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Senate

The Senate met and was called to order by the Honorable JOHN W. HICKENLOOPER, a Senator from the State of Colorado.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Almighty God, show favor to our land and bless us with Your grace. Transform us into people who look to You for guidance and fulfillment as we seek to do Your will.

Lord, unite us to accomplish the things that honor You. Strengthen the Members of this body to serve You as You deserve. Empower them to give and not to count the cost, to strive and not to heed the wounds. Help them to toil and not to seek for rest, to labor and not to ask for any reward, except of knowing they are doing Your will. May each Senator daily strive to speak the truth and honor You.

We pray in Your righteous Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mrs. MURRAY).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,

Washington, DC, September 13, 2023.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby

appoint the Honorable JOHN W. HICKENLOOPER, a Senator from the State of Colorado, to perform the duties of the Chair.

PATTY MURRAY,
President pro tempore.

Mr. HICKENLOOPER thereupon assumed the Chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

LEGISLATIVE SESSION

MILITARY CONSTRUCTION, VETERANS AFFAIRS, AND RELATED AGENCIES APPROPRIATIONS ACT, 2024—MOTION TO PROCEED—Resumed

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the motion to proceed to H.R. 4366, which the clerk will report.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 198, H.R. 4366, a bill making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

APPROPRIATIONS

Mr. MCCONNELL. Mr. President, as I outlined yesterday, the Senate's pending business on appropriations is tremendously important to America's

farmers, to our veterans, and to the future of our airports, roads, bridges, and ports. My home State of Kentucky is certainly no exception.

The Commonwealth is home to a host of important and overdue infrastructure projects. As a transportation and logistics hub, my home State boasts an impressive network of roads, ports, railroads, and waterways that keep our economy and the American people literally on the move. Overhauling this infrastructure strengthens the essential link folks in Kentucky have to the rest of the Nation while making those transit resources faster, more efficient, and more reliable for everyone.

I am also proud of Kentucky's diverse agriculture industry, made up of over 75,000 farms, an overwhelming majority of which are family-owned and family-operated. Kentucky's rural communities understand the importance of efforts like expanding rural broadband deployment and protecting livestock from diseases that can financially devastate small family farms.

Certainly, our work in the coming days will also impact Kentucky's Army installations and National Guard facilities. Investments in military construction ensure our brave men and women in uniform have access to the world-class training facilities they need to defend our country. Maintaining Kentucky's premier fighting forces is critical to deterring aggression from our adversaries and protecting American strength.

So, as the Senate continues to make progress on regular order appropriations, I am pleased to see Kentucky take center stage in solving some of the real issues that face our people.

NATIONAL SECURITY

Mr. President, America's defense industrial base is in the middle of a historic transformation. This is something Republicans have been working toward literally for years. It is good news for America's national security. In fact, it is essential for our strategic

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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competition with communist China; and, today, I would like to talk a bit more about what exactly is making this urgent progress possible.

Over the past year and a half, the lethal U.S. aid helping Ukraine defend its sovereignty and degrade Russia's military has consisted, in large part, of aging weapons stocks that were sitting in our own arsenal—in many cases, literally collecting dust.

The security assistance money appropriated “for Ukraine” isn't just buying weapons for Ukraine; it is also replenishing and modernizing America's own arsenal, and the vast majority of it is going to American defense manufacturers. This includes funding to expand production lines of munitions needed by the U.S. military as well as vulnerable allies in both Asia and Europe that want and need American weapons. That is tens of billions of dollars directly supporting tens of thousands of jobs in at least 38 States so far. Support for Ukraine is driving historic investments in the communities that we all represent.

Take the 155-mm artillery round. Replenishing America's stockpile of this critical munition has meant sending \$3.6 million to producers in Nevada, \$48 million to Florida and Illinois, \$65 million to Ohio, \$141 million to Arizona, \$174 million to Tennessee, \$181 million to Virginia, \$355 million to Pennsylvania, and \$519 million to Texas. That is nearly \$2 billion worth of direct investment in American industry, American jobs, and American strength.

And, contrary to critics who say Ukraine is a distraction from China, this investment isn't flowing in spite of our support for Ukraine but actually because of it.

A West Virginia facility that supports 1,600 jobs has significantly increased production of motors and warheads for guided multiple-launch rocket systems, for which there is increased global demand; and a St. Charles, MO, facility that employs 1,300 workers—so-called Ukraine money—has funded a vastly expanded production line to build fresh stocks of extended-range, JDAM precision-guided munitions.

These are actually transformational investments, and they wouldn't have happened without the supplemental funding that we approved last year. We are not just talking about buying new stocks but about expanding production capacity to meet U.S. and allied demand. This is a critical piece of our race to compete with China.

In fact, that same Missouri munitions production line is also set to fulfill orders from some of America's closest allies and partners in Asia. That is right. Japan, Singapore, South Korea, and the Philippines are arming themselves with American munitions to deter China.

And the same is true for other critical munitions. Thanks to Ukraine funding, we are on a path to double the production of critical weapons like Stingers and Javelins, along with inno-

vative new weapons like the ground-launched, small-diameter bomb, which will be produced in Arkansas and New York. This expanded production capacity will benefit America as well as partner militaries from European to Asia.

I will have more to say in the coming days about the historic investments our allies are making here in the United States as a direct result of American leadership, but, for now, I am tremendously proud of our own work to invest in American industry, American workers, and American strength.

INFLATION

Now, Mr. President, on one final matter, I spoke yesterday about the Biden administration's war on American energy and how working families are feeling it at the gas pump, but energy prices are not the only reason it has been so hard to balance household budgets on Washington Democrats' watch.

Just this morning, the Bureau of Labor Statistics announced that inflation increased by 0.6 percent this month, putting year-over-year inflation at 3.7 percent. That is well above the Federal Reserve's 2-percent target, and it puts cumulative inflation since President Biden took office at over 17 percent.

But as the American people continue to struggle against rising costs, the President appears to be taking a victory tour, touting Bidenomics as one of his crowning achievements. Over the Labor Day weekend, President Biden told voters that Bidenomics “is working.” The American people are not fooled by this. They can feel the pinch in their wallets, and they know that Washington Democrats' runaway spending is the reason for it.

As one woman told reporters recently, “I don't think [President Biden] has the everyday people's best interests in mind. . . . Everything has gone up—electricity, groceries, fuel. . . . It's not fair to the American people.”

Well, she is not alone. According to one recent survey, a large majority of Americans disapproves of the President's handling of the U.S. economy. Families are paying 20 percent more at the grocery store. Credit card debt has surpassed \$1 trillion for the first time ever, and overall real wages are down 2.3 percent since 2021.

The numbers do not lie. Even Biden's Secretary of Commerce has said that inflation is “still a challenge” and “something that people still see on a daily basis when they go to the grocery store or pay their mortgage.”

Bidenomics may be working, but it is working against working Americans.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

FISCAL RESPONSIBILITY ACT

Mr. GRASSLEY. Mr. President, in June, Congress passed a bipartisan bill to increase the debt limit and impose meaningful fiscal controls. That law was appropriately titled the “Fiscal Responsibility Act.” Its passage marked a long-overdue step toward fiscal sanity. I assume you have to go back about a dozen years until Congress had taken such a fiscally responsible step.

The nonpartisan Congressional Budget Office, or CBO, as we call it here in town, projects the Fiscal Responsibility Act could save Americans \$1.5 trillion over the next 10 years. I say “could save” because for this to hold true, Congress must adhere to the spending caps that it has imposed. The CBO's latest long-term budget outlook shows that in 30 years, our national debt will be \$11 trillion lower than previously projected. This is, in large part, thanks to this bill passed this year, the Fiscal Responsibility Act.

While \$11 trillion is certainly a large sum, it is a drop in the bucket compared to the \$118 trillion in debt that the United States is expected to chalk up over those same 30 years. So, of course, the fiscal path we are on is not sustainable.

If you take debt held by the public, today public debt is about as large as the annual U.S. economic outlook. Within 6 years, public debt will reach a historically high 107 percent of GDP. The previous record was set in the wake of World War II. Once that dismal record is broken, public debt will grow faster than the economy with no end in sight, as you can see from the chart on display here.

When the public holds large amounts of debt, well, it naturally slows the economy; it naturally reduces national income; and it naturally increases inflation. It also leads to ballooning interest costs, which are already at a 22-year high.

Based on the current trajectory, here is a snapshot of the years ahead. So pay attention to the chart, please. Within 5 years, the United States will spend more on interest than on national defense. Within 8 years, interest payments will surpass our spending on nondefense discretionary programs. Over the next 10 years, interest on our debt will cost taxpayers more than \$10.4 trillion. That is \$10.4 trillion that could be used to improve the lives of Americans. Now, instead, it will pad the pockets of our Nation's creditors, even including foreign adversaries like China, which considers investment in the national debt of the United States to be a good investment.

Finally, within 30 years, interest payments will reach over \$5 trillion a year. That would make interest the single largest annual government expenditure, surpassing both Social Security and Medicare.

Now, everybody listening and everybody not listening knows that we can't keep swiping our Nation's maxed-out credit card while we cross our fingers for prepandemic interest rates to return.

Families, farmers, and small businesses make tradeoffs every day to stay on budget. They have to balance their checkbooks besides staying on budget. Congress, of course, needs to do the same. Enacting spending caps in the Fiscal Responsibility Act was the very, very easy part. So the real challenge will be walking that walk and sticking to those caps. To do this, Congress must renew its focus on two things: fiscal responsibility and good governance.

Now, recently, you know Fitch downgraded the United States' credit rating just last month. It named both fiscal responsibility and good governance as factors in its decision.

Congress has the responsibility and the duty to demonstrate fiscal responsibility and good governance and to do it now, as we work to fund Federal Agencies and programs for this upcoming fiscal year.

Former Fed Chairman Paul Volcker told Congress in the 1980s:

Cutting spending may appear to be the most painful part of the job, but I'm convinced that the pain for all of us will be ultimately much greater if it is not accomplished.

Paul Volcker's advice is even more apt today than ever because our national spending and our national debt are much greater than in Paul Volcker's time.

We need to stop governing from crisis to crisis and return to regular order, like we are today on the appropriations bills before the U.S. Senate. That means restoring a key component of Senate procedures: real and robust debate on spending decisions.

The Senate has only debated one or more appropriations bills seven times—just seven times—since 2008. The last time we did it was 5 years ago: 2018. Otherwise, between 2018 and last year, we operated under this Omnibus appropriations bill process where we didn't give proper attention to each segment of our government. We didn't have much chance for debate and probably no chance for amendment.

Last year, as one of those years, not a single funding bill was reported out of committee. Congress didn't complete its appropriations until December 23. We must do better this year, and we need to applaud Chairman MURRAY and Ranking Member COLLINS. They have both done their part by shepherding all 12 regular funding bills through the Senate Appropriations Committee.

Now it is the full Senate's turn. So let's get to work and get the job done. I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. THUNE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. THUNE. Mr. President, I want to associate myself with the remarks of the Senator from Iowa and just say that it is long overdue that this institution gets back to regular order when it comes to processing appropriation bills. If you look at the way that you govern a country and have as much spending and debt on an annual basis as this country does, you need to do it in a way that reflects each individual bill being considered so that individual Senators—not just those on the Appropriations Committee but those in the entire Senate—have an opportunity to have their voices heard.

In the last few years, we have ended up with, as the Senator from Iowa pointed out, a huge omnibus spending bill at the end of the year put together, cobbled together, by a bunch of people in a back room. That is not the way to run a government, a government of this size and scope, with as many moving parts as we have. We need the oversight that comes with the annual appropriations process, and we need the fiscal responsibility and restraint, hopefully, that comes with a regular appropriations process.

So I would echo that and am pleased that the Senate Appropriations Committee has reported the bills out to the floor of the Senate. I would hope, now, that the Democratic leader will ensure that that is job No. 1; that is, taking up these bills and passing them in a way that reflects not only the will of our constituents, which is to have more visibility and transparency and accountability when it comes to government spending, but also a way that reflects the rights and the prerogatives that their elected representatives have to consider these things in the light of day and to have their voices heard whether they serve on the Appropriations Committee or not.

SCHOOL HUNTING AND ARCHERY PROGRAM FUNDING

Mr. President, since taking office, President Biden has not hesitated to use the power of the modern regulatory state to advance his far-left agenda, at times in contravention of the clear intent of Congress.

Take his recent decision to cancel oil and gas leases in Alaska in defiance of congressional direction or his radical interpretation and implementation of the Green New Deal provisions of the so-called Inflation Reduction Act, which has left one of the bill's Democratic authors deeply frustrated with the White House.

But today I want to talk about another instance of Presidential overreach, and that is the Biden administration's decision to use the Bipartisan Safer Communities Act to deny Federal funding to school hunting and archery programs. The provision of the

bill the administration is citing as justification for its decision denied Federal funding for training or arming teachers and school resource officers. It was not intended to prevent hunting safety training or deny students the opportunity to participate in archery programs. In fact, neither hunting nor archery is ever mentioned in the legislation. But, characteristically, the Biden administration has decided to make use of this provision to further advance its far-left agenda.

Mr. President, for the sake of the Biden administration, which frequently seems completely out of touch with rural America, let me just talk about hunting for a minute. Hunting is a venerable institution in rural communities. It is about gathering meat to fill the freezer, yes; but it is also about much more than that. It is about community, tradition, coming together around the table, conservation, and respect for the land.

My dad taught me and my siblings to hunt, and while we learned how to bag roosters, we also learned a lot of life lessons, from patience to perseverance to gun safety. I cherish those times with my dad and the times I spend today hunting with my family, friends, sons-in-law, and people on an annual basis, just to get together for an opportunity to spend time together, quality time together, in the beautiful outdoors in South Dakota.

School districts should have the choice of spending their Federal extracurricular dollars on programs that teach kids how to carry on this venerable tradition safely and responsibly.

HuntSAFE for Schools, which teaches hunting safety in South Dakota schools, uses nonfunctional guns to teach kids about hunting, with "an emphasis on firearm safety and responsibility."

These kinds of programs have an effect. Learning to safely handle firearms results in a decrease in firearm-related injuries and accidents. Hunting education programs have contributed to a steep decline in hunting accidents. Funding these programs in schools seems like a good thing to do to promote safer communities.

As for archery, I am going to tell you, I am at a complete loss as to why the Biden administration would seek to deny Federal funding to these programs. The National Archery in the Schools Program, which has 1.3 million students in nearly 9,000 schools in 49 States enrolled in archery programs, offers students the opportunity to experience all the benefits of an accessible and inclusive sport that teaches everything from personal excellence to perseverance.

The National Archery in the Schools Program reports that 58 percent of participating students say they feel more connected to their school, 40 percent feel more engaged in the classroom, and a whopping 91 percent pursue or want to pursue other outdoor activities as a result of their archery participation.

Once again, school districts should have the choice of spending their Federal extracurricular dollars on programs like this that unquestionably—unquestionably—meet the goal of helping to offer students a well-rounded education. And it is a use of those dollars that Congress never sought to ban, as I suspect the Biden administration is well aware and already knows.

There have already been reports of schools canceling plans to include hunting or archery education in their curricula as a result of the Biden administration's directive. The Biden administration needs to immediately reverse its decision before more programs are canceled and more kids lose out on opportunities to develop the confidence, the skills, and the sense of community that come from participating in these programs.

I have little hope that the Biden administration will rein in its radical agenda or stop using its regulatory power to impose its far-left visions, but I am grateful that both Democrats and Republicans are raising questions about this particular instance of Biden administration overreach. I hope we can continue to work to curb the Biden administration's regulatory excesses and prevent Americans from suffering the painful consequences of this President's radical policies.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. LUJÁN). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mrs. MURRAY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

APPROPRIATIONS

Mrs. MURRAY. Mr. President, I want to start today by thanking Senator COLLINS once again for her partnership in putting together the package that we are now considering. I am very pleased she was able to join me on the floor yesterday as we both spoke about the effort that has gone into getting this bill off the ground.

At risk of repeating myself, I would like to speak again about how we crafted the bills before us and urge all of my colleagues to join us to debate and advance this package.

Today, we are doing something that many Senators have been calling for, for quite some time, something Senator COLLINS and I have been hearing about from our colleagues since the moment we took over the leadership of the Appropriations Committee. We are keeping our foot on the gas as we continue returning the appropriations process to regular order for the first time in years.

Last night, we began the process to allow the Senate to consider a legislative package of three strongly bipartisan funding bills.

Let me just say this again: Getting to this point was no easy feat.

I am grateful to my partner on the Appropriations Committee, Vice Chair COLLINS, for working with me to make this happen and to all of our Members, especially the subcommittee chairs, who worked on the bills in the package before us today. Senator COLLINS and I knew from the start, if we wanted this to work, we had to write serious bipartisan funding bills that can actually be signed into law.

As I said yesterday, that meant a few things. First of all, we are going to have to abide by the topline numbers that were set in the debt limit deal, and I shared my personal concerns about that limit before. They have meant some tough choices because that was agreed on by the House and the Senate for all of us in these bills. But President Biden and Speaker MCCARTHY shook hands. They shook hands, and we passed this deal in Congress in a bipartisan way.

The reality is, we can't produce serious bills if we start by throwing that bipartisan framework out the window. So we didn't do that. We worked within the framework, and I pushed at every stage of the process with my colleagues to make sure we produced the strongest possible bills under those circumstances because we simply have to move forward, not back.

Secondly, we understood that we were going to have to work together to find common ground, including on some very tough and thorny issues, and compromise where necessary to produce spending bills that can make it through both Chambers and to the President's desk. That meant avoiding poison pills that could sink these bills.

Third, we understood it was important that we give each and every one of our colleagues the chance to weigh in on these bills and the American public the chance to see us work on them. So we held over 40 hearings this spring to assess our Nation's needs for the year ahead. We sought input from all of our colleagues, including requests for congressionally directed spending so Members could advocate for project they know are crucial for their States. Then we held markups with debate and amendments from Members on both sides, and we actually televised the markups for the first time ever so people could follow this debate from home.

The result is that we passed all 12 of our funding bills out of committee for the first time in 5 years, and we did it with overwhelming bipartisan support. In fact, all three of the bills that are included in the package we are now considering passed the committee unanimously.

As I detailed in my remarks yesterday, these bills provide essential investments for programs that all of our communities rely on. The MILCON-VA bill provides funding to shore up our military installations and improve quality of life for our servicemembers and to make sure that we live up to our obligation to get our veterans the care they need.

The Ag-FDA bill funds programs that are critical to making sure our food supply is safe and secure, getting families the support they need to put dinner on the table, and helping our farmers to stay ahead of global competition.

And the T-HUD bill, the third one, provides crucial investments to help keep people living in their homes, not on the streets, and to make sure we can get people and goods quickly and safely where they need to go.

I look forward to saying more about these bills and how these investments are crucial to supporting our families and growing our economy and securing our future as we continue to debate this package.

Just as importantly, I look forward to hearing from all of our colleagues during this time, as well. I hope that everyone will come to the floor to talk about these bills, what they will mean for your State, for your constituents, and what your priorities here are. And I invite all of our colleagues to talk to me and to talk to Senator COLLINS if you have amendments and ideas for how we can make these bills better, because Senator COLLINS and I are working now to clear a managers' package and set up votes.

Our staffs are still working hard on this, and we are happy to work with your teams—all of your teams—so we can pass the strongest bill possible. We have been working closely together from day one to run an open bipartisan process, to get input from all of our colleagues, and to make sure that everyone can make their constituents' voices heard.

We know our work is not done yet, but we are committed to showing the American people that this place can actually work, that Members with different viewpoints can actually come together in a timely, responsible way to get our communities the resources they need and to help people and solve problems, which is why so many of us got into politics in the first place.

The American people are watching. Let's show them we are listening. Let's pass this package and continue to get our job here done.

This summer, we produced a bipartisan roadmap to fund the government with serious bills that can actually be signed into law. I am glad that, here in the Senate, we are moving right ahead with several of these bills now. I urge our colleagues to work with us to get this done.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. CAPITO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL SECURITY

Mrs. CAPITO. Mr. President, Monday marked 22 years since the 9/11 terrorist

attacks on our Nation. Although we are now over two decades removed from one of the greatest tragedies in our Nation's history, the memories remain in our minds as if it had just happened yesterday. We will never forget.

Many of us were here that day, including me, and I certainly will never forget that awful horrible tragic day. Those horrific events in New York City and Washington, DC, and Shanksville, PA, forever changed the national security of the United States of America. Our Nation banded together, and we supported one another as we rebuilt and recovered.

As part of our collective response, we saw the beginnings of the Global War on Terror. Together, with the help of our allies, we made significant progress in countering violent extremism and eliminating the territorial gains that the Islamic State had made.

While this threat still remains today, we made progress in diminishing the ability of terrorists to harm Americans. Now we are again seeing the landscape of our national security shift as we are facing a new challenge of rising threats from nations like Russia and China.

Putin's unwarranted aggression has created a large-scale ground war in the European continent—something that was really nearly unthinkable just a few short years ago.

Adding to that, we are witnessing the unprecedented buildup of the Chinese military state. Make no mistake, those Chinese military investments were made with U.S. capabilities in mind.

Nations that directly oppose U.S. values and interests are beginning to create an uneasy closeness with one another. Just yesterday, North Korea's leader, Kim Jong Un, pledged "full and unconditional support" for Russia's Vladimir Putin. And we don't know what the behind-the-scenes conversations were or the tradeoffs that were made.

This is something that we must monitor closely, and it demands a collective and united response. The growing threat from China was something that I discussed with the United States Indo-Pacific Command leaders when I met with them over August. This is a real threat and underscores the importance of working with our allies in this region.

Our allies in the Indo-Pacific area are very important when it comes to both deterrence efforts and facilitating U.S. operations in the event of a crisis or conflict. That cooperation is a key piece in our ability to protect the power that the United States has led with.

The AUKUS agreement between Australia, the United Kingdom, and the United States further cements this relationship and ensures that we will become even more interoperable with our allies in the Indo-Pacific.

We need to maintain a strong military posture in this region and bolster our cybersecurity and technological

abilities to ensure that our Nation and our allies will be ready for any and all threats that we may face.

The intrinsic relationship between China and Taiwan and Russia and Ukraine cannot be lost on us. There is no doubt that China and Xi Jinping are closely watching Russia's attempted land grab and are taking notes of the united resistance that they are now facing. Stopping Russia in Ukraine will send a clear and direct signal to China that violent, unwarranted aggression will be met with a swift and unified response.

It is vitally important to recognize that supporting Ukraine explicitly and clearly strengthens our own national security. I truly believe that is a fact. Our support for Ukraine has benefited the United States by illuminating vulnerabilities in our own defense industrial base, which we now have the opportunity to remedy. Without this, we might not have discovered these issues until a crisis of our own, and these production challenges would have severely disabled our ability to defend ourselves and strengthen our U.S. warfighters in a time of conflict.

It is important to recognize that funding Congress has appropriated in support of Ukraine is going directly back into our own capabilities. This has initiated facilities upgrades at our ammo plants. It has boosted production at our defense industrial base sites and funded replenishment of our own U.S. arsenal.

As Leader McCONNELL mentioned on Monday, by showing support for Ukraine, Americans are making strides in our competition with China, we are degrading the Russian military capacity, we are encouraging our allies to "Buy American," and we are reassuring the importance of investing in their own defense. We have seen this directly from our allies like Australia and Japan, which are making serious investments in their defense capabilities, or the UK, which has also pledged meaningful military support for Ukraine.

Moving forward, NATO members need to take the commitment to pledge 2 percent of their GDP towards defense more seriously and move at the speed of the threats that we face.

One thing is for certain: This is not a time to show weakness. However, President Biden and his administration have unfortunately not shown the strength needed in the face of these rising threats. We saw this in the botched withdrawal in Afghanistan in 2021, where 13 of our servicemembers senselessly—senselessly—lost their lives, or just this weekend when President Biden claimed, while he was on a trip to the Far East, that "we're all better off if China does well." And then on 9/11, of all days, the Biden administration notified Congress that they are negotiating with the leading sponsor of terrorism—Iran—and sending \$6 billion in frozen assets with little or no accountability.

Actions like these endanger every American abroad and display a level of deficiency that is inconsistent—inconsistent—with the true standing and power that the United States has.

We are currently at a pivotal moment in our history, both in the history of our Nation but also the history of the world. American leadership has always transcended nefarious forces. That, I am confident in. We must always lead with the strength that defines this leadership and work to ensure that our national security remains the foremost priority that it deserves to be.

My own State of West Virginia, which has deep roots of military service and patriotism, has established a growing presence and participation in our national defense infrastructure. West Virginia companies and universities are stepping up and are contributing in increasingly important ways to the military industrial base in this country. From ammunition production to cybersecurity advancements and critical components for vehicles, aircraft, and weapons, West Virginia is leading the way. Our country must follow this example and continue this level of investment into our national security, with each and every one of us contributing to the proud tradition of American leadership.

I yield the floor.

The PRESIDING OFFICER (Ms. CORTEZ MASTO). The Senator from Nebraska.

Mrs. FISCHER. Madam President, China is on track to triple its nuclear arsenal by 2035. Russia continues its saber-rattling in Ukraine. North Korea is hell-bent on developing the capability to deliver nuclear weapons at longer ranges, conducting dozens of missile tests in this last year, and Iran is weeks away from obtaining nuclear weapons. But on Sunday night, President Biden said, and I am quoting him:

The only existential threat humanity faces even more frightening than a nuclear war is global warming going above 1.5 degrees in the next . . . 10 years.

The leader of the free world believes that global warming is a bigger threat to global security than nuclear war.

Now, I am not dismissing the importance of our climate. We should continue to take responsible, common-sense action to address climate change, and we should support an "all of the above" energy strategy. We should promote policies to ensure that we have clean air, clean water, and we should do that without hindering economic prosperity or burdening hard-working Americans and their families. But the President's claim that global warming is more frightening than nuclear war sends the wrong signal to our adversaries and to our allies. It demonstrates a total ignorance of the instability of today's global threat environment.

The Strategic Forces Subcommittee, where I am ranking member, specifically oversees our country's nuclear

forces, and based on the hundreds of official hearings, briefings, and documents we have analyzed, I can tell you with all confidence that the most frightening threat to global security today is the Chinese Communist Party.

The CCP made it crystal clear that it wants to fundamentally alter global deterrence dynamics. China's relentless military buildup has outpaced anything that we could have imagined. Like I said earlier, China wants to triple its nuclear arsenal over the next decade, and it is well on its way to meeting that goal, if not exceeding it.

U.S. Strategic Command, or STRATCOM, is located in my home State of Nebraska, and they confirmed earlier this year that China possesses more intercontinental ballistic missile launchers than we do here in the United States. China is developing a subsonic stealth bomber that is essentially a copycat of our B-2 bomber. It is continuing work on Jin-class submarines capable of carrying over 12 nuclear missiles at a time.

To the people of the United States, let me say this: For the first time in history, the United States will face two adversaries who are peer nuclear powers—China and Russia—and that is the biggest national security threat we face.

When the President says that climate change is more frightening than nuclear war, he is downplaying the serious, terrifying possibility that China puts its nuclear weapons to use.

This administration neglects our nuclear arsenal while our adversaries, well, they prioritize theirs. This administration has done things like try to cancel the Sea-Launched Cruise Missile Program, or SLCM. SLCM would fill a known—a known—capability gap. It would allow us to more effectively deter China or Russia from using a nuclear weapon, which is part of their “escalate to deescalate” strategy.

Well, Congress has pushed back on the President in a bipartisan and a bicameral way when it comes to him canceling SLCM. It is past time for this administration to get serious about the existential threat that China poses. The President needs to tackle this issue head-on and not trivialize it.

One way that President Biden can do this is by signing this year's National Defense Authorization Act. The Senate successfully passed this year's NDAA by a significant bipartisan majority, 86 to 11. I led provisions to accelerate the modernization of our nuclear triad—our land-, our sea-based nuclear weapons, and our air-based ones. These military capabilities that we have are essential to keeping adversaries like China in check. China will be less likely to use its weapons if it believes that we can and that we will hit back hard.

Once the NDAA gets to the President's desk, he should sign this legislation without hesitating for a moment. Let's not put nuclear war on the back burner. Let us step forward. Let us

show China that it has no chance against the United States of America.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Madam President, I want to thank our friend Senator CAPITO for bringing us together to discuss national security and the many challenges that we see on the horizon. When we think about national security, we often picture the brave men and women in our uniformed military who have made immeasurable sacrifices to protect our freedom. We envision the ships, the tanks, the aircraft, and the weapons that they use to keep us safe. We think about the greatest threats to our country, including countries like Russia and China.

But today I want to talk about a lesser known but no less important aspect of our national security apparatus, which is section 702 of the Foreign Intelligence Surveillance Act, FISA, as it is sometimes called. In short, section 702 allows the intelligence community and the Department of Justice to obtain intelligence on foreigners located outside of the United States.

As we know, different rules apply here in the United States and particularly insofar as it involves U.S. persons and U.S. citizens. All of the protections of our criminal justice system, including the requirement of a warrant and a showing of probable cause for a search and that sort of thing, that applies to American citizens and U.S. persons on American soil, but overseas, when it involves foreigners, this is an important tool, section 702.

Congress enacted section 702 in 2008 in response to threats posed by terrorist groups in the wake of 9-11. It tore down some of the walls between the criminal justice system and our intelligence community and made sure that we could share—legally share—information that could be used to keep America safe. There is no question that it has been a success.

When talking about section 702, the FBI Director, Chris Wray, said several years ago, “The fact that we have not sustained another 9/11-scale attack is not just luck.”

He noted that it is a product of diligence, teamwork, information sharing, and connecting the dots, and much of that dot-connecting occurs and is made possible by section 702. This authority has been vital to detecting potential terrorist attacks; but, also, it is important for applications that reach far beyond America's counterterrorism missions.

Section 702 has helped the United States understand and combat drug trafficking, including the scourge of fentanyl, which is affecting so many people in this country as I speak.

Section 702 has helped us to identify multiple foreign ransomware attacks on our critical infrastructure—for example, the attack on the Colonial Pipeline that shut down gasoline deliveries on the east coast for days on end.

It helped prevent components of weapons of mass destruction from reaching foreign adversaries.

Section 702 has helped to uncover Russian war crimes in Ukraine.

It has even helped to disrupt our adversaries' efforts to recruit spies on American soil or to send their operatives to the United States.

Section 702 is a critical tool in America's national security toolbox, but its future is in question. Unless Congress acts in the next few months, section 702 is set to expire at the end of this year. If this happens, it will deprive America's dedicated intelligence professionals of the laws and the authority they need to keep us safe.

Director Wray recently said that allowing section 702 to expire would be an “act of unilateral disarmament in the face of the Chinese Communist Party”—“unilateral disarmament in the face of the Chinese Communist Party.”

Given the threat that China poses to the United States and to peace in the region, an unforced error is the last thing we need. In the coming months, I hope we can pass a bipartisan law to preserve section 702 and, at the same time, promote greater trust in the Agencies that use it.

GEN Paul Nakasone, who heads both the National Security Agency and the U.S. Cyber Command, has been very clear about the need to preserve section 702 authorities. Last month, he summed up its importance rather succinctly when he said 702 “saves lives and protects the homeland.” It “saves lives and protects the homeland.”

That is what national security is all about: saving lives and protecting the homeland and our very freedoms that we cherish. We have a clear and urgent opportunity to do just that, and we can't let it slip through our fingers.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. ROSEN). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SULLIVAN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SULLIVAN. Madam President, my colleagues and I are down on the floor, talking about national security.

It is clear—and this is testimony from admirals and generals and Department of Defense officials over the last few years—that we are certainly in one of the most dangerous times globally anytime since World War II. We have this new era of authoritarian aggression, led by the dictators in Beijing and Moscow, who are very aggressive and paranoid about their neighbors. They are certainly willing to attack them. So we need to be strong as a nation.

As a matter of fact, National Security Advisor Jake Sullivan often talks about situations of strength. Now, this

is actually a phrase that came from Dean Acheson, one of our fabled Secretaries of State. When the Cold War began right after World War II, he talked about confronting the Soviet Union—the strategy of containment—but emphasized situations of American strength. So that is a good framework. It is a good framework. Unfortunately, the Biden administration, especially in a couple of key areas, is not focused on situations of strength at all. Let me give you two, and I really want to focus on one.

The first one, of course, is our military. Pretty obvious. It is a dangerous world. The dictators in Beijing and Moscow understand hard power, and hard power is U.S. military power. So what have we seen from the Biden administration since the President came into office? Three budgets for 3 years in a row that are inflation-adjusted cuts to the U.S. military. That is a fact. Next year's budget will actually go below 3 percent of GDP spent on our military. It is probably one of 4 or 5 times in the last 70 years that we have gone that low on investments in our military at one of the most dangerous times we have faced since World War II. This year's budget from the Biden administration shrinks the Army, shrinks the Navy dramatically, and shrinks the Marine Corps.

Do you think that impresses Xi Jinping and Vladimir Putin? It doesn't. So that is the military going in the wrong direction.

White House, take note. That is not a situation of strength. That is a situation of weakness.

Here is the other one that is quite remarkable, actually. It is America's natural resources and energy, and I am talking everything.

We are the envy of the world in terms of oil, gas, renewables, critical minerals—all of the above. We are the envy of the world, and what does this administration do from day one—day one?

With this incredible American strength, with this incredible comparative advantage we have relative to China, there is reporting that Xi Jinping looks at American energy dominance and knows how vulnerable they are in terms of importing energy, particularly oil and gas, and they are frightened by it. Frightened by it. Our biggest adversary, the Chinese Communist Party, is scared to death of American energy independence and dominance.

So what does the Biden administration do? On day one, they come into office, and they say: We are going to shut down the production of American oil and gas. We are going to go to Wall Street and the investment firms in America and pressure them not to invest in American energy, and we are going to kill and delay key infrastructure that moves energy.

Well, of course, the predictable result is the \$90 oil that we are seeing right now and working families in America being hit the hardest. That is a fact.

What I just stated are facts. That has been the policy of this administration's since day one.

Of course, it hurts working families, as I mentioned, but this is a gift to our adversaries, one of the great strengths of the United States of America that administrations—Democrat and Republican—for decades have pursued.

Read the history of World War II. A big part of how we won is because we were the dominant energy producer in the world. We have been seeking energy independence for decades. We got it during the Trump administration. The Biden administration comes in and unilaterally surrenders that great competitive advantage.

How do I know? I see this every day in the great State of Alaska, my home State.

Alaska has been ground zero on the radical, irrational policies of the Biden administration to undermine American energy and natural resource strength. Let me give you two examples.

We have an area in Alaska called the Ambler Mining District. It has one of the richest deposits of critical minerals anywhere in the world. There is no road to it. So in Federal law, in 1980, Senator Stevens got a provision in what is called the ANILCA Act to mandate a road to the Ambler Mining District.

In most States, if you want to build a road, nobody cares. In my State, if you want to build a road, every lower 48 radical environmental group sues to stop it. It is unbelievable, but it is true. It is sad, but it is true.

So during the Obama administration and the Trump administration, the State of Alaska applied for a road. They got an environmental impact statement—it cost about \$10 million—a 7-year EIS to build a road to the Ambler Mining District so America could have critical minerals. What happened? That is good news, supported by two different administrations. The day the President of the United States, President Biden, held a critical mineral summit telling the world that we need critical minerals to compete with China and for our renewable energy future, do you know what they did? Do you know what they did, Madam President? I know you have seen it in your State so I know you are frustrated on these issues as well. They reversed the Record of Decision granting Alaska the ability to build this road to the Ambler Mining District. What? Where are we going to get our critical minerals? Where are we going to get our oil and gas? We need these things. Let's get them from America, with the highest standards on the environment in the world. My State has the highest standards on oil and gas development in the world.

