterans Affairs Medical Facility  
7 Demonstration Fund, established by section 1704 of the  
8 National Defense Authorization Act for Fiscal Year 2010  
9 (Public Law 111–84; 123 Stat. 2571); and (2) for oper-  
10 ations of the facilities designated as combined Federal  
11 medical facilities as described by section 706 of the Dun-  
12 can Hunter National Defense Authorization Act for Fiscal  
13 Year 2009 (Public Law 110–417; 122 Stat. 4500): *Pro-*  
14 *vided*, That, notwithstanding section 1704(b)(3) of the  
15 National Defense Authorization Act for Fiscal Year 2010  
16 (Public Law 111–84; 123 Stat. 2573), amounts trans-  
17 ferred to the Joint Department of Defense—Department  
18 of Veterans Affairs Medical Facility Demonstration Fund  
19 shall remain available until expended.

20 (INCLUDING TRANSFER OF FUNDS)

21 SEC. 222. Of the amounts available in this title for  
22 “Medical Services”, “Medical Community Care”, “Medical  
23 Support and Compliance”, and “Medical Facilities”, a  
24 minimum of \$15,000,000 shall be transferred to the  
25 DOD–VA Health Care Sharing Incentive Fund, as au-



1 thorized by section 8111(d) of title 38, United States  
2 Code, to remain available until expended, for any purpose  
3 authorized by section 8111 of title 38, United States Code.

4       SEC. 223. The Secretary of Veterans Affairs shall no-  
5 tify the Committees on Appropriations of both Houses of  
6 Congress of all bid savings in a major construction project  
7 that total at least \$5,000,000, or 5 percent of the pro-  
8 grammed amount of the project, whichever is less: *Pro-*  
9 *vided*, That such notification shall occur within 14 days  
10 of a contract identifying the programmed amount: *Pro-*  
11 *vided further*, That the Secretary shall notify the Commit-  
12 tees on Appropriations of both Houses of Congress 14  
13 days prior to the obligation of such bid savings and shall  
14 describe the anticipated use of such savings.

15       SEC. 224. None of the funds made available for  
16 “Construction, Major Projects” may be used for a project  
17 in excess of the scope specified for that project in the origi-  
18 nal justification data provided to the Congress as part of  
19 the request for appropriations unless the Secretary of Vet-  
20 erans Affairs receives approval from the Committees on  
21 Appropriations of both Houses of Congress.

22       SEC. 225. Not later than 30 days after the end of  
23 each fiscal quarter, the Secretary of Veterans Affairs shall  
24 submit to the Committees on Appropriations of both  
25 Houses of Congress a quarterly report containing perform-

1   ance measures and data from each Veterans Benefits Ad-  
2   ministration Regional Office: *Provided*, That, at a min-  
3   imum, the report shall include the direction contained in  
4   the section entitled “Disability claims backlog”, under the  
5   heading “General Operating Expenses, Veterans Benefits  
6   Administration” in the joint explanatory statement accom-  
7   panying Public Law 114–223: *Provided further*, That the  
8   report shall also include information on the number of ap-  
9   peals pending at the Veterans Benefits Administration as  
10  well as the Board of Veterans Appeals on a quarterly  
11  basis.

12       SEC. 226. The Secretary of Veterans Affairs shall  
13  provide written notification to the Committees on Appro-  
14  priations of both Houses of Congress 15 days prior to or-  
15  ganizational changes which result in the transfer of 25 or  
16  more full-time equivalents from one organizational unit of  
17  the Department of Veterans Affairs to another.

18       SEC. 227. The Secretary of Veterans Affairs shall  
19  provide on a quarterly basis to the Committees on Appro-  
20  priations of both Houses of Congress notification of any  
21  single national outreach and awareness marketing cam-  
22  paign in which obligations exceed \$1,000,000.