They said: No. Alaska, go back to ground zero. We will continue to get our critical minerals from China. And as for oil and gas, we will shut it down in America.

Where are we going to get it? Well, we have seen this administration.

Three months ago, they lifted sanctions on Venezuela so now we are importing 100,000 barrels a day from Venezuela. It is a terrorist country. It doesn't matter. They are still going to import from them. They have the worst environmental standards in the world. They have a greenhouse gas emissions profile 20 times higher than the State of Alaska does in terms of energy production, but we are going to get oil and gas from Venezuela and shut down Alaska. That is No. 1.

No. 2, the President was recently, last year, over in Saudi Arabia literally on bended knee begging the Saudis for more oil and gas. But America, Alaska—no, we are going to shut you down.

And recently—and I know every Member of this body is like what? We are now going to do a deal with the Iranians, lifting sanctions on their ability to put oil on world markets. The largest state sponsor of terrorism, no environmental standards, but we are going to let the Iranians produce oil and shut it down in America.

We just had another attack on my State—55 Executive orders and Executive actions from the Biden administration singularly focused on Alaska to shut my State down. We have so many resources for America, for Alaskans, for the world. They are shutting them down. And what are we going to do? We are going to get them from adversaries like Venezuela, Iran, and other countries. It makes no sense, and it is illegal as well.

Last week, the Biden administration announced that the lease sales that this body—the Congress of the United States—mandated for the Arctic National Wildlife Refuge, they just canceled them. The Secretary of the Interior said: Hey, I know Congress said shall put out two lease sales. They said: We didn't like the process by which they were given out so we just canceled them.

This is "banana republicville." This is Venezuela. That is what we are doing in terms of energy security.

It is national security suicide when we favor our adversaries who have no environmental standards at all and we shut down the production of American energy in Alaska, in America, in the gulf.

In August, they took over a million acres of land from the State of Wyoming to produce energy. It makes no sense. It makes no sense.

If you care about the environment, you need to produce it from the place with the highest environmental standards, not the lowest. That is my State. If you care about energy security, you should produce from America, not Iran or Venezuela. If you care about American workers—the best workers in the world who get paid a very high wage to work in the oil and gas fields in my State—you should produce in America and Alaska, not Saudi Arabia.

None of it makes sense. It is national security suicide, and the vast majority

of the American people know it. They know it, and it has got to change.

I yield the floor.

The PRESIDING OFFICER. The Democratic whip.

CREDIT CARD COMPETITION ACT OF 2023

Mr. DURBIN. Madam President, it was about 12 years ago when I went into a hearing of the Senate Judiciary Committee. I think it was about the time that Arlen Specter was the chairman of the committee, and he had a hearing on something that I knew nothing about. It was called interchange fees.

I walked in there, and the room was packed. It turned out there were two sides to a debate over this so-called interchange fee. On one side were the monsters and giants of the credit card industry, Visa and Mastercard—the duopoly that controls 73, 75 percent of the credit transactions in the United States—and on the other side were a handful of people from gas stations and restaurants.

What were they talking about with the interchange fee? They were talking about the fact that credit cards issued by the banks that honor the Visa and Mastercard exchanges are required to pay fees on every transaction.

What was interesting about the conversation was that when it got down to it, the retailer—the restaurant owner, the gas station—had no control over what the fee was going to be charged by the bank and Visa and Mastercard. Take it or leave it. If you want to honor our credit cards and use them in your business, you will pay the interchange fee. I kind of thought that was unusual or maybe unfair. There was no competition. There was no voice. The retailer just had to pass along the charge, and Visa and Mastercard raised the charges on a regular basis. They just did recently.

We are fighting inflation in America, and Visa and Mastercard are on the other side of the battle. Consumers and retailers are trying to keep prices down; Visa and Mastercard are trying to run them up with the fee they charge for each transaction.

So I decided to ask for a study—that is pretty easy and innocent—a study to find out how much the fees were, why these credit card giants were charging fees in the United States which they weren't charging in other countries.

They fought me tooth and nail to stop me from this study. So I got my back up and decided to offer an amendment to the Dodd-Frank bill, which dealt with Wall Street and the excesses of the 2008 recession. I came to the floor, offered it, and to everyone's surprise, it passed. It regulated the amount of interchange fees on debit cards. Debit cards are just like a checking account. It didn't touch credit cards.

It turned out that that was a big deal because the big banks on Wall Street that were affected by my amendment were losing up to \$8 billion a year in interchange fees that people were pay-

ing. Debit cards were at least containing the growth of these fees, while credit cards were still untouched. And so here we are today.

American consumers are concerned about inflation and the high price of groceries and gas. What they may not know is that the fees charged by the credit cards that they use, known as swipe fees or interchange fees, are adding to the problem.

Visa and Mastercard control just about 80 percent of the credit card market. Each time a credit card is used—whether for groceries, gasoline, critical drugs, anything else—Visa and Mastercard charge an interchange fee. Some of that they keep for themselves, but most of it is given to the bank that issued the card. It is usually charged as a percentage of the transaction plus a flat fee; for example, 2 percent of the transaction plus 10 cents each transaction.

Visa and Mastercard set the fees on behalf of thousands of banks and tell the merchants—the retailers, the restaurants—take it or leave it. Merchants have no choice but to accept these outrageous fees if they want to have credit cards used by their customers.

There is no negotiation. There is no competition. Small business owners and consumers, take it or leave it, are holding the bag.

In 2022 alone, U.S. merchants and consumers paid \$93.2 billion in these fees, credit card interchange fees, to line the pockets of the biggest banks on Wall Street.

If you ask the man who owns the restaurant or ask the lady who owns the shop: What percentage of your overhead cost is interchange fees on credit cards, you will be shocked. Interchange fees are the second largest cost for small businesses only behind labor costs. Just think of that for a moment. Making your payroll is the highest expense. The next expense is not utilities or rent; it is the interchange fees charged by Visa and Mastercard and their banks.

Despite the nearly \$100 billion Visa and Mastercard took out of communities and small businesses across the country last year, guess what they are going to do in October? They are going to raise the interchange fee again. While we are trying to fight inflation at every angle that we can find to bring down the cost of groceries and gas, the credit card companies have decided it is just the right time to have this take-it-or-leave-it fee increased.

When credit cards fees go up, it increases inflation, and consumers pay it. I strongly urge Visa and Mastercard to reconsider this misguided decision. I wrote them a letter. I doubt if they will read it. I am not holding my breath.

That is why I have made it a priority to pass the bipartisan Credit Card Competition Act this year. The Credit Card Competition Act, which I introduced with Senator MARSHALL—there he is on

the floor now; good to see you—Senator WELCH from Vermont, who has joined us, and Senator VANCE of Ohio. A bipartisan bill would finally introduce competition and choice to the credit card market and bring down the excessive credit card fees. It would require only the largest 30 banks in America—and they are the big boys, banks with more than \$100 billion in assets—to enable at least 2 credit card networks to be used on their credit cards, with at least 1 of the networks a company outside the Visa and Mastercard duopoly so there would be competition. I thought that was part of a free market. But when it comes to credit cards, they want no competition.

Merchants would then get to choose one of the networks. There would be real competition for their business, and it would keep the fees as low as possible.

The Credit Card Competition Act is estimated to save merchants and consumers \$15 billion a year. With that in mind, nobody should be surprised to hear that Visa and Mastercard and their big bank buddies have committed to “spend whatever is needed” to stop the Durbin-Marshall amendment.

I stood up to the big banks and giant debit card companies in 2010 when I introduced similar reforms, and I will always choose Main Street over Wall Street. It is long overdue for Congress to break up the sweetheart deal that Visa and Mastercard and the biggest banks in America and certain airlines enjoy. We must bring the bipartisan Credit Card Competition Act to the floor for a vote.

Madam President, the question is whether my colleagues will listen to the consumers and families who are struggling with inflation, whether they will listen to the restaurants that they frequent, as I do, whether they will listen to the small shops and businesses that have to pay these outrageous fees.

Give them a chance. Bring competition into the duopoly. Tell Visa and Mastercard that they cannot lord over these people who are working hard for a living and shouldn't be stuck with these duopoly fees.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MARSHALL. Madam President, I am proud to stand in the gap. I am proud to stand in this foxhole with my friends and my colleagues and with the Democratic whip from Illinois, Senator DURBIN, and my friend Senator WELCH from Vermont.

The Democratic whip is right. The Senate has to choose. Who are we going to listen to? Are we going to listen to Wall Street, or are we going to listen to the folks back home?

Across Kansas, everyone is feeling the impacts of inflation. Family budgets are being stretched to the absolute limit, with little room for error. So you can imagine the shock in Kansans' eyes when I tell them, this year, they will spend over \$1,000 in hidden credit

card swipe fees—which is really a tax. These swipe fees are really just another additional tax—in this case, a 2- to 4-percent tax paid to Wall Street—on top of every purchase you make.

These fees are baked into nearly every purchase you make, whether it is your morning coffee—that Starbucks cup of coffee that you are paying \$7, \$8 for, you are going to send 2 percent more, 3 percent, 4 percent more to Wall Street. When you stop and fill up your gas tank—again, \$50, \$100 of gas—you are going to spend 2 or 3 percent, sending that to Wall Street. On school supplies, shopping, groceries, every time you swipe your card—every time—the Visa and Mastercard duopoly and Wall Street megabanks line their pockets.

Madam President, I rise today with a clear message to Wall Street: Enough is enough.

And before you feel sorry for these multibillion-dollar industries, I want to remind everyone that on top of the nearly \$100 billion in fees Americans pay to Wall Street, these banks charge an average of 25 percent interest to consumers. The average consumer in America carries a balance of over \$1,000 every month—25 percent interest. Back home, we would call that highway robbery.

At a time when Kansans are facing the highest inflation prices in 40 years, small businesses are fighting to keep their losses and their costs low while Wall Street plots their next payday, announcing, as the whip said, that they are doubling down and hiking up their fees on merchants and consumers yet again this fall.

Now, I, for one, am not going to stand for the massive wealthy corporations price-gouging small businesses at every turn. In fact, as I speak, swipe fees here in America are a staggering seven times higher than those in the European Union. Americans are paying seven times more for this swipe fee than the folks in the European Union are.

Now, that is not a trivial difference. That is a canyon-size gap. Why should our small businesses and, by extension, our consumers bear such a disproportionate burden to our friends in the EU? Are payments seven times more secure in America than in the rest of the world? Of course not. Is the Visa-Mastercard duopoly providing American consumers seven times the value and customer service they provide their EU customers? Of course not.

It is simple: They are exploiting our weakness. Due to this lack of competition in the payment processing industry, Visa and Mastercard are grabbing every penny they can from small businesses and consumers until this gets fixed.

When I was first sworn in, my friend and mentor, the late, great Senator Bob Dole, gave me the best advice I could ever get. He said: Listen to Kansans. When you have a concern, when you don't know what to do, go back home and listen to Kansans.

And I am sure my colleagues are hearing the same voices that I am hearing back home.

In August, I went to visit a little grocery store in Conway Springs. It was called Hired Man's Grocery & Grill. Hired Man's Grocery & Grill is run by a wonderful couple, Jenny and Clint; and their employees, for the most part, are high school students. They are the only grocery store in town. That is why they opened it. They were indeed in a desert—a food desert. They are the only ones in the community with fresh produce and butchered cuts of meat as well. Their products are crucial to the success of the town, and without their help, this community would have no grocery store.

When I visited them, they shared with me their challenges: Inflation is raising prices for their business, and swipe fees are eating away at their profits. In fact, they are paying more in swipe fees than they do for utilities or employee healthcare—more in swipe fees than utilities or their employee healthcare.

Now, back in Kansas, we have a saying: Pigs get fat; hogs get slaughtered.

Visa and Mastercard have gotten hoggy on the backs of hard-working Americans.

I understand my colleagues from the great State of Illinois and Vermont and I have bull's-eyes on our backs, and those who support this legislation are being attacked by misleading ads. But I guess that just simply means we are over the target.

But when we have legislation that will benefit every single person in Vermont, Illinois, Kansas, and every American who uses a credit card, I am moving full speed ahead.

Now, just a couple of weeks ago, Visa announced they plan to raise their swipe fees on merchants again. The problem is these megabanks have no guardrails. They can play fast and loose with your money because no one can stop them. Sadly, the credit card industry has been enriched by the COVID-19 pandemic that pushed us further into a cashless society.

Inflation is impacting every corner of our country, putting the American dream further out of reach for millions, but not Visa. Listen to what the Visa CEO said. He even admitted that inflation has a “positive” impact for them. Inflation? Visa and Mastercard welcome the inflation. Why? Because these swipe fees are inflation multipliers, and Wall Street is the benefactor.

I want to go back and talk about that little grocery store in rural Kansas. Jenny and Clint and other small businesses across the State have little to no wiggle room in their budgets, but the big banks press on, tightening the grip on similar mom-and-pop businesses across America.

Wall Street doesn't care about my friends in Conway Springs, that they would lose their town's only grocery store, forcing everyone to drive 40 miles each way to get some milk, to get some food for their families.

And while these financial titans may have their hands around the necks of merchants, I can promise you that leaders like Senator DURBIN, Senator WELCH, and myself are going to keep fighting for justice and doing the right thing. We will fight for our Main Street small businesses and choose hard-working Americans over Wall Street every single time.

Look, the credit card market is broken, but we have a solution to fix it. The Credit Card Competition Act will level the playing field for merchants by injecting competition into the credit card payment industry—not a price cap but more competition—with the bank that issues the card picking the alternative interchange.

And, oh, by the way, financial institutions with a value of less than \$100 billion are excluded from this legislation.

Our legislation forces Visa and Mastercard to come to the table and compete with other companies in the industry, and, in doing so, we will drive down the costs for merchants and consumers.

Let me be clear. Competition is always a good thing for consumers. Our Credit Card Competition Act will lower the cost of doing business for Jenny and Clint in their store in Conway Springs, and, in turn, it is going to lower those bills for American consumers in the checkout lane.

My message of hope to the merchants across the country is that help is on the way. We hope to be voting on our Credit Card Competition Act soon, and when that time comes, we hope other leaders in this Senate body will be willing to stand up to Wall Street and fight for hard-working families. I hope all our colleagues will listen, not only to the folks back home but also to the thousands of your small businesses who are pleading for relief. And, please, choose those voices over Wall Street.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. WELCH. Madam President, I am delighted to be here with my colleagues, the Senator from Illinois and the Senator from Kansas.

I am going to start by answering a question that the Senator from Kansas asked rhetorically: Why is it that American citizens and consumers and merchants pay seven times what is paid by merchants and individuals in Europe? It is because our government doesn't protect our consumers. Our government is not protecting our merchants and our small businesses.

Where there is a monopoly or, in this case, a duopoly and there is this massive pricing power that Visa and Mastercard have, they are doing what monopolies and duopolies do. They abuse that pricing power, and they just stick it to our merchants. It was \$33 billion in charges in 2013, and it is \$93 billion in charges now. And it is not as though the expenses for Visa and Mastercard have really gone up anything close to that.

Inflation is their ally, as the Senator said. COVID was their ally, as we had to rely more on those cards. And they justify what they are doing because it is a convenience for the shopper. You know what, it is a convenience for the shopper. It is a convenience for the merchant. But how does that justify a rip-off just because you are doing something that we need?

And it is folks in Kansas who voted for my Republican colleague, it is folks in Illinois who voted for my Democratic colleague, and it is all of the people we represent, not only these small businesses that are absolutely essential to our local economy and to the vitality of our small communities.

We were at that press conference, and Senator MARSHALL's grocery store folks were here. They were salt of the Earth. They were like—the highest compliment I can give: They are almost like Vermonters, all right. They were terrific people. And we had a father, and we had the son who was going into the family business, and the family business is about serving people in that community.

And we have got a store in Vermont, Dan & Whit's, which has been there for generations, and its motto is, "If we don't have it, you don't need it." And you can basically get anything you want. But, do you know, during COVID, when they had these incredible challenges with workforce, they actually put an ad on the signboard, and retired folks from Norwich would come help do the work, stack the shelves, and do the checkout.

And when a lot of my neighbors found out that every time a customer used a credit card it was costing Dan & Whit's 2 to 3 to 4 percent just so they would pay the bill, they were shocked and appalled. And this store, like the Senator's store in Kansas, all of them—retail is hard. That is such hard work. You have got to watch your costs. You have got to save your money. You have got to provide really good service.

And Senator DURBIN mentioned the second highest expense for many of these small merchants is the cost of the credit card, paying the bill. And it is invisible to most of us when we use our card, because I always thought, if I use my card and I pay my bill, I am not going to have to pay those 25 percent interest rates. But when I found out about what was going on, how much the merchants were getting ripped off, it actually was the last time we had over \$4 gas and I was filling up at my local small convenience store, and I went in and talked to the owner. I got my coffee and got a doughnut. But he got out his bill, and he showed me that when I filled up the tank of gas, with the swipe fee and then the percentage that was taken out—and a very, very small margin on the sale of a gallon of gas for these stores—he was losing money. Visa and Mastercard were doing fine, but my local merchant was losing money.

And the thing that I so enjoy about being with my colleagues here and Sen-

ator VANCE on this bill is, at the heart of this, we understand that, in rural America and smalltown America and in neighborhoods even in big cities like Chicago, these local stores, these merchants, they give us so much service and so much emotional satisfaction. It is where you stop in, you talk to folks you see every day, you share the stories about who won, what happened to the Bears, what happened to the Patriots. But we need those places. Our communities, democratic life need those places.

And this is not a Democratic-Republican deal. All of the people we represent and all of America want to have a sense of community, and who more than our local merchants, who often-times live above the store, right? I mean, a pretty tough job.

They come down, sweep it up in the beginning and at the end. They give kids their first jobs. So many high school kids work in these stores, and they learn how to be good employees, how to do good customer service. The ability to hire these kids gets compromised because of this extra expense.

And, really, what are they doing? We are paying a bill, all right. They have got incredible intellectual property. They have got security systems and all of that. It is good. It is a service.

So no dispute there. But just because you are providing a service doesn't entitle you to rip off everyday merchants because you can.

And the question that I think we have to ask as the U.S. Senate is, What is our job and whom do we work for? Our job is not to pad the already obscene profits of Visa and Mastercard. Our job is to protect our merchants who are doing the work day in and day out and our consumers who are doing their best to stay afloat, pay their bills, get from one end of the month to the other, and hope their checks clear and they can pay their credit card bill.

Our obligation is to the people who have no power but who do have a right to expect that their elected Representatives and Senators, when they see a rip-off, will call it a rip-off and stand up and say: You are going to get treated fairly.

And that is essential for restoring our trust and faith in one another. It is essential for our obligation to help communities that are working so hard to create a sense of place that people want, a sense of connection that we want, to make certain that those businesses that are doing so much in all of our communities—that are doing so much in all of our communities—can keep doing that work that is strengthening communities, providing good jobs to our kids.

And do you know what? Let's act. Let's pass Senator DURBIN's and Senator MARSHALL's bill, and let's protect our merchants against these rip-off credit card fees from Visa and Mastercard.

I yield back.

The PRESIDING OFFICER. The Senator from Louisiana.

UNANIMOUS CONSENT REQUEST—S. 2391

Mr. KENNEDY. Madam President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be discharged from further consideration of S. 2391 and the Senate proceed to its immediate consideration; and I further ask that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

Mr. KENNEDY. Madam President, will it be in order for me to explain S. 2391?

The PRESIDING OFFICER. Unanimous consent agreements are not debatable.

Mr. KENNEDY. I withdraw my unanimous consent request.

The PRESIDING OFFICER. Request is withdrawn.

Mr. KENNEDY. Madam President, in a few moments, I am going reassert my unanimous consent; but, first, I wanted to tell you why I rise today in our Senate. It has to do with flood insurance.

The National Flood Insurance Program, which is administered by FEMA, is going to expire in 17 days, September 30. About 5 million Americans depend on national flood insurance, as you know. Up until recently, private insurers would not provide flood insurance. The Federal Government, for that reason, decided a number of years ago to implement its own program, and it is administered by FEMA.

The National Flood Insurance Program is far from perfect. I don't want to give the impression that I think that somehow it is a model of efficiency because it is not, especially after its implementation of risk rating 2.0.

Having said that, it is an economic—"it" meaning the Federal flood insurance program—it is an economic and commercial necessity. It is almost impossible to buy a home in an area that has the potential of flooding—which is everywhere now—without ever being able to get flood insurance.

My bill is a simple bill. It does nothing but extend the Federal flood insurance program, which, again, is about to expire on September 30, in 17 days. All my bill does is extend it, as is, by 1 year through September 30, 2024.

If there is a threat—and there obviously is—the government is going to shut down. I do not want to risk allowing the NFIP to expire during hurricane season, which we happen to be in.

I mentioned 5 million Americans depend on flood insurance. Well, 500,000 of those Americans are in my State of Louisiana. What would happen if we allow the NFIP, the National Flood Insurance Program, to expire? Well, for one thing, the NFIP would be prohibited from issuing new policies during that period of time, which would shut down commerce and the real estate business.

Existing NFIP policies—I don't want to scare anyone. If, for some reason,

the flood insurance program expires, existing policies are still in effect until their expiration date and claims will continue to be paid as long as FEMA has money. However, the Federal requirement that you have to purchase flood insurance under certain circumstances to get a mortgage would be suspended, which means many mortgage companies would not loan money to homeowners.

If we allow the NFIP to expire, the National Flood Insurance Program would not be able to borrow money from Treasury. Their authority to borrow money would be reduced from the current \$30 billion to about \$1 billion, which is not much money, as you know, Madam President, to recover from a national disaster.

The National Association of Realtors has suggested that during the lapse of the NFIP—about 13 years ago, we allowed it to expire. At that time, just in my State alone, about 1,400 residential home sale closings had to be canceled.

Let me say it again. I know the flood insurance program is not perfect. I will be the first to say that. I will lead the parade. A lot of work needs to be done on it, but the only thing worse than what we have is nothing. It will shut down commerce in terms of real estate in this country. And in 17 days, September 30 of this year, the National Flood Insurance Program expires.

All my bill does is one thing: It extends it 1 year. For that reason, Madam President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be discharged from further consideration of S. 2391, which is my bill, and the Senate proceed to its immediate consideration; and I further ask that the bill be considered read a third time and passed, and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER (Ms. BALDWIN). Is there objection?

The Senator from Utah.

Mr. LEE. Madam President, I rise today with great respect, affection, and admiration for my friend and distinguished colleague, the Senator from Louisiana. I have always appreciated his dedication to the welfare of his constituents and the prudent management of taxpayer dollars. When it comes to the National Flood Insurance Program, or NFIP, as it is known, I must voice some concerns.

The NFIP, by its very nature and its current structure and the way it has been operating, remains a perfect example of what can happen when good intentions meet imprudent policy.

We find ourselves on the precipice of what is euphemistically called a clean reauthorization. While the term "clean" as used here may suggest unerring direction or impurity or transparency, in this context, clean is better understood as "unchanging" or even "unreflective."

Let's be clear on the facts here. Commerce created the NFIP as a govern-

ment flood insurance monopoly, one that covers privately owned properties. Yet this government-backed monopoly behemoth sits on more than \$26 billion in debt owed to the U.S. Treasury.

My friend and colleague referred, a moment ago, to the ability to cover up to \$30 billion of potential liabilities. They have \$20 billion in debt because of the way the program has been run. There is no subtly as to why this has happened. The NFIP is offering special below-market rates for insurance in regions and for specific properties that are inherently flood-prone.

Congress is no stranger to the adage of doing the same thing over and over again and, somehow, nonetheless expecting different results. And yet we find ourselves here, yet again, ready to do battle again.

This isn't merely about economics; it is also about evenhanded fairness. The NFIP, as constructed, disproportionately benefits, in many instances, those who least need the assistance. The data speaks clearly to this. Historically—and, certainly, this was the case as of just a few years ago—the median value of an NFIP-insured home has been roughly double that of the average American home.

I have introduced several pieces of legislation trying to reform this program. I introduced several bills in the past proposing some fixes, including one that would propose a particularly meaningful simple change, and that is capping the NFIP insurance eligibility at \$1 million. This isn't about penalizing success. Rather, it is a recognition that those fortunate enough to afford homes in the million-dollar-plus range are also most likely very able to secure insurance without a public subsidy and without running the NFIP program even further into debt, on top of the \$20 billion that they have already racked up.

So my objection is not about negating Senator KENNEDY's genuine concerns and very legitimate points about our citizens; it is about ensuring that we take steps in the right direction as stewards of taxpayer dollars.

With the utmost respect to my friend and colleague, with whom I agree on most things, the NFIP, in its current form, isn't moving us in that direction. It is a broken government subsidy program that has long been in need of some reforms to accompany any reauthorization.

When this has come up in the past—each time it comes up as we are approaching another expiration—I have offered up reforms, year after year. And year after year, I have been told: We will get to that. We will get to that. We will add some of those reforms. You are right, we need to reform the program. We will get to that but not yet.

It is as if echoing the famous words of St. Augusta who, during his conversion to Christianity, reportedly said: Lord, grant me chastity, but not yet.

The time comes when you actually have to do what needs to be done.

So I appreciate the opportunity to share those views and remain committed to working alongside my friend and colleague, Senator KENNEDY, to identify and implement solutions that best serve all Americans.

There are a number of solutions. I introduced a number of pieces of legislation over the years, one of which I mentioned a moment ago. There are others. If we can adopt one or more of these reforms, we can get this done.

What I am not willing to do is agree, yet again, with another hollow promise, yet again, that at some unknown point in the future, we will reform the program, as I think everyone acknowledges needs to be done.

On that basis, Madam President, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Louisiana.

Mr. KENNEDY. Madam President, I appreciate Senator LEE's remarks.

I know he has concerns, as well he should.

I am sorry. I will start over.

Madam President, I appreciate Senator LEE's remarks. His objection does disappoint me; but I appreciate his remarks, and I share his concern about reforming the Federal replenishment program.

It doesn't look like someone designed it on purpose. It should look like someone designed it on purpose. It should be reformed. There aren't 60 votes right now to reform the program, and we don't have time to do it in the next 17 days. We could, if our majority leader would vacate all other business on the floor and we worked like most Americans work, but you and I both know that is not likely to happen.

As imperfect as the program is, I will be back to reurge this unanimous consent. This is the worst possible time to allow our National Flood Insurance Program to expire for my State, imperfect as it is, because we are right in the middle of hurricane season.

I also want to point out, as I told Senator LEE before, I am certainly willing to discuss with him putting a cap on the amount of insurance offered. And I will tell you why.

A mischaracterization—that is probably the wrong word. A characterization that is irrelevant to my State with respect to flood insurance is as follows: that flood insurance just benefits a lot of multimillionaires who live on the coast and could afford, frankly, to even be uninsured. And that may be true in some States. Certainly, if it is true, I am certainly not denigrating the folks who were successful enough to be able to buy a beach home. My only point is that is not true of Louisiana.

Insurance of 500,000 people who rely on flood insurance in my State are just like you and me. They just get up every day. They go to work. They obey the law. They pay their taxes. They try to save a little bit for retirement, and they try to do the right things by their

kids. They are not millionaires. They are working women and working men. They have to have this insurance. I just wanted to make that point for the record.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

Mr. LEE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The senior Senator from Utah.

Mr. LEE. Madam President, I appreciate my friend and colleague's words, and, yes, I want to be very clear—under no circumstance did I suggest that this benefits only wealthy people. Quite to the contrary, my whole point was that we can reform this program so that it doesn't have \$20 billion in debt at the same time that it has \$30 billion in liabilities. That is not a good way to run this, because, he is right, there are a whole lot of people who are not in the wealthy, million-dollar-plus homeowner category. But for those who are, they should not be in the same position because they are not in the same position. So that is why I would be happy to work with my friend and colleague. We can get this done. This one does not have to be difficult. Sure, it takes a lot of time to put a bill on the floor and subject it to a full process.

I am not the only one with concerns about this legislation, but for my own purposes, as far as I am concerned, if we can get agreement on that, I would be happy to let your measure pass if we can incorporate that reform. We can incorporate that reform very easily, do another unanimous consent request, and if no one else objects, I am happy to let that one go with a simple reform. I already have the legislation drafted from previous Congresses. We can get this done.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KAINE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MILITARY PROMOTIONS

Mr. KAINE. Madam President, I rise today to try, with my colleagues, to put an end to the double shutdown threat.

There are two shutdown threats existing right now in the U.S. Capitol. One is a threat by certain Members in the House majority to shut the government down at the end of the month. That would be foolish. It would hurt people unnecessarily. It would be particularly foolish given the existence of Federal law that says Federal employees get paid even during a shutdown. How would it be fiscally conservative to shut the government down, lock Federal employees out of their offices, disable them from serving their fellow

Americans, and then pay them? So we need to put an end to any risk of shutdown or threat of shutdown, and, in fact, it is a bad-faith tactic even to raise it. The second shutdown we need to avert is the shutdown of military promotions, and that is what I want to address today.

The senior Senator from Alabama has held up political nominations of more than 300 senior military officers for months. I have spoken about this numerous times on the Senate floor, and yet it is getting more and more severe every day. This is the behavior of one Senator who has placed a hold on these nominations, but, frankly, it is behavior that is being enabled by his colleagues on the Republican side of this body.

Military leaders who have done nothing other than volunteer to wear the Nation's uniform and risk their lives in serving this country, who have served honorably, have had their lives and careers derailed over a disagreement on a policy matter that these officers had nothing to do with.

A few weeks ago, Senator REED and I took to the floor, and we read the names and backgrounds of all who had been blocked. We read their names, their rank, how long they served, where they have been deployed, military awards, nominations, and medals they received: Silver Star, Bronze Star, Purple Heart—all of whom are being blocked—it is extremely disrespectful to all these nominees—simply because an executive Agency has implemented a policy that one Senator does not like. As I have explained previously on the floor, it is particularly galling because we have repeatedly given this Senator an opportunity to convince his colleagues that the DOD policy is wrong, and he has been unsuccessful.

In the Armed Services Committee, where we serve together, he wanted a vote on an amendment to change the DOD policy. He failed. I have failed in making amendments in the Armed Services Committee before, and I never take out my failure on people who are serving, wearing the uniform of this country. If I am not persuasive enough to convince my colleagues of a policy, I am not going to punish those who are serving this country.

This is causing critical challenges in critical positions throughout the DOD, and it is affecting Virginia, just as it is all States. Of those who are being held, 39 of the positions are positions that affect Virginians. They are unable to move their families and unable to put their children in school. They can't start the jobs for which they have been nominated based upon their track record. Of the 39 positions, 25 are in one region; Hampton Roads, VA, the center of sea power in this country. These affect operations, modernization, and the future of the largest naval base in the world. But it is not just Hampton Roads, it is also McLean, Fort Belvoir, Falls Church, Fort Gregg-Adams, and Winchester.

The irresponsible hold is not only affecting the lives of individuals and affecting the strength of our military, it is getting attention from around the world. It is getting attention from allies who depend on us and want to know we are reliable, and it is also getting attention from adversaries.

Let me just read a sampling—and this is a small sampling—of headlines about how the actions of the U.S. Senate in blocking these appointments are being interpreted around the world.

RT is Russia Today newspaper. An article that was somewhat lethal: "U.S. military hit by unprecedented leadership void"—this is a good news story in RT. The action of the Senate is a good news story in Russia Today.

Al Jazeera. This is not a publication of an adversary, but it is a publication that is widely read throughout the Middle East, including by folks and nations that are adversaries. "Senator stalls US military promotions in anti-abortion standoff." This is going throughout the Middle East.

BBC News. The UK is probably our most reliable ally militarily and also in the intelligence community. They are part of the Five Eyes. We share intel. "Senator Tuberville: No truce over military blockade on abortion."

The Presiding Officer knows President Biden announced 2 years ago a pivotal new partnership called AUKUS—the United States, Australia, and the UK. This is an alliance that has been important and will be more important. Yet what is being read by the citizens and military leaders in the United Kingdom? They are reading about this action of the United States in blocking military promotions.

This is a publication—and I have to admit, I cannot pronounce this, but I will translate it. It is Global Times. It is a publication in the People's Republic of China that is subordinate to People's Daily. "The dispute over the right to abortion has been spreading like fire!" Exclamation point. This is a good news story in China. "More than 300 appointments were blocked by Republican lawmakers, and the three U.S. military branches angrily denounced them."

This is what our adversaries are saying about what is happening in this Chamber—or, more accurately, what is not happening in this Chamber.

The Sydney Morning Herald. Again, this AUKUS announcement about our framework with the United States and UK will depend heavily upon not only cooperation with the Australians, but the Australians have planned to invest billions of dollars in the American submarine industrial base so that we can train them and eventually build up a domestic submarine production capacity in Australia.

"US senator blocks hundreds of military promotions over reproductive rights." As the Australian Parliament is making the decision about whether to commit these resources to the United States in a historic way, this is

what they are reading about the American military and the leadership of this body with respect to the promotion of military members.

CBC. This is the Canadian broadcasting network, and this is, again, one of our primary allies in the world whom we work with together on everything. “Embassies unstaffed, military gaps; America’s toxic politics spills into foreign affairs.” One of our best allies, that is what they are saying about us.

Finally, this last publication, this is a Taiwanese publication. Taiwan is increasingly reliant upon the United States and other nations to try to protect them from Chinese aggression. “U.S. anti-abortion senator boycotted general promotions, criticized for ‘assisting the Communist Party.’”

Whether it is our allies or our adversaries, they watch what we do, and they watch what we don’t do; and they are paying critical attention to the blockade of these worthy men and women in the military.

Now, my Republican colleagues have sort of switched tactics. For a while, they weren’t sure whether they wanted to defend the blockade that the Senator from Alabama is leading. They have realized it is indefensible, so now they are trying to blame Senator SCHUMER for it, that Senator SCHUMER should just take responsibility for addressing this by putting votes on the floor.

Senator SCHUMER has nothing to do with these blocks. During his entire time in the Senate, he has not put a blanket hold on military promotions nor has any other Member of the Democratic caucus. The suggestion that it is Senator SCHUMER’s fault is laughable.

The Congressional Research Service has done the study and suggests that the only way to overcome this massive blockade by the Republicans would be to take up each of these appointments—hundreds of them. That would take over 700 hours to complete what, throughout decades, has been a matter of course in this body. Of course, if we did that, we wouldn’t get to the budget. We wouldn’t get to other important priorities. We wouldn’t get to the FAA reauthorization. We wouldn’t get to the farm bill. We wouldn’t get to confirm judges. So, as to the notion that we will just bring them all up individually, the Republican majority knows that that is not practical.

Some have suggested something that, frankly, is even more pernicious and that I find insulting. Some of my Republican colleagues have said: OK. Look, Senator TUBERVILLE is holding up hundreds of people, including service chiefs and the head of the Naval Academy in Annapolis. Why don’t we do this: Why doesn’t Senator SCHUMER just bring up the top brass? Then we will have votes on the top brass and allow Senator TUBERVILLE to keep punishing everybody else down the line.

That is not a good-faith offer, and it is directly contrary to the spirit of the

American military. I am not a veteran. I serve on the Armed Services Committee, and I am from a very military State. My oldest son is a U.S. marine. If you say to somebody in the military “just advantage the brass, and punish everybody underneath them”—I would advise you not to say that to anybody in the military. That is not the American military effort. I have heard my son say many times that officers eat last. You take care of the enlisted. You take care of the lower ranks before you take care of the higher-ups.

So the notion that this body or that even some of the military nominees who have been advanced for the high positions would accept this body’s acting on them while continuing to punish everybody beneath them is outrageous.

In fact, I will just remind my colleagues and my colleagues who are here—the Presiding Officer and the Senator from Washington—that we all were together once at a lunch a number of years ago with Senator John McCain before he passed away. A decision was made that was sort of rare, which was that we would have a closed-door lunch with all 100 Senators and Senator McCain would speak about the unspeakable: his time as a POW in Hanoi during the Vietnam war.

His plane was shot down in Hanoi. He was beaten and tortured. He was imprisoned as a prisoner of war for multiple years. There came a time during his imprisonment when his captors realized that his father was one of the key members of the Navy, one of the key members of the brass. He was a VIP. Many people had been imprisoned as POWs in that same Hanoi Hilton before Senator McCain, but the North Vietnamese believed, if we let Senator McCain out, it will suggest that we are beneficial; but it also may weaken the morale of those who remain here because we will have let out somebody who is high up on the list, and we will have continued to punish others.

They came to Captain McCain, and they said: We will let you out.

How tempting that must have been. I don’t know any of us who could kind of put themselves in that position. The Presiding Officer and I were together a few years ago at the memorial for John McCain where he was shot down in Hanoi. Put yourself in that position. You have been a POW for years, and you are given an offer for your freedom. And he turned it down. He turned it down and said: I am not accepting it because there are people who were here before me; and only if you let all of those hostages go will I then accept your offer of freedom. I am not going to let you benefit me and continue punishing others who were here before me.

That is what the ethos of the American military is. You don’t benefit the VIP or the big shot or the person with the high rank and punish others.

So for us to countenance such a suggestion in this body that we would have a debate and a vote on a few of the top brass and then would allow the

punishment of these poor people who are trying to move across the country—whose kids need to be in school, whose spouses have jobs they can’t report to—not only should we not do this here, but I can’t imagine that the key military leadership who is waiting in line would even want us to do that.

There is one solution for this, and the solution is for the Republican minority in this body to go to Senator TUBERVILLE and convince him to stop this punishment of these individuals. These officers had nothing to do with the policy that Senator TUBERVILLE doesn’t like. If he doesn’t like the policy—and I disagree with him on that—he is within his rights to not like the policy, but when he has had the repeated ability to try to persuade his colleagues that the policy is wrong and he has been unsuccessful, he should not take out his inability to persuade his colleagues on these patriotic public servants.

I urge, in the most urgent way that I can, the quickest end to this blockade. Let’s get these people into the positions that they have earned through their lives of service and enable them to continue to serve this country.

I yield the floor.

The PRESIDING OFFICER. The senior Senator from New Mexico.

AGRICULTURE APPROPRIATIONS

Mr. HEINRICH. Madam President, the substitute amendment contains the Appropriations Committee-reported versions of three bills: Military Construction and Veterans Affairs; Agriculture; and Transportation, Housing and Urban Development.

I rise today as the chair of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Subcommittee. I just want to urge all of our colleagues—all of them—to support the Agriculture bill that the Appropriations Committee reported out on a unanimous and bipartisan 28-to-0 vote.

The fiscal year 2024 Agriculture appropriations bill provides nearly \$26 billion to continue the important work of the U.S. Department of Agriculture and of the Food and Drug Administration. This includes support for American farmers and food producers, protections for our Nation’s food supply, and investments in important conservation and clean water programs.

As we drafted this bill, our subcommittee made difficult decisions on how best to invest taxpayer dollars in line with the agreement forged earlier this year by both President Biden and—I would point out—House leadership. I am proud of the incredibly collaborative approach taken by Ranking Member HOEVEN to make this a truly bipartisan bill.

Our subcommittee held substantive hearings. We considered nearly 3,000 requests from our Senate colleagues, and we worked in an incredibly bipartisan manner to address all of the ways that these Agencies serve our Nation and our constituents. Every single State,

including my own State of New Mexico, has farmers, families, and rural economies that will benefit directly from the investments in this legislation.

At the core of this bill is our commitment to ensuring that families can put food on their tables and that no child goes hungry. The committee-reported bill includes \$6.3 billion for the Special Supplemental Nutrition Program for Women, Infants, and Children, or WIC. It safeguards the enrollment of over 6 million women, infants, and children across this Nation in this vital nutrition program; and we will continue to monitor the impacts of rising food costs and the increased participation of families in WIC. We must deliver on the goal of providing every eligible family with the full benefits that they need to keep healthy and nutritious food on their tables.

Few Federal aid programs garner such broad bipartisan support as WIC, and I am confident that my colleagues will continue to sustain this essential program, just as they did when the Presiding Officer was chair of this Appropriations subcommittee.

Equally important, this bill fully funds the Supplemental Nutrition Assistance Program and child nutrition programs so that kids across the country will continue to receive healthy school meals. Children should be able to focus on learning and growing, not on the worries about when or if they will get their next meals.

This bill also provides a \$20 million increase for the Food and Drug Administration to support its mission of protecting the safety and security of our Nation's food supply.

As we head into another winter flu season and see potential new upticks of COVID cases, this bill will ensure that the FDA has the resources it needs to keep our Nation's drug supply safe.

This bill maintains our support for vital agricultural research and our Nation's next generation of researchers through funding for both the Agricultural Research Service and the National Institute of Food and Agriculture. These funds support scientific discovery at land grant universities and research centers all across this great Nation. These programs protect our Nation's current food supply and ensure the long-term viability of American agriculture.

I am also pleased with the \$922 million that we provided for conservation efforts around the country. In the face of a rapidly changing climate and the weather impacts that that has, it is essential that our farmers and producers have access to technical assistance and the tools that they need to implement best practices on their working landscapes.

Importantly, this bill makes key economic investments in rural America as well. Many rural communities, including in New Mexico, are burdened by a lack of affordable housing as their housing stock continues to age and construction costs increase. The bill

provides over \$30 billion for rural Americans to achieve homeownership, the majority of whom will be first-time home buyers.

It also fully funds the rental assistance program, which provides a lifeline for many low-income families in rural communities. These funds are coupled with almost \$2 billion for business and industry development to increase job growth and revitalize rural economies.

Finally, this bill underscores our commitment to global food security by maintaining funding for vital international food aid programs. These programs support developing countries and provide for the donation of U.S. agricultural commodities. As conflict and climate threats around the globe contribute to rising levels of famine and poverty, these programs demonstrate our Nation's leadership in the fight against world hunger while also building new markets for our agricultural exports.

The agriculture portion of this mini-bus appropriations package is a bipartisan, comprehensive bill, and I am proud to see it before the full Senate for consideration.

I want to take just a moment here at the end to recognize the members of our subcommittee and all of their staffs, from both the majority and the minority, for their incredibly tremendous efforts to negotiate this bill.

I yield the floor.

THE PRESIDING OFFICER. The senior Senator from North Dakota.

Mr. HOEVEN. Madam President, I am here and am pleased to join my colleague from the State of New Mexico. I thank him for his leadership on the Ag Appropriations Committee and join him in urging support for our legislation.

It did pass the full Appropriations Committee. I see that our Appropriations chair is here, and I want to thank her for her work as well. But it did pass our full Appropriations Committee unanimously. You know, we like to see that bipartisanship, but I think it says a lot that it came through the full Approps Committee with a unanimous "do pass" vote.

I just want to talk a little bit about the bill and how important it is that we are returning to regular order. I think that is incredibly important. Our objective here is not just to pass the bill but to do it through regular order, meaning an open amendment process. I think that is something that our Members have very much wanted, and that is something we are working very hard to achieve.

Like the Senator from New Mexico, I want to thank his staff, Dianne Nellor, Rachel Erlebacher, and Hannah Chauvin, for their work. We appreciate working with them. And, of course, my crew, Morgan Ulmer and Patrick Carroll, who worked very diligently, worked well together to craft the bill. I want to express my appreciation as well to Senator HEINRICH.

As he detailed, this bill represents careful consideration of many impor-

tant programs that are included in the Ag appropriations bill. It reflects a balance of making the right investments in critically important programs while lowering levels in some areas that had seen supplemental increases in the past because, obviously, we were given a 302(b) number that we had to achieve, and that actually reduces spending in some areas. Tough decisions were made dollar for dollar. This bill spends less than 1 percent more than last year, even though, obviously, the cost of inflation has been significantly higher.

Still, we were able to provide the necessary investments in agricultural research programs, for example, to support the continued success of America's farmers, ranchers, and agribusiness. That ag research has made incredible differences in terms of not only disease resistance but also productivity gains for our farmers and ranchers.

We were also able to support efforts to protect our producers from things like Avian influenza, chronic wasting disease, and other diseases that affect our crops and animals as well.

We also provided funding for the Farm Service Agency and Risk Management Agency to ensure that our farmers and ranchers continue to have access to important programs, to disaster assistance, and to crop insurance.

Obviously, with the FSA and the RMA, it is vitally important that they have adequate staffing to work directly with our farmers and ranchers. Agriculture has become like all businesses, more complicated and more challenging, and we need to make sure that assistance is in place for our producers.

We fully fund the Food Safety and Inspection Service to support our Nation's frontline inspectors and maintain progress made in recent years to increase transparency and competition in the meat industry. There is a lot more that we need to do there as well, but we are making progress and need to continue to work on that important issue.

We were able to provide targeted increases to the FDA—the Food and Drug Administration—in order to promote programs that support food safety and address critical drug and device shortages.

Last Congress, there were significant increases for conservation and rural infrastructure programs like broadband coverage. While the USDA is working to get that funding out the door, we were able to make reductions in some of these accounts while still making substantial progress on those things. But, again, it required that in order to make sure that we could achieve the budget number that we were given—like I said, just 1 percent more than last year.

We also rescinded previously appropriated discretionary dollars that have gone unspent in the Department on a multiyear basis and worked very hard to make sure we could find any areas of waste and tried to reduce spending in those areas.

Essentially, what we are doing is what Americans are forced to do every single day, and that is to do more with less, to prioritize, and make sure that they find savings where possible and fund priors.

Essentially, we know there is more to do. We think that this bill, as I stated, coming through the committee unanimously, is a solid piece of work. We are ready for an open amendment process, and I certainly welcome ideas from the entire body.

Again, I want to emphasize the importance of getting back to regular order. This gives us an opportunity to do that. So let's seize the day—as they say, *carpe diem*. Let's get to work on it, and make sure that we also do the absolute best that we can for our farmers and ranchers.

One point, in closing, that I want to make, and that is this: We have about 60 million people involved in agriculture across this great country. We have a system of family-based small businesses in agriculture. Our farmers and ranchers are largely family-based small businesses, and we can't take that for granted. They produce the highest quality, lowest cost food supply in the world.

Americans spend less of their budget on food than almost any other developed country, brought to them by farmers and ranchers. So it is critically important that we support them because every American benefits every single day from what our farmers and ranchers do, and we can't take that for granted.

Look at the consolidation we see in so many other industries. Let's make sure that we continue to have that family-based small business network out there, providing our food, fiber, and fuel every single day. That is what this legislation is all about.

I yield the floor.

The PRESIDING OFFICER (Mr. MURPHY). The Senator from Hawaii.

MAUI WILDFIRES

Mr. SCHATZ. Mr. President, I rise in support of the package of bills on the Senate floor.

But first, I want to share a brief update on the situation on Maui. We are now a month on from the devastating wildfires that killed 115 people and leveled the town of Lahaina.

After a weekslong search and recovery effort for remains, we have entered a new phase of the response. The Environmental Protection Agency has begun removing toxic household materials and waste so that residents can return to their homes safely. It is a painstaking process that is likely to take several months to complete.

Life in Lahaina is still not normal. Forty-two people are still missing. That is down from an initial count of nearly 3,000. More than 7,000 people are living in temporary housing like hotels and Airbnbs. Three thousand students are displaced from their schools.

And the local economy is reeling without tourism. Small businesses are

struggling to stay afloat. Hundreds of people—restaurant workers, hotel workers, helicopter tour operators—are being laid off.

More than 10,000 people filed for unemployment in the 3 weeks following the fires. In total, the economic impact of the fires is estimated at nearly \$2 billion through next year. That is not counting the damage. That is the economic impact.

It is hard to overstate how much help the people of Maui need. To date, more than 15,000 survivors have applied for FEMA assistance. That is just a narrow snapshot into what is needed now and in the months and years to come.

People urgently need basic items like phones and new IDs. Long term, they are going to need permanent solutions for housing and schools. In the meantime, damaged infrastructure like roads, highways, schools, and healthcare centers will need to be rebuilt.

The road to recovery will be long, and it will require billions of dollars in Federal aid to get the job done. Congress has a responsibility to provide relief and to deliver it quickly.

APPROPRIATIONS

Mr. President, now, I want to turn to the appropriations bills under consideration. These bills make critical investments to advance our Nation's health and safety by ensuring affordable housing for 10 million people, protecting the integrity of our food supply, supporting the readiness of our Armed Forces, and more. And so it is vital that we pass them.

Each of these bills was developed through a collaborative, bipartisan process, and each bill was unanimously passed out of committee by a vote of 29 to 0—unanimously passed out of committee by a vote of 29 to 0.

I want to thank Chair MURRAY, in particular, and Vice Chair COLLINS, as well as Majority Leader SCHUMER and Minority Leader MCCONNELL, for their leadership in helping to restore the appropriations process to regular order.

I am looking at the Presiding Officer, my good friend from Connecticut. We entered the Senate, I think, only 13 days apart from each other. And people have been talking about regular order for a long time, to the point where it actually sometimes results in an eye roll: We should do regular order. We should do regular order. Easier said than done. But it took the two women chairs—chair and vice chair—of the Appropriations Committee to get us onto the floor to have not an omnibus but a minibus, to have just a couple of bills that were actually marked up on a bipartisan basis and then to have amendments. And so this is a significant moment for the Senate in trying to restore its reputation as the world's greatest deliberative body.

The Transportation, Housing and Urban Development, and Related Agencies, T-HUD, portion of this minibus package, where I am the chair and I work so closely with my friend and

vice chair, Senator HYDE-SMITH, provides \$99 billion for affordable housing and homeless assistance, infrastructure development, the operations of the FAA and Amtrak, and safety oversight of our transportation systems.

While it does not include everything we wanted because it was negotiated to be in line with the spending caps set by the debt ceiling budget agreement, it still makes meaningful investments to improve housing access and the reliability and safety of transportation nationwide.

So I want to thank again my counterpart on the T-HUD Committee, Ranking Member CINDY HYDE-SMITH, who has been a collaborative partner throughout this process. And I want to thank the committee members and our staff on both sides of the aisle—the subcommittee staff, the whole committee staff, the leadership staff, our personal office staff. We come out here and it is our name on the door and it is our name on the bumper sticker and we are going talk about the work that has been done, but anybody who knows the legislative process knows that we are not the ones actually executing. We are not the ones drafting the legislative text. It doesn't mean we don't play a role, but there are dozens and dozens of people who make personal and professional sacrifices to be here and do this work and produce an incredibly strong bill.

It is no secret that we have a housing crisis in America. It affects millions of Americans in every State. And day by day, more and more people are falling into homelessness. The homeless population is also aging with more complicated medical conditions that make it harder to serve. That is why we are protecting existing rental assistance programs and increasing efforts to reduce homelessness. Specifically, we are targeting resources to improve coordination between housing and health services, building the capacity of communities and service providers, and creating more permanent supportive housing opportunities.

The bill also maintains funding levels for the HOME Investment Partnerships and Community Development Block Grant Programs. Both of these are popular and important tools that enable State and local governments to support the construction of more housing and the community needs around it.

And in the second year of the Yes In My Backyard Program, we are incentivizing jurisdictions to remove regulatory barriers and unlock private investment to increase housing stock. We need to continue to use every tool at our disposal to address this national housing shortage.

One more thought on the Yes In My Backyard initiative: There is no amount of money that we could put in this bill that will solve our housing problem unless we deal with the barriers. We are creating shortages of housing at the State and county level.

We are creating shortages of housing. It is the only thing I have ever thought of in the government where the government creates a shortage and then the policymakers sort of stroke their chins, going, What should we do about this shortage? Well, you have made it harder to build housing for people. And so the YIMB Program is designed not to control but to incentivize jurisdictions to try to figure out how to unleash private sector investment and increase the supply of housing. Yes, LIHTC is important; yes, permanent supportive housing is important; yes, the housing voucher program is important; yes, HFA is important; yes, HUD-VASH is important. All of that matters, and we should fund it at as high of a level as we can possibly stomach. But the truth is, even that won't be enough until we allow people to do what they wish with their property and build more housing.

We have included record-level funding for Native American housing programs—something I am particularly pleased about, as the Senator from Hawaii and the chairman of the Senate Committee on Indian Affairs. Native residents are nearly twice as likely to live in poverty and three times more likely to live in an overcrowded condition compared to other U.S. households. Given the scope of this challenge, this funding is just the start, and we are going to need a lot more to address it fully.

And for transportation, the bill is focused on supporting the operational needs of the FAA. We have fully funded the FAA's budget request on operations, staffing, facilities, and equipment in order to restore hiring and modernization efforts that were frozen during the pandemic.

My colleagues and I are separately working to reauthorize the FAA, and this funding is complementary to those efforts. This bill also maintains our commitment to building on the historic investments in the Infrastructure Investment and Jobs Act, to improve our aging transportation systems across America. For instance, it aims to address the rail safety deficiencies identified in the East Palestine, OH, train derailment by fully meeting the request for rail safety inspectors and research into wayside detection technologies.

Tens of millions of Americans across the country, including our veterans, will benefit from the investments that we made in these bills, in terms of where they live, how they get around, and the food that they eat. It is critical that we pass these bills.

I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

Mrs. HYDE-SMITH. Mr. President, I am pleased the Senate is beginning consideration of the Military Construction-Veterans Affairs, Agriculture, and Transportation, Housing and Urban Development appropriations bills.

Let me begin my remarks by thanking Chairman MURRAY and Vice Chair-

man COLLINS for their strong leadership in advancing these bills through committee and now to the Senate floor. This returns to regular order, which is long overdue and is a testament to what we can accomplish through a committed bipartisanship.

I also want to thank Senator SCHATZ, the chairman of the T-HUD Subcommittee. He has been a delight to work with and has been very, very pleasant to go through this and help me.

The fiscal year 2024 Transportation, Housing, Urban Development, and Related Agencies appropriations bill is a bipartisan and fiscally responsible bill that has passed unanimously—a 29-to-0 vote in July—by the full Appropriations Committee.

There are a few important aspects of the bill that I would like to highlight. First, I want to stress that this bipartisan bill incorporates input and requests from more than 80 Senators from both sides of the aisle. The bill provides adequate resources for the Department of Transportation and the Department of Housing and Urban Development to administer the many important programs and activities under their jurisdictions. These programs protect public health and safety, promote economic growth, and improve the overall quality of life for all Americans.

The bill includes \$28.5 billion for DOT and \$73 billion for HUD, as well as funding for small independent Agencies like the Federal Maritime Commission and the National Transportation Safety Board.

With this bill, we are continuing to foster and grow the safest and most reliable transportation system in the world. The bill makes key investments in our transportation infrastructure, including \$800 million for the popular RAISE Grant Program, and nearly \$1.2 billion for the important bridge repair and rehabilitation program.

We also fully fund critical aviation needs, such as funding for 1,800 new air traffic controllers and for modernizing our legacy airspace systems.

The popular Consolidated Rail Infrastructure and Safety Improvements Grant Program is funded at \$500 million, and Amtrak is funded at \$2.5 billion, which will continue to provide upgrades and service to rural communities, as well as the Northeast corridor.

In addition to transportation programs, this bill maintains existing rental assistance for more than 4.6 million households. This includes working families, seniors, people with disabilities, and those who are homeless or at risk of homelessness. Additional investments are made to support ending veteran and youth homelessness, as well as to develop more permanent supportive housing.

Ending cycles of dependency requires promoting self-sufficiency and financial literacy tools, and I am pleased that the bill includes \$198 billion for HUD's self-sufficiency programs.

Finally, the bill continues to fund the CDBG Program at \$3.3 billion, which continues to be one of the most requested programs in this bill by Members from both parties to help State and local governments across the country promote economic development and job creation.

In closing, given the wide array of projects and activities funded by this bill, the subcommittee received a substantial amount of Member requests and has worked to try to address as many Member priorities as possible. The fiscal year 2024 Transportation, Housing and Urban Development, and Related Agencies appropriations bill is worthy of consideration and passage by the full Senate.

I urge my colleagues to join me in supporting the investments in this bill to support families and communities across this country, as well as the Military Construction, VA, and Agriculture bills that make up this minibus.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

REMEMBERING JIMMY BUFFETT

Ms. LUMMIS. Mr. President, I begin my remarks today with the words from a song:

There's this one particular Harbor, so far but yet so near, where I see the days as they fade away and finally disappear.

When a timeless, iconic American passes away, reflection sets in, perhaps more so for those of us who are contemporaries, to that timeless American's gift to our culture, to America as we know it, live it, and find joy in it.

Today, I rise to pay tribute to Jimmy Buffett, a legendary singer-songwriter, author, and iconic American who created an incredible and uniquely American musical genre that inspired us to celebrate life with joy, to celebrate everything from a "Cheeseburger in Paradise" to a "Pencil Thin Mustache," to this "One Particular Harbor."

Jimmy Buffett's unique contribution to American culture spans his early career, Bourbon Street performances in New Orleans, to sold-out Red Rocks Amphitheatre, inspiring generations of Parrot Heads that were drawn in by his extraordinary American perspective.

From remarkable creations like "One Particular Harbor," "Fins," "We Are the People Our Parents Warned Us About," "Son of a Son of a Sailor," "Jolly Mon," "Cowboy in the Jungle," "Stars on the Water," "Livingston Saturday Night," and, of course, "Come Monday," and "Margaritaville," Jimmy Buffett chronicled an American life of sunny gulf coast days, the sound of steel drums, extended happy hours, and all the joys of the seas and the islands.

Commuting from Cheyenne to Laramie during law school and in need of a break from law school lectures on cassette, I would pop in Jimmy Buffett, roll down the windows, and be lost in lyrics like "forget your blind ambition and learn to trust your intuition, plowing straight ahead, come what may."

In an instant, Jimmy Buffett could transport a ranch girl in Wyoming to a sandy beach in a wave-licked paradise, surrounded by friends, sporting a tan earned over countless days of deep-sea fishing. He invites us to escape the weight of the world, reminding us that it is always "5 o'clock somewhere." When you are by yourself and you cannot wipe the smile off your face because of a song, that is pure Jimmy Buffett.

What is so remarkable about Jimmy Buffett's music is its ability to reach and relate to generations of people from all different times of life. To be with Jimmy Buffett and the Coral Reefer Band in concert, the sound of steel drums floating on a breezy summer night sky, watching giant beach balls bouncing among Parrot Heads wearing Hawaiian shirts and shorts, parents and grandparents with children on their shoulders, all of whom are singing every word to every song—that was also pure Jimmy. When so many voices are driving Americans apart, Jimmy's voice called Americans back together.

So here is to Jimmy Buffett and his enduring legacy, sailing in the sky alongside dolphins and the many manatees he saved through his charities.

I conclude with Jimmy's own words from "Jolly Mon":

The night was filled with magic. They bid the sea goodbye. They swam into the heavens. They stayed up in the sky. And all the island people, when they wished upon a star, see the dolphins and the Jolly Mon who tell them where they are.

Oh, Jolly Mon sing. Oh, make the heavens ring.

I thank Jimmy's friends Eric and Lisa Eisner and my brother Del Lummis for helping with this tribute to Jimmy Buffett.

I yield the floor.

The PRESIDING OFFICER (Ms. CORTEZ MASTO). The Senator from Kansas.

SILICON VALLEY BANK

Mr. MORAN. Madam President, it was a few weeks back that I was on the Senate floor visiting with my colleagues about the Federal Reserve's response to the failure of Silicon Valley Bank, and I again am here today, this time to, in more specific terms, indicate there needs to be a pause in any new banking regulations until an independent investigation of the Fed's response to the failure at Silicon Valley Bank.

I asked for and would again reiterate the importance of an independent review and indicate that that review should be done prior to the enactment of new capital requirements in order to ensure that these new regulations are properly tailored. Led by a nonpartisan financial expert uninvolved in the Federal response, an independent investigation would allow a clear picture of what reforms are truly necessary. Instead, new capital requirements are largely based upon the Fed's "holistic review," the origins of which are vague at best.

Regulators have now proposed a host of new requirements and rules for mid-sized banks to conform to the same capital standards of the country's largest lenders. Lumping regional lenders in with global, systemically important banks ignores the congressional intent laid out in the bipartisan piece of legislation S. 2155. Independent oversight might reveal these regulations to be an overprescribed or plainly unnecessary response to SVB's failure.

While some measured regulations may be in order, implementing new capital requirements on healthy, well-run financial institutions will do little to prevent a similar crisis. Healthy levels of capital are necessary for strong banks and their ability to lend, but the lack of attention paid to downstream effects of higher capital requirements in the proposal is concerning. This is a sentiment that is shared—my sentiment, and it is shared by multiple Federal Reserve Board Governors.

Meaningful oversight from regulators requires objectivity and must be done without having a predetermined outcome in mind. It should come as no surprise that the Fed's remedy does virtually nothing to address the root cause of recent bank failures, poor bank management, and lacks supervision. Instead, I worry that the regulations set in motion will serve as an opportunity for regulators to push a preestablished regulatory agenda that will dry up lending.

It is widely acknowledged that the increase in capital requirements go hand in hand with a reduction in credit availability, and with interest rates near a 20-year peak, access to credit for families and businesses is already shrinking.

The draft proposal from the Federal Reserve would drive up the cost of home ownership for low-income households, underserved borrowers, and those unable to afford large downpayments. Affordable housing is in short supply, and with mid-sized lenders forced to pull back on home loans, mortgage lending will continue to be pushed outside the highly regulated banking system. With continued labor shortages, elevated input costs, and supply backlogs, less credit availability is the last thing—the last thing—our housing market needs.

To put it simply, there should be no new regulations until an independent review of Silicon Valley Bank's failure is completed. We need to know what we are doing before we attempt to do it. Regulation this significant warrants increased transparency from the Fed. We need that transparency.

An additional review would alleviate concerns about impartiality of the "holistic review" and ensuing capital requirements. The Federal Reserve itself recognized in its recent "Financial Stability Report" that American banks as a whole were already well-capitalized.

Tightening capital requirements at the expense of lending will not prevent

another SVB-type failure. A comprehensive response from policymakers and regulators would address the glaring supervisory shortfalls that preceded Silicon Valley Bank's collapse.

I yield the floor.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

APPROPRIATIONS

Mr. SCHUMER. Madam President, we have been working all day to get consent to let us move forward on the minibuss. We are not there yet, but we hope we can get there tomorrow.

In the meantime, for the information of Senators, we are going to have a vote on the motion to proceed to the minibuss at 10:30 tomorrow morning. Again, thank you to the appropriators, particularly Senators MURRAY and COLLINS, and all the committee on both sides of the aisle.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mrs. MURRAY. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it so ordered.

MORNING BUSINESS

VOTE EXPLANATION

Mr. MARKEY. Madam President, I was necessarily absent, but had I been present, I would have voted yea on rollcall vote No. 224, confirmation of Tanya J. Bradsher, to be Deputy Secretary of Veterans Affairs.

I was necessarily absent, but had I been present, I would have voted yea on rollcall vote No. 225, the motion to invoke cloture on the nomination of Jeffrey Irvine Cummings to be U.S. District Judge for the Northern District of Illinois.

I was necessarily absent, but had I been present, I would have voted yea on rollcall vote No. 226, confirmation of Jeffrey Irvine Cummings to be U.S. District Judge for the Northern District of Illinois.

I was necessarily absent, but had I been present, I would have voted yea on rollcall vote No. 227, the motion to invoke cloture on the motion to proceed to H.R. 4366, a bill making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes.

TRIBUTE TO DAN FRASER

Mr. WELCH. Madam President, I rise today to recognize Dan Fraser, manager of Dan & Whit's General Store, who will be stepping down from his role. Dan & Whit's is a family-owned general store and the unofficial community center of my town, Norwich,

VT. Dan & Whit's is a local institution, carrying products from coffee to nails, breakfast sandwiches to rubber gloves. As one employee stated, "Dan & Whit's is the heartbeat of this community"—and I could not agree more.

For decades, Dan Fraser has been an integral member of the Norwich community. Since he was in fourth grade, Dan has been working at the general store, named for his grandfather Dan Fraser, and has been a full-time employee since 1990. Dan's philanthropy and dedication to his community, whether it be on the Harford Town Selectboard or in special education, exemplifies what it means to be a community leader.

Small businesses are the heart and soul of small towns and rural communities. Small businesses account for 99 percent of all businesses in Vermont, and our State serves as a model for the Nation, highlighting that local communities are at their best when small businesses are given the resources they need to thrive. Supporting our neighbors and supporting local businesses is the Vermont way. The town of Norwich is a better place because of Dan & Whit's.

The COVID-19 pandemic made clear what Vermonters already knew: Small businesses and general stores are essential to our communities. The sacrifices that Dan & Whit's made during the pandemic, including a grocery delivery fund for folks who lost their jobs as a result of the pandemic, illustrate the store's commitment to serving the community. Even when staffing shortages nearly forced the store to close, they made sure to meet the community where they were and did all they could to ensure the community could thrive in trying times.

Margaret and I will miss the warm welcome from Dan when we visit the store. His ability to always point us to what we need underscores the store's slogan: "If we don't have it, you don't need it." While the store may no longer have Dan, the Norwich community will always need him. His enthusiasm and passion for his community will be especially missed, along with his colorful and lively shirts and shoes.

Dan has served his community well, and Margaret and I are wishing him well in his next chapter of life.

MESSAGE FROM THE HOUSE

At 12:02 p.m., a message from the House of Representatives, delivered by Mr. McLaughlin, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 3152. An act to impose sanctions with respect to countries, individuals, and entities that engage in any effort to acquire, possess, develop, transport, transfer, or deploy Iranian missiles and related goods and technology, including materials and equipment, and for other purposes.

H.R. 3389. An act to require the Secretary of Agriculture, acting through the Chief of the Forest Service, and the Secretary of the

Interior to conduct an evaluation with respect to the use of the container aerial firefighting system (CAFFS), and for other purposes.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 3152. An act to impose sanctions with respect to countries, individuals, and entities that engage in any effort to acquire, possess, develop, transport, transfer, or deploy Iranian missiles and related goods and technology, including materials and equipment, and for other purposes; to the Committee on Foreign Relations.

H.R. 3389. An act to require the Secretary of Agriculture, acting through the Chief of the Forest Service, and the Secretary of the Interior to conduct an evaluation with respect to the use of the container aerial firefighting system (CAFFS), and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

PRIVILEGED NOMINATION REFERRED TO COMMITTEE

On request by Senator BILL HAGERTY, under the authority of S. Res. 116, 112th Congress, the following nomination was referred to the Committee on Banking, Housing, and Urban Affairs: Claudia Slacik, of New York, to be a Director of the Securities Investor Protection Corporation for a term expiring December 31, 2026. (Reappointment).

On request by Senator BILL HAGERTY, under the authority of S. Res. 116, 112th Congress, the following nomination was referred to the Committee on Banking, Housing, and Urban Affairs: William Brodsky, of Illinois, to be a Director of the Securities Investor Protection Corporation for a term expiring December 31, 2026. (Reappointment).

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-2059. A communication from the President of the United States, transmitting, pursuant to the International Emergency Economic Powers Act, a report relative to the issuance of an Executive Order declaring a national emergency to deal with the threat of advancement by countries of concern in sensitive technologies and products critical to the military, intelligence, surveillance, or cyber-enabled capabilities of such countries; to the Committee on Banking, Housing, and Urban Affairs.

EC-2060. A communication from the President of the United States, transmitting, pursuant to law, a report of the continuation of the national emergency with respect to Ethiopia that was declared in Executive Order 14046 of September 17, 2021; to the Committee on Banking, Housing, and Urban Affairs.

EC-2061. A communication from the President of the United States, transmitting, pursuant to law, a report of the continuation of the national emergency with respect to the terrorist attacks on the United States of September 11, 2001 that was declared in Proclamation 7463 of September 14, 2001; to the

Committee on Banking, Housing, and Urban Affairs.

EC-2062. A communication from the President of the United States, transmitting, pursuant to law, a report of the continuation of the national emergency with respect to the threat of foreign interference in or undermining public confidence in United States elections that was declared in Executive Order 13848 of September 12, 2018; to the Committee on Banking, Housing, and Urban Affairs.

EC-2063. A communication from the President of the United States, transmitting, pursuant to law, a report of the continuation of the national emergency that was originally declared in Executive Order 13224 of September 23, 2001, with respect to persons who commit, threaten to commit, or support terrorism; to the Committee on Banking, Housing, and Urban Affairs.

EC-2064. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency that was declared in Executive Order 14046 with respect to Ethiopia; to the Committee on Banking, Housing, and Urban Affairs.

EC-2065. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency that was declared in Executive Order 14064 with respect to the widespread humanitarian crisis in Afghanistan and the potential for a deepening economic collapse in Afghanistan; to the Committee on Banking, Housing, and Urban Affairs.

EC-2066. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency that was declared in Executive Order 13848 with respect to the threat of foreign interference in or undermining public confidence in United States elections; to the Committee on Banking, Housing, and Urban Affairs.

EC-2067. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency that was declared in Executive Order 14014 with respect to the situation in and in relation to Burma; to the Committee on Banking, Housing, and Urban Affairs.

EC-2068. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency that was declared in Executive Order 13566 with respect to Libya; to the Committee on Banking, Housing, and Urban Affairs.

EC-2069. A communication from the Chair and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to a transaction involving U.S. exports to Kazakhstan; to the Committee on Banking, Housing, and Urban Affairs.

EC-2070. A communication from the Chair and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to a transaction involving U.S. exports to Iraq; to the Committee on Banking, Housing, and Urban Affairs.

EC-2071. A communication from the Chair and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to a transaction involving U.S. exports to Angola; to the Committee on Banking, Housing, and Urban Affairs.

EC-2072. A communication from the Chairman of the Board of Governors, Federal Reserve System, transmitting, pursuant to law, a report entitled "Report to the Congress on the Profitability of Credit Card Operations of Depository Institutions"; to the Committee on Banking, Housing, and Urban Affairs.

EC-2073. A communication from the Under Secretary of Defense (Acquisition and

Sustainment), transmitting, pursuant to law, a report entitled “Defense Production Act Fund Annual Report For Fiscal Year 2022”; to the Committee on Banking, Housing, and Urban Affairs.

EC-2074. A communication from the Chairman of the Board of Governors, Federal Reserve System, transmitting, pursuant to law, the 109th Annual Report of the Federal Reserve Board covering operations for calendar year 2022; to the Committee on Banking, Housing, and Urban Affairs.

EC-2075. A communication from the Deputy Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Revisions to the Unverified List” (RIN0694-AJ28) received in the Office of the President of the Senate on September 12, 2023; to the Committee on Banking, Housing, and Urban Affairs.

EC-2076. A communication from the Assistant Secretary of Trading and Markets, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled “Exemption for Certain Exchange Members” (RIN3235-AN17) received in the Office of the President of the Senate on September 6, 2023; to the Committee on Banking, Housing, and Urban Affairs.

EC-2077. A communication from the Sanctions Regulations Advisor, Office of Foreign Assets Control, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Mali Sanctions Regulations” received in the Office of the President of the Senate on September 6, 2023; to the Committee on Banking, Housing, and Urban Affairs.