23                   (INCLUDING TRANSFER OF FUNDS)

24       SEC. 228. The Secretary of Veterans Affairs, upon  
25  determination that such action is necessary to address

1 needs of the Veterans Health Administration, may trans-  
2 fer to the “Medical Services” account any discretionary  
3 appropriations made available for fiscal year 2023 in this  
4 title (except appropriations made to the “General Oper-  
5 ating Expenses, Veterans Benefits Administration” ac-  
6 count) or any discretionary unobligated balances within  
7 the Department of Veterans Affairs, including those ap-  
8 propriated for fiscal year 2023, that were provided in ad-  
9 vance by appropriations Acts: *Provided*, That transfers  
10 shall be made only with the approval of the Office of Man-  
11 agement and Budget: *Provided further*, That the transfer  
12 authority provided in this section is in addition to any  
13 other transfer authority provided by law: *Provided further*,  
14 That no amounts may be transferred from amounts that  
15 were designated by Congress as an emergency requirement  
16 pursuant to a concurrent resolution on the budget or the  
17 Balanced Budget and Emergency Deficit Control Act of  
18 1985: *Provided further*, That such authority to transfer  
19 may not be used unless for higher priority items, based  
20 on emergent healthcare requirements, than those for  
21 which originally appropriated and in no case where the  
22 item for which funds are requested has been denied by  
23 Congress: *Provided further*, That, upon determination that  
24 all or part of the funds transferred from an appropriation  
25 are not necessary, such amounts may be transferred back

1 to that appropriation and shall be available for the same  
2 purposes as originally appropriated: *Provided further*,  
3 That before a transfer may take place, the Secretary of  
4 Veterans Affairs shall request from the Committees on  
5 Appropriations of both Houses of Congress the authority  
6 to make the transfer and receive approval of that request.

7 (INCLUDING TRANSFER OF FUNDS)

8 SEC. 229. Amounts made available for the Depart-  
9 ment of Veterans Affairs for fiscal year 2023, under the  
10 “Board of Veterans Appeals” and the “General Operating  
11 Expenses, Veterans Benefits Administration” accounts  
12 may be transferred between such accounts: *Provided*, That  
13 before a transfer may take place, the Secretary of Vet-  
14 erans Affairs shall request from the Committees on Appro-  
15 priations of both Houses of Congress the authority to  
16 make the transfer and receive approval of that request.

17 SEC. 230. The Secretary of Veterans Affairs may not  
18 reprogram funds among major construction projects or  
19 programs if such instance of reprogramming will exceed  
20 \$7,000,000, unless such reprogramming is approved by  
21 the Committees on Appropriations of both Houses of Con-  
22 gress.

23 SEC. 231. (a) The Secretary of Veterans Affairs shall  
24 ensure that the toll-free suicide hotline under section  
25 1720F(h) of title 38, United States Code—

1           (1) provides to individuals who contact the hot-  
2       line immediate assistance from a trained profes-  
3       sional; and

4           (2) adheres to all requirements of the American  
5       Association of Suicidology.

6       (b)(1) None of the funds made available by this Act  
7       may be used to enforce or otherwise carry out any Execu-  
8       tive action that prohibits the Secretary of Veterans Affairs  
9       from appointing an individual to occupy a vacant civil  
10      service position, or establishing a new civil service position,  
11      at the Department of Veterans Affairs with respect to  
12      such a position relating to the hotline specified in sub-  
13      section (a).

14      (2) In this subsection—

15           (A) the term “civil service” has the meaning  
16      given such term in section 2101(1) of title 5, United  
17      States Code; and

18           (B) the term “Executive action” includes—

19               (i) any Executive order, Presidential  
20      memorandum, or other action by the President;  
21      and

22               (ii) any agency policy, order, or other di-  
23      rective.

24      (c)(1) The Secretary of Veterans Affairs shall con-  
25      duct a study on the effectiveness of the hotline specified

1 in subsection (a) during the 5-year period beginning on  
2 January 1, 2016, based on an analysis of national suicide  
3 data and data collected from such hotline.

4 (2) At a minimum, the study required by paragraph  
5 (1) shall—

6 (A) determine the number of veterans who con-  
7 tact the hotline specified in subsection (a) and who  
8 receive follow up services from the hotline or mental  
9 health services from the Department of Veterans Af-  
10 fairs thereafter;

11 (B) determine the number of veterans who con-  
12 tact the hotline who are not referred to, or do not  
13 continue receiving, mental health care who commit  
14 suicide; and

15 (C) determine the number of veterans described  
16 in subparagraph (A) who commit or attempt suicide.