EC-2078. A communication from the Secretary of the Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled “Cybersecurity Risk Management, Strategy, Governance, and Incident Disclosure” (RIN3235-AM89) received during adjournment of the Senate in the Office of the President of the Senate on August 23, 2023; to the Committee on Banking, Housing, and Urban Affairs.

EC-2079. A communication from the Secretary of the Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled “Private Fund Advisors: Documentation of Registered Investment Adviser Compliance Review” (RIN3235-AN07) received during adjournment of the Senate in the Office of the President of the Senate on August 23, 2023; to the Committee on Banking, Housing, and Urban Affairs.

EC-2080. A communication from the Assistant Secretary of Defense (Legislative Affairs), transmitting additional legislative proposals that the Department of Defense requests be enacted during the first session of the 118th Congress; to the Committee on Energy and Natural Resources.

EC-2081. A communication from the Acting Chief of the Regulations and Standards Branch, Bureau of Safety and Environmental Enforcement, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled “Oil and Gas and Sulfur Operations in the Outer Continental Shelf—Blowout Preventer Systems and Well Control Revisions” (RIN1014-AA52) received in the Office of the President of the Senate on September 6, 2023; to the Committee on Energy and Natural Resources.

EC-2082. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled “Energy Conservation Program: Test Procedure for Dehumidifiers” (RIN1904-AE60) received in the Office of the President of the Senate on September 6, 2023; to the Committee on Energy and Natural Resources.

EC-2083. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled “Energy Conservation Program: Test Procedure for Dishwashers” (RIN1904-AF50) received in the Office of the President of the Senate on September 6, 2023; to the Committee on Energy and Natural Resources.

EC-2084. A communication from the General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled “Improvements to Generator Interconnection Procedures and Agreements” ((RIN1902-AG00) (Docket No. RM22-14-000)) received in the Office of the President of the Senate on September 6, 2023; to the Committee on Energy and Natural Resources.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-41. A concurrent resolution adopted by the Legislature of the State of Louisiana urging and requesting the United States Congress to not support legislation, or other efforts, relating to the adoption of a central bank digital currency in the United States; to the Committee on Banking, Housing, and Urban Affairs.

HOUSE CONCURRENT RESOLUTION NO. 71

Whereas, on March 9, 2022, President Joseph R. Biden issued Executive Order 14067 (executive order), “Ensuring Responsible Development of Digital Assets”, to establish a broad interagency effort to study and develop a United States central bank digital currency (CBDC); and

Whereas, the executive order established an interagency effort to develop “Policy and Actions Related to United States Central Bank Digital Currencies”; and

Whereas, the executive order states, “within 180 days of the date of this order, the Secretary of the Treasury, in consultation with the Secretary of State, the Attorney General, the Secretary of Commerce, the Secretary of Homeland Security, the Director of the Office of Management and Budget, the Director of National Intelligence, and the heads of other relevant agencies, shall submit to the President a report on the future of money and payment systems”; and

Whereas, the executive order states the term “central bank digital currency” or CBDC refers to a form of digital money or monetary value, denomination in the national unit of account, that is a direct liability of the central bank; and

Whereas, the executive order requires the United States attorney general, together with the secretary of the Treasury and the chairman of the Federal Reserve, to provide the president a legislative proposal for a CBDC within two hundred ten days of the executive order; and

Whereas, The Federal Reserve bank of New York and ten financial institutions completed testing of certain features related to a CBDC in 2022; and

Whereas, the CBDC under development and testing pursuant to the executive order will include programmable design features that will control the ability of a person to freely utilize the CBDC; and

Whereas, a United States CBDC raises significant concerns over privacy for individuals and businesses in Louisiana; and

Whereas, the adoption of a CBDC by the federal government would be an unacceptable expansion of federal authority; and

Whereas, the adoption of a CBDC by the federal government would hand over to the Federal Reserve unprecedented control of the lives, freedoms, choices, and sovereignty of the people of Louisiana. Therefore, be it

Resolved, That the Legislature of Louisiana does hereby urge the United States Congress not to support legislation, or other efforts, relating to the adoption of a central bank digital currency in the United States. Be it further

Resolved, That a copy of this Resolution be transmitted to the president of the United States, the presiding officers of the Senate and the House of Representatives of the United States Congress, the chairman of the Federal Reserve, the secretary of the Treasury, and each member of the Louisiana congressional delegation.

POM-42. A concurrent resolution adopted by the Legislature of the State of Louisiana urging the United States Congress to take such actions as are necessary to establish Fort Jackson in Plaquemines Parish as a national park; to the Committee on Energy and Natural Resources.

HOUSE CONCURRENT RESOLUTION NO. 42

Whereas, on August 25, 1916, President Woodrow Wilson signed the “Organic Act” creating the National Park Service, a federal bureau in the Department of the Interior responsible for maintaining national parks and monuments; and

Whereas, today, the National Park Service manages four hundred individual units which cover more than eighty-five million acres in all fifty states, the District of Columbia, and US territories; and

Whereas, the National Park System also includes more than one hundred fifty related areas and numerous programs that assist in conserving the nation’s natural and cultural heritage; and

Whereas, Fort Jackson is situated thirty-two nautical miles from the Gulf of Mexico and sixty-five miles in a southeasterly direction from New Orleans on the west bank of the Mississippi River in Plaquemines Parish and possesses nationally significant natural and cultural resources; and

Whereas, construction of Fort Jackson was begun in 1822 upon the recommendation of its namesake General Andrew Jackson who recognized the need for additional fortifications to protect the mouth of the Mississippi River from attack; and

Whereas, the construction of star-shaped Fort Jackson was completed in 1832, and the fort was readied for service during the Mexican War in 1846; and

Whereas, in April of 1862, Fort Jackson was the site of an important battle of the Civil War, sustaining days of shelling as Confederate troops fought, to prevent Union forces from reaching New Orleans; and

Whereas, Fort Jackson was donated to Plaquemines Parish in 1960 and since that time the parish and its people have invested in the conservation and renovation of the fort, which efforts have made it one of the principal historical attractions in the region. Now, therefore, be it

Resolved, That the Legislature of Louisiana does hereby memorialize the United States Congress to take such actions as are necessary to establish Fort Jackson in Plaquemines Parish as a national park; and be it further

Resolved, That a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

POM-43. A concurrent resolution adopted by the Legislature of the State of Louisiana

urging the United States Congress to take such actions as are necessary to codify the terminology of “solar compound” and “wind installation” in lieu of “solar farm” and “wind farm”; to the Committee on Energy and Natural Resources.

HOUSE CONCURRENT RESOLUTION NO. 131

Whereas, the state of Louisiana is a proud agricultural state that values the importance of farming and the production of crops; and

Whereas, the development of renewable energy sources such as solar and wind power has become increasingly important in reducing our reliance on fossil fuels and protecting our environment; and

Whereas, the terminology used to describe these renewable energy sources is important in accurately conveying their purpose and function; and

Whereas, the terms “solar farm” and “wind farm” are misleading and inaccurate because they do not produce food or other crops; and

Whereas, the use of these terms can cause confusion and misrepresentation of the purpose of these installations; and

Whereas, Congress has always supported farming and the agricultural industry. Therefore, be it

Resolved, that the Louisiana Legislature does hereby memorialize the United States Congress to take such actions as are necessary to codify the terminology of “solar compound” and “wind installation” in lieu of “solar farm” and “wind farm” to accurately reflect the purpose and function of these renewable energy sources. Be it further,

Resolved, that a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America, the president of the United States, the governor of Louisiana, and to each member of the Louisiana congressional delegation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mrs. MURRAY, from the Committee on Appropriations:

Special Report entitled “Further Revised Allocation to Subcommittees of Budget Totals for Fiscal Year 2024.” (Rept. No. 118-98).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. KING (for himself and Mr. LANKFORD):

S. 2775. A bill to amend the American History and Civics Education program under the Elementary and Secondary Education Act of 1965 to require inclusion of programs that educate students about the history and principles of the Constitution of the United States, including the Bill of Rights; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CASEY (for himself, Ms. BALDWIN, Mr. BLUMENTHAL, Mr. BOOKER, Mr. CARDIN, Ms. DUCKWORTH, Mr. DURBIN, Mrs. FEINSTEIN, Mr. FETTERMAN, Mrs. GILLIBRAND, Ms. HIRONO, Ms. KLOBUCHAR, Mr. MARKEY, Mr. MENENDEZ, Mr. MURPHY, Mr. PADILLA, Mr. SANDERS, Mrs. SHAHEEN, Mr. VAN HOLLEN, Ms. WARREN, Mr. WELCH, Mr. WHITEHOUSE, Mr.

WYDEN, Mr. LUJÁN, and Mr. MERKLEY):

S. 2776. A bill to prevent a person who has been convicted of a misdemeanor hate crime, or received an enhanced sentence for a misdemeanor because of hate or bias in its commission, from obtaining a firearm; to the Committee on the Judiciary.

By Mrs. MURRAY (for herself, Mr. SANDERS, Mr. KAINE, Ms. HIRONO, Mr. WHITEHOUSE, Mr. MURPHY, Mr. VAN HOLLEN, Mr. WYDEN, Ms. WARREN, Mr. FETTERMAN, Ms. SMITH, Mr. REED, Ms. BALDWIN, Mrs. GILLIBRAND, Ms. KLOBUCHAR, Mr. WELCH, Mr. BLUMENTHAL, Mr. MENENDEZ, Mr. MARKEY, Mr. BOOKER, Ms. DUCKWORTH, Mr. CARDIN, Mr. CASEY, Mr. MERKLEY, Mr. PADILLA, Mr. KING, Mr. HEINRICH, Mr. LUJÁN, Mrs. SHAHEEN, Mr. SCHUMER, Ms. STABENOW, Mr. BROWN, Ms. CORTEZ MASTO, Mr. WARNOCK, and Mr. DURBIN):

S. 2777. A bill to increase child care options for working families and support child care providers; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WICKER:

S. 2778. A bill to require the Secretary of Veterans Affairs to submit to Congress a report on competition among suppliers of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. PADILLA (for himself and Mr. BOOZMAN):

S. 2779. A bill to amend the Public Works and Economic Development Act of 1965 to direct the Secretary of Commerce to establish an Office of Disaster Recovery and Resilience, and for other purposes; to the Committee on Environment and Public Works.

By Ms. HASSAN (for herself and Mr. BRAUN):

S. 2780. A bill to require sponsors of drug applications and holders of approved applications to provide certain submissions and communications to the Food and Drug Administration and the United States Patent and Trademark Office; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HEINRICH (for himself, Mr. RISCH, Mr. HICKENLOOPER, Mr. CRAPO, Ms. SINEMA, Mr. DAINES, Mr. LUJÁN, Mr. BARRASSO, Mr. KELLY, Ms. LUMMIS, Mr. TESTER, Mr. THUNE, Ms. CORTEZ MASTO, Mr. CRAMER, Ms. ROSEN, Mr. BOOZMAN, Mr. BENNETT, Mr. SULLIVAN, and Mr. WYDEN):

S. 2781. A bill to promote remediation of abandoned hardrock mines, and for other purposes; to the Committee on Environment and Public Works.

By Mr. BOOKER (for himself and Mr. BLUMENTHAL):

S. 2782. A bill to provide the Food and Drug Administration with authority to conduct microbial sampling on concentrated animal feeding operations as necessary to facilitate a foodborne illness outbreak investigation, determine the root cause of an outbreak of foodborne illness, or address other public health needs; to the Committee on Health, Education, Labor, and Pensions.

By Mr. RUBIO (for himself and Mr. SCOTT of Florida):

S. 2783. A bill to amend the Miccosukee Reserved Area Act to authorize the expansion of the Miccosukee Reserved Area and to carry out activities to protect structures within the Osceola Camp from flooding, and for other purposes; to the Committee on Indian Affairs.

By Mr. BROWN (for himself and Mr. VANCE):

S. 2784. A bill to amend the Dayton Aviation Heritage Preservation Act of 1992 to adjust the boundary of the Dayton Aviation

Heritage National Historical Park, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. COTTON (for himself, Mr. ROMNEY, Mrs. CAPITO, Mr. CASSIDY, Ms. COLLINS, and Mr. VANCE):

S. 2785. A bill to gradually raise the Federal minimum wage, to permanently establish the E-Verify employment eligibility verification system, to mandate the use of E-Verify by all employers, and for other purposes; to the Committee on the Judiciary.

By Mr. TUBERVILLE:

S. 2786. A bill to amend the Farm Security and Rural Investment Act of 2002 to include the provision of tree nuts under the seniors farmers' market nutrition program, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. KENNEDY:

S. 2787. A bill to authorize the Federal Communications Commission to process applications for spectrum licenses from applicants who were successful bidders in an auction before the authority of the Commission to conduct auctions expired on March 9, 2023; to the Committee on Commerce, Science, and Transportation.

By Mr. DURBIN (for himself, Mr. GRASSLEY, Mr. BOOKER, Mr. LEE, Mr. OSSOFF, Mr. KENNEDY, Ms. KLOBUCHAR, Ms. LUMMIS, Ms. BALDWIN, and Mr. BROWN):

S. 2788. A bill to amend section 3661 of title 18, United States Code, to prohibit the consideration of acquitted conduct at sentencing; to the Committee on the Judiciary.

By Mr. KAINE (for himself, Mr. VAN HOLLEN, Mr. CARDIN, Mr. COONS, Mr. PADILLA, Mr. WARNER, Mr. BOOKER, and Mr. MERKLEY):

S. 2789. A bill to direct the President to designate a month as African Diaspora Heritage Month; to the Committee on the Judiciary.

By Ms. SMITH (for herself and Mr. ROUNDS):

S. 2790. A bill to reform rural housing programs, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. CRUZ (for himself, Ms. CANTWELL, Mr. SULLIVAN, and Ms. BALDWIN):

S. 2791. A bill to amend title 14, United States Code, to make appropriations for Coast Guard pay in the event an appropriations Act expires before the enactment of a new appropriations Act, and for other purposes; to the Committee on Appropriations.

By Mr. FETTERMAN:

S. 2792. A bill to amend the Agricultural Marketing Act of 1946 to require the Secretary of Agriculture to procure a minimum amount of meat and poultry products from small meat processors and to develop a digital livestock exchange platform, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mrs. GILLIBRAND (for herself, Mr. BLUMENTHAL, Mr. MURPHY, and Mr. SCHUMER):

S. 2793. A bill to reauthorize Long Island Sound programs, and for other purposes; to the Committee on Environment and Public Works.

By Mrs. FEINSTEIN (for herself, Mr. MENENDEZ, Mr. BLUMENTHAL, and Mr. BOOKER):

S. 2794. A bill to amend title 18, United States Code, to make fraudulent dealings in firearms and ammunition unlawful, and for other purposes; to the Committee on the Judiciary.

By Mr. TESTER (for himself and Mr. MORAN):

S. 2795. A bill to amend title 38, United States Code, to extend and modify certain

authorities and requirements relating to the Department of Veterans Affairs, and for other purposes; considered and passed.

By Mr. MULLIN:

S. 2796. A bill to provide for the equitable settlement of certain Indian land disputes regarding land in Illinois, and for other purposes; to the Committee on Indian Affairs.

By Mr. RUBIO (for himself, Mr. VANCE, Mr. TILLIS, and Mrs. HYDE-SMITH):

S. 2797. A bill to ensure religious freedom and rights of conscience for health care workers and other government employees, and to protect health care workers and other government employees from various forms of compelled speech; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. SCHUMER:

S. Res. 340. A resolution supporting the designation of September 13, 2023, as National Sepsis Day; to the Committee on Health, Education, Labor, and Pensions.

By Ms. KLOBUCHAR (for herself and Mrs. FISCHER):

S. Res. 341. A resolution recognizing September 19, 2023, as “National Voter Registration Day”; considered and agreed to.

ADDITIONAL COSPONSORS

S. 74

At the request of Mr. RUBIO, the name of the Senator from Mississippi (Mrs. HYDE-SMITH) was added as a cosponsor of S. 74, a bill to provide support and assistance to unborn children, pregnant women, parents, and families.

S. 168

At the request of Mr. ROUNDS, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 168, a bill to amend the Defense Production Act of 1950 to include the Secretary of Agriculture on the Committee on Foreign Investment in the United States and require review of certain agricultural transactions, and for other purposes.

S. 196

At the request of Mr. RUBIO, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of S. 196, a bill to prohibit the declaration of a Federal emergency relating to abortion.

S. 204

At the request of Mr. THUNE, the name of the Senator from Tennessee (Mr. HAGERTY) was added as a cosponsor of S. 204, a bill to amend title 18, United States Code, to prohibit a health care practitioner from failing to exercise the proper degree of care in the case of a child who survives an abortion or attempted abortion.

S. 270

At the request of Mr. BOOKER, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 270, a bill to improve protections for meatpacking workers, and for other purposes.

S. 596

At the request of Mr. KAINE, the names of the Senator from North Carolina (Mr. TILLIS) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. 596, a bill to amend the Internal Revenue Code of 1986 to make employers of spouses of military personnel eligible for the work opportunity credit.

S. 607

At the request of Mr. MANCHIN, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 607, a bill to allow the Secretary of Health and Human Services to deny approval of a new drug application for an opioid analgesic drug on the basis of such drug not being clinically superior to other commercially available drugs.

S. 610

At the request of Ms. SINEMA, the names of the Senator from Utah (Mr. LEE) and the Senator from North Dakota (Mr. HOEVEN) were added as cosponsors of S. 610, a bill to amend the Federal Credit Union Act to modify the frequency of board of directors meetings, and for other purposes.

S. 644

At the request of Mr. MARKEY, the names of the Senator from New Mexico (Mr. LUJÁN) and the Senator from Vermont (Mr. WELCH) were added as cosponsors of S. 644, a bill to expand the take-home prescribing of methadone through pharmacies.

S. 869

At the request of Ms. SMITH, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 869, a bill to amend the Community Development Banking and Financial Institutions Act of 1994 to reauthorize and improve the community development financial institutions bond guarantee program, and for other purposes.

S. 928

At the request of Mr. TESTER, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 928, a bill to require the Secretary of Veterans Affairs to prepare an annual report on suicide prevention, and for other purposes.

S. 949

At the request of Mrs. GILLIBRAND, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from California (Mr. PADILLA) were added as cosponsors of S. 949, a bill to amend the Food and Nutrition Act of 2008 to transition the Commonwealth of Puerto Rico to the supplemental nutrition assistance program, and for other purposes.

S. 1034

At the request of Ms. LUMMIS, the names of the Senator from Ohio (Mr. VANCE) and the Senator from Georgia (Mr. WARNOCK) were added as cosponsors of S. 1034, a bill to amend title 23, United States Code, to establish a competitive grant program for projects for

commercial motor vehicle parking, and for other purposes.

S. 1195

At the request of Mr. CORNYN, his name was added as a cosponsor of S. 1195, a bill to amend the Internal Revenue Code of 1986 to repeal the excise taxes on taxable chemicals and taxable substances.

S. 1354

At the request of Mrs. MURRAY, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 1354, a bill to increase the quality and supply of child care and lower child care costs for families.

S. 1426

At the request of Mr. DURBIN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1426, a bill to improve the identification and support of children and families who experience trauma.

S. 1514

At the request of Mr. RUBIO, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 1514, a bill to amend the National Housing Act to establish a mortgage insurance program for first responders, and for other purposes.

S. 1624

At the request of Mr. KAINE, the name of the Senator from New Mexico (Mr. LUJÁN) was added as a cosponsor of S. 1624, a bill to require certain civil penalties to be transferred to a fund through which amounts are made available for the Gabriella Miller Kids First Pediatric Research Program at the National Institutes of Health, and for other purposes.

S. 1937

At the request of Mr. PAUL, the name of the Senator from North Carolina (Mr. BUDD) was added as a cosponsor of S. 1937, a bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on indoor tanning services.

S. 2085

At the request of Mr. CRAPO, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 2085, a bill to amend title XVIII of the Social Security Act to provide for Medicare coverage of multi-cancer early detection screening tests.

S. 2090

At the request of Mr. MULLIN, the name of the Senator from Ohio (Mr. VANCE) was added as a cosponsor of S. 2090, a bill to amend the Clean Air Act to prevent the elimination of the sale of motor vehicles with internal combustion engines.

S. 2171

At the request of Ms. WARREN, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 2171, a bill to permit legally married same-sex couples to amend their filing status for tax returns outside the statute of limitations.

S. 2311

At the request of Mr. PADILLA, the name of the Senator from Louisiana

(Mr. CASSIDY) was added as a cosponsor of S. 2311, a bill to require the Secretary of the Treasury to mint coins in commemoration of the 2028 Olympic and Paralympic Games in Los Angeles, California.

S. 2315

At the request of Mrs. SHAHEEN, the name of the Senator from California (Mr. PADILLA) was added as a cosponsor of S. 2315, a bill to provide for the creation of the missing Armed Forces and civilian personnel Records Collection at the National Archives, to require the expeditious public transmission to the Archivist and public disclosure of missing Armed Forces and civilian personnel records, and for other purposes.

S. 2327

At the request of Ms. KLOBUCHAR, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 2327, a bill to provide support for nationals of Afghanistan who supported the United States mission in Afghanistan, adequate vetting for parolees from Afghanistan, adjustment of status for eligible individuals, and special immigrant status for at-risk Afghan allies and relatives of certain members of the Armed Forces, and for other purposes.

S. 2378

At the request of Mr. MARKEY, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 2378, a bill to amend the Internal Revenue Code of 1986 to increase excise taxes on fuel used by private jets, and for other purposes.

S. 2421

At the request of Mr. BOOKER, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 2421, a bill to require the Federal Crop Insurance Corporation to revise the terms of the Standard Reinsurance Agreement and the Livestock Price Reinsurance Agreement, and for other purposes.

S. 2470

At the request of Mr. HAGERTY, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 2470, a bill to increase transparency regarding the activities, and reduce the malign influence of, the People's Republic of China in the Inter-American Development Bank, and for other purposes.

S. 2477

At the request of Mr. THUNE, the names of the Senator from Ohio (Mr. BROWN) and the Senator from Virginia (Mr. Kaine) were added as cosponsors of S. 2477, a bill to amend title XVIII of the Social Security Act to provide pharmacy payment of certain services.

S. 2494

At the request of Mr. MARKEY, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 2494, a bill to update the 21st Century Communications and Video Accessibility Act of 2010.

S. 2577

At the request of Ms. HIRONO, the name of the Senator from Colorado

(Mr. HICKENLOOPER) was added as a cosponsor of S. 2577, a bill to amend the Food, Conservation, and Energy Act of 2008 to improve the Gus Schumacher nutrition incentive program, and for other purposes.

S. 2626

At the request of Mr. RUBIO, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 2626, a bill to impose sanctions with respect to the Supreme Leader of Iran and the President of Iran and their respective offices for human rights abuses and support for terrorism.

S. 2668

At the request of Mrs. GILLIBRAND, the name of the Senator from Vermont (Mr. WELCH) was added as a cosponsor of S. 2668, a bill to amend the Consolidated Farm and Rural Development Act to reform farm loans, to amend the Department of Agriculture Reorganization Act of 1994 to reform the National Appeals Division process, and for other purposes.

S. 2704

At the request of Mr. PADILLA, the names of the Senator from Texas (Mr. CORNYN) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. 2704, a bill to amend the Food Security Act of 1985 to establish an exception to certain payment limitations in the case of person or legal entity that derives income from agriculture, and for other purposes.

S. 2736

At the request of Mr. BARRASSO, the name of the Senator from Ohio (Mr. VANCE) was added as a cosponsor of S. 2736, a bill to clarify that section 8526(7) of the Elementary and Secondary Education Act of 1965 does not apply with respect to the use of funds for sports clubs, teams, training, or related activities provided for students.

S.J. RES. 32

At the request of Mr. KENNEDY, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S.J. Res. 32, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Bureau of Consumer Financial Protection relating to "Small Business Lending Under the Equal Credit Opportunity Act (Regulation B)".

S. CON. RES. 2

At the request of Mr. MENENDEZ, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. Con. Res. 2, a concurrent resolution commending the bravery, courage, and resolve of the women and men of Iran demonstrating in more than 133 cities and risking their safety to speak out against the Iranian regime's human rights abuses.

S. RES. 260

At the request of Mr. DURBIN, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. Res. 260, a resolution rec-

ognizing Tunisia's leadership in the Arab Spring and expressing support for upholding its democratic principles and norms.

AMENDMENT NO. 1114

At the request of Ms. HIRONO, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of amendment No. 1114 intended to be proposed to H.R. 4366, a bill making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes.

AMENDMENT NO. 1120

At the request of Mr. SCHATZ, the names of the Senator from Hawaii (Ms. HIRONO) and the Senator from California (Mr. PADILLA) were added as cosponsors of amendment No. 1120 intended to be proposed to H.R. 4366, a bill making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes.

AMENDMENT NO. 1125

At the request of Mr. VANCE, the names of the Senator from Wyoming (Mr. BARRASSO), the Senator from Kansas (Mr. MARSHALL), the Senator from South Carolina (Mr. SCOTT), the Senator from Indiana (Mr. BRAUN), the Senator from Tennessee (Mrs. BLACKBURN), the Senator from Missouri (Mr. HAWLEY) and the Senator from Nebraska (Mr. RICKETTS) were added as cosponsors of amendment No. 1125 intended to be proposed to H.R. 4366, a bill making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes.

AMENDMENT NO. 1129

At the request of Mr. SCHATZ, the names of the Senator from Georgia (Mr. WARNOCK) and the Senator from Hawaii (Ms. HIRONO) were added as cosponsors of amendment No. 1129 intended to be proposed to H.R. 4366, a bill making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. PADILLA (for himself and Mr. BOOZMAN):

S. 2779. A bill to amend the Public Works and Economic Development Act of 1965 to direct the Secretary of Commerce to establish an Office of Disaster Recovery and Resilience, and for other purposes; to the Committee on Environment and Public Works.

Mr. PADILLA. Madam President, I rise to introduce the Office of Disaster Recovery and Resilience Act. This legislation would better equip and formalize the Economic Development Administration's role in post-disaster economic recovery.

EDA has a long history of supporting disaster recovery and resilience efforts and is uniquely positioned to coordinate Federal support due to its network of partners in impacted communities. EDA's role in disaster recovery is to facilitate the timely and effective delivery of Federal economic development assistance to support near- and long-term community economic recovery planning and project implementation, redevelopment, and resilience.

This bill would establish a dedicated Office of Disaster Recovery and Resilience at EDA to coordinate the Agency's post-disaster economic recovery activities, create a disaster team for the deployment of individuals to carry out such activities after a disaster or emergency declaration, and require 100 Percent Federal cost share for major disaster recovery projects.

EDA currently serves as the coordinating Agency for the Economic Recovery Support Function, ERSF, under the Federal Government's National Disaster Recovery Framework, NDRF. In this capacity, EDA provides leadership, coordination, and oversight for primary and support Agencies for the provision of grants, loans, training, and other forms of assistance to support economic recovery efforts in disaster-impacted communities and regions.

Congress has relied on the Agency to implement economic recovery activities since the 1990s, providing a total of \$3.2 billion in supplemental funding for EDA's disaster relief and economic resiliency efforts for natural disasters—most recently in calendar years 2017, 2018, 2019, 2021, and 2022. The Agency also received billion in additional funding for COVID-19 pandemic recovery efforts.

Yet, EDA's role in disaster assistance has never been formalized. Having a dedicated bureau or office to direct and implement the economic recovery support function activities of the Agency could expedite deployment of resources and improve service delivery to communities by retaining institutional knowledge that can translate between communities, preserving leadership at the Agency, and deploying staff and funds more rapidly.

I thank Senator BOOZMAN for introducing this important legislation with me in the Senate. I hope all of our colleagues will join us in supporting this bill for the long-term economic strength and resilience of our communities.

By Mr. DURBIN (for himself, Mr. GRASSLEY, Mr. BOOKER, Mr. LEE, Mr. OSSOFF, Mr. KENNEDY, Ms. KLOBUCHAR, Ms. LUMMIS, Ms. BALDWIN, and Mr. BROWN):

S. 2788. A bill to amend section 3661 of title 18, United States Code, to prohibit the consideration of acquitted conduct at sentencing; to the Committee on the Judiciary.

Mr. DURBIN. Madam President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2788

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Prohibiting Punishment of Acquitted Conduct Act of 2023".

SEC. 2. ACQUITTED CONDUCT AT SENTENCING.

(a) USE OF INFORMATION FOR SENTENCING.—

(1) AMENDMENT.—Section 3661 of title 18, United States Code, is amended by inserting "except that a court of the United States shall not consider, except for purposes of mitigating a sentence, acquitted conduct under this section" before the period at the end.

(2) APPLICABILITY.—The amendment made by paragraph (1) shall apply only to a judgment entered on or after the date of enactment of this Act.

(b) DEFINITIONS.—Section 3673 of title 18, United States Code, is amended—

(1) in the matter preceding paragraph (1), by striking "As" and inserting the following: "(a) As"; and

(2) by adding at the end the following: "(b) As used in this chapter, the term 'acquitted conduct' means—

"(1) an act—
"(A) for which a person was criminally charged and adjudicated not guilty after trial in a Federal, State, or Tribal court; or
"(B) in the case of a juvenile, that was charged and for which the juvenile was found not responsible after a juvenile adjudication hearing; or

"(2) any act underlying a criminal charge or juvenile information dismissed—

"(A) in a Federal court upon a motion for acquittal under rule 29 of the Federal Rules of Criminal Procedure; or

"(B) in a State or Tribal court upon a motion for acquittal or an analogous motion under the applicable State or Tribal rule of criminal procedure.".

By Mrs. FEINSTEIN (for herself, Mr. MENENDEZ, Mr. BLUMENTHAL, and Mr. BOOKER):
S. 2794. A bill to amend title 18, United States Code, to make fraudulent dealings in firearms and ammunition unlawful, and for other purposes; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Madam President, I rise today to address a continuing concern: the online sale of firearms using deceptive and misleading means. It simply continues to be too easy for individuals to evade existing restrictions and buy firearms through online platforms. This behavior endangers us all.

Companies like Facebook have taken important steps by banning the sale of firearms on their websites. However, despite these efforts, the online sale of firearms continues to persist as a significant problem. Disturbingly, between April and June 2020 alone, Facebook had to remove a staggering 1.3 million pieces of content related to firearms from its platform.

One of the primary challenges we face is that sellers are employing new tactics to circumvent online sales restrictions for firearms. They resort to posting listings for firearms under deceptive names such as "stickers" to evade detection.

I am proud to once again introduce legislation that addresses this issue head-on. My Stopping the Fraudulent Sales of Firearms Act aims to establish

a Federal crime for the sale of firearms online through fraudulent representations. Specifically, it targets the deceptive marketing of firearms as seemingly innocuous items like "stickers." These practices undermine the safety and security of our communities and must be met with swift and robust consequences. I thank my colleagues Senators BOOKER, BLUMENTHAL, and MENENDEZ for joining me in this effort.

We must act decisively to address the persistent problem of uncontrolled online firearms sales and ensure that our laws keep pace with evolving practices. By passing this legislation, we can demonstrate our commitment to protecting the public and preventing firearms from falling into the wrong hands. I urge my colleagues to support this bill and join me in safeguarding our communities from the dangers posed by deceptive online firearm sales.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 340—SUPPORTING THE DESIGNATION OF SEPTEMBER 13, 2023, AS NATIONAL SEPSIS DAY

Mr. SCHUMER submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 340

Whereas sepsis is a medical condition caused by a severe immune response to infection or traumatic injury;

Whereas the overwhelming flood of inflammatory signals released into the blood to fight infection can impair blood flow, injuring the body's organs;

Whereas sepsis is a serious infection and a leading cause of death and disability in the United States;

Whereas severe sepsis can result in septic shock, exposing the patient to potentially fatal multiple organ failure;

Whereas 1,700,000 people in the United States are infected by sepsis annually;

Whereas sepsis kills 270,000 people in the United States each year;

Whereas sepsis is the most expensive condition treated in hospitals in the United States;

Whereas the number of sepsis deaths is currently on the rise in the United States;

Whereas according to the Centers for Disease Control and Prevention, 80 percent of sepsis cases begin outside the hospital;

Whereas most sepsis fatalities are preventable, and early recognition, diagnosis, and treatment of sepsis can prevent loss of life;

Whereas the sepsis protocols for hospitals in New York State, called "Rory's Regulations" for Rory Staunton who died from preventable, treatable sepsis at 12 years of age, have been proven to save lives through rapid identification and treatment of sepsis;

Whereas providers and public health experts should study and learn from Rory's Regulations to find ways to end preventable deaths from sepsis; and

Whereas September 13, 2023, would be an appropriate date to designate as "National Sepsis Day" to coincide with the international designation of September 13 as "World Sepsis Day", to raise awareness of the condition, to encourage the education of patients, families, health care professionals, and government agencies on the seriousness of sepsis and the importance of early detection

as the key to survival, and to focus attention and energy towards the ultimate goal of ending sepsis: Now, therefore, be it

Resolved, That the Senate supports the designation of September 13, 2023, as “National Sepsis Day”.

SENATE RESOLUTION 341—RECOGNIZING SEPTEMBER 19, 2023, AS “NATIONAL VOTER REGISTRATION DAY”

Mrs. KLOBUCHAR (for herself and Mrs. FISCHER) submitted the following resolution; which was considered and agreed to:

S. RES. 341

Resolved, That the Senate—
(1) recognizes September 19, 2023, as “National Voter Registration Day”; and

(2) encourages each voting-eligible citizen of the United States—

(A) to register to vote;

(B) to verify with the appropriate State or local election official that the name, address, and other personal information on record is current; and

(C) to go to the polls on election day and vote if the voting-eligible citizen would like to do so.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1132. Mr. RICKETTS submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table.

SA 1133. Mr. KELLY (for himself and Ms. SINEMA) submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, supra; which was ordered to lie on the table.

SA 1134. Ms. SMITH (for herself and Mr. RICKETTS) submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, supra; which was ordered to lie on the table.

SA 1135. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, supra; which was ordered to lie on the table.

SA 1136. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, supra; which was ordered to lie on the table.

SA 1137. Mr. PADILLA submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, supra; which was ordered to lie on the table.

SA 1138. Mr. PADILLA submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, supra; which was ordered to lie on the table.

SA 1139. Mr. PADILLA (for himself, Ms. HIRONO, and Mr. SCHATZ) submitted an amendment intended to be proposed to

amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, supra; which was ordered to lie on the table.

SA 1140. Mr. PADILLA submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, supra; which was ordered to lie on the table.

SA 1141. Mr. PADILLA submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, supra; which was ordered to lie on the table.

SA 1142. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, supra; which was ordered to lie on the table.

SA 1143. Mr. REED (for himself, Mr. WHITEHOUSE, Mr. PADILLA, and Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, supra; which was ordered to lie on the table.

SA 1144. Mr. REED submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, supra; which was ordered to lie on the table.

SA 1145. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, supra; which was ordered to lie on the table.

SA 1146. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, supra; which was ordered to lie on the table.

SA 1147. Mrs. SHAHEEN submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, supra; which was ordered to lie on the table.

SA 1148. Mrs. BLACKBURN submitted an amendment intended to be proposed by her to the bill H.R. 4366, supra; which was ordered to lie on the table.

SA 1149. Mrs. BLACKBURN submitted an amendment intended to be proposed by her to the bill H.R. 4366, supra; which was ordered to lie on the table.

SA 1150. Mrs. BLACKBURN submitted an amendment intended to be proposed by her to the bill H.R. 4366, supra; which was ordered to lie on the table.

SA 1151. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, supra; which was ordered to lie on the table.

SA 1152. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, supra; which was ordered to lie on the table.

SA 1153. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, supra; which was ordered to lie on the table.

SA 1154. Mrs. BLACKBURN submitted an amendment intended to be proposed by her to the bill H.R. 4366, supra; which was ordered to lie on the table.

SA 1155. Mrs. BLACKBURN submitted an amendment intended to be proposed by her to the bill H.R. 4366, supra; which was ordered to lie on the table.

SA 1156. Ms. BALDWIN submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, supra; which was ordered to lie on the table.

SA 1157. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, supra; which was ordered to lie on the table.

SA 1158. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, supra; which was ordered to lie on the table.

SA 1159. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, supra; which was ordered to lie on the table.

SA 1160. Mr. MORAN (for himself, Mr. TESTER, and Mr. BOOZMAN) submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, supra; which was ordered to lie on the table.

SA 1161. Mr. MARSHALL (for himself and Mr. DURBIN) submitted an amendment intended to be proposed by him to the bill H.R. 4366, supra; which was ordered to lie on the table.

SA 1162. Mr. MARSHALL submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, supra; which was ordered to lie on the table.

SA 1163. Mr. MARSHALL submitted an amendment intended to be proposed by him to the bill H.R. 4366, supra; which was ordered to lie on the table.

SA 1164. Mr. MARSHALL submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, supra; which was ordered to lie on the table.

SA 1165. Mr. MARSHALL submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, supra; which was ordered to lie on the table.

SA 1166. Mr. MARSHALL submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, supra; which was ordered to lie on the table.

SA 1167. Mr. MARSHALL (for himself and Mr. WELCH) submitted an amendment intended to be proposed by him to the bill H.R. 4366, supra; which was ordered to lie on the table.

SA 1168. Mr. MARSHALL submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, supra; which was ordered to lie on the table.

SA 1169. Mr. MARSHALL submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, supra; which was ordered to lie on the table.

SA 1170. Mr. MARSHALL submitted an amendment intended to be proposed by him to the bill H.R. 4366, supra; which was ordered to lie on the table.

SA 1171. Mr. MARSHALL submitted an amendment intended to be proposed by him to the bill H.R. 4366, supra; which was ordered to lie on the table.

SA 1172. Mr. MARSHALL submitted an amendment intended to be proposed by him to the bill H.R. 4366, supra; which was ordered to lie on the table.

SA 1173. Mr. MARSHALL submitted an amendment intended to be proposed by him to the bill H.R. 4366, supra; which was ordered to lie on the table.

SA 1174. Mr. MARSHALL submitted an amendment intended to be proposed by him to the bill H.R. 4366, supra; which was ordered to lie on the table.

SA 1175. Mr. BOOKER (for himself and Mr. TUBERVILLE) submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, supra; which was ordered to lie on the table.

SA 1176. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, supra; which was ordered to lie on the table.

SA 1177. Ms. ERNST submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, supra; which was ordered to lie on the table.

SA 1178. Mr. MARSHALL submitted an amendment intended to be proposed by him to the bill H.R. 4366, supra; which was ordered to lie on the table.

SA 1179. Mr. BOOKER submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, supra; which was ordered to lie on the table.

SA 1180. Mr. MARSHALL submitted an amendment intended to be proposed by him to the bill H.R. 4366, supra; which was ordered to lie on the table.

SA 1181. Mr. MERKLEY (for himself and Mr. CRAPO) submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, supra; which was ordered to lie on the table.

SA 1182. Mr. BRAUN (for himself, Ms. ERNST, Mr. BARRASSO, and Mr. DAINES) submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, supra; which was ordered to lie on the table.

SA 1183. Mr. WELCH (for himself and Mr. MARSHALL) submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, supra; which was ordered to lie on the table.

SA 1184. Mr. WELCH (for himself, Mr. SANDERS, Mrs. SHAHEEN, and Ms. HASSAN) submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, supra; which was ordered to lie on the table.

SA 1185. Mr. DAINES submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, supra; which was ordered to lie on the table.

SA 1186. Mr. MORAN submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for her-

self and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, supra; which was ordered to lie on the table.

SA 1187. Mr. KELLY (for himself, Mr. CORNYN, Mrs. GILLIBRAND, Mr. WICKER, and Mr. SCHUMER) submitted an amendment intended to be proposed by him to the bill H.R. 4366, supra; which was ordered to lie on the table.

SA 1188. Ms. LUMMIS submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, supra; which was ordered to lie on the table.

SA 1189. Ms. LUMMIS submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, supra; which was ordered to lie on the table.

SA 1190. Ms. LUMMIS submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, supra; which was ordered to lie on the table.

SA 1191. Mr. SCHATZ (for himself, Ms. HIRONO, Mr. SANDERS, Mr. PADILLA, Mr. WELCH, and Mr. WARNOCK) submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, supra; which was ordered to lie on the table.

SA 1192. Mr. SCHATZ (for himself, Ms. HIRONO, Mr. SANDERS, Mr. PADILLA, Mr. WELCH, and Mr. WARNOCK) submitted an amendment intended to be proposed by him to the bill H.R. 4366, supra; which was ordered to lie on the table.

SA 1193. Mr. SCHATZ (for himself and Mr. WICKER) submitted an amendment intended to be proposed by him to the bill H.R. 4366, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1132. Mr. RICKETTS submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table; as follows:

On page 456, between lines 20 and 21, insert the following:

SEC. 422. Each amount made available under this division is reduced, on a pro rata basis, by the amount necessary to reduce the amount made available under this division, but for this section, by \$5,660,000,000.

SA 1133. Mr. KELLY (for himself and Ms. SINEMA) submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table; as follows:

In the matter under the heading "Rural Development Programs—Rural Housing Service—Rural Community Facilities Program Account" in title III of division B, strike the period at the end and insert ":

Provided further, That not later than 60 days after the date of enactment of this Act, the Secretary of Agriculture shall submit to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives a report on community facilities direct loan applicants for which there was a completed favorable analysis for eligibility but that were subsequently determined to be ineligible due to population calculation changes or other modeling errors, including a description of actions taken by the Department of Agriculture to minimize disruption to community planning initiatives and prevent future inaccurate determinations."

SA 1134. Ms. SMITH (for herself and Mr. RICKETTS) submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division B, insert the following:

SEC. _____. Not later than 90 days after the date of enactment of this Act, the Secretary of Agriculture shall submit to Congress a report describing a plan for improving staffing at the Farm Service Agency and the Natural Resources Conservation Service at the county level, including recommendations for actions that Congress may take.

SA 1135. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. LIMITATION ON AVAILABILITY OF FUNDS FOR MILITARY CONSTRUCTION PROJECTS IN JAPAN.

None of the funds appropriated or otherwise made available by this Act may be made available for military construction projects in Japan, other than those related to housing or the provision of medical services for members of the United States Armed Forces.

SA 1136. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. LIMITATION ON AVAILABILITY OF FUNDS FOR MILITARY CONSTRUCTION PROJECTS IN JAPAN.

None of the funds appropriated or otherwise made available by this Act may be

made available for military construction projects in Japan.

SA 1137. Mr. PADILLA submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the amendment, insert the following:

DIVISION D—TULE RIVER TRIBE SERVED WATER RIGHTS SETTLEMENT

SEC. 101. SHORT TITLE.

This division may be cited as the “Tule River Tribe Reserved Water Rights Settlement Act of 2023”.

SEC. 102. PURPOSES.

The purposes of this division are—

(1) to achieve a fair, equitable, and final settlement of claims to water rights in the State of California for—

(A) the Tule River Tribe; and

(B) the United States, acting as trustee for the Tribe;

(2) to authorize, ratify, and confirm the 2007 Agreement entered by the Tribe, the South Tule Independent Ditch Company, and the Tule River Association, to the extent that the 2007 Agreement is consistent with this division;

(3) to authorize and direct the Secretary—

(A) to execute the 2007 Agreement, with amendments to facilitate implementation and approval of the 2007 Agreement; and

(B) to take any other actions necessary to carry out the 2007 Agreement in accordance with this division;

(4) to authorize funds necessary for the implementation of the 2007 Agreement and this division; and

(5) to authorize the transfer of certain lands to the Tribe, to be held in trust.

SEC. 103. DEFINITIONS.

(a) IN GENERAL.—In this division:

(1) 2007 AGREEMENT.—The term “2007 Agreement” means—

(A) the agreement dated November 21, 2007, as amended on April 22, 2009, between the Tribe, the South Tule Independent Ditch Company, and the Tule River Association, and exhibits attached thereto; and

(B) any amendment to the Agreement referred to in subparagraph (A) (including an amendment to any exhibit) that is executed in accordance with section 104(a)(2).

(2) COURT.—The term “Court” means the United States District Court for the Eastern District of California, unless otherwise specified herein.

(3) DIVERT; DIVERSION.—The terms “divert” and “diversion” mean to remove water from its natural course or location by means of a ditch, canal, flume, bypass, pipeline, conduit, well, pump, or other structure or device, or act of a person.

(4) DOWNSTREAM WATER USERS.—The term “Downstream Water Users” means—

(A) the Tule River Association and its successors and assigns;

(B) the South Tule Independent Ditch Company and its successors and assigns; and

(C) any and all other holders of water rights in the South Fork Tule River Basin.

(5) ENFORCEABILITY DATE.—The term “Enforceability Date” means the date described in section 111.

(6) OM&R.—

(A) IN GENERAL.—The term “OM&R” means operation, maintenance, and replacement.

(B) INCLUSIONS.—The term “OM&R” includes—

(i) any recurring or ongoing activity relating to the day-to-day operation of a project;

(ii) any activity relating to scheduled or unscheduled maintenance of a project; and

(iii) any activity relating to repairing or replacing a feature of a project.

(7) OPERATION RULES.—The term “Operation Rules” means the rules of operation for the Phase I Reservoir, as established in accordance with the 2007 Agreement and this division.

(8) PARTIES.—The term “Parties” means the signatories to the 2007 Agreement, including the Secretary.

(9) PHASE I RESERVOIR.—The term “Phase I Reservoir” means the reservoir described in either section 3.4.B.(1) or section 3.4.B.(2) of the 2007 Agreement.

(10) RESERVATION; TULE RIVER RESERVATION.—The terms “Reservation” and “Tule River Reservation” mean the reservation of lands set aside for the Tribe by the Executive Orders of January 9, 1873, October 3, 1873, and August 3, 1878, including lands added to the Reservation pursuant to section 108.

(11) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(12) SOUTH TULE INDEPENDENT DITCH COMPANY.—The term “South Tule Independent Ditch Company” means the nonprofit mutual water company incorporated in 1895 that has claims to ownership of water rights dating back to 1854, which provides water diverted from the South Fork of the Tule River to its shareholders on lands downstream from the Tule River Reservation.

(13) TRIBAL WATER RIGHT.—The term “Tribal Water Right” means the water rights ratified, confirmed, and declared to be valid for the benefit of the Tribe as set forth and described in the 2007 Agreement and this division.

(14) TRIBE.—The term “Tribe” means the Tule River Indian Tribe of the Tule River Reservation, California, a federally recognized Indian Tribe.

(15) TRUST FUND.—The term “Trust Fund” means the Tule River Indian Tribe Settlement Trust Fund established under section 106(a).

(16) TULE RIVER ASSOCIATION.—

(A) IN GENERAL.—The term “Tule River Association” means the association formed by agreement in 1965, the members of which are representatives of all pre-1914 appropriative and certain riparian water right holders of the Tule River at and below the Richard L. Schafer Dam and Reservoir.

(B) INCLUSIONS.—The term “Tule River Association” includes the Pioneer Water Company, the Vandalia Irrigation District, the Porterville Irrigation District, and the Lower Tule River Irrigation District.

(17) WATER DEVELOPMENT PROJECT.—The term “Water Development Project” means a project for domestic, commercial, municipal, and industrial water supply, including but not limited to water treatment, storage, and distribution infrastructure, to be constructed, in whole or in part, using monies from the Trust Fund.

(b) DEFINITIONS OF OTHER TERMS.—Any other term used in this division but not defined in subsection (a)—

(1) has the meaning given the term in the 2007 Agreement; or

(2) if no definition for the term is provided in the 2007 Agreement, shall be used in a manner consistent with its use in the 2007 Agreement.

SEC. 104. RATIFICATION OF 2007 AGREEMENT.

(a) RATIFICATION.—

(1) IN GENERAL.—Except as modified by this division and to the extent that the 2007

Agreement does not conflict with this division, the 2007 Agreement is authorized, ratified, and confirmed.

(2) AMENDMENTS.—

(A) GENERAL AMENDMENTS.—If an amendment to the 2007 Agreement, or to any exhibit attached to the 2007 Agreement requiring the signature of the Secretary, is executed in accordance with this division to make the 2007 Agreement consistent with this division, the amendment is authorized, ratified, and confirmed.

(B) SPECIFIC AMENDMENTS.—

(i) SUBSTITUTE SITES.—If a substitute site for the Phase I Reservoir is identified by the Tribe pursuant to section 3.4.B.(2)(a) of the 2007 Agreement, then amendments related to the Operation Rules are authorized, ratified, and confirmed, to the extent that such Amendments are consistent with the 2007 Agreement and this division.

(ii) PRIORITY DATE.—Amendments agreed to by the Parties to establish that the priority date for the Tribal Water Right is no later than January 9, 1873, is authorized, ratified, and confirmed.

(iii) SENIOR WATER RIGHTS.—Amendments agreed to by the Parties to accommodate senior water rights of those Downstream Water Users described in section 103(a)(4)(C) are authorized, ratified, and confirmed, to the extent that the Court finds any such Downstream Water Users possess senior water rights that can be accommodated only by amendment of the 2007 Agreement.

(iv) OTHER AMENDMENTS.—Other amendments agreed to by the Parties to facilitate implementation and approval of the 2007 Agreement are authorized, ratified, and confirmed, to the extent that such amendments are otherwise consistent with this division and with other applicable law.

(b) EXECUTION.—

(1) IN GENERAL.—To the extent the 2007 Agreement does not conflict with this division, the Secretary shall execute the 2007 Agreement, in accordance with paragraph (2), including all exhibits to, or parts of, the 2007 Agreement requiring the signature of the Secretary.

(2) TIMING.—The Secretary shall not execute the 2007 Agreement until—

(A) the Parties agree on amendments related to the priority date for the Tribal Water Right; and

(B) either—

(i) the Tribe moves forward with the Phase I Reservoir described in section 3.4.B.(1) of the 2007 Agreement; or

(ii) if the Tribe selects a substitute site pursuant to section 3.4.B.(2) of the 2007 Agreement, either—

(I) the Parties agree on Operation Rules; or

(II) the Secretary determines, in the discretion of the Secretary, that the Parties have reached an impasse in attempting to negotiate the Operation Rules.

(3) MODIFICATIONS.—Nothing in this division prohibits the Secretary, after execution of the 2007 Agreement, from approving any modification to the 2007 Agreement, including any exhibit to the 2007 Agreement, that is consistent with this division, to the extent that the modification does not otherwise require congressional approval under section 2116 of the Revised Statutes (25 U.S.C. 177) or any other applicable provision of Federal law.

(c) ENVIRONMENTAL COMPLIANCE.—

(1) IN GENERAL.—In implementing the 2007 Agreement and this division, the Secretary shall comply with all applicable provisions of—

(A) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(B) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), including the implementing regulations of that Act; and

(C) other applicable Federal environmental laws and regulations.

(2) COMPLIANCE.—

(A) IN GENERAL.—In implementing the 2007 Agreement and this division, the Tribe shall prepare any necessary environmental documents, consistent with all applicable provisions of—

(i) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(ii) the National Environmental Policy Act of 1969 (42 U.S.C. 4231 et seq.), including the implementing regulations of that Act; and

(iii) all other applicable Federal environmental laws and regulations.

(B) AUTHORIZATIONS.—The Secretary shall—

(i) independently evaluate the documentation submitted under subparagraph (A); and

(ii) be responsible for the accuracy, scope, and contents of that documentation.

(3) EFFECT OF EXECUTION.—The execution of the 2007 Agreement by the Secretary under this section shall not constitute a major Federal action for purposes of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(4) COSTS.—Any costs associated with the performance of the compliance activities under this subsection shall be paid from funds deposited in the Trust Fund, subject to the condition that any costs associated with the performance of Federal approval or other review of such compliance work or costs associated with inherently Federal functions shall remain the responsibility of the Secretary.

SEC. 105. TRIBAL WATER RIGHT.

(a) CONFIRMATION OF TRIBAL WATER RIGHT.—

(1) IN GENERAL.—The Tribal Water Right is ratified, confirmed, and declared valid.

(2) QUANTIFICATION.—The Tribal Water Right includes the right to divert and use or permit the diversion and use of up to 5,828 acre-feet per year of surface water from the South Fork Tule River, as described in the 2007 Agreement and as confirmed in the decree entered by the Court pursuant to subsections (b) and (c) of section 112.

(3) USE.—Any diversion, use, and place of use of the Tribal Water Right shall be subject to the terms and conditions of the 2007 Agreement and this division.

(b) TRUST STATUS OF TRIBAL WATER RIGHT.—The Tribal Water Right—

(1) shall be held in trust by the United States for the use and benefit of the Tribe in accordance with this division; and

(2) shall not be subject to loss through non-use, forfeiture, abandonment, or other operation of law.

(c) AUTHORITY OF THE TULE RIVER TRIBE.—

(1) IN GENERAL.—The Tule River Tribe shall have the authority to allocate and distribute the Tribal Water Right for use on the Reservation in accordance with the 2007 Agreement, this division, and applicable Federal law.

(d) ADMINISTRATION.—

(1) NO ALIENATION.—The Tribe shall not permanently alienate any portion of the Tribal Water Right.

(2) PURCHASES OR GRANTS OF LAND FROM INDIANS.—An authorization provided by this division for the allocation, distribution, leasing, or other arrangement entered into pursuant to this division shall be considered to satisfy any requirement for authorization of the action by treaty or convention imposed by section 2116 of the Revised Statutes (25 U.S.C. 177).

(3) PROHIBITION ON FORFEITURE.—The non-use of all or any portion of the Tribal Water Right by any water user shall not result in the forfeiture, abandonment, relinquishment, or other loss of all or any portion of the Tribal Water Right.

SEC. 106. TULE RIVER TRIBE TRUST ACCOUNTS.

(a) ESTABLISHMENT.—The Secretary shall establish a trust fund, to be known as the “Tule River Indian Tribe Settlement Trust Fund”, to be managed, invested, and distributed by the Secretary and to remain available until expended, withdrawn, or reverted to the general fund of the Treasury, consisting of the amounts deposited in the Trust Fund under subsection (c), together with any interest earned on those amounts, for the purpose of carrying out this division.

(b) ACCOUNTS.—The Secretary shall establish in the Trust Fund the following Accounts:

(1) The Tule River Tribe Water Development Projects Account.

(2) The Tule River Tribe OM&R Account.

(c) DEPOSITS.—The Secretary shall deposit—

(1) in the Tule River Tribe Water Development Projects Account established under subsection (b)(1), the amounts made available pursuant to section 107(a)(1); and

(2) in the Tule River Tribe OM&R Account established under subsection (b)(2), the amounts made available pursuant to section 107(a)(2).

(d) MANAGEMENT AND INTEREST.—

(1) MANAGEMENT.—On receipt and deposit of funds into the accounts in the Trust Fund pursuant to subsection (c), the Secretary shall manage, invest, and distribute all amounts in the Trust Fund in accordance with the investment authority of the Secretary under—

(A) the first section of the Act of June 24, 1938 (52 Stat. 1037, chapter 648; 25 U.S.C. 162a);

(B) the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.); and

(C) this section.

(2) INVESTMENT EARNINGS.—In addition to the deposits under subsection (c), any investment earnings, including interest, credited to amounts held in the Trust Fund are authorized to be used in accordance with subsections (e) and (h).

(e) AVAILABILITY OF AMOUNTS.—

(1) IN GENERAL.—Amounts appropriated to, and deposited in, the Trust Fund, including any investment earnings, including interest, shall be made available to the Tribe by the Secretary beginning on the Enforceability Date and subject to the requirements set forth in this section, except for funds to be made available to the Tribe pursuant to paragraph (2).

(2) USE OF CERTAIN FUNDS.—Notwithstanding paragraph (1), \$20,000,000 of the amounts deposited in the Tule River Tribe Water Development Projects Account shall be made available to conduct technical studies and related investigations regarding the Phase I Reservoir and to establish appropriate Operation Rules.

(f) WITHDRAWALS.—

(1) WITHDRAWALS UNDER THE AMERICAN INDIAN TRUST FUND MANAGEMENT REFORM ACT OF 1994.—

(A) IN GENERAL.—The Tribe may withdraw any portion of the amounts in the Trust Fund on approval by the Secretary of a Tribal management plan submitted by the Tribe in accordance with the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.).

(B) REQUIREMENTS.—In addition to the requirements under the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.), the Tribal management plan under this paragraph shall require that the Tribe shall spend all amounts withdrawn from the Trust Fund, and any investment earnings accrued through the investments under the Tribal management plan, in accordance with this division.

(C) ENFORCEMENT.—The Secretary may carry out such judicial and administrative actions as the Secretary determines to be necessary to enforce the Tribal management plan under this paragraph to ensure that amounts withdrawn by the Tribe from the Trust Fund under this paragraph are used in accordance with this division.

(2) WITHDRAWALS UNDER EXPENDITURE PLAN.—

(A) IN GENERAL.—The Tribe may submit to the Secretary a request to withdraw amounts from the Trust Fund pursuant to an approved expenditure plan.

(B) REQUIREMENTS.—To be eligible to withdraw amounts under an expenditure plan under this paragraph, the Tribe shall submit to the Secretary an expenditure plan for any portion of the Trust Fund that the Tribe elects to withdraw pursuant to this subparagraph, subject to the condition that the amounts shall be used for the purposes described in this division.

(C) INCLUSIONS.—An expenditure plan under this paragraph shall include a description of the manner and purpose for which the amounts proposed to be withdrawn from the Trust Fund will be used by the Tribe in accordance with subsections (e) and (h).

(D) APPROVAL.—The Secretary shall approve an expenditure plan submitted under this paragraph if the Secretary determines that the plan—

(i) is reasonable; and

(ii) is consistent with, and will be used for, the purposes of this division.

(E) ENFORCEMENT.—The Secretary may carry out such judicial and administrative actions as the Secretary determines to be necessary to enforce an expenditure plan to ensure that amounts disbursed under this paragraph are used in accordance with this division.

(g) EFFECT OF SECTION.—Nothing in this section gives the Tribe the right to judicial review of a determination of the Secretary relating to whether to approve a Tribal management plan under subsection (f)(1) or an expenditure plan under subsection (f)(2) except under subchapter II of chapter 5, and chapter 7, of title 5, United States Code (commonly known as the “Administrative Procedure Act”).

(h) USES.—Amounts from the Trust Fund may only be used by the Tribe for the following purposes:

(1) The Tule River Tribe Water Development Projects Account may only be used to plan, design, and construct Water Development Projects on the Tule River Reservation, and for the conduct of related activities, including for environmental compliance in the development and construction of projects under this division.

(2) The Tule River Tribe OM&R Account may only be used for the OM&R of Water Development Projects.

(i) LIABILITY.—The Secretary and the Secretary of the Treasury shall not be liable for the expenditure or investment of any amounts withdrawn from the Trust Fund by the Tribe under paragraphs (1) and (2) of subsection (f).

(j) TITLE TO INFRASTRUCTURE.—Title to, control over, and operation of any project constructed using funds from the Trust Fund shall remain in the Tribe.

(k) OPERATION, MAINTENANCE, & REPLACEMENT.—All OM&R costs of any project constructed using funds from the Trust Fund shall be the responsibility of the Tribe.

(l) NO PER CAPITA DISTRIBUTIONS.—No portion of the Trust Fund shall be distributed on a per capita basis to any member of the Tribe.

(m) EXPENDITURE REPORT.—The Tule River Tribe shall annually submit to the Secretary

an expenditure report describing accomplishments and amounts spent from use of withdrawals under a Tribal management plan or an expenditure plan under this division.

SEC. 107. FUNDING.

(a) FUNDING.—Out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary—

(1) for deposit in the Tule River Tribe Water Development Projects Account \$518,000,000, to be available until expended, withdrawn, or reverted to the general fund of the Treasury; and

(2) for deposit in the Tule River Tribe OM&R Account \$50,000,000, to be available until expended, withdrawn, or reverted to the general fund of the Treasury.

(b) FLUCTUATION IN COSTS.—

(1) IN GENERAL.—The amounts authorized to be appropriated under subsection (a) shall be increased or decreased, as appropriate, by such amounts as may be justified by reason of ordinary fluctuations in costs occurring after November 1, 2020, as indicated by the Bureau of Reclamation Construction Cost Index—Composite Trend.

(2) CONSTRUCTION COSTS ADJUSTMENT.—The amounts authorized to be appropriated under subsection (a) shall be adjusted to address construction cost changes necessary to account for unforeseen market volatility that may not otherwise be captured by engineering cost indices as determined by the Secretary, including repricing applicable to the types of construction and current industry standards involved.

(3) REPETITION.—The adjustment process under this subsection shall be repeated for each subsequent amount appropriated until the amount authorized, as adjusted, has been appropriated.

(4) PERIOD OF INDEXING.—The period of indexing adjustment under this subsection for any increment of funding shall end on the date on which the funds are deposited into the Trust Fund.

SEC. 108. TRANSFER OF LAND INTO TRUST.

(a) TRANSFER OF LAND TO TRUST.—

(1) IN GENERAL.—Subject to valid existing rights, and the requirements of this subsection, all right, title, and interest of the United States in and to the land described in paragraph (2) shall be held in trust by the United States for the benefit of the Tribe as part of the Reservation upon the Enforceability Date, provided that the Tribal fee land described in paragraph (2)(C)—

(A) is free from any liens, encumbrances, or other infirmities; and

(B) has no existing evidence of any hazardous substances or other environmental liability.

(2) LANDS TO BE HELD IN TRUST.—The land referred to in paragraph (1) is the following:

(A) BUREAU OF LAND MANAGEMENT LANDS.—

(i) Approximately 26.15 acres of land located in T. 22 S., R. 29 E., sec. 35, Lot 9.

(ii) Approximately 85.50 acres of land located in T. 22 S., R. 29 E., sec. 35, Lots 6 and 7.

(iii) Approximately 38.77 acres of land located in—

(I) T. 22 S., R. 30 E., sec. 30, Lot 1; and

(II) T. 22 S., R. 30 E., sec. 31, Lots 6 and 7.

(iv) Approximately 154.9 acres of land located in T. 22 S., R. 30 E., sec. 34, N $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SW $\frac{1}{4}$, Lots 2 and 3.

(v) Approximately 40 acres of land located in T. 22 S., R. 30 E., sec. 34, NE $\frac{1}{4}$ SE $\frac{1}{4}$.

(vi) Approximately 375.17 acres of land located in—

(I) T. 22 S., R. 30 E., sec. 35, S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$, Lots 3, 4, and 6; and

(II) T. 23 S., R. 30 E., sec. 2, S $\frac{1}{2}$ NE $\frac{1}{4}$, Lots 6 and 7.

(vii) Approximately 60.43 acres of land located in—

(I) T. 22 S., R. 30 E., sec. 35, SW $\frac{1}{4}$ SW $\frac{1}{4}$; and

(II) T. 23 S., R. 30 E., sec. 2, Lot 9.

(viii) Approximately 15.48 acres of land located in T. 21 S., R. 30 E., sec. 31 in that portion of the NW $\frac{1}{4}$ lying between Lots 8 and 9.

(ix) Approximately 29.26 acres of land located in T. 21 S., R. 30 E., sec. 31, Lot 7.

(B) FOREST SERVICE LANDS.—Approximately 9,037 acres of land comprising the headwaters area of the South Fork Tule River watershed located east of and adjacent to the Tule River Indian Reservation, and more particularly described as follows:

(i) Commencing at the northeast corner of the Tule River Indian Reservation in T. 21 S., R. 31 E., sec. 16, Mount Diablo Base and Meridian, running thence east and then southeast along the ridge of mountains dividing the waters of the South Fork of the Tule River and Middle Fork of the Tule River, continuing south and then southwest along the ridge of mountains dividing the waters of the South Fork of the Tule River and the Upper Kern River until intersecting with the southeast corner of the Tule River Indian Reservation in T. 22 S., R. 31 E., sec. 28, thence from such point north along the eastern boundary of the Tule River Indian Reservation to the place of beginning.

(ii) The area encompasses—

(I) all of secs. 22, 23, 26, 27, 34, 35, and portions of secs. 13, 14, 15, 16, 21, 24, 25, 28, 33, and 36, in T. 21 S., R. 31 E.; and

(II) all of secs. 3 and 10, and portions of secs. 1, 2, 4, 9, 11, 14, 15, 16, 21, 22, 27, and 28, in T. 22 S., R. 31 E.

(C) TRIBALLY OWNED FEE LANDS.—

(i) Approximately 300 acres of land known as the McCarthy Ranch and more particularly described as follows:

(I) The SW $\frac{1}{4}$ and that portion of the SE $\frac{1}{4}$ of sec. 9 in T. 22 S., R. 29 E., Mount Diablo Base and Meridian, in the County of Tulare, State of California, according to the official plat thereof, lying south and west of the center line of the South Fork of the Tule River, as such river existed on June 9, 1886, in the County of Tulare, State of California; excepting therefrom an undivided one-half interest in and to the oil, gas, minerals, and other hydrocarbon substances in, on, or under such land, as reserved by Alice King Henderson, a single woman, by Deed dated January 22, 1959, and Recorded February 18, 1959, in Book 2106, page 241, Tulare County Official Records.

(II) An easement over and across that portion of the SW $\frac{1}{4}$ of sec. 10 in T. 22 S., R. 29 E., Mount Diablo Base and Meridian, County of Tulare, State of California, more particularly described as follows:

(aa) Beginning at the intersection of the west line of the SW $\frac{1}{4}$ of sec. 10, and the south bank of the South Tule Independent Ditch; thence south 20 rods; thence in an easterly direction, parallel with such ditch, 80 rods; thence north 20 rods, thence westerly along the south bank of such ditch 80 rods to the point of beginning; for the purpose of—

(AA) maintaining thereon an irrigation ditch between the headgate of the King Ditch situated on such land and the SW $\frac{1}{4}$ and that portion of the SE $\frac{1}{4}$ of sec. 9 in T. 22 S., R. 29 E., lying south and west of the centerline of the South Fork of the Tule River, as such river existed on June 9, 1886, in the County of Tulare, State of California; and

(BB) conveying therethrough water from the South Fork of the Tule River to the SW $\frac{1}{4}$ and that portion of the SE $\frac{1}{4}$ of sec. 9 in T. 22 S., R. 29 E., lying south and west of the centerline of the South Fork of the Tule River, as such river existed on June 9, 1886.

(bb) The easement described in item (aa) shall follow the existing route of the King Ditch.

(ii) Approximately 640 acres of land known as the Pierson/Diaz property in T. 22 S., R. 29

E., sec. 16, Mount Diablo Base and Meridian, in the County of Tulare, State of California, according to the official plat thereof.

(iii) Approximately 375.44 acres of land known as the Hyder property and more particularly described as follows:

(I) That portion of the S $\frac{1}{2}$ of sec. 12 in T. 22 S., R. 28 E., Mount Diablo Base and Meridian, in the County of Tulare, State of California, according to the official plat thereof, lying south of the County Road known as Reservation Road, excepting therefrom an undivided one-half interest in all oil, gas, minerals, and other hydrocarbon substances as reserved in the deed from California Lands, Inc., to Lovell J. Wilson and Genevieve P. Wilson, recorded February 17, 1940, in book 888, page 116, Tulare County Official Records.

(II) The NW $\frac{1}{4}$ of sec. 13 in T. 22 S., R. 28 E., Mount Diablo Base and Meridian, in the County of Tulare, State of California, according to the official plat thereof, excepting therefrom the south 1,200 feet thereof.

(III) The south 1,200 feet of the NW $\frac{1}{4}$ of sec. 13 in T. 22 S., R. 28 E., Mount Diablo Base and Meridian, in the County of Tulare, State of California, according to the official plat thereof.

(iv) Approximately 157.22 acres of land situated in the unincorporated area of the County of Tulare, State of California, known as the Traylor property, and more particularly described as follows: The SW $\frac{1}{4}$ of sec. 11 in T. 22 S., R. 28 E., Mount Diablo Base and Meridian, in the unincorporated area of the County of Tulare, State of California, according to the official plat thereof.

(v) Approximately 89.45 acres of land known as the Tomato Patch in that portion of the SE $\frac{1}{4}$ of sec. 11 in T. 22 S., R. 28 E., Mount Diablo Base and Meridian, in the County of Tulare, State of California, according to the Official Plat of the survey of such land on file in the Bureau of Land Management at the date of the issuance of the patent thereof, and more particularly described as follows: Beginning at the southeast corner of T. 22 S., R. 28 E., sec. 11, thence north and along the east line of such sec. 11, 1,342 feet, thence south 83° 44' west 258 feet, thence north 84° 30' west 456 feet, thence north 65° 28' west 800 feet, thence north 68° 44' west 295 feet, thence south 71° 40' west 700 feet, thence south 56° 41' west 240 feet to the west line of the SE $\frac{1}{4}$ of such sec. 11, thence south 0° 21' west along such west line of the SE $\frac{1}{4}$ of sec. 11, thence west 1,427 feet to the southwest corner of such SE $\frac{1}{4}$ of sec. 11, thence south 89° 34' east 2,657 feet to the point of beginning, excepting therefrom—

(I) a strip of land 25 feet in width along the northerly and east sides and used as a County Road; and

(II) an undivided one-half interest in all oil, gas, and minerals in and under such lands, as reserved in the Deed from Bank of America, a corporation, dated August 14, 1935, filed for record August 28, 1935, Fee Book 11904.

(vi) Approximately 160 acres of land known as the Smith Mill in the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$, the N $\frac{1}{2}$ of the NW $\frac{1}{4}$, and the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of sec. 20 in T. 21 S., R. 31 E., Mount Diablo Base and Meridian, in the County of Tulare, State of California, according to the official plat thereof.

(vii) Approximately 35 acres of land located within the exterior boundaries of the Tule River Reservation known as the Highway 190 parcel, with the legal description as follows: That portion of T. 21 S., R. 29 E., sec. 19, Mount Diablo Base and Meridian, in the County of Tulare, State of California, according to the official plat thereof, and more particularly described as follows: Commencing at a point in the south line of the

N $\frac{1}{2}$ of the S $\frac{1}{2}$ of such sec. 19, such point being south 89° 54' 47" east, 1,500 feet of the southwest corner of such N $\frac{1}{2}$, thence north 52° 41' 17" east, 1602.80 feet to the true point of beginning of the parcel to be described, thence north 32° 02' 00" west, 1,619.53 feet to a point in the southeasterly line of State Highway 190 per deeds recorded May 5, 1958, in Book 2053, pages 608 and 613, Tulare County Official Records, thence north 57° 58' 00" east, 232.29 feet, thence north 66° 33' 24" east, 667.51 feet, thence departing the southeasterly line of such Highway 190, south 44° 53' 27" east, 913.62 feet, thence south 85° 53' 27" east, 794.53 feet, thence south 52° 41' 17" west, 1,744.64 feet to the true point of beginning.