17 SEC. 232. Effective during the period beginning on  
18 October 1, 2018, and ending on January 1, 2024, none  
19 of the funds made available to the Secretary of Veterans  
20 Affairs by this or any other Act may be obligated or ex-  
21 pended in contravention of the “Veterans Health Adminis-  
22 tration Clinical Preventive Services Guidance Statement  
23 on the Veterans Health Administration’s Screening for  
24 Breast Cancer Guidance” published on May 10, 2017, as

1 issued by the Veterans Health Administration National  
2 Center for Health Promotion and Disease Prevention.

3 SEC. 233. Subchapter II of chapter 17 of title 38,  
4 United States Code, is amended by adding at the end the  
5 following new section (and conforming the table of sections  
6 at the beginning of such chapter accordingly):

7 **“§ 1720K. Infertility counseling and treatment; reim-**  
8 **bursement of adoption expenses**

9 “(a) INFERTILITY COUNSELING AND TREATMENT.—  
10 (1) Pursuant to regulations the Secretary shall prescribe  
11 to carry out this subsection, the Secretary may provide  
12 infertility counseling and treatment, using assisted repro-  
13 ductive technology, including in vitro fertilization, intra-  
14 uterine insemination, and other advanced reproductive  
15 technologies, to the following:

16 “(A) A veteran—

17 “(i) who is enrolled in the system of an-  
18 nual patient enrollment established and oper-  
19 ated under section 1705 of this title; and

20 “(ii) who, in the judgment of a health care  
21 professional of the Department—

22 “(I) has a service-connected disability  
23 or condition causing or aggravating infer-  
24 tility; or

1                   “(II) is infertile as a result of having  
2                   received medically necessary treatment  
3                   pursuant to this chapter.

4                   “(B) The spouse of a veteran described in sub-  
5                   paragraph (A), or the partner of a veteran described  
6                   in subparagraph (A) whom the veteran designates  
7                   for purposes of this subsection.

8                   “(2)(A) The Secretary may contract with a provider  
9                   of in vitro fertilization services to obtain donor gametes  
10                  or embryos from third-party donors.

11                  “(B) The Secretary may only obtain third-party do-  
12                  nation of gametes or embryos through a contract.

13                  “(C) The Secretary may not provide assisted repro-  
14                  ductive technology services or medical services to third-  
15                  party donors.

16                  “(3)(A) The Secretary may contract with a facility  
17                  to furnish the cryopreservation, storage, and transpor-  
18                  tation of gametes and embryos.

19                  “(B) The Secretary may not impose any limitation  
20                  on the period in which an embryo or gamete is  
21                  cryopreserved and stored pursuant to this subsection.

22                  “(4) The legal status, custody, future use, donation,  
23                  disposition, or destruction, of gametes or embryos relating  
24                  to infertility or treatment furnished under this subsection



1 shall be determined in accordance with the law of the  
2 State in which the gametes or embryos are located.

3 “(5)(A) In prescribing regulations to carry out this  
4 subsection, the Secretary shall ensure that any in vitro  
5 fertilization (including with respect to the number of re-  
6 trieval attempts and completed embryo transfer cycles)  
7 will be—

8 “(i) determined using the best medical evidence  
9 available; and

10 “(ii) provided in accordance with applicable  
11 standards of care.

12 “(B) In furnishing in vitro fertilization to a covered  
13 individual pursuant to this subsection, the Secretary is re-  
14 sponsible only for payment of the costs of the in vitro fer-  
15 tilization services.

16 “(C) The Secretary may not furnish an in vitro fer-  
17 tilization cycle to a covered individual under this sub-  
18 section unless the Secretary receives consent for such cycle  
19 from each of the following:

20 “(i) The covered individual.

21 “(ii) If the covered individual is a spouse or  
22 partner of a veteran as described in subparagraph  
23 (1)(B), the veteran.

24 “(iii) If applicable, the third-party donor.

25 “(6) In this subsection:

1           “(A) The term ‘covered individual’ means a vet-  
2       eran, spouse, or partner who receives infertility  
3       counseling and treatment under paragraph (1).

4           “(B) The term ‘gamete’ means a mature sperm  
5       or an oocyte or egg germ cell, as applicable.

6           “(C) The term ‘infertility’ means the inability  
7       to procreate without the use of infertility treatment.

8           “(D) The term ‘in vitro fertilization’ means the  
9       procedure in which an oocyte is removed from a ma-  
10      ture ovarian follicle and fertilized by a sperm cell  
11      outside the human body and, at the appropriate  
12      time, transferred into the uterus.

13          “(E) The term ‘third-party donor’ means an in-  
14      dividual who consents to donate the gametes or em-  
15      bryo of the individual for use in treatment furnished  
16      pursuant to this subsection.

17          “(b) ADOPTION REIMBURSEMENT.—(1) Pursuant to  
18      regulations the Secretary shall prescribe to carry out this  
19      subsection, the Secretary may reimburse an eligible vet-  
20      eran for qualifying adoption expenses incurred by the vet-  
21      eran in the adoption of a child.

22          “(2) For purposes of this subsection, an eligible vet-  
23      eran is a veteran who meets the following criteria:

1           “(A) The veteran is enrolled in the system of  
2           annual patient enrollment established and operated  
3           under section 1705 of this title.

4           “(B) The veteran, in the judgment of the health  
5           care professional of the Department—

6                   “(i) has a service-connected disability or  
7                   condition causing or aggravating infertility; or

8                   “(ii) is infertile as a result of having re-  
9                   ceived medically necessary treatment pursuant  
10                  to this chapter.

11          “(3) An adoption for which expenses may be reim-  
12          bursed under this subsection includes an adoption by a  
13          single person, an infant adoption, an intercountry adop-  
14          tion, or an adoption of a child with special needs (as de-  
15          fined in section 473(c) of the Social Security Act (42  
16          U.S.C. 673(c))).

17          “(4) The Secretary may reimburse an eligible veteran  
18          for qualifying adoption expenses under this subsection  
19          only after the adoption is final.

20          “(5) The Secretary may not reimburse an eligible vet-  
21          eran for qualifying adoption expenses under this sub-  
22          section for any expense paid to or for the veteran under  
23          any other adoption benefits program administered by the  
24          Federal Government or under any such program adminis-  
25          tered by a State or local government.

1       “(6)(A)(i) The Secretary may not reimburse an eligi-  
2 ble veteran, or two eligible veterans who are partners, for  
3 qualifying adoption expenses under this subsection for  
4 more than one adoption.

5       “(ii) The Secretary may not reimburse more than one  
6 eligible veteran for the qualifying adoption expenses under  
7 this subsection for the adoption of the same child.

8       “(B) In prescribing regulations to carry out this sub-  
9 section, the Secretary shall establish minimum and max-  
10 imum amounts for the reimbursement of qualifying adop-  
11 tion expenses.

12       “(7) In this subsection:

13               “(A) Notwithstanding section 101 of this title,  
14 the term ‘child’ means an individual who is under  
15 the age of eighteen years.

16               “(B) The term ‘qualified adoption agency’  
17 means—

18                       “(i) a State or local government agency  
19 that has responsibility under State or local law  
20 for child placement through adoption;

21                       “(ii) a nonprofit, voluntary adoption agen-  
22 cy that is authorized by State or local law to  
23 place children for adoption;

24                       “(iii) any other source authorized by a  
25 State to provide adoption placement if the

1 adoption is supervised by a court under State  
2 or local law; or

3 “(iv) a foreign government or an agency  
4 authorized by a foreign government to place  
5 children for adoption, in any case in which—

6 “(I) the adopted child is entitled to  
7 automatic citizenship under section 320 of  
8 the Immigration and Nationality Act (8  
9 U.S.C. 1431); or

10 “(II) a certificate of citizenship has  
11 been issued for such child under section  
12 322 of that Act (8 U.S.C. 1433).

13 “(C) The term ‘qualifying adoption expenses’  
14 means reasonable and necessary expenses that are  
15 directly related to the legal adoption of a child, but  
16 only if such adoption is arranged by a qualified  
17 adoption agency. Such term does not include any ex-  
18 pense incurred—

19 “(i) by an adopting parent for travel; or

20 “(ii) in connection with an adoption ar-  
21 ranged in violation of Federal, State, or local  
22 law.

23 “(D) The term ‘reasonable and necessary ex-  
24 penses’ includes—

1           “(i) public and private agency fees, includ-  
2           ing adoption fees charged by an agency in a  
3           foreign country;

4           “(ii) placement fees, including fees charged  
5           adoptive parents for counseling;

6           “(iii) legal fees (including court costs) or  
7           notary expenses; and

8           “(iv) medical expenses, including hospital  
9           expenses of the biological mother of the child to  
10          be adopted and of a newborn infant to be  
11          adopted.”.