(viii) Approximately 61.91 acres of land located within the exterior boundaries of the Tule River Reservation known as the Shan King property, with the legal description as follows:

(I) Parcel 1: Parcel No. 1 of parcel map no. 4028 in the County of Tulare, State of California, as per the map recorded in Book 41, page 32 of Tulare County Records.

(II)(aa) Parcel 2: That portion of T. 21 S., R. 29 E., sec. 19, Mount Diablo Base and Meridian, in the County of Tulare, State of California, described as follows: Commencing at a point in the south line of the N $\frac{1}{2}$ of the S $\frac{1}{2}$ of such sec. 19, such point being south 89° 54' 58" east, 1,500 feet of the southwest corner of such N $\frac{1}{2}$, thence north 52° 41' 06" east, 1602.80 feet to the southwesterly corner of the 40-acre parcel shown on the Record of Survey recorded in Book 18, page 17, of Licensed Surveys, Tulare County Records, thence, north 32° 01' 28" west, 542.04 feet along the southwesterly line of such 40-acre parcel to the true point of beginning of the parcel to be described, thence, continuing north 32° 01' 28" west, 1,075.50 feet to the northwesterly corner of such 40-acre parcel, thence north 57° 58' 50" east, 232.31 feet along the southeasterly line of State Highway 190, thence north 66° 34' 12" east, 6.85 feet, thence, departing the southeasterly line of State Highway 190 south 29° 27' 29" east, 884.73 feet, thence south 02° 59' 33" east, 218 feet, thence south 57° 58' 31" west, 93.67 feet to the true point of beginning.

(bb) The property described in item (aa) is subject to a 100-foot minimum building setback from the right-of-way of Highway 190.

(III) Parcel 3: That portion of T. 21 S., R. 29 E., sec. 19, Mount Diablo Base and Meridian, County of Tulare, State of California, described as follows: Beginning at a point in the south line of the N $\frac{1}{2}$ of the S $\frac{1}{2}$ of such sec. 19, such point being south 89° 54' 47" east, 1,500 feet of the southwest corner of such N $\frac{1}{2}$, thence north 7° 49' 19" east, 1,205 feet, thence north 40° 00' 00" west, 850 feet to a point in the southeasterly line of State Highway 190, per deeds recorded May 5, 1958, in Book 2053, pages 608 and 613, Tulare County Official Records, thence, north 57° 58' 00" east, 941.46 feet, along the southeasterly line of such Highway 190, thence departing the southeasterly line of such Highway 190, south 32° 02' 00" east, 1619.53 feet, thence south 52° 41' 17" west, 1,602.80 feet to the point of beginning, together with a $\frac{3}{4}$ interest in a water system, as set forth in that certain water system and maintenance agreement recorded April 15, 2005, as document no. 2005-0039177.

(ix) Approximately 18.44 acres of land located within the exterior boundaries of the Tule River Reservation known as the Parking Lot 4 parcel with the legal description as follows: That portion of the land described in that Grant Deed to Tule River Indian Tribe, recorded June 1, 2010, as document number 2010-0032879, Tulare County Official Records, lying within the following described parcel: beginning at a point on the east line of the NW $\frac{1}{4}$ of sec. 3 in T. 22 S., R. 28 E., Mount

Diablo Meridian, lying south 0° 49' 43" west, 1670.53 feet from the N $\frac{1}{4}$ corner of such sec. 3, thence (1) south 89° 10' 17" east, 46.50 feet; thence (2) north 0° 49' 43" east, 84.08 feet; thence (3) north 33° 00' 00" west, 76.67 feet to the south line of State Route 190 as described in that Grant Deed to the State of California, recorded February 14, 1958, in Volume 2038, page 562, Tulare County Official Records; thence (4) north 0° 22' 28" east, 73.59 feet to the north line of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of such sec. 3; thence (5) south 89° 37' 32" east, along such north line, 89.77 feet to the center-north sixteenth corner of such sec. 3; thence (6) south 0° 49' 43" west, along such east line of the NW $\frac{1}{4}$ of such sec. 3, a distance of 222.06 feet to the point of beginning. Containing 0.08 acres, more or less, in addition to that portion lying within Road 284. Together with the underlying fee interest, if any, contiguous to the above-described property in and to Road 284. This conveyance is made for the purpose of a freeway and the grantor hereby releases and relinquishes to the grantee any and all abutter's rights including access rights, appurtenant to grantor's remaining property, in and to such freeway. Reserving however, unto grantor, grantor's successors or assigns, the right of access to the freeway over and across Courses (1) and (2) herein above described. The bearings and distances used in this description are on the California Coordinate System of 1983, Zone 4. Divide distances by 0.999971 to convert to ground distances.

(b) TERMS AND CONDITIONS.—

(1) EXISTING AUTHORIZATIONS.—Any Federal land transferred under this section shall be conveyed and taken into trust subject to valid existing rights, contracts, leases, permits, and rights-of-way, unless the holder of the right, contract, lease, permit, or right-of-way requests an earlier termination in accordance with existing law. The Bureau of Indian Affairs shall assume all benefits and obligations of the previous land management agency under such existing rights, contracts, leases, permits, or rights-of-way, and shall disburse to the Tribe any amounts that accrue to the United States from such rights, contracts, leases, permits, or rights-of-ways after the date of transfer from any sale, bonus, royalty, or rental relating to that land in the same manner as amounts received from other land held by the Secretary in trust for the Tribe.

(2) IMPROVEMENTS.—Any improvements constituting personal property, as defined by State law, belonging to the holder of a right, contract, lease, permit, or right-of-way on lands transferred under this section shall remain the property of the holder and shall be removed not later than 90 days after the date on which the right, contract, lease, permit, or right-of-way expires, unless the Tribe and the holder agree otherwise. Any such property remaining beyond the 90-day period shall become the property of the Tribe and shall be subject to removal and disposition at the Tribe's discretion. The holder shall be liable for the costs the Tribe incurs in removing and disposing of the property.

(c) WITHDRAWAL OF FEDERAL LANDS.—

(1) IN GENERAL.—Subject to valid existing rights, effective on the date of enactment of this Act, all Federal lands within the parcels described in subsection (a)(2) are withdrawn from all forms of—

(A) entry, appropriation, or disposal under the public land laws;

(B) location, entry, and patent under the mining laws; and

(C) disposition under all laws pertaining to mineral and geothermal leasing or mineral materials.

(2) EXPIRATION.—The withdrawals pursuant to paragraph (1) shall terminate on the date that the Secretary takes the lands into trust

for the benefit of the Tribe pursuant to subsection (a)(1).

(d) TECHNICAL CORRECTIONS.—Notwithstanding the descriptions of the parcels of land in subsection (a)(2), the United States may, with the consent of the Tribe, make technical corrections to the legal land descriptions to more specifically identify the parcels to be exchanged.

(e) SURVEY.—

(1) Unless the United States or the Tribe requests an additional survey for the transferred land or a technical correction is made under subsection (d), the description of land under this section shall be controlling.

(2) If the United States or the Tribe requests an additional survey, that survey shall control the total acreage to be transferred into trust under this section.

(3) The Secretary or the Secretary of Agriculture shall provide such assistance as may be appropriate—

(A) to conduct additional surveys of the transferred land; and

(B) to satisfy administrative requirements necessary to accomplish the land transfers under this section.

(f) DATE OF TRANSFER.—The Secretary shall issue trust deeds for all land transfers under this section by not later than 10 years after the Enforceability Date.

(g) RESTRICTION ON GAMING.—Lands taken into trust pursuant to this section shall not be considered to have been taken into trust for, nor eligible for, class II gaming or class III gaming (as those terms are defined in section 4 of the Indian Gaming Regulatory Act (25 U.S.C. 2703)).

(h) STATUS OF WATER RIGHTS ON TRANSFERRED LANDS.—Any water rights associated with lands transferred pursuant to subparagraphs (A) through (C) of subsection (a)(2) shall be held in trust for the Tribe but shall not be included in the Tribal Water Right.

SEC. 109. SATISFACTION OF CLAIMS.

The benefits provided under this division shall be in complete replacement of, complete substitution for, and full satisfaction of any claim of the Tribe against the United States that is waived and released by the Tribe under section 110(a).

SEC. 110. WAIVERS AND RELEASES OF CLAIMS.

(a) IN GENERAL.—

(1) WAIVERS AND RELEASES OF CLAIMS BY THE TRIBE AND THE UNITED STATES AS TRUSTEE FOR THE TRIBE.—Subject to the reservation of rights and retention of claims set forth in subsection (c), as consideration for recognition of the Tribe's Tribal Water Right and other benefits described in the 2007 Agreement and this division, the Tribe and the United States, acting as trustee for the Tribe, shall execute a waiver and release of all claims for the following:

(A) All claims for water rights within the State of California based on any and all legal theories that the Tribe or the United States acting as trustee for the Tribe, asserted or could have asserted in any proceeding, including a general stream adjudication, on or before the Enforceability Date, except to the extent that such rights are recognized in the 2007 Agreement and this division.

(B) All claims for damages, losses, or injuries to water rights or claims of interference with, diversion, or taking of water rights (including claims for injury to lands resulting from such damages, losses, injuries, interference with, diversion, or taking of water rights) within California against the State, or any person, entity, corporation, or municipality, that accrued at any time up to and including the Enforceability Date.

(2) WAIVER AND RELEASE OF CLAIMS BY THE TRIBE AGAINST THE UNITED STATES.—Subject to the reservation of rights and retention of claims under subsection (c), the Tribe shall

execute a waiver and release of all claims against the United States (including any agency or employee of the United States) for water rights within the State of California first arising before the Enforceability Date relating to—

(A) water rights within the State of California that the United States, acting as trustee for the Tribe, asserted or could have asserted in any proceeding, including a general stream adjudication, except to the extent that such rights are recognized as part of the Tribal Water Right under this division;

(B) foregone benefits from nontribal use of water, on and off the Reservation (including water from all sources and for all uses);

(C) damage, loss, or injury to water, water rights, land, or natural resources due to loss of water or water rights (including damages, losses, or injuries to hunting, fishing, gathering, or cultural rights, due to loss of water or water rights, claims relating to interference with, diversion, or taking of water, or claims relating to a failure to protect, acquire, replace, or develop water, water rights, or water infrastructure) within the State of California;

(D) a failure to establish or provide a municipal rural or industrial water delivery system on the Reservation;

(E) damage, loss, or injury to water, water rights, land, or natural resources due to construction, operation, and management of irrigation projects on the Reservation and other Federal land and facilities (including damages, losses, or injuries to fish habitat, wildlife, and wildlife habitat);

(F) failure to provide for operation, maintenance, or deferred maintenance for any irrigation system or irrigation project;

(G) failure to provide a dam safety improvement to a dam on the Reservation;

(H) the litigation of claims relating to any water rights of the Tribe within the State of California;

(I) the negotiation, execution, or adoption of the 2007 Agreement (including exhibits A–F) and this division;

(J) the negotiation, execution, or adoption of operational rules referred to in article 3.4 of the 2007 Agreement in connection with any reservoir locations, including any claims related to the resolution of operational rules pursuant to the dispute resolution processes set forth in the article 8 of the 2007 Agreement, including claims arising after the Enforceability Date; and

(K) claims related to the creation or reduction of the Reservation, including any claims relating to the failure to ratify any treaties and any claims that any particular lands were intended to be set aside as a permanent homeland for the Tribe but were not included as part of the present Reservation.

(b) **EFFECTIVENESS.**—The waivers and releases under subsection (a) shall take effect on the Enforceability Date.

(c) **RESERVATION OF RIGHTS AND RETENTION OF CLAIMS.**—Notwithstanding the waivers and releases under subsection (a), the Tribe and the United States, acting as trustee for the Tribe, shall retain—

(1) all claims relating to the enforcement of, or claims accruing after the Enforceability Date relating to water rights recognized under the 2007 Agreement, any final court decree entered in the Federal District Court for the Eastern District of California, or this division;

(2) all claims relating to the right to use and protect water rights acquired after the date of enactment of this Act;

(3) claims regarding the quality of water under—

(A) the Comprehensive Environmental Response, Compensation, and Liability Act of

1980 (42 U.S.C. 9601 et seq.), including claims for damages to natural resources;

(B) the Safe Drinking Water Act (42 U.S.C. 300f et seq.);

(C) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) (commonly referred to as the “Clean Water Act”); and

(D) any regulations implementing the Acts described in subparagraphs (A) through (C);

(4) all claims for damage, loss, or injury to land or natural resources that are not due to loss of water or water rights, including hunting, fishing, gathering, or cultural rights; and

(5) all rights, remedies, privileges, immunities, and powers not specifically waived and released pursuant to this division or the 2007 Agreement.

(d) **EFFECT OF 2007 AGREEMENT AND ACT.**—Nothing in the 2007 Agreement or this division—

(1) affects the authority of the Tribe to enforce the laws of the Tribe, including with respect to environmental protections or reduces or extends the sovereignty (including civil and criminal jurisdiction) of any government entity;

(2) affects the ability of the United States, acting as sovereign, to carry out any activity authorized by law, including—

(A) the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.);

(B) the Safe Drinking Water Act (42 U.S.C. 300f et seq.);

(C) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.);

(D) the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.); and

(E) any regulations implementing the Acts described in subparagraphs (A) through (D);

(3) affects the ability of the United States to act as trustee for any other Indian Tribe or an allottee of any other Indian Tribe;

(4) confers jurisdiction on any State court—

(A) to interpret Federal law relating to health, safety, or the environment;

(B) to determine the duties of the United States or any other party under Federal law regarding health, safety, or the environment;

(C) to conduct judicial review of any Federal agency action; or

(D) to interpret Tribal law; or

(5) waives any claim of a member of the Tribe in an individual capacity that does not derive from a right of the Tribe.

(e) **TOLLING OF CLAIMS.**—

(1) **IN GENERAL.**—Each applicable period of limitation and time-based equitable defense relating to a claim described in this section shall be tolled for the period beginning on the date of enactment of this Act and ending on the Enforceability Date.

(2) **EFFECT OF SUBSECTION.**—Nothing in this subsection revives any claim or tolls any period of limitation or time-based equitable defense that expired before the date of enactment of this Act.

(3) **LIMITATION.**—Nothing in this section precludes the tolling of any period of limitations or any time-based equitable defense under any other applicable law.

(f) **EXPIRATION.**—

(1) **IN GENERAL.**—This division shall expire in any case in which the Secretary fails to publish a statement of findings under section 111 by not later than—

(A) 8 years from the date of enactment of this Act; or

(B) such alternative later date as is agreed to by the Tribe and the Secretary, after providing reasonable notice to the State of California.

(2) **CONSEQUENCES.**—If this division expires under paragraph (1)—

(A) the waivers and releases under subsection (a) shall—

(i) expire; and

(ii) have no further force or effect;

(B) the authorization, ratification, confirmation, and execution of the 2007 Agreement under section 104 shall no longer be effective;

(C) any action carried out by the Secretary, and any contract or agreement entered into pursuant to this division, shall be void;

(D) any unexpended Federal funds appropriated or made available to carry out the activities authorized by this division, together with any interest earned on those funds, and any water rights or contracts to use water and title to other property acquired or constructed with Federal funds appropriated or made available to carry out the activities authorized by this division shall be returned to the Federal Government, unless otherwise agreed to by the Tribe and the United States and approved by Congress; and

(E) except for Federal funds used to acquire or construct property that is returned to the Federal Government under subparagraph (D), the United States shall be entitled to offset any Federal funds made available to carry out this division that were expended or withdrawn, or any funds made available to carry out this division from other Federal authorized sources, together with any interest accrued on those funds, against any claims against the United States—

(i) relating to—

(I) water rights in the State of California asserted by—

(aa) the Tribe; or

(bb) any user of the Tribal Water Right; or

(II) any other matter covered by subsection (a)(2); or

(ii) in any future settlement of water rights of the Tribe.

SEC. 111. ENFORCEABILITY DATE.

The Enforceability Date shall be the date on which the Secretary publishes in the Federal Register a statement of findings that—

(1) to the extent that the 2007 Agreement conflicts with the division, the 2007 Agreement has been amended to conform with this division;

(2) the 2007 Agreement, so revised, includes waivers and releases of claims set forth in section 110 and has been executed by the parties, including the United States;

(3) a final judgment and decree approving the 2007 Agreement, including Operation Rules, and binding all parties to the action has been entered by the Court, and all appeals have been exhausted;

(4) all of the amounts authorized to be appropriated under section 107(a) have been appropriated and deposited in the designated accounts; and

(5) the waivers and releases under section 110(a) have been executed by the Tribe and the Secretary.

SEC. 112. BINDING EFFECT; JUDICIAL APPROVAL; ENFORCEABILITY.

(a) **IN GENERAL.**—

(1) **LAWSUIT.**—1 or more Parties may file suit in the Court requesting the entry of a final judgement and decree approving the Tribal Water Right and the 2007 Agreement, provided that no such suit shall be filed until after—

(A) the Tribe has confirmed that the Phase I Reservoir will be sited at the location described in section 3.4.B.(1) of the 2007 Agreement and that Exhibit E governs operation of the Phase I Reservoir; or

(B) the Tribe has selected a substitute site for the Phase I Reservoir pursuant to section 3.4.B.(2)(a) of the 2007 Agreement and—

(i) the Parties have agreed on Operation Rules and the Secretary has executed the 2007 Agreement; or

(ii) if the Parties have reached an impasse in attempting to negotiate Operation Rules, at least 1 Party has developed proposed Operation Rules to submit for judicial review and approval, and has shared the proposed Operation Rules with the other Parties at least 90 days in advance of filing the lawsuit.

(2) JOINING UNITED STATES AS PARTY.—Where suit is filed pursuant to this subsection, including the satisfaction of the requirements in subparagraph (A) or (B) of paragraph (1), the United States may be joined in litigation for the purposes set forth in this section.

(b) JUDICIAL APPROVAL.—The Court shall have exclusive jurisdiction to review and determine whether to approve the Tribal Water Right and the 2007 Agreement, and on doing so over any cause of action initiated by any Party arising from a dispute over the interpretation of the 2007 Agreement or this division, and any cause of action initiated by any Party for the enforcement of the 2007 Agreement.

(c) FAILURE TO AGREE ON OPERATION RULES.—

(1) IN GENERAL.—Subject to subsection (a)(1)(B)(ii), the Court shall have jurisdiction over a cause of action that a Party initiates to establish Operation Rules, where the Parties failed to reach agreement on such Operation Rules.

(2) VOLUNTARY DISPUTE RESOLUTION.—If a suit is filed under paragraph (1), the Court shall refer the Parties to the voluntary dispute resolution program of the Court.

(3) COURT SELECTION OF OPERATION RULES.—

(A) IN GENERAL.—If the voluntary dispute resolution program does not, after a reasonable amount of time as determined by the Court, result in agreed-on Operation Rules, the Court shall set a deadline by which any Party or Downstream Water User may submit proposed Operation Rules and, after briefing and hearing evidence, select among the proffered Operation Rule based on the criteria set forth in paragraph (4).

(B) IMPLEMENTATION OF AGREED-ON OPERATION RULES.—Once the Court selects Operation Rules pursuant to subparagraph (A), such Operation Rules shall thereafter control and shall be implemented by the Parties pursuant to the terms directed by the Court.

(4) CRITERIA FOR COURT SELECTION OF OPERATION RULES.—

(A) IN GENERAL.—The Court shall select the proffered Operation Rules that, if implemented, would be the most effective in—

(i) regulating the flows in the South Tule River to comply with the terms contained in the 2007 Agreement and the following diversion limits, where the South Tule Independent Ditch Company's point of diversion is the point of measurement, including—

(I) where the natural flow is less than 3 cubic feet per second (referred to in this clause as "cfs"), the Tribe has a right to 1 cfs;

(II) where the natural flow is greater than or equal to 3 cfs and less than 5 cfs, the Tribe has a right to 1½ cfs;

(III) where the natural flow is greater than or equal to 5 cfs and less than 10 cfs, the Tribe has a right to 2 cfs; and

(IV) where the natural flow is greater than or equal to 10 cfs, the Tribe has a right to any amount;

(ii) minimizing adverse impact on the Parties other than the Tribe; and

(iii) maintaining the right of the Tribe to the reasonable and economic use of water for domestic and stock purposes on the Reservation.

(B) CONSIDERATION OF EXHIBIT E.—In applying the criteria set forth in subparagraph (A), the Court should consider the Operation Rules governing the Phase I Reservoir described in section 3.4.B.(1) of the 2007 Agree-

ment, as set forth in Exhibit E to the 2007 Agreement, which the Parties agreed on based on consideration of those criteria.

(C) INCONSISTENCY OF PROPOSED OPERATION RULES WITH CRITERIA.—

(i) IN GENERAL.—The Court shall not approve the 2007 Agreement if the Court finds that none of the proffered Operation Rules are consistent with the criteria set forth in subparagraph (A).

(ii) ALTERNATIVE OPERATION RULES.—If the Court finds that none of the proffered Operation Rules are consistent with the criteria set forth in subparagraph (A), the Court may establish an alternate process to allow the Parties to develop alternate Operation Rules that are consistent with those criteria.

SEC. 113. MISCELLANEOUS PROVISIONS.

(a) WAIVER OF SOVEREIGN IMMUNITY BY THE UNITED STATES.—Nothing in this division waives the sovereign immunity of the United States, except as provided in section 112(a)(2).

(b) OTHER TRIBES NOT ADVERSELY AFFECTED.—Nothing in this division quantifies or diminishes any land or water right, or any claim or entitlement to land or water, of an Indian Tribe, band, or community other than the Tribe.

(c) OTHER WATER RIGHTS OF UNITED STATES NOT ADVERSELY AFFECTED.—Nothing in this division quantifies or diminishes any other water right held by the United States other than as a Downstream Water User.

(d) EFFECT ON CURRENT LAW.—Nothing in this division affects any provision of law (including regulations) in effect on the day before the date of enactment of this Act with respect to pre-enforcement review of any Federal environmental enforcement action.

(e) CONFLICT.—In the event of a conflict between the 2007 Agreement and this division, this division shall control.

SEC. 114. ANTIDEFICIENCY.

The United States shall not be liable for any failure to carry out any obligation or activity authorized by this division, including any obligation or activity under the 2007 Agreement if adequate appropriations are not provided by Congress expressly to carry out the purposes of this division.

SA 1138. Mr. PADILLA submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division B, insert the following:

SEC. _____. In carrying out section 5(h) of the Food and Nutrition Act of 2008 (7 U.S.C. 2014(h)) in fiscal year 2024, the Secretary shall continue to approve operations of State agencies under that section with virtual components and evaluate the impact of those virtual components on the successful provision of benefits under that section to victims of disasters.

SA 1139. Mr. PADILLA (for himself, Ms. HIRONO, and Mr. SCHATZ) submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, making appropriations for military construction, the Department of Veterans Affairs, and re-

lated agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title I of division C, insert the following:

SEC. _____. EVACUATION ROUTE PLANNING.

Using amounts made available for the Federal Highway Administration under this Act that are not otherwise obligated, the Secretary of Transportation, in consultation with the Administrator of the Federal Emergency Management Agency, shall develop and publish guidelines and best practices for States, Indian Tribes, and units of local government to use when conducting local emergency evacuation route planning, including routing of emergency response supplies, equipment, and workers, as part of natural disaster preparedness efforts.

SA 1140. Mr. PADILLA submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division A, insert the following:

SEC. _____. IMPROVING HOUSING ASSISTANCE FOR VETERANS EXPERIENCING HOMELESSNESS.

In carrying out the program under section 8(o)(19) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(19)) (commonly referred to as "HUD-VASH"), the Secretary of Veterans Affairs shall—

(1) coordinate with the Secretary of Housing and Urban Development to establish pathways that would allow for temporary, transitional case management in areas in which public housing authorities have vouchers under the program that are available, allocated, and accompanied with case management resources provided by the Department of Veterans Affairs, but underutilized due to a lack of referrals from the Department; and

(2) not later than 180 days after the date of the enactment of this Act, finalize guidance regarding approval of a public housing authority to be a designated service provider.

SA 1141. Mr. PADILLA submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division A, insert the following:

SEC. _____. ELECTRONIC REQUEST OF CERTAIN RECORDS MAINTAINED BY THE SECRETARY OF VETERANS AFFAIRS.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act and notwithstanding section 5702 of title 38, United States Code, the Secretary of Veterans Affairs shall—

(1) establish and maintain a secure website or online tool for a claimant or a duly recognized agent or representative of that claimant to submit an electronic request for

records under section 5702 of title 38, United States Code; and

(2) ensure that, after consulting with stakeholders (including veterans service organizations recognized under section 5902 of such title) regarding the wording of the warning under subparagraph (A), each time a claimant under a law administered by the Secretary logs in to a website or online tool of the Department, such website or online tool issues to the claimant, in plain language and in English, Spanish, Tagalog, and the other languages most commonly spoken in the United States—

(A) a warning about individuals who seek to act in violation of chapter 59 of such title;

(B) a link to an online tool of the Department through which the claimant may report such an individual;

(C) a link to an online tool of the Department through which the claimant may search for a recognized agent, attorney, or other entity recognized by the Secretary for the preparation, presentation, or prosecution of any claim under laws administered by the Secretary; and

(D) a link to a website or an online tool of the Department providing final decisions on discipline of agents, attorneys, and entities, described in subparagraph (C), by the Secretary for violations of chapter 59 of such title.

(b) **RESPONSES TO REQUESTS.**—Upon receipt of a valid request made through the website or online tool established and maintained pursuant to subsection (a)(1), the Secretary shall provide to the requestor—

(1) not later than 10 days after receipt of the request, confirmation of such receipt; and

(2) not later than 120 days after receipt of the request, such records requested in the format in which such copy is desired by the requester, including whether in printed form or by downloadable file.

SA 1142. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division C, add the following:

TITLE V

CONGRESSIONAL REVIEW OF RULE-MAKING BY THE DEPARTMENT OF TRANSPORTATION

SEC. 501. CONGRESSIONAL REVIEW. (a)(1)(A) Before any rule related to the new vehicle fuel economy standards, including standards for light-duty vehicles, medium-duty trucks, heavy-duty trucks, and engines, may take effect, the Department shall publish in the Federal Register a list of information on which the rule is based, including data, scientific and economic studies, and cost-benefit analyses, and identify how the public can access such information online, and shall submit to each House of the Congress and to the Comptroller General a report containing—

(i) a copy of the rule;

(ii) a concise general statement relating to the rule;

(iii) a classification of the rule as a major or nonmajor rule, including an explanation of the classification specifically addressing each criteria for a major rule contained within subparagraphs (A) through (C) of section 504(2);

(iv) a list of any other related regulatory actions intended to implement the same statutory provision or regulatory objective as well as the individual and aggregate economic effects of those actions; and

(v) the proposed effective date of the rule.

(B) On the date of the submission of the report under subparagraph (A), the Department shall submit to the Comptroller General and make available to each House of Congress—

(i) a complete copy of the cost-benefit analysis of the rule, if any, including an analysis of any jobs added or lost, differentiating between public and private sector jobs;

(ii) the Department's actions pursuant to sections 603, 604, 605, 607, and 609 of title 5, United States Code;

(iii) the Department's actions pursuant to sections 202, 203, 204, and 205 of the Unfunded Mandates Reform Act of 1995;

(iv) an estimate of the effect on inflation of the rule; and

(v) any other relevant information or requirements under any other Act and any relevant Executive orders.

(C) Upon receipt of a report submitted under subparagraph (A), each House shall provide copies of the report to the chairman and ranking member of each standing committee with jurisdiction under the rules of the House of Representatives or the Senate to report a bill to amend the provision of law under which the rule is issued.

(D) If requested in writing by a member of Congress—

(i) the Comptroller General shall make a determination whether an agency action qualifies as a rule for purposes of this title, and shall submit to Congress this determination not later than 60 days after the date of the request; and

(ii) the Comptroller General, in consultation with the Director of the Congressional Budget Office, shall make a determination whether a rule is considered a major rule under the provisions of this Act, and shall submit to Congress this determination not later than 90 days after the date of the request.

For purposes of this section, a determination under this subparagraph shall be deemed to be a report under subparagraph (A).

(2)(A) The Comptroller General shall provide a report on each major rule to the committees of jurisdiction by the end of 15 calendar days after the submission or publication date. The report of the Comptroller General shall include an assessment of the Department's compliance with procedural steps required by paragraph (1)(B) and an assessment of whether the major rule imposes any new limits or mandates on private-sector activity.

(B) The Department of Transportation shall cooperate with the Comptroller General by providing information relevant to the Comptroller General's report under subparagraph (A).

(3) A major rule relating to a report submitted under paragraph (1) shall take effect upon enactment of a joint resolution of approval described in section 502 or as provided for in the rule following enactment of a joint resolution of approval described in section 502, whichever is later.

(4) A nonmajor rule shall take effect as provided by section 503 after submission to Congress under paragraph (1).

(5) If a joint resolution of approval relating to a major rule is not enacted within the period provided in subsection (b)(2), then a joint resolution of approval relating to the same rule may not be considered under this title in the same Congress by either the House of Representatives or the Senate.

(b)(1) A major rule shall not take effect unless the Congress enacts a joint resolution of approval described under section 502.

(2) If a joint resolution described in subsection (a) is not enacted into law by the end of 70 session days or legislative days, as applicable, beginning on the date on which the report referred to in subsection (a)(1)(A) is received by Congress (excluding days either House of Congress is adjourned for more than 3 days during a session of Congress), then the rule described in that resolution shall be deemed not to be approved and such rule shall not take effect.

(c)(1) Notwithstanding any other provision of this section (except subject to paragraph (3)), a major rule may take effect for one 90-calendar-day period if the President makes a determination under paragraph (2) and submits written notice of such determination to the Congress.

(2) Paragraph (1) applies to a determination made by the President by Executive order that the major rule should take effect because such rule is—

(A) necessary because of an imminent threat to health or safety or other emergency;

(B) necessary for the enforcement of criminal laws;

(C) necessary for national security; or

(D) issued pursuant to any statute implementing an international trade agreement.

(3) An exercise by the President of the authority under this subsection shall have no effect on the procedures under section 502.

(d)(1) In addition to the opportunity for review otherwise provided under this title, in the case of any rule for which a report was submitted in accordance with subsection (a)(1)(A) during the period beginning on the date occurring—

(A) in the case of the Senate, 60 session days; or

(B) in the case of the House of Representatives, 60 legislative days,

before the date the Congress is scheduled to adjourn a session of Congress through the date on which the same or succeeding Congress first convenes its next session, sections 502 and 503 shall apply to such rule in the succeeding session of Congress.

(2)(A) In applying sections 502 and 503 for purposes of such additional review, a rule described under paragraph (1) shall be treated as though—

(i) such rule were published in the Federal Register on—

(I) in the case of the Senate, the 15th session day; or

(II) in the case of the House of Representatives, the 15th legislative day,

after the succeeding session of Congress first convenes; and

(ii) a report on such rule were submitted to Congress under subsection (a)(1) on such date.

(B) Nothing in this paragraph shall be construed to affect the requirement under subsection (a)(1) that a report shall be submitted to Congress before a rule can take effect.

(3) A rule described under paragraph (1) shall take effect as otherwise provided by law (including other subsections of this section).

SEC. 502. CONGRESSIONAL APPROVAL PROCEDURE FOR MAJOR RULES. (a)(1) For purposes of this section, the term "joint resolution" means only a joint resolution addressing a report classifying a rule as major pursuant to section 501(a)(1)(A)(iii) that—

(A) bears no preamble;

(B) bears the following title (with blanks filled as appropriate): "Approving the rule submitted by _____ relating to _____";

(C) includes after its resolving clause only the following (with blanks filled as appropriate): "That Congress approves the rule submitted by _____ relating to _____"; and (D) is introduced pursuant to paragraph (2).

(2) After a House of Congress receives a report classifying a rule as major pursuant to section 501(a)(1)(A)(iii), the majority leader of that House (or his or her respective designee) shall introduce (by request, if appropriate) a joint resolution described in paragraph (1)—

(A) in the case of the House of Representatives, within 3 legislative days; and

(B) in the case of the Senate, within 3 session days.

(3) A joint resolution described in paragraph (1) shall not be subject to amendment at any stage of proceeding.

(b) A joint resolution described in subsection (a) shall be referred in each House of Congress to the committees having jurisdiction over the provision of law under which the rule is issued.

(c) In the Senate, if the committee or committees to which a joint resolution described in subsection (a) has been referred have not reported it at the end of 15 session days after its introduction, such committee or committees shall be automatically discharged from further consideration of the resolution and it shall be placed on the calendar. A vote on final passage of the resolution shall be taken on or before the close of the 15th session day after the resolution is reported by the committee or committees to which it was referred, or after such committee or committees have been discharged from further consideration of the resolution.

(d)(1) In the Senate, when the committee or committees to which a joint resolution is referred have reported, or when a committee or committees are discharged (under subsection (c)) from further consideration of a joint resolution described in subsection (a), it is at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) for a motion to proceed to the consideration of the joint resolution, and all points of order against the joint resolution (and against consideration of the joint resolution) are waived. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the joint resolution is agreed to, the joint resolution shall remain the unfinished business of the Senate until disposed of.

(2) In the Senate, debate on the joint resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 2 hours, which shall be divided equally between those favoring and those opposing the joint resolution. A motion to further limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the joint resolution is not in order.

(3) In the Senate, immediately following the conclusion of the debate on a joint resolution described in subsection (a), and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the Senate, the vote on final passage of the joint resolution shall occur.

(4) Appeals from the decisions of the Chair relating to the application of the rules of the Senate to the procedure relating to a joint resolution described in subsection (a) shall be decided without debate.

(e) In the House of Representatives, if any committee to which a joint resolution de-

scribed in subsection (a) has been referred has not reported it to the House at the end of 15 legislative days after its introduction, such committee shall be discharged from further consideration of the joint resolution, and it shall be placed on the appropriate calendar. On the second and fourth Thursdays of each month it shall be in order at any time for the Speaker to recognize a Member who favors passage of a joint resolution that has appeared on the calendar for at least 5 legislative days to call up that joint resolution for immediate consideration in the House without intervention of any point of order. When so called up a joint resolution shall be considered as read and shall be debatable for 1 hour equally divided and controlled by the proponent and an opponent, and the previous question shall be considered as ordered to its passage without intervening motion. It shall not be in order to reconsider the vote on passage. If a vote on final passage of the joint resolution has not been taken by the third Thursday on which the Speaker may recognize a Member under this subsection, such vote shall be taken on that day.

(f)(1) If, before passing a joint resolution described in subsection (a), one House receives from the other a joint resolution having the same text, then—

(A) the joint resolution of the other House shall not be referred to a committee; and

(B) the procedure in the receiving House shall be the same as if no joint resolution had been received from the other House until the vote on passage, when the joint resolution received from the other House shall supplant the joint resolution of the receiving House.

(2) This subsection shall not apply to the House of Representatives if the joint resolution received from the Senate is a revenue measure.

(g) If either House has not taken a vote on final passage of the joint resolution by the last day of the period described in section 501(b)(2), then such vote shall be taken on that day.

(h) This section and section 503 are enacted by Congress—

(1) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and as such are deemed to be part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a joint resolution described in subsection (a) and superseding other rules only where explicitly so; and

(2) with full recognition of the constitutional right of either House to change the rules (so far as they relate to the procedure of that House) at any time, in the same manner and to the same extent as in the case of any other rule of that House.