12       SEC. 234. None of the funds appropriated or other-  
13       wise made available by this Act or any other Act for the  
14       Department of Veterans Affairs may be used in a manner  
15       that is inconsistent with: (1) section 842 of the Transpor-  
16       tation, Treasury, Housing and Urban Development, the  
17       Judiciary, the District of Columbia, and Independent  
18       Agencies Appropriations Act, 2006 (Public Law 109–115;  
19       119 Stat. 2506); or (2) section 8110(a)(5) of title 38,  
20       United States Code.

21       SEC. 235. Section 842 of Public Law 109–115 shall  
22       not apply to conversion of an activity or function of the  
23       Veterans Health Administration, Veterans Benefits Ad-  
24       ministration, or National Cemetery Administration to con-  
25       tractor performance by a business concern that is at least

1 51 percent owned by one or more Indian tribes as defined  
2 in section 5304(e) of title 25, United States Code, or one  
3 or more Native Hawaiian Organizations as defined in sec-  
4 tion 637(a)(15) of title 15, United States Code.

5 SEC. 236. (a) Except as provided in subsection (b),  
6 the Secretary of Veterans Affairs, in consultation with the  
7 Secretary of Defense and the Secretary of Labor, shall dis-  
8 continue using Social Security account numbers to identify  
9 individuals in all information systems of the Department  
10 of Veterans Affairs as follows:

11 (1) For all veterans submitting to the Secretary  
12 of Veterans Affairs new claims for benefits under  
13 laws administered by the Secretary, not later than  
14 March 23, 2023.

15 (2) For all individuals not described in para-  
16 graph (1), not later than March 23, 2026.

17 (b) The Secretary of Veterans Affairs may use a So-  
18 cial Security account number to identify an individual in  
19 an information system of the Department of Veterans Af-  
20 fairs if and only if the use of such number is required  
21 to obtain information the Secretary requires from an in-  
22 formation system that is not under the jurisdiction of the  
23 Secretary.

24 (c) The matter in subsections (a) and (b) shall super-  
25 sede section 238 of division F of Public Law 116–94.

1       SEC. 237. For funds provided to the Department of  
2 Veterans Affairs for each of fiscal year 2023 and 2024  
3 for “Medical Services”, section 239 of division A of Public  
4 Law 114–223 shall apply.

5       SEC. 238. None of the funds appropriated in this or  
6 prior appropriations Acts or otherwise made available to  
7 the Department of Veterans Affairs may be used to trans-  
8 fer any amounts from the Filipino Veterans Equity Com-  
9 pensation Fund to any other account within the Depart-  
10 ment of Veterans Affairs.

11       SEC. 239. Of the funds provided to the Department  
12 of Veterans Affairs for each of fiscal year 2023 and fiscal  
13 year 2024 for “Medical Services”, funds may be used in  
14 each year to carry out and expand the child care program  
15 authorized by section 205 of Public Law 111–163, not-  
16 withstanding subsection (e) of such section.

17       SEC. 240. None of the funds appropriated or other-  
18 wise made available in this title may be used by the Sec-  
19 retary of Veterans Affairs to enter into an agreement re-  
20 lated to resolving a dispute or claim with an individual  
21 that would restrict in any way the individual from speak-  
22 ing to members of Congress or their staff on any topic  
23 not otherwise prohibited from disclosure by Federal law  
24 or required by Executive order to be kept secret in the



1 interest of national defense or the conduct of foreign af-  
2 fairs.

3 SEC. 241. For funds provided to the Department of  
4 Veterans Affairs for each of fiscal year 2023 and 2024,  
5 section 258 of division A of Public Law 114–223 shall  
6 apply.

7 SEC. 242. (a) None of the funds appropriated or oth-  
8 erwise made available by this Act may be used to deny  
9 an Inspector General funded under this Act timely access  
10 to any records, documents, or other materials available to  
11 the department or agency over which that Inspector Gen-  
12 eral has responsibilities under the Inspector General Act  
13 of 1978 (5 U.S.C. App.), or to prevent or impede the ac-  
14 cess of the Inspector General to such records, documents,  
15 or other materials, under any provision of law, except a  
16 provision of law that expressly refers to such Inspector  
17 General and expressly limits the right of access.

18 (b) A department or agency covered by this section  
19 shall provide its Inspector General access to all records,  
20 documents, and other materials in a timely manner.

21 (c) Each Inspector General shall ensure compliance  
22 with statutory limitations on disclosure relevant to the in-  
23 formation provided by the establishment over which that  
24 Inspector General has responsibilities under the Inspector  
25 General Act of 1978 (5 U.S.C. App.).

1       (d) Each Inspector General covered by this section  
2 shall report to the Committee on Appropriations of the  
3 Senate and the Committee on Appropriations of the House  
4 of Representatives within 5 calendar days of any failure  
5 by any department or agency covered by this section to  
6 comply with this requirement.

7       SEC. 243. None of the funds made available in this  
8 Act may be used in a manner that would increase wait  
9 times for veterans who seek care at medical facilities of  
10 the Department of Veterans Affairs.

11       SEC. 244. None of the funds appropriated or other-  
12 wise made available by this Act to the Veterans Health  
13 Administration may be used in fiscal year 2023 to convert  
14 any program which received specific purpose funds in fis-  
15 cal year 2022 to a general purpose funded program unless  
16 the Secretary of Veterans Affairs submits written notifica-  
17 tion of any such proposal to the Committees on Appropria-  
18 tions of both Houses of Congress at least 30 days prior  
19 to any such action and an approval is issued by the Com-  
20 mittees.

21       SEC. 245. (a) Except as provided by subsection (b),  
22 none of the funds made available by this Act may be used  
23 by the Secretary of Veterans Affairs to purchase, breed,  
24 transport, house, feed, maintain, dispose of, or experiment  
25 on, dogs or cats as part of the conduct of any study includ-

1 ing an assignment of pain category D or E, as defined  
2 by the Pain and Distress Categories of the Department  
3 of Agriculture (or such successor categories developed pur-  
4 suant to section 13 of the Animal Welfare Act (7 U.S.C.  
5 2143)).

6 (b) Subsection (a) shall not apply to training pro-  
7 grams or studies of service dogs described in section 1714  
8 of title 38, United States Code, or section 17.148 of title  
9 38, Code of Federal Regulations.

10 SEC. 246. Amounts made available for the “Veterans  
11 Health Administration, Medical Community Care” ac-  
12 count in this or any other Act for fiscal years 2023 and  
13 2024 may be used for expenses that would otherwise be  
14 payable from the Veterans Choice Fund established by  
15 section 802 of the Veterans Access, Choice, and Account-  
16 ability Act, as amended (38 U.S.C. 1701 note).

17 SEC. 247. Obligations and expenditures applicable to  
18 the “Medical Services” account in fiscal years 2017  
19 through 2019 for aid to state homes (as authorized by  
20 section 1741 of title 38, United States Code) shall remain  
21 in the “Medical Community Care” account for such fiscal  
22 years.

23 SEC. 248. Of the amounts made available for the De-  
24 partment of Veterans Affairs for fiscal year 2023, in this  
25 or any other Act, under the “Veterans Health Administra-

tion—Medical Services”, “Veterans Health Administration—Medical Community Care”, “Veterans Health Administration—Medical Support and Compliance”, and “Veterans Health Administration—Medical Facilities” accounts, \$911,119,000 shall be made available for gender-specific care and programmatic efforts to deliver care for women veterans.

(RESCISSION OF FUNDS)

SEC. 249. Of the unobligated balances in the “Recurring Expenses Transformational Fund” established in section 243 of division J of Public Law 114–113, \$48,132,853 is hereby rescinded.

SEC. 250. Not later than 30 days after the end of each fiscal quarter, the Secretary of Veterans Affairs shall submit to the Committees on Appropriations of both Houses of Congress a quarterly report on the status of the “Veterans Medical Care and Health Fund”, established to execute section 8002 of the American Rescue Plan Act of 2021 (Public Law 117–2): *Provided*, That, at a minimum, the report shall include an update on obligations by program, project or activity and a plan for expending the remaining funds: *Provided further*, That the Secretary of Veterans Affairs must submit notification of any plans to reallocate funds from the current apportionment categories of “Medical Services”, “Medical Support

1 and Compliance”, “Medical Facilities”, “Medical Commu-  
2 nity Care”, or “Medical and Prosthetic Research”, includ-  
3 ing the amount and purpose of each reallocation to the  
4 Committees on Appropriations of both Houses of Congress  
5 and such Committees issue an approval, or absent a re-  
6 sponse, a period of 30 days has elapsed.