SEC. 503. CONGRESSIONAL DISAPPROVAL PROCEDURE FOR NONMAJOR RULES. (a)

For purposes of this section, the term "joint resolution" means only a joint resolution introduced in the period beginning on the date on which the report referred to in section 501(a)(1)(A) is received by Congress and ending 60 days thereafter (excluding days either House of Congress is adjourned for more than 3 days during a session of Congress), the matter after the resolving clause of which is as follows: "That Congress disapproves the nonmajor rule submitted by the _____ relating to _____, and such rule shall have no force or effect." (The blank spaces being appropriately filled in).

(b) A joint resolution described in subsection (a) shall be referred to the committees in each House of Congress with jurisdiction.

(c) In the Senate, if the committee to which is referred a joint resolution described

in subsection (a) has not reported such joint resolution (or an identical joint resolution) at the end of 15 session days after the date of introduction of the joint resolution, such committee may be discharged from further consideration of such joint resolution upon a petition supported in writing by 30 Members of the Senate, and such joint resolution shall be placed on the calendar.

(d)(1) In the Senate, when the committee to which a joint resolution is referred has reported, or when a committee is discharged (under subsection (c)) from further consideration of a joint resolution described in subsection (a), it is at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) for a motion to proceed to the consideration of the joint resolution, and all points of order against the joint resolution (and against consideration of the joint resolution) are waived. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the joint resolution is agreed to, the joint resolution shall remain the unfinished business of the Senate until disposed of.

(2) In the Senate, debate on the joint resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 10 hours, which shall be divided equally between those favoring and those opposing the joint resolution. A motion to further limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the joint resolution is not in order.

(3) In the Senate, immediately following the conclusion of the debate on a joint resolution described in subsection (a), and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the Senate, the vote on final passage of the joint resolution shall occur.

(4) Appeals from the decisions of the Chair relating to the application of the rules of the Senate to the procedure relating to a joint resolution described in subsection (a) shall be decided without debate.

(e) In the Senate, the procedure specified in subsection (c) or (d) shall not apply to the consideration of a joint resolution respecting a nonmajor rule—

(1) after the expiration of the 60 session days beginning with the applicable submission or publication date; or

(2) if the report under section 501(a)(1)(A) was submitted during the period referred to in section 501(c)(1), after the expiration of the 60 session days beginning on the 15th session day after the succeeding session of Congress first convenes.

(f) If, before the passage by one House of a joint resolution of that House described in subsection (a), that House receives from the other House a joint resolution described in subsection (a), then the following procedures shall apply:

(1) The joint resolution of the other House shall not be referred to a committee.

(2) With respect to a joint resolution described in subsection (a) of the House receiving the joint resolution—

(A) the procedure in that House shall be the same as if no joint resolution had been received from the other House; but

(B) the vote on final passage shall be on the joint resolution of the other House.

SEC. 504. DEFINITIONS. For purposes of this title:

(1) The term "Department" means the Department of Transportation and includes any agency or administration in the Department.

(2) The term “major rule” means any rule, including an interim final rule, that the Administrator of the Office of Information and Regulatory Affairs of the Office of Management and Budget finds has resulted in or is likely to result in—

(A) an annual effect on the economy of \$100,000,000 or more;

(B) a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions;

(C) significant adverse effects on competition, employment, investment, productivity, innovation, or the ability of United States-based enterprises to compete with foreign-based enterprises in domestic and export markets; or

(D) an increase in mandatory vaccinations.

(3) The term “nonmajor rule” means any rule that is not a major rule.

(4) The term “rule” means a rule, as defined in section 551 of title 5, United States, issued by the Department, except that such term—

(A) includes interpretive rules, general statements of policy, and all other Department guidance documents related to new vehicle fuel economy standards; and

(B) does not include—

(i) any rule of particular applicability, including a rule that approves or prescribes for the future rates, wages, prices, services, or allowances therefore, corporate or financial structures, reorganizations, mergers, or acquisitions thereof, or accounting practices or disclosures bearing on any of the foregoing;

(ii) any rule relating to Department management or personnel; or

(iii) any rule of Department organization, procedure, or practice that does not substantially affect the rights or obligations of non-Department parties.

(5) The term “submission or publication date”, except as otherwise provided in this title, means—

(A) in the case of a major rule, the date on which the Congress receives the report submitted under section 501(a)(1); and

(B) in the case of a nonmajor rule, the later of—

(i) the date on which the Congress receives the report submitted under section 501(a)(1); and

(ii) the date on which the nonmajor rule is published in the Federal Register, if so published.

SEC. 505. JUDICIAL REVIEW. (a) No determination, finding, action, or omission under this title shall be subject to judicial review.

(b) Notwithstanding subsection (a), a court may determine whether the Department has completed the necessary requirements under this title for a rule to take effect.

(c) The enactment of a joint resolution of approval under section 502 shall not be interpreted to serve as a grant or modification of statutory authority by Congress for the promulgation of a rule, shall not extinguish or affect any claim, whether substantive or procedural, against any alleged defect in a rule, and shall not form part of the record before the court in any judicial proceeding concerning a rule except for purposes of determining whether or not the rule is in effect.

SEC. 506. EFFECTIVE DATE OF CERTAIN RULES.

Notwithstanding section 501, any rule other than a major rule which the Department for good cause finds (and incorporates the finding and a brief statement of reasons therefore in the rule issued) that notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest, shall take effect at such time as the Department determines.

SEC. 507. REVIEW OF RULES CURRENTLY IN EFFECT. (a) Beginning on the date that is 6 months after the date of enactment of this section and annually thereafter for the 4 years following, the Department shall designate not less than 20 percent of eligible rules made by the Department for review, and shall submit a report including each such eligible rule in the same manner as a report under section 501(a)(1). Section 501, section 502, and section 503 shall apply to each such rule, subject to subsection (c) of this section. No eligible rule previously designated may be designated again.

(b) Beginning after the date that is 5 years after the date of enactment of this section, if Congress has not enacted a joint resolution of approval for that eligible rule, that eligible rule shall not continue in effect.

(c)(1) Unless Congress approves all eligible rules designated by the Department for review within 90 days of designation, they shall have no effect.

(2) A single joint resolution of approval shall apply to all eligible rules in a report designated for a year as follows: “That Congress approves the rules submitted by the _____ for the year _____.” (The blank spaces being appropriately filled in).

(3) A member of either House may move that a separate joint resolution be required for a specified rule.

(d) In this section, the term “eligible rule” means a rule that is in effect as of the date of enactment of this section.

SEC. 508. BUDGETARY EFFECTS OF RULES. Section 257(b)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 907(b)(2)) is amended by adding at the end the following new subparagraph:

“(E) BUDGETARY EFFECTS OF CERTAIN RULES.—Any rule subject to the congressional approval procedure set forth in section 501 of division C of the Consolidated Appropriations Act, 2024, affecting budget authority, outlays, or receipts shall be assumed to be effective unless it is not approved in accordance with such section.”.

SA 1143. Mr. REED (for himself, Mr. WHITEHOUSE, Mr. PADILLA, and Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place under the heading “GENERAL PROVISIONS—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT” in title II of division C, insert the following:

SEC. _____. In addition to amounts otherwise made available under the heading “Homeless Assistance Grants” under this title, there is appropriated \$290,000,000, for an additional amount for fiscal year 2024, to remain available until expended, for making payments under subtitle B of title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11371 et seq.): *Provided*, That such amount is designated by Congress as being for an emer-

gency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 951(b)(2)(A)(i)).

SEC. _____. (a) In addition to amounts otherwise made available under this Act, there is appropriated \$3,500,000,000 for an additional amount for fiscal year 2024, to remain available until September 30, 2033, for—

(1) new incremental emergency vouchers under section 3202 of the American Rescue Plan Act of 2021 (42 U.S.C. 1437f note; Public Law 117-2);

(2) renewals of new incremental vouchers authorized under paragraph (1);

(3) fees for the costs of administering vouchers under paragraph (1) and other eligible expenses defined by notice to prevent, prepare, and respond to the coronavirus to facilitate the leasing of the emergency vouchers, such as security deposit assistance and other costs related to retention and support of participating owners; and

(4) adjustments in the calendar year 2024 renewal funding allocation for assistance under section 8 of the United States- Housing Act of 1937 (42 U.S.C. 1437f), including mainstream vouchers, for public housing agencies that experience a significant increase in voucher per-unit costs due to extraordinary circumstances or that, despite taking reasonable cost savings measures, would otherwise be required to terminate rental assistance for families as a result of insufficient funding.

(b) The amount appropriated under subsection (a) is designated by Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 951(b)(2)(A)(i)).

SA 1144. Mr. REED submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division B, insert the following:

SEC. _____. (a) For an additional amount for “Agricultural Programs—Agricultural Research Service—Salaries and Expenses”, there is appropriated, out of amounts in the Treasury not otherwise appropriated, \$1,000,000, to remain available until expended, for research on East Coast shellfish.

(b) Notwithstanding any other provision of this Act, the total amount rescinded by section 745 shall be increased by \$1,000,000.

SA 1145. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table; as follows:

On page 100, line 6, insert “: *Provided further*, That of the amount made available under this heading, \$3,000,000 shall be used for enteric methane research” before the period.

SA 1146. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table; as follows:

On page 97, strike lines 6 through 14 and insert the following:

For necessary expenses of the Office of the Under Secretary for Research, Education, and Economics, \$26,384,000: *Provided*, That funds made available by this Act to an agency in the Research, Education, and Economics mission area for salaries and expenses are available to fund up to one administrative support staff for the Office: *Provided further*, That of the amounts made available under this heading, \$25,000,000 shall be made available for the Office of the Chief Scientist to carry out the Agriculture Advanced Research and Development Authority under section 1473H of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3319k).

SA 1147. Mrs. SHAHEEN submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table; as follows:

In paragraph (3) of the matter under the heading "COMMUNITY DEVELOPMENT FUND" under the heading "COMMUNITY PLANNING AND DEVELOPMENT" under the heading "DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT" in title II of division C, strike "shall use age-adjusted rates of drug overdose deaths for" and insert "shall use the 3-year average of age-adjusted rates of drug overdose deaths for 2019, 2020, and".

SA 1148. Mrs. BLACKBURN submitted an amendment intended to be proposed by her to the bill H.R. 4366, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title VII of division B, insert the following:

SEC. 7. None of the funds made available to the Food and Drug Administration by this Act may be used to issue final guidance or a final rule that regulates laboratory-developed tests as devices (as defined in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321)) until the date on which the Commissioner of Food and Drugs completes an economic impact analysis that determines the cost of such regulation and an analysis on the impact such regulation would have on the availability of certain tests.

SA 1149. Mrs. BLACKBURN submitted an amendment intended to be proposed by her to the bill H.R. 4366, making appropriations for military

construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title VII of division B, insert the following:

SEC. 7. None of the funds made available to the Food and Drug Administration by this Act may be used to issue final guidance or a final rule that regulates laboratory-developed tests as devices (as defined in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321)) until the date on which the Commissioner of Food and Drugs successfully completes a voluntary pilot certification program of excellence in vitro diagnostic validation under which the Commissioner shall certify developers of in vitro diagnostic tests if the developer meets criteria specified by the Commissioner regarding the ability of the developer to ensure the analytical and clinical validity of in vitro diagnostic tests for a designated scope of testing methodologies and techniques.

SA 1150. Mrs. BLACKBURN submitted an amendment intended to be proposed by her to the bill H.R. 4366, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title VII of division B, insert the following:

SEC. 7. None of the funds made available to the Food and Drug Administration by this Act may be used to issue final guidance or a final rule that regulates laboratory-developed tests as devices (as defined in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321)).

SA 1151. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in the matter preceding division A, insert the following:

SEC. . . . ONE PERCENT REDUCTION IN NON-DEFENSE, NON-HOMELAND SECURITY, AND NON-VETERANS AFFAIRS SPENDING.

(a) IN GENERAL.—Each amount made available under division B or C of this Act is reduced by 1 percent.

(b) OMB REPORT.—Not later than 30 days after the date of enactment of this Act, the Director of the Office of Management and Budget shall submit to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives a report specifying the account and amount of each reduction made pursuant to subsection (a).

SA 1152. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, making appropriations for military construction,

the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in the matter preceding division A, insert the following:

SEC. . . . FIVE PERCENT REDUCTION IN NON-DEFENSE, NON-HOMELAND SECURITY, AND NON-VETERANS AFFAIRS SPENDING.

(a) IN GENERAL.—Each amount made available under division B or C of this Act is reduced by 5 percent.

(b) OMB REPORT.—Not later than 30 days after the date of enactment of this Act, the Director of the Office of Management and Budget shall submit to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives a report specifying the account and amount of each reduction made pursuant to subsection (a).

SA 1153. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in the matter preceding division A, insert the following:

SEC. . . . TWO PERCENT REDUCTION IN NON-DEFENSE, NON-HOMELAND SECURITY, AND NON-VETERANS AFFAIRS SPENDING.

(a) IN GENERAL.—Each amount made available under division B or C of this Act is reduced by 2 percent.

(b) OMB REPORT.—Not later than 30 days after the date of enactment of this Act, the Director of the Office of Management and Budget shall submit to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives a report specifying the account and amount of each reduction made pursuant to subsection (a).

SA 1154. Mrs. BLACKBURN submitted an amendment intended to be proposed by her to the bill H.R. 4366, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division C, insert the following:

SEC. . . . None of the funds made available by this division may be used to apply, establish, implement, or enforce any telework policy, practice, or level of the Federal Aviation Administration that was in effect on or after January 1, 2020.

SA 1155. Mrs. BLACKBURN submitted an amendment intended to be proposed by her to the bill H.R. 4366, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division C, insert the following:

SEC. _____. None of the funds made available by this Act may be used to make awards for any project related to unmanned aircraft systems to an entity that partners with or otherwise transacts business relating to unmanned aircraft systems with the People's Republic of China, the Russian Federation, the Islamic Republic of Iran, the Democratic People's Republic of Korea, the Bolivarian Republic of Venezuela, or the Republic of Cuba. No such entity may receive awards for any project related to unmanned aircraft systems if the entity is:

(1) included on the Consolidated Screening List maintained by the Under Secretary of Commerce for International Trade;

(2) domiciled in the People's Republic of China, the Russian Federation, the Islamic Republic of Iran, the Democratic People's Republic of Korea, the Bolivarian Republic of Venezuela, or the Republic of Cuba;

(3) subject to influence or control by the government of the People's Republic of China, the Russian Federation, the Islamic Republic of Iran, the Democratic People's Republic of Korea, the Bolivarian Republic of Venezuela, or the Republic of Cuba; or

(4) owned by the People's Republic of China, the Russian Federation, the Islamic Republic of Iran, the Democratic People's Republic of Korea, the Bolivarian Republic of Venezuela, or the Republic of Cuba.

SEC. _____. None of the funds made available by the Act may be used by the Secretary of Transportation to operate an unmanned aircraft system or to enter into, extend, or renew a contract for the procurement of an unmanned aircraft system or a contract with an entity that operates an unmanned aircraft system in the performance of any Department of Transportation contract if the unmanned aircraft system is included on the Consolidated Screening List maintained by the Under Secretary of Commerce for International Trade, domiciled in the People's Republic of China, the Russian Federation, the Islamic Republic of Iran, the Democratic People's Republic of Korea, the Bolivarian Republic of Venezuela, or the Republic of Cuba, subject to influence or control by the government of any such country, or owned by any such country unless—

(1) the operation, procurement, or contracting action is for the purpose of—

(A) detection or counter-UAS system surrogate testing and training (including at Federal Aviation Administration-approved testing sites);

(B) intelligence, electronic warfare, and information warfare operations, testing (including at Federal Aviation Administration-approved testing sites), analysis, and training; or

(C) research to inform unmanned aircraft system data-driven policy decisions, safety assessments, procedures, rulemaking, and standards to safely integrate emerging entrants into the national airspace system (including at Federal Aviation Administration-approved testing sites); and

(2) the Secretary of Transportation, on a case-by-case basis, certifies in writing to the Secretary of Homeland Security, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives that such operation, procurement, or contracting action is required in the public interest.

SA 1156. Ms. BALDWIN submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, making appropriations for military construction, the Department

of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division B, insert the following:

SEC. _____. Notwithstanding any other provision of this Act—

(1) the amount made available under this Act for necessary expenses of the Agricultural Marketing Service shall be \$239,891,000;

(2) of the amount made available under paragraph (1), \$25,000,000, to remain available until expended, shall be to carry out section 12513 of Public Law 115-334, of which \$23,000,000 shall be for dairy business innovation initiatives established in Public Law 116-6; and

(3) the amount rescinded by section 745 shall be \$317,526,000.

SA 1157. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table; as follows:

Strike divisions B and C and insert the following:

DIVISION B—AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2024

TITLE I

AGRICULTURAL PROGRAMS

PROCESSING, RESEARCH, AND MARKETING

OFFICE OF THE SECRETARY

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Office of the Secretary, \$41,072,000 of which not to exceed \$5,051,000 shall be available for the immediate Office of the Secretary; not to exceed \$1,578,000 shall be available for the Office of Homeland Security; not to exceed \$2,215,000 shall be available for the Office of Tribal Relations; not to exceed \$7,044,000 shall be available for the Office of Partnerships and Public Engagement; not to exceed \$21,315,000 shall be available for the Office of the Assistant Secretary for Administration, of which \$20,440,000 shall be available for Departmental Administration to provide for necessary expenses for management support services to offices of the Department and for general administration, security, repairs and alterations, and other miscellaneous supplies and expenses not otherwise provided for and necessary for the practical and efficient work of the Department: *Provided*, That funds made available by this Act to an agency in the Administration mission area for salaries and expenses are available to fund up to one administrative support staff for the Office; and not to exceed \$3,869,000 shall be available for the Office of Assistant Secretary for Congressional Relations and Intergovernmental Affairs to carry out the programs funded by this Act, including programs involving intergovernmental affairs and liaison within the executive branch: *Provided further*, That the Secretary of Agriculture is authorized to transfer funds appropriated for any office of the Office of the Secretary to any other office of the Office of the Secretary: *Provided further*, That no appropriation for any office shall be increased or

decreased by more than 5 percent: *Provided further*, That the amount made available under this heading for Departmental Administration shall be reimbursed from applicable appropriations in this Act for travel expenses incident to the holding of hearings as required by 5 U.S.C. 551-558: *Provided further*, That funds made available under this heading for the Office of the Assistant Secretary for Congressional Relations and Intergovernmental Affairs shall be transferred to agencies of the Department of Agriculture funded by this Act to maintain personnel at the agency level: *Provided further*, That no funds made available under this heading for the Office of Assistant Secretary for Congressional Relations may be obligated after 30 days from the date of enactment of this Act, unless the Secretary has notified the Committees on Appropriations of both Houses of Congress on the allocation of these funds by USDA agency: *Provided further*, That during any 30 day notification period referenced in section 716 of this Act, the Secretary of Agriculture shall take no action to begin implementation of the action that is subject to section 716 of this Act or make any public announcement of such action in any form.

EXECUTIVE OPERATIONS

OFFICE OF THE CHIEF ECONOMIST

For necessary expenses of the Office of the Chief Economist, \$29,181,000, 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, \$16,173,000.

OFFICE OF BUDGET AND PROGRAM ANALYSIS

For necessary expenses of the Office of Budget and Program Analysis, \$11,337,000.

OFFICE OF THE CHIEF INFORMATION OFFICER

For necessary expenses of the Office of the Chief Information Officer, \$79,442,000, of which not less than \$66,731,000 is for cybersecurity requirements of the department.

OFFICE OF THE CHIEF FINANCIAL OFFICER

For necessary expenses of the Office of the Chief Financial Officer, \$7,118,000.

OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL RIGHTS

For necessary expenses of the Office of the Assistant Secretary for Civil Rights, \$901,000: *Provided*, That funds made available by this Act to an agency in the Civil Rights mission area for salaries and expenses are available to fund up to one administrative support staff for the Office.

OFFICE OF CIVIL RIGHTS

For necessary expenses of the Office of Civil Rights, \$22,789,000.

OFFICE OF SAFETY, SECURITY, AND PROTECTION

For necessary expenses of the Office of Safety, Security, and Protection, \$18,800,000.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, including employment pursuant to the Inspector General Act of 1978 (Public Law 95-452; 5 U.S.C. App.), \$109,561,000, including such sums as may be necessary for contracting and other arrangements with public agencies and private persons pursuant to section 6(a)(9) of the Inspector General Act of 1978 (Public Law 95-452; 5 U.S.C. App.), and including not to exceed \$125,000 for certain confidential operational

expenses, including the payment of informants, to be expended under the direction of the Inspector General pursuant to the Inspector General Act of 1978 (Public Law 95-452; 5 U.S.C. App.) and section 1337 of the Agriculture and Food Act of 1981 (Public Law 97-98).

OFFICE OF THE GENERAL COUNSEL

For necessary expenses of the Office of the General Counsel, \$44,408,000.

OFFICE OF ETHICS

For necessary expenses of the Office of Ethics, \$4,277,000.

OFFICE OF THE UNDER SECRETARY FOR RESEARCH, EDUCATION, AND ECONOMICS

For necessary expenses of the Office of the Under Secretary for Research, Education, and Economics, \$1,800,000: *Provided*, That funds made available by this Act to an agency in the Research, Education, and Economics mission area for salaries and expenses are available to fund up to one administrative support staff for the Office: *Provided further*, That of the amounts made available under this heading, \$1,000,000 shall be made available for the Office of the Chief Scientist.

ECONOMIC RESEARCH SERVICE

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

NATIONAL AGRICULTURAL STATISTICS SERVICE

For necessary expenses of the National Agricultural Statistics Service, \$187,513,000, of which up to \$46,850,000 shall be available until expended for the Census of Agriculture: *Provided*, That amounts made available for the Census of Agriculture may be used to conduct Current Industrial Report surveys subject to 7 U.S.C. 2204g(d) and (f).

AGRICULTURAL RESEARCH SERVICE SALARIES AND EXPENSES

For necessary expenses of the Agricultural Research Service and for acquisition of lands by donation, exchange, or purchase at a nominal cost not to exceed \$100,000 and with prior notification and approval of the Committees on Appropriations of both Houses of Congress, and for land exchanges where the lands exchanged shall be of equal value or shall be equalized by a payment of money to the grantor which shall not exceed 25 percent of the total value of the land or interests transferred out of Federal ownership, \$1,745,542,000: *Provided*, That appropriations hereunder shall be available for the operation and maintenance of aircraft and the purchase of not to exceed one for replacement only: *Provided further*, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for the construction, alteration, and repair of buildings and improvements, but unless otherwise provided, the cost of constructing any one building shall not exceed \$500,000, except for headhouses or greenhouses which shall each be limited to \$1,800,000, except for 10 buildings to be constructed or improved at a cost not to exceed \$1,100,000 each, and except for four buildings to be constructed at a cost not to exceed \$5,000,000 each, and the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building or \$500,000, whichever is greater: *Provided further*, That appropriations hereunder shall be available for entering into lease agreements at any Agricultural Research Service location for the construction of a research facility by a non-Federal entity for use by the Agricultural Research Service and a condition of the lease shall be that any facility shall be owned, operated, and maintained by the non-Federal entity and shall be removed upon the expiration or termination of the lease agreement: *Provided further*, That the limitations on al-

terations contained in this Act shall not apply to modernization or replacement of existing facilities at Beltsville, Maryland: *Provided further*, That appropriations hereunder shall be available for granting easements at the Beltsville Agricultural Research Center: *Provided further*, That the foregoing limitations shall not apply to replacement of buildings needed to carry out the Act of April 24, 1948 (21 U.S.C. 113a): *Provided further*, That appropriations hereunder shall be available for granting easements at any Agricultural Research Service location for the construction of a research facility by a non-Federal entity for use by, and acceptable to, the Agricultural Research Service and a condition of the easements shall be that upon completion the facility shall be accepted by the Secretary, subject to the availability of funds herein, if the Secretary finds that acceptance of the facility is in the interest of the United States: *Provided further*, That funds may be received from any State, other political subdivision, organization, or individual for the purpose of establishing or operating any research facility or research project of the Agricultural Research Service, as authorized by law.

BUILDINGS AND FACILITIES

For the acquisition of land, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities as necessary to carry out the agricultural research programs of the Department of Agriculture, where not otherwise provided, up to \$16,700,000 to remain available until expended, shall be for the purposes, and in the amounts, specified for this account in the table titled "Community Project Funding" in the report accompanying this Act.

NATIONAL INSTITUTE OF FOOD AND AGRICULTURE

RESEARCH AND EDUCATION ACTIVITIES

For payments to agricultural experiment stations, for cooperative forestry and other research, for facilities, and for other expenses, \$1,085,221,000 which shall be for the purposes, and in the amounts, specified in the table titled "National Institute of Food and Agriculture, Research and Education Activities" in the report accompanying this Act: *Provided*, That funds for research grants for 1994 institutions, education grants for 1890 institutions, Hispanic serving institutions education grants, capacity building for non-land-grant colleges of agriculture, the agriculture and food research initiative, veterinary medicine loan repayment, multicultural scholars, graduate fellowship and institution challenge grants, grants management systems, tribal colleges education equity grants, and scholarships at 1890 institutions shall remain available until expended: *Provided further*, That each institution eligible to receive funds under the Evans-Allen program receives no less than \$1,000,000: *Provided further*, That funds for education grants for Alaska Native and Native Hawaiian-serving institutions be made available to individual eligible institutions or consortia of eligible institutions with funds awarded equally to each of the States of Alaska and Hawaii: *Provided further*, That funds for providing grants for food and agricultural sciences for Alaska Native and Native Hawaiian-Serving institutions and for Insular Areas shall remain available until September 30, 2025: *Provided further*, That funds for education grants for 1890 institutions shall be made available to institutions eligible to receive funds under 7 U.S.C. 3221 and 3222: *Provided further*, That not more than 5 percent of the amounts made available by this or any other Act to carry out the Agriculture and Food Research Initiative under 7 U.S.C. 3157 may be retained by the Secretary

of Agriculture to pay administrative costs incurred by the Secretary in carrying out that authority.

NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

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

EXTENSION ACTIVITIES

For payments to States, the District of Columbia, Puerto Rico, Guam, the Virgin Islands, Micronesia, the Northern Marianas, and American Samoa, \$564,860,000 which shall be for the purposes, and in the amounts, specified in the table titled "National Institute of Food and Agriculture, Extension Activities" in the report accompanying this Act: *Provided*, That funds for extension services at 1994 institutions and for facility improvements at 1890 institutions shall remain available until expended: *Provided further*, That institutions eligible to receive funds under 7 U.S.C. 3221 for cooperative extension receive no less than \$1,000,000: *Provided further*, That funds for cooperative extension under sections 3(b) and (c) of the Smith-Lever Act (7 U.S.C. 343(b) and (c)) and section 208(c) of Public Law 93-471 shall be available for retirement and employees' compensation costs for extension agents.

INTEGRATED ACTIVITIES

For the integrated research, education, and extension grants programs, including necessary administrative expenses, \$41,500,000, which shall be for the purposes, and in the amounts, specified in the table titled "National Institute of Food and Agriculture, Integrated Activities" in the report accompanying this Act: *Provided*, That funds for the Food and Agriculture Defense Initiative shall remain available until September 30, 2025: *Provided further*, That notwithstanding any other provision of law, indirect costs shall not be charged against any Extension Implementation Program Area grant awarded under the Crop Protection/Pest Management Program (7 U.S.C. 7626).

OFFICE OF THE UNDER SECRETARY FOR MARKETING AND REGULATORY PROGRAMS

For necessary expenses of the Office of the Under Secretary for Marketing and Regulatory Programs, \$800,000: *Provided*, That funds made available by this Act to an agency in the Marketing and Regulatory Programs mission area for salaries and expenses are available to fund up to one administrative support staff for the Office.

ANIMAL AND PLANT HEALTH INSPECTION SERVICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Animal and Plant Health Inspection Service, including up to \$30,000 for representation allowances and for expenses pursuant to the Foreign Service Act of 1980 (22 U.S.C. 4085), \$1,168,964,000; of which \$514,000, to remain available until expended, shall be available for the control of outbreaks of insects, plant diseases, animal diseases and for control of pest animals and birds ("contingency fund") to the extent necessary to meet emergency conditions; of which \$15,450,000, to remain available until expended, shall be used for the cotton pests program, including for cost share purposes or for debt retirement for active eradication zones; of which \$49,683,000, to remain available until expended, shall be for Animal Health Technical Services; of which \$3,096,000 shall be for activities under the authority of the Horse Protection Act of 1970, as amended (15 U.S.C. 1831); of which \$67,430,000, to remain available until expended, shall be used to support avian

health; of which \$4,251,000, to remain available until expended, shall be for information technology infrastructure; of which \$224,521,000, to remain available until expended, shall be for specialty crop pests; of which, \$13,637,000, to remain available until expended, shall be for field crop and rangeland ecosystem pests; of which \$21,567,000, to remain available until expended, shall be for zoonotic disease management; of which \$44,617,000, to remain available until expended, shall be for emergency preparedness and response; of which \$55,562,000, to remain available until expended, shall be for tree and wood pests; of which \$6,500,000, to remain available until expended, shall be for the National Veterinary Stockpile; of which up to \$1,500,000, to remain available until expended, shall be for the scrapie program for indemnities; of which \$2,500,000, to remain available until expended, shall be for the wildlife damage management program for aviation safety: *Provided*, That of amounts available under this heading for wildlife services methods development, \$1,000,000 shall remain available until expended: *Provided further*, That of amounts available under this heading for the screwworm program, \$4,990,000 shall remain available until expended; of which \$24,527,000, to remain available until expended, shall be used to carry out the science program and transition activities for the National Bio and Agro-defense Facility located in Manhattan, Kansas: *Provided further*, That no funds shall be used to formulate or administer a brucellosis eradication program for the current fiscal year that does not require minimum matching by the States of at least 40 percent: *Provided further*, That this appropriation shall be available for the purchase, replacement, operation, and maintenance of aircraft: *Provided further*, That in addition, in emergencies which threaten any segment of the agricultural production industry of the United States, the Secretary may transfer from other appropriations or funds available to the agencies or corporations of the Department such sums as may be deemed necessary, to be available only in such emergencies for the arrest and eradication of contagious or infectious disease or pests of animals, poultry, or plants, and for expenses in accordance with sections 10411 and 10417 of the Animal Health Protection Act (7 U.S.C. 8310 and 8316) and sections 431 and 442 of the Plant Protection Act (7 U.S.C. 7751 and 7772), and any unexpended balances of funds transferred for such emergency purposes in the preceding fiscal year shall be merged with such transferred amounts: *Provided further*, That appropriations hereunder shall be available pursuant to law (7 U.S.C. 2250) for the repair and alteration of leased buildings and improvements, but unless otherwise provided the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

In fiscal year 2024, the agency is authorized to collect fees to cover the total costs of providing technical assistance, goods, or services requested by States, other political subdivisions, domestic and international organizations, foreign governments, or individuals, provided that such fees are structured such that any entity's liability for such fees is reasonably based on the technical assistance, goods, or services provided to the entity by the agency, and such fees shall be reimbursed to this account, to remain available until expended, without further appropriation, for providing such assistance, goods, or services.

AGRICULTURAL MARKETING SERVICE MARKETING SERVICES

For necessary expenses of the Agricultural Marketing Service, \$184,668,000, of which

\$5,004,000 shall be available for the purposes of section 12306 of Public Law 113-79: *Provided*, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

Fees may be collected for the cost of standardization activities, as established by regulation pursuant to law (31 U.S.C. 9701), except for the cost of activities relating to the development or maintenance of grain standards under the United States Grain Standards Act, 7 U.S.C. 71 et seq.

LIMITATION ON ADMINISTRATIVE EXPENSES

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

FUNDS FOR STRENGTHENING MARKETS, INCOME, AND SUPPLY (SECTION 32)

(INCLUDING TRANSFERS OF FUNDS)

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

PAYMENTS TO STATES AND POSSESSIONS

For payments to departments of agriculture, bureaus and departments of markets, and similar agencies for marketing activities under section 204(b) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1623(b)), \$1,235,000.

LIMITATION ON INSPECTION AND WEIGHING SERVICES EXPENSES

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

OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY

For necessary expenses of the Office of the Under Secretary for Food Safety, \$800,000: *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.

FOOD SAFETY AND INSPECTION SERVICE

For necessary expenses to carry out services authorized by the Federal Meat Inspection Act, the Poultry Products Inspection Act, and the Egg Products Inspection Act, including not to exceed \$10,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), \$1,197,067,000; and in addition, \$1,000,000 may be credited to this account from fees collected for the cost of laboratory accreditation as authorized by section 1327 of the Food, Agriculture, Conservation and Trade Act of 1990 (7 U.S.C. 138f): *Pro-*

vided, That funds provided for the Public Health Data Communication Infrastructure system shall remain available until expended: *Provided further*, That no fewer than 148 full-time equivalent positions shall be employed during fiscal year 2024 for purposes dedicated solely to inspections and enforcement related to the Humane Methods of Slaughter Act (7 U.S.C. 1901 et seq.): *Provided further*, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

TITLE II

FARM PRODUCTION AND CONSERVATION PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR FARM PRODUCTION AND CONSERVATION

For necessary expenses of the Office of the Under Secretary for Farm Production and Conservation, \$901,000: *Provided*, That funds made available by this Act to an agency in the Farm Production and Conservation mission area for salaries and expenses are available to fund up to one administrative support staff for the Office.

FARM PRODUCTION AND CONSERVATION BUSINESS CENTER

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Farm Production and Conservation Business Center, \$231,302,000: *Provided*, That \$60,228,000 of amounts appropriated for the current fiscal year pursuant to section 1241(a) of the Farm Security and Rural Investment Act of 1985 (16 U.S.C. 3841(a)) shall be transferred to and merged with this account.

FARM SERVICE AGENCY SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Farm Service Agency, \$1,215,307,000, of which not less than \$15,000,000 shall be for the hiring of new employees to fill vacancies and anticipated vacancies at Farm Service Agency county offices and farm loan officers and shall be available until September 30, 2025: *Provided*, That not more than 50 percent of the funding made available under this heading for information technology related to farm program delivery may be obligated until the Secretary submits to the Committees on Appropriations of both Houses of Congress, and receives written or electronic notification of receipt from such Committees of, a plan for expenditure that (1) identifies for each project/investment over \$25,000 (a) the functional and performance capabilities to be delivered and the mission benefits to be realized, (b) the estimated lifecycle cost for the entirety of the project/investment, including estimates for development as well as maintenance and operations, and (c) key milestones to be met; (2) demonstrates that each project/investment is, (a) consistent with the Farm Service Agency Information Technology Roadmap, (b) being managed in accordance with applicable lifecycle management policies and guidance, and (c) subject to the applicable Department's capital planning and investment control requirements; and (3) has been reviewed by the Government Accountability Office and approved by the Committees on Appropriations of both Houses of Congress: *Provided further*, That the agency shall submit a report by the end of the fourth quarter of fiscal year 2024 to the Committees on Appropriations and the Government Accountability Office, that identifies for each project/investment that is operational (a) current performance against

key indicators of customer satisfaction, (b) current performance of service level agreements or other technical metrics, (c) current performance against a pre-established cost baseline, (d) a detailed breakdown of current and planned spending on operational enhancements or upgrades, and (e) an assessment of whether the investment continues to meet business needs as intended as well as alternatives to the investment: *Provided further*, That the Secretary is authorized to use the services, facilities, and authorities (but not the funds) of the Commodity Credit Corporation to make program payments for all programs administered by the Agency: *Provided further*, That other funds made available to the Agency for authorized activities may be advanced to and merged with this account: *Provided further*, That of the amount appropriated under this heading, \$696,594,000 shall be made available to county committees, to remain available until expended: *Provided further*, That, notwithstanding the preceding proviso, any funds made available to county committees in the current fiscal year that the Administrator of the Farm Service Agency deems to exceed or not meet the amount needed for the county committees may be transferred to or from the Farm Service Agency for necessary expenses: *Provided further*, That none of the funds available to the Farm Service Agency shall be used to close Farm Service Agency county offices: *Provided further*, That none of the funds available to the Farm Service Agency shall be used to permanently relocate county based employees that would result in an office with two or fewer employees without prior notification and approval of the Committees on Appropriations of both Houses of Congress.