7 SEC. 251. By no later than September 30, 2023, the  
8 Secretary shall commence construction of the Community-  
9 Based Outpatient Clinic in Bakersfield, California in ac-  
10 cordance with Lease No. 36C10F20L0008.

### 11 TITLE III

#### 12 RELATED AGENCIES

##### 13 AMERICAN BATTLE MONUMENTS COMMISSION

##### 14 SALARIES AND EXPENSES

15 For necessary expenses, not otherwise provided for,  
16 of the American Battle Monuments Commission, including  
17 the acquisition of land or interest in land in foreign coun-  
18 tries; purchases and repair of uniforms for caretakers of  
19 national cemeteries and monuments outside of the United  
20 States and its territories and possessions; rent of office  
21 and garage space in foreign countries; purchase (one-for-  
22 one replacement basis only) and hire of passenger motor  
23 vehicles; not to exceed \$15,000 for official reception and  
24 representation expenses; and insurance of official motor  
25 vehicles in foreign countries, when required by law of such

1 countries, \$87,500,000, to remain available until ex-  
2 pended.

3 FOREIGN CURRENCY FLUCTUATIONS ACCOUNT

4 For necessary expenses, not otherwise provided for,  
5 of the American Battle Monuments Commission, such  
6 sums as may be necessary, to remain available until ex-  
7 pended, for purposes authorized by section 2109 of title  
8 36, United States Code.

9 UNITED STATES COURT OF APPEALS FOR VETERANS

10 CLAIMS

11 SALARIES AND EXPENSES

12 For necessary expenses for the operation of the  
13 United States Court of Appeals for Veterans Claims as  
14 authorized by sections 7251 through 7298 of title 38,  
15 United States Code, \$45,159,000: *Provided*, That  
16 \$3,385,000 shall be available for the purpose of providing  
17 financial assistance as described and in accordance with  
18 the process and reporting procedures set forth under this  
19 heading in Public Law 102–229.

20 DEPARTMENT OF DEFENSE—CIVIL

21 CEMETERIAL EXPENSES, ARMY

22 SALARIES AND EXPENSES

23 For necessary expenses for maintenance, operation,  
24 and improvement of Arlington National Cemetery and Sol-  
25 diers' and Airmen's Home National Cemetery, including

1 the purchase or lease of passenger motor vehicles for re-  
2 placement on a one-for-one basis only, and not to exceed  
3 \$2,000 for official reception and representation expenses,  
4 \$93,400,000, of which not to exceed \$15,000,000 shall re-  
5 main available until September 30, 2025. In addition,  
6 such sums as may be necessary for parking maintenance,  
7 repairs and replacement, to be derived from the “Lease  
8 of Department of Defense Real Property for Defense  
9 Agencies” account.

10 CONSTRUCTION

11 For necessary expenses for planning and design and  
12 construction at Arlington National Cemetery and Soldiers’  
13 and Airmen’s Home National Cemetery, \$62,500,000, to  
14 remain available until expended, of which \$2,500,000 shall  
15 be for study, planning and design, and architect and engi-  
16 neering services for Memorial Avenue improvements at Ar-  
17 lington National Cemetery; and \$60,000,000 shall be for  
18 planning and design and construction associated with the  
19 Southern Expansion project at Arlington National Ceme-  
20 tery.

21 ARMED FORCES RETIREMENT HOME

22 TRUST FUND

23 For expenses necessary for the Armed Forces Retire-  
24 ment Home to operate and maintain the Armed Forces  
25 Retirement Home—Washington, District of Columbia,

1 and the Armed Forces Retirement Home—Gulfport, Mis-  
2 sissippi, to be paid from funds available in the Armed  
3 Forces Retirement Home Trust Fund, \$75,360,000, to re-  
4 main available until September 30, 2024, of which  
5 \$7,300,000 shall remain available until expended for con-  
6 struction and renovation of the physical plants at the  
7 Armed Forces Retirement Home—Washington, District of  
8 Columbia, and the Armed Forces Retirement Home—  
9 Gulfport, Mississippi: *Provided*, That of the amounts made  
10 available under this heading from funds available in the  
11 Armed Forces Retirement Home Trust Fund,  
12 \$25,000,000 shall be paid from the general fund of the  
13 Treasury to the Trust Fund.

14 MAJOR CONSTRUCTION

15 For an additional amount for necessary expenses re-  
16 lated to design, planning, and construction for renovation  
17 of the Sheridan Building at the Armed Forces Retirement  
18 Home—Washington, District of Columbia, \$77,000,000,  
19 to remain available until expended, shall be paid from the  
20 general fund of the Treasury to the Armed Forces Retire-  
21 ment Home Trust Fund.

22 ADMINISTRATIVE PROVISION

23 SEC. 301. Amounts deposited into the special account  
24 established under 10 U.S.C. 7727 are appropriated and



1 shall be available until expended to support activities at  
2 the Army National Military Cemeteries.

#### 3 TITLE IV

#### 4 GENERAL PROVISIONS

5 SEC. 401. No part of any appropriation contained in  
6 this Act shall remain available for obligation beyond the  
7 current fiscal year unless expressly so provided herein.

8 SEC. 402. None of the funds made available in this  
9 Act may be used for any program, project, or activity,  
10 when it is made known to the Federal entity or official  
11 to which the funds are made available that the program,  
12 project, or activity is not in compliance with any Federal  
13 law relating to risk assessment, the protection of private  
14 property rights, or unfunded mandates.

15 SEC. 403. All departments and agencies funded under  
16 this Act are encouraged, within the limits of the existing  
17 statutory authorities and funding, to expand their use of  
18 “E-Commerce” technologies and procedures in the con-  
19 duct of their business practices and public service activi-  
20 ties.

21 SEC. 404. Unless stated otherwise, all reports and no-  
22 tifications required by this Act shall be submitted to the  
23 Subcommittee on Military Construction and Veterans Af-  
24 fairs, and Related Agencies of the Committee on Appro-  
25 priations of the House of Representatives and the Sub-

1 committee on Military Construction and Veterans Affairs,  
2 and Related Agencies of the Committee on Appropriations  
3 of the Senate.

4 SEC. 405. None of the funds made available in this  
5 Act may be transferred to any department, agency, or in-  
6 strumentality of the United States Government except  
7 pursuant to a transfer made by, or transfer authority pro-  
8 vided in, this or any other appropriations Act.

9 SEC. 406. None of the funds made available in this  
10 Act may be used for a project or program named for an  
11 individual serving as a Member, Delegate, or Resident  
12 Commissioner of the United States House of Representa-  
13 tives.

14 SEC. 407. (a) Any agency receiving funds made avail-  
15 able in this Act, shall, subject to subsections (b) and (c),  
16 post on the public Web site of that agency any report re-  
17 quired to be submitted by the Congress in this or any  
18 other Act, upon the determination by the head of the agen-  
19 cy that it shall serve the national interest.

20 (b) Subsection (a) shall not apply to a report if—

21 (1) the public posting of the report com-  
22 promises national security; or

23 (2) the report contains confidential or propri-  
24 etary information.

1       (c) The head of the agency posting such report shall  
2 do so only after such report has been made available to  
3 the requesting Committee or Committees of Congress for  
4 no less than 45 days.

5       SEC. 408. (a) None of the funds made available in  
6 this Act may be used to maintain or establish a computer  
7 network unless such network blocks the viewing,  
8 downloading, and exchanging of pornography.

9       (b) Nothing in subsection (a) shall limit the use of  
10 funds necessary for any Federal, State, tribal, or local law  
11 enforcement agency or any other entity carrying out crimi-  
12 nal investigations, prosecution, or adjudication activities.

13       SEC. 409. None of the funds made available in this  
14 Act may be used by an agency of the executive branch  
15 to pay for first-class travel by an employee of the agency  
16 in contravention of sections 301–10.122 through 301–  
17 10.124 of title 41, Code of Federal Regulations.

18       SEC. 410. None of the funds made available in this  
19 Act may be used to execute a contract for goods or serv-  
20 ices, including construction services, where the contractor  
21 has not complied with Executive Order No. 12989.

22       SEC. 411. None of the funds made available by this  
23 Act may be used in contravention of section 101(e)(8) of  
24 title 10, United States Code.

1        This division may be cited as the “Military Construc-  
2   tion, Veterans Affairs, and Related Agencies Appropria-  
3   tions Act, 2023”.

Passed the House of Representatives July 20, 2022.

Attest: **CHERYL L. JOHNSON,**  
*Clerk.*