STATE MEDIATION GRANTS

For grants pursuant to section 502(b) of the Agricultural Credit Act of 1987, as amended (7 U.S.C. 5101–5106), \$6,000,000.

GRASSROOTS SOURCE WATER PROTECTION PROGRAM

For necessary expenses to carry out well-head or groundwater protection activities under section 12400 of the Food Security Act of 1985 (16 U.S.C. 3839bb–2), \$7,500,000, to remain available until expended.

DAIRY INDEMNITY PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses involved in making indemnity payments to dairy farmers and manufacturers of dairy products under a dairy indemnity program, such sums as may be necessary, to remain available until expended: *Provided*, That such program is carried out by the Secretary in the same manner as the dairy indemnity program described in the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (Public Law 106–387, 114 Stat. 1549A–12).

AGRICULTURAL CREDIT INSURANCE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed farm ownership (7 U.S.C. 1922 et seq.) and operating (7 U.S.C. 1941 et seq.) loans, emergency loans (7 U.S.C. 1961 et seq.), Indian tribe land acquisition loans (25 U.S.C. 5136), boll weevil loans (7 U.S.C. 1989), guaranteed conservation loans (7 U.S.C. 1924 et seq.), relending program (7 U.S.C. 1936c), and Indian highly fractionated land loans (25 U.S.C. 5136) to be available from funds in the Agricultural Credit Insurance Fund, as follows: \$3,500,000,000 for guaranteed farm ownership loans and \$3,100,000,000 for farm ownership direct loans; \$2,118,491,000 for unsubsidized guaranteed operating loans and \$1,633,000,000

for direct operating loans; emergency loans, \$37,667,000; Indian tribe land acquisition loans, \$20,000,000; guaranteed conservation loans, \$150,000,000; relending program, \$61,426,000; Indian highly fractionated land loans, \$5,000,000; and for boll weevil eradication program loans, \$60,000,000: *Provided*, That the Secretary shall deem the pink bollworm to be a boll weevil for the purpose of boll weevil eradication program loans.

For the cost of direct and guaranteed loans and grants, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, as follows: \$3,507,000 for emergency loans, to remain available until expended; and \$27,598,000 for direct farm operating loans, \$1,483,000 for unsubsidized guaranteed farm operating loans, \$19,368,000 for the relending program, \$1,577,000 for Indian highly fractionated land loans, and \$258,000 for boll weevil eradication program loans.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, \$326,053,000: *Provided*, That of this amount, \$305,803,000 shall be transferred to and merged with the appropriation for “Farm Service Agency, Salaries and Expenses”.

Funds appropriated by this Act to the Agricultural Credit Insurance Program Account for farm ownership, operating and conservation direct loans and guaranteed loans may be transferred among these programs: *Provided*, That the Committees on Appropriations of both Houses of Congress are notified at least 15 days in advance of any transfer.

RISK MANAGEMENT AGENCY

SALARIES AND EXPENSES

For necessary expenses of the Risk Management Agency, \$63,637,000: *Provided*, That \$1,000,000 of the amount appropriated under this heading in this Act shall be available for compliance and integrity activities required under section 516(b)(2)(C) of the Federal Crop Insurance Act of 1938 (7 U.S.C. 1516(b)(2)(C)), and shall be in addition to amounts otherwise provided for such purpose: *Provided further*, That not to exceed \$1,000 shall be available for official reception and representation expenses, as authorized by 7 U.S.C. 1506(i).

NATURAL RESOURCES CONSERVATION SERVICE

CONSERVATION OPERATIONS

For necessary expenses for carrying out the provisions of the Act of April 27, 1935 (16 U.S.C. 590a–f), including preparation of conservation plans and establishment of measures to conserve soil and water (including farm irrigation and land drainage and such special measures for soil and water management as may be necessary to prevent floods and the siltation of reservoirs and to control agricultural related pollutants); operation of conservation plant materials centers; classification and mapping of soil; dissemination of information; acquisition of lands, water, and interests therein for use in the plant materials program by donation, exchange, or purchase at a nominal cost not to exceed \$100 pursuant to the Act of August 3, 1956 (7 U.S.C. 2268a); purchase and erection or alteration or improvement of permanent and temporary buildings; and operation and maintenance of aircraft, \$911,399,000, to remain available until September 30, 2025, of which up to \$18,748,000, to remain available until expended, shall be for the purposes, and in the amounts, specified for this account in the table titled “Community Project Funding” in the report accompanying this Act: *Provided further*, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for construction and improvement of buildings and public improvements at plant materials centers, except that the cost of alterations and improvements to other build-

ings and other public improvements shall not exceed \$250,000: *Provided further*, That when buildings or other structures are erected on non-Federal land, that the right to use such land is obtained as provided in 7 U.S.C. 2250a.

CORPORATIONS

The following corporations and agencies are hereby authorized to make expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accord with law, and to make contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act as may be necessary in carrying out the programs set forth in the budget for the current fiscal year for such corporation or agency, except as hereinafter provided.

FEDERAL CROP INSURANCE CORPORATION FUND

For payments as authorized by section 516 of the Federal Crop Insurance Act (7 U.S.C. 1516), such sums as may be necessary, to remain available until expended.

COMMODITY CREDIT CORPORATION FUND

REIMBURSEMENT FOR NET REALIZED LOSSES

(INCLUDING TRANSFERS OF FUNDS)

For the current fiscal year, such sums as may be necessary to reimburse the Commodity Credit Corporation for net realized losses sustained, but not previously reimbursed, pursuant to section 2 of the Act of August 17, 1961 (15 U.S.C. 713a–11): *Provided*, That of the funds available to the Commodity Credit Corporation under section 11 of the Commodity Credit Corporation Charter Act (15 U.S.C. 714i) for the conduct of its business with the Foreign Agricultural Service, up to \$5,000,000 may be transferred to and used by the Foreign Agricultural Service for information resource management activities of the Foreign Agricultural Service that are not related to Commodity Credit Corporation business: *Provided further*, That the Secretary shall notify the Committees on Appropriations of the House and Senate in writing 15 days prior to the obligation or commitment of any emergency funds from the Commodity Credit Corporation.

HAZARDOUS WASTE MANAGEMENT

(LIMITATION ON EXPENSES)

For the current fiscal year, the Commodity Credit Corporation shall not expend more than \$15,000,000 for site investigation and cleanup expenses, and operations and maintenance expenses to comply with the requirement of section 107(g) of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9607(g)), and section 6001 of the Solid Waste Disposal Act (42 U.S.C. 6961).

TITLE III

RURAL DEVELOPMENT PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR RURAL DEVELOPMENT

For necessary expenses of the Office of the Under Secretary for Rural Development, \$800,000: *Provided*, That funds made available by this Act to an agency in the Rural Development mission area for salaries and expenses are available to fund up to one administrative support staff for the Office.

RURAL DEVELOPMENT

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for carrying out the administration and implementation of Rural Development programs, including activities with institutions concerning the development and operation of agricultural cooperatives; and for cooperative agreements; \$331,087,000: *Provided further*, That of the amount made available under this heading,

no less than \$75,000,000, to remain available until expended, shall be for information technology expenses. *Provided*, That notwithstanding any other provision of law, funds appropriated under this heading may be used for advertising and promotional activities that support Rural Development programs: *Provided further*, That in addition to any other funds appropriated for purposes authorized by section 502(i) of the Housing Act of 1949 (42 U.S.C. 1472(i)), any amounts collected under such section, as amended by this Act, will immediately be credited to this account and will remain available until expended for such purposes.

RURAL HOUSING SERVICE

RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed loans as authorized by title V of the Housing Act of 1949, to be available from funds in the rural housing insurance fund, as follows: \$880,691,000 shall be for Section 502 direct loans; \$5,000,000 for a Single Family Housing Relending demonstration program for Native American Tribes; and \$30,000,000,000 for Section 502 unsubsidized guaranteed loans; \$25,000,000 for section 504 housing repair loans; \$60,000,000 for section 515 rental housing; \$400,000,000 for section 538 guaranteed multi-family housing loans; \$10,000,000 for credit sales of single family housing acquired property; \$5,000,000 for section 523 self-help housing land development loans; and \$5,000,000 for section 524 site development loans.

For the cost of direct and guaranteed loans, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, as follows: section 502 loans, \$86,660,000 shall be for direct loans; Single Family Housing Relending demonstration program for Native American Tribes, \$2,288,000; section 504 housing repair loans, \$4,337,000; section 523 self-help housing land development loans, \$637,000; section 524 site development loans, \$477,000; and repair, rehabilitation, and new construction of section 515 rental housing, \$20,998,000: *Provided*, That to support the loan program level for section 538 guaranteed loans made available under this heading the Secretary may charge or adjust any fees to cover the projected cost of such loan guarantees pursuant to the provisions of the Credit Reform Act of 1990 (2 U.S.C. 661 et seq.), and the interest on such loans may not be subsidized: *Provided further*, That applicants in communities that have a current rural area waiver under section 541 of the Housing Act of 1949 (42 U.S.C. 1490q) shall be treated as living in a rural area for purposes of section 502 guaranteed loans provided under this heading: *Provided further*, That of the amounts available under this paragraph for section 502 direct loans, no less than \$5,000,000 shall be available for direct loans for individuals whose homes will be built pursuant to a program funded with a mutual and self-help housing grant authorized by section 523 of the Housing Act of 1949 until June 1, 2024: *Provided further*, That the Secretary shall implement provisions to provide incentives to nonprofit organizations and public housing authorities to facilitate the acquisition of Rural Housing Service (RHS) multifamily housing properties by such nonprofit organizations and public housing authorities that commit to keep such properties in the RHS multifamily housing program for a period of time as determined by the Secretary, with such incentives to include, but not be limited to, the following: allow such nonprofit entities and public housing authorities to earn a Return on Investment on their own resources to in-

clude proceeds from low income housing tax credit syndication, own contributions, grants, and developer loans at favorable rates and terms, invested in a deal; and allow reimbursement of organizational costs associated with owner's oversight of asset referred to as "Asset Management Fee" of up to \$7,500 per property.

In addition, for the cost of direct loans and grants, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, \$34,000,000, to remain available until expended, for a demonstration program for the preservation and revitalization of the sections 514, 515, and 516 multi-family rental housing properties to restructure existing USDA multi-family housing loans, as the Secretary deems appropriate, expressly for the purposes of ensuring the project has sufficient resources to preserve the project for the purpose of providing safe and affordable housing for low-income residents and farm laborers including reducing or eliminating interest; deferring loan payments, subordinating, reducing or re-amortizing loan debt; and other financial assistance including advances, payments and incentives (including the ability of owners to obtain reasonable returns on investment) required by the Secretary: *Provided*, That the Secretary shall, as part of the preservation and revitalization agreement, obtain a restrictive use agreement consistent with the terms of the restructuring.

In addition, for the cost of direct loans, grants, and contracts, as authorized by sections 514 and 516 of the Housing Act of 1949 (42 U.S.C. 1484, 1486), \$9,525,000, to remain available until expended, for direct farm labor housing loans and domestic farm labor housing grants and contracts.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, \$412,254,000 shall be paid to the appropriation for "Rural Development, Salaries and Expenses".

RENTAL ASSISTANCE PROGRAM

For rental assistance agreements entered into or renewed pursuant to the authority under section 521(a)(2) of the Housing Act of 1949 or agreements entered into in lieu of debt forgiveness or payments for eligible households as authorized by section 502(c)(5)(D) of the Housing Act of 1949, \$1,606,926,000, and in addition such sums as may be necessary, as authorized by section 521(c) of the Act, to liquidate debt incurred prior to fiscal year 1992 to carry out the rental assistance program under section 521(a)(2) of the Act: *Provided*, That rental assistance agreements entered into or renewed during the current fiscal year shall be funded for a one-year period: *Provided further*, That upon request by an owner of a project financed by an existing loan under section 514 or 515 of the Act, the Secretary may renew the rental assistance agreement for a period of 20 years or until the term of such loan has expired, subject to annual appropriations: *Provided further*, That any unexpended balances remaining at the end of such one-year agreements may be transferred and used for purposes of any debt reduction, maintenance, repair, or rehabilitation of any existing projects; preservation; and rental assistance activities authorized under title V of the Act: *Provided further*, That notwithstanding any other provision of the Act, the Secretary may recapture rental assistance provided under agreements entered into prior to fiscal year 2024 for a project the Secretary determines no longer needs rental assistance and use such recaptured funds for current needs: *Provided further*, That such recaptured funds shall remain available for obligation in fiscal year 2024 for the purposes specified under the heading: *Provided further*, That such recap-

tured rental assistance shall, to the extent practicable, be applied to another farm labor multi-family housing project financed under section 514 or 516 of the Act.

RURAL HOUSING VOUCHER ACCOUNT

For the rural housing voucher program as authorized under section 542 of the Housing Act of 1949, but notwithstanding subsection (b) of such section, \$48,000,000, to remain available until expended: *Provided*, That the funds made available under this heading shall be available for rural housing vouchers to any low-income household (including those not receiving rental assistance) residing in a property financed with a section 515 loan which has been prepaid or otherwise paid off after September 30, 2005: *Provided further*, That the amount of such voucher shall be the difference between comparable market rent for the section 515 unit and the tenant paid rent for such unit: *Provided further*, That funds made available for such vouchers shall be subject to the availability of annual appropriations: *Provided further*, That the Secretary shall, to the maximum extent practicable, administer such vouchers with current regulations and administrative guidance applicable to section 8 housing vouchers administered by the Secretary of the Department of Housing and Urban Development: *Provided further*, That in addition to any other available funds, the Secretary may expend not more than \$1,000,000 total, from the program funds made available under this heading, for administrative expenses for activities funded under this heading.

MUTUAL AND SELF-HELP HOUSING GRANTS

For grants and contracts pursuant to section 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C. 1490c), \$25,000,000, to remain available until expended.

RURAL HOUSING ASSISTANCE GRANTS

For grants for very low-income housing repair and rural housing preservation made by the Rural Housing Service, as authorized by 42 U.S.C. 1474, and 1490m, \$35,000,000, to remain available until expended.

RURAL COMMUNITY FACILITIES PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed loans as authorized by section 306 and described in section 381E(d)(1) of the Consolidated Farm and Rural Development Act, \$2,800,000,000 for direct loans and \$650,000,000 for guaranteed loans.

For the cost of direct loans, loan guarantees and grants, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, for rural community facilities programs as authorized by section 306 and described in section 381E(d)(1) of the Consolidated Farm and Rural Development Act, \$327,636,000, to remain available until expended, of which up to \$312,037,648 shall be for the purposes, and in the amounts, specified for this account in the table titled "Community Project Funding" in the report accompanying this Act: *Provided*, That \$5,000,000 of the amount appropriated under this heading shall be available for a Rural Community Development Initiative: *Provided further*, That such funds shall be used solely to develop the capacity and ability of private, nonprofit community-based housing and community development organizations, low-income rural communities, and Federally Recognized Native American Tribes to undertake projects to improve housing, community facilities, community and economic development projects in rural areas: *Provided further*, That such funds shall be made available to qualified private, nonprofit and public intermediary

organizations proposing to carry out a program of financial and technical assistance: *Provided further*, That such intermediary organizations shall provide matching funds from other sources, including Federal funds for related activities, in an amount not less than funds provided: *Provided further*, That any unobligated balances from prior year appropriations under this heading for the cost of direct loans, loan guarantees and grants, including amounts deobligated or cancelled, may be made available to cover the subsidy costs for direct loans and or loan guarantees under this heading in this fiscal year: *Provided further*, That no amounts may be made available pursuant to the preceding proviso from amounts that were designated by the Congress as an emergency requirement pursuant to a Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985, or that were specified in the table titled "Community Project Funding/Congressionally Directed Spending" in the explanatory statement for division A of Public Law 117-328 described in section 4 in the matter preceding such division A: *Provided further*, That \$6,000,000 of the amount appropriated under this heading shall be available for community facilities grants to tribal colleges, as authorized by section 306(a)(19) of such Act: *Provided further*, That sections 381E-H and 381N of the Consolidated Farm and Rural Development Act are not applicable to the funds made available under this heading.

RURAL BUSINESS—COOPERATIVE SERVICE
RURAL BUSINESS PROGRAM ACCOUNT

For the cost of loan guarantees and grants, for the rural business development programs authorized by section 310B and described in subsections (a), (c), (f) and (g) of section 310B of the Consolidated Farm and Rural Development Act, \$68,840,000, to remain available until expended: *Provided*, That of the amount appropriated under this heading, not to exceed \$500,000 shall be made available for one grant to a qualified national organization to provide technical assistance for rural transportation in order to promote economic development and \$6,000,000 shall be for grants to the Delta Regional Authority (7 U.S.C. 2009aa et seq.), the Northern Border Regional Commission (40 U.S.C. 15101 et seq.), and the Appalachian Regional Commission (40 U.S.C. 14101 et seq.) for any Rural Community Advancement Program purpose as described in section 381E(d) of the Consolidated Farm and Rural Development Act, of which not more than 5 percent may be used for administrative expenses: *Provided further*, That of the amount appropriated under this heading, not to exceed \$100,000 shall be made available for one or more qualified state technology councils to promote private-sector economic development in the bio-sciences: *Provided further*, That \$4,000,000 of the amount appropriated under this heading shall be for business grants to benefit Federally Recognized Native American Tribes, including \$250,000 for a grant to a qualified national organization to provide technical assistance for rural transportation in order to promote economic development: *Provided further*, That sections 381E-H and 381N of the Consolidated Farm and Rural Development Act are not applicable to funds made available under this heading.

INTERMEDIARY RELENDING PROGRAM FUND
ACCOUNT
(INCLUDING TRANSFER OF FUNDS)

For the principal amount of direct loans, as authorized by the Intermediary Relending Program Fund Account (7 U.S.C. 1936b), \$16,000,000.

For the cost of direct loans, \$4,856,000, as authorized by the Intermediary Relending

Program Fund Account (7 U.S.C. 1936b), of which \$331,000 shall be available through June 30, 2024, for Federally Recognized Native American Tribes; and of which \$663,000 shall be available through June 30, 2024, for Mississippi Delta Region counties (as determined in accordance with Public Law 100-460): *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974.

In addition, for administrative expenses to carry out the direct loan programs, \$4,468,000 shall be paid to the appropriation for "Rural Development, Salaries and Expenses".

RURAL ECONOMIC DEVELOPMENT LOANS
PROGRAM ACCOUNT

For the principal amount of direct loans, as authorized under section 313B(a) of the Rural Electrification Act, for the purpose of promoting rural economic development and job creation projects, \$75,000,000.

The cost of grants authorized under section 313B(a) of the Rural Electrification Act, for the purpose of promoting rural economic development and job creation projects shall not exceed \$15,000,000.

RURAL COOPERATIVE DEVELOPMENT GRANTS

For rural cooperative development grants authorized under section 310B(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932), \$19,600,000, of which \$2,800,000 shall be for cooperative agreements for the appropriate technology transfer for rural areas program: *Provided*, That not to exceed \$3,000,000 shall be for grants for cooperative development centers, individual cooperatives, or groups of cooperatives that serve socially disadvantaged groups and a majority of the boards of directors or governing boards of which are comprised of individuals who are members of socially disadvantaged groups; and of which \$8,000,000, to remain available until expended, shall be for value-added agricultural product market development grants, as authorized by section 210A of the Agricultural Marketing Act of 1946.

RURAL MICROENTREPRENEUR ASSISTANCE
PROGRAM

For the principal amount of direct loans as authorized by section 379E of the Consolidated Farm and Rural Development Act (7 U.S.C. 2008s), \$5,000,000.

For the cost of loans and grants, \$6,000,000 under the same terms and conditions as authorized by section 379E of the Consolidated Farm and Rural Development Act (7 U.S.C. 2008s).

RURAL ENERGY FOR AMERICA PROGRAM

For the principal amount of loan guarantees, under the same terms and conditions as authorized by section 9007 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8107), \$50,000,000.

RURAL UTILITIES SERVICE
RURAL WATER AND WASTE DISPOSAL PROGRAM
ACCOUNT
(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed loans as authorized by section 306 and described in section 381E(d)(2) of the Consolidated Farm and Rural Development Act, as follows: \$1,000,000,000 for direct loans; and \$50,000,000 for guaranteed loans.

For the cost of direct loans, loan guarantees and grants, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, for rural water, waste water, waste disposal, and solid waste management programs authorized by sections 306, 306A, 306C, 306D, 306E, and 310B and described in sections 306C(a)(2), 306D, 306E, and 381E(d)(2) of the Consolidated Farm and Rural Development Act, \$587,120,000, to

remain available until expended, of which up to \$120,101,362 shall be for the purposes, and in the amounts, specified for this account in the table titled "Community Project Funding" in the report accompanying this Act, of which not to exceed \$1,000,000 shall be available for the rural utilities program described in section 306(a)(2)(B) of such Act, and of which not to exceed \$4,000,000 shall be available for the rural utilities program described in section 306E of such Act: *Provided*, That not to exceed \$10,000,000 of the amount appropriated under this heading shall be for grants authorized by section 306A(i)(2) of the Consolidated Farm and Rural Development Act in addition to funding authorized by section 306A(i)(1) of such Act: *Provided further*, That \$30,000,000 of the amount appropriated under this heading shall be for loans and grants including water and waste disposal systems grants authorized by section 306C(a)(2)(B) and section 306D of the Consolidated Farm and Rural Development Act, and Federally Recognized Native American Tribes authorized by 306C(a)(1) of such Act: *Provided further*, That funding provided for section 306D of the Consolidated Farm and Rural Development Act may be provided to a consortium formed pursuant to section 325 of Public Law 105-83: *Provided further*, That not more than 2 percent of the funding provided for section 306D of the Consolidated Farm and Rural Development Act may be used by the State of Alaska for training and technical assistance programs and not more than 2 percent of the funding provided for section 306D of the Consolidated Farm and Rural Development Act may be used by a consortium formed pursuant to section 325 of Public Law 105-83 for training and technical assistance programs: *Provided further*, That not to exceed \$37,500,000 of the amount appropriated under this heading shall be for technical assistance grants for rural water and waste systems pursuant to section 306(a)(14) of such Act, unless the Secretary makes a determination of extreme need, of which \$8,500,000 shall be made available for a grant to a qualified nonprofit multi-State regional technical assistance organization, with experience in working with small communities on water and waste water problems, the principal purpose of such grant shall be to assist rural communities with populations of 3,300 or less, in improving the planning, financing, development, operation, and management of water and waste water systems, and of which not less than \$800,000 shall be for a qualified national Native American organization to provide technical assistance for rural water systems for tribal communities: *Provided further*, That not to exceed \$21,817,000 of the amount appropriated under this heading shall be for contracting with qualified national organizations for a circuit rider program to provide technical assistance for rural water systems: *Provided further*, That not to exceed \$4,000,000 of the amounts made available under this heading shall be for solid waste management grants.

RURAL ELECTRIFICATION AND TELECOMMUNICATIONS LOANS PROGRAM ACCOUNT
(INCLUDING TRANSFER OF FUNDS)

The principal amount of loans and loan guarantees as authorized by sections 4, 305, 306, 313A, and 317 of the Rural Electrification Act of 1936 (7 U.S.C. 904, 935, 936, 940c-1, and 940g) shall be made as follows: guaranteed rural electric loans made pursuant to section 306 of that Act, \$2,167,000,000; cost of money direct loans made pursuant to sections 4, notwithstanding the one-eighth of one percent in 4(c)(2), and 317, notwithstanding 317(c), of that Act, \$4,333,000,000; guaranteed underwriting loans pursuant to section 313A of that Act, \$900,000,000; and for cost-of-money rural telecommunications loans made

pursuant to section 305(d)(2) of that Act, \$690,000,000: *Provided*, That up to \$2,000,000,000 shall be used for the construction, acquisition, design, engineering or improvement of fossil-fueled electric generating plants (whether new or existing) that utilize carbon subsurface utilization and storage systems.

For the cost of direct loans as authorized by section 305(d)(2) of the Rural Electrification Act of 1936 (7 U.S.C. 935(d)(2)), including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, cost of money rural telecommunications loans, \$7,176,000.

In addition, \$3,578,000 to remain available until expended, to carry out section 6407 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8107a): *Provided*, That the energy efficiency measures supported by the funding in this paragraph shall contribute in a demonstrable way to the reduction of greenhouse gases.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, \$33,270,000, which shall be paid to the appropriation for “Rural Development, Salaries and Expenses”.

DISTANCE LEARNING, TELEMEDICINE, AND BROADBAND PROGRAM

For grants for telemedicine and distance learning services in rural areas, as authorized by 7 U.S.C. 950aaa et seq., \$56,973,000, to remain available until expended, of which up to \$6,972,570 shall be for the purposes, and in the amounts, specified for this account in the table titled “Community Project Funding” in the report accompanying this Act: *Provided*, That \$3,000,000 shall be made available for grants authorized by section 379G of the Consolidated Farm and Rural Development Act: *Provided further*, That funding provided under this heading for grants under section 379G of the Consolidated Farm and Rural Development Act may only be provided to entities that meet all of the eligibility criteria for a consortium as established by this section.

For the cost of broadband loans, as authorized by sections 601 and 602 of the Rural Electrification Act, \$2,037,000, to remain available until expended: *Provided*, That the cost of direct loans shall be as defined in section 502 of the Congressional Budget Act of 1974.

For the cost to continue a broadband loan and grant pilot program established by section 779 of division A of the Consolidated Appropriations Act, 2018 (Public Law 115-141) under the Rural Electrification Act of 1936, as amended (7 U.S.C. 901 et seq.), \$269,385,000, to remain available until expended, of which up to \$10,385,000 shall be for the purposes, and in the amounts, specified for this account in the table titled “Community Project Funding” in the report accompanying this Act: *Provided*, That the Secretary may award grants described in section 601(a) of the Rural Electrification Act of 1936, as amended (7 U.S.C. 950bb(a)) for the purposes of carrying out such pilot program: *Provided further*, That the cost of direct loans shall be defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That at least 90 percent of the households to be served by a project receiving a loan or grant under the pilot program shall be in a rural area without sufficient access to broadband: *Provided further*, That for purposes of such pilot program, a rural area without sufficient access to broadband shall be defined as twenty-five megabits per second downstream and three megabits per second upstream: *Provided further*, That to the extent possible, projects receiving funds provided under the pilot program must build out service to at least one hundred megabits per second downstream, and twenty megabits per second upstream: *Provided further*, That an entity to

which a loan or grant is made under the pilot program shall not use the loan or grant to overbuild or duplicate broadband service in a service area by any entity that has received a broadband loan from the Rural Utilities Service unless such service is not provided sufficient access to broadband at the minimum service threshold: *Provided further*, That not more than four percent of the funds made available in this paragraph can be used for administrative costs to carry out the pilot program and up to three percent of funds made available in this paragraph may be available for technical assistance and pre-development planning activities to support the most rural communities: *Provided further*, That the Rural Utilities Service is directed to expedite program delivery methods that would implement this paragraph: *Provided further*, That for purposes of this paragraph, the Secretary shall adhere to the notice, reporting and service area assessment requirements set forth in section 701 of the Rural Electrification Act (7 U.S.C. 950cc).

In addition, \$30,000,000, to remain available until expended, for the Community Connect Grant Program authorized by 7 U.S.C. 950bb-3.

TITLE IV

DOMESTIC FOOD PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR FOOD, NUTRITION, AND CONSUMER SERVICES

For necessary expenses of the Office of the Under Secretary for Food, Nutrition, and Consumer Services, \$800,000: *Provided*, That funds made available by this Act to an agency in the Food, Nutrition and Consumer Services mission area for salaries and expenses are available to fund up to one administrative support staff for the Office.

FOOD AND NUTRITION SERVICE

CHILD NUTRITION PROGRAMS

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.), except section 21, and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), except sections 17 and 21; \$31,996,363,000 to remain available through September 30, 2025, of which such sums as are made available under section 14222(b)(1) of the Food, Conservation, and Energy Act of 2008 (Public Law 110-246), as amended by this Act, shall be merged with and available for the same time period and purposes as provided herein: *Provided*, That of the total amount available, \$18,004,000 shall be available to carry out section 19 of the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.): *Provided further*, That of the total amount available, \$21,005,000 shall be available to carry out studies and evaluations and shall remain available until expended: *Provided further*, That of the total amount available, \$3,000,000 shall remain available until expended to carry out section 18(g) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769(g)): *Provided further*, That notwithstanding section 18(g)(3)(C) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769(g)(3)(c)), the total grant amount provided to a farm to school grant recipient in fiscal year 2024 shall not exceed \$500,000: *Provided further*, That of the total amount available, \$20,000,000 shall be available to provide competitive grants to State agencies for subgrants to local educational agencies and schools to purchase the equipment, with a value of greater than \$1,000, needed to serve healthier meals, improve food safety, and to help support the establishment, maintenance, or expansion of the school breakfast program: *Provided further*, That section 26(d) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769g(d)) is amended in the first sentence by striking “2010 through

2024” and inserting “2010 through 2025”: *Provided further*, That section 9(h)(3) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1758(h)(3)) is amended in the first sentence by striking “For fiscal year 2023” and inserting “For fiscal year 2024”: *Provided further*, That section 9(h)(4) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1758(h)(4)) is amended in the first sentence by striking “For fiscal year 2023” and inserting “For fiscal year 2024”.

SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS, AND CHILDREN (WIC)

For necessary expenses to carry out the special supplemental nutrition program as authorized by section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786), \$6,000,000,000, to remain available through September 30, 2025: *Provided*, That notwithstanding section 17(h)(10) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(h)(10)), up to \$90,000,000 shall be used for breastfeeding peer counselors and other related activities, and up to \$14,000,000 shall be used for infrastructure: *Provided further*, That the Secretary shall use funds made available under this heading to increase the amount of a cash-value voucher to \$11 for child participants, \$13 for pregnant and postpartum women, and \$15 for fully and partially breastfeeding women and adjusted for inflation beginning in fiscal year 2025: *Provided further*, That none of the funds provided in this account shall be available for the purchase of infant formula except in accordance with the cost containment and competitive bidding requirements specified in section 17 of such Act: *Provided further*, That none of the funds provided shall be available for activities that are not fully reimbursed by other Federal Government departments or agencies unless authorized by section 17 of such Act: *Provided further*, That upon termination of a federally mandated vendor moratorium and subject to terms and conditions established by the Secretary, the Secretary may waive the requirement at 7 CFR 246.12(g)(6) at the request of a State agency.

SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

For necessary expenses to carry out the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), \$121,996,757,000, of which \$3,000,000,000, to remain available through September 30, 2026, shall be placed in reserve for use only in such amounts and at such times as may become necessary to carry out program operations: *Provided*, That funds provided herein shall be expended in accordance with section 16 of the Food and Nutrition Act of 2008: *Provided further*, That of the funds made available under this heading, \$998,000 may be used to provide nutrition education services to State agencies and Federally Recognized Tribes participating in the Food Distribution Program on Indian Reservations: *Provided further*, That of the funds made available under this heading, \$3,000,000, to remain available until September 30, 2025, shall be used to carry out section 4003(b) of Public Law 115-334 relating to demonstration projects for tribal organizations: *Provided further*, That of the funds made available under this heading, \$2,000,000 shall be used to carry out section 4208 of Public Law 115-334: *Provided further*, That this appropriation shall be subject to any work registration or workfare requirements as may be required by law: *Provided further*, That funds made available for Employment and Training under this heading shall remain available through September 30, 2025: *Provided further*, That funds made available under this heading for section 28(d)(1), section 4(b), and section 27(a) of the Food and Nutrition Act of 2008 shall remain available through September 30, 2025: *Provided further*,

That none of the funds made available under this heading may be obligated or expended in contravention of section 213A of the Immigration and Nationality Act (8 U.S.C. 1183A): *Provided further*, That funds made available under this heading may be used to enter into contracts and employ staff to conduct studies, evaluations, or to conduct activities related to program integrity provided that such activities are authorized by the Food and Nutrition Act of 2008.

COMMODITY ASSISTANCE PROGRAM

For necessary expenses to carry out disaster assistance and the Commodity Supplemental Food Program as authorized by section 4(a) of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c note); the Emergency Food Assistance Act of 1983; special assistance for the nuclear affected islands, as authorized by section 103(f)(2) of the Compact of Free Association Amendments Act of 2003 (Public Law 108-188); and the Farmers' Market Nutrition Program, as authorized by section 17(m) of the Child Nutrition Act of 1966, \$472,563,000, to remain available through September 30, 2025: *Provided*, That none of these funds shall be available to reimburse the Commodity Credit Corporation for commodities donated to the program: *Provided further*, That notwithstanding any other provision of law, effective with funds made available in fiscal year 2024 to support the Seniors Farmers' Market Nutrition Program, as authorized by section 4402 of the Farm Security and Rural Investment Act of 2002, such funds shall remain available through September 30, 2025: *Provided further*, That of the funds made available under section 27(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2036(a)), the Secretary may use up to 20 percent for costs associated with the distribution of commodities.

NUTRITION PROGRAMS ADMINISTRATION

For necessary administrative expenses of the Food and Nutrition Service for carrying out any domestic nutrition assistance program, \$136,861,000: *Provided*, That of the funds provided herein, \$2,000,000 shall be used for the purposes of section 4404 of Public Law 107-171, as amended by section 4401 of Public Law 110-246.

TITLE V

FOREIGN ASSISTANCE AND RELATED PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR TRADE AND FOREIGN AGRICULTURAL AFFAIRS

For necessary expenses of the Office of the Under Secretary for Trade and Foreign Agricultural Affairs, \$875,000: *Provided*, That funds made available by this Act to any agency in the Trade and Foreign Agricultural Affairs mission area for salaries and expenses are available to fund up to one administrative support staff for the Office.

FOREIGN AGRICULTURAL SERVICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Foreign Agricultural Service, including not to exceed \$250,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), \$237,330,000, of which no more than 6 percent shall remain available until September 30, 2025, for overseas operations to include the payment of locally employed staff: *Provided*, That the Service may utilize advances of funds, or reimburse this appropriation for expenditures made on behalf of Federal agencies, public and private organizations and institutions under agreements executed pursuant to the agricultural food production assistance programs (7 U.S.C. 1737) and the foreign assistance programs of the United States Agency for International Develop-

ment: *Provided further*, That funds made available for middle-income country training programs, funds made available for the Borlaug International Agricultural Science and Technology Fellowship program, and up to \$2,000,000 of the Foreign Agricultural Service appropriation solely for the purpose of offsetting fluctuations in international currency exchange rates, subject to documentation by the Foreign Agricultural Service, shall remain available until expended.

FOOD FOR PEACE TITLE II GRANTS

For expenses during the current fiscal year, not otherwise recoverable, and unrecovered prior years' costs, including 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, \$1,740,000,000, 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), \$240,000,000, 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 \$24,000,000, 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, GSM 102 and GSM 103, \$6,063,000, to cover common overhead expenses as permitted by section 11 of the Commodity Credit Corporation Charter Act and in conformity with the Federal Credit Reform Act of 1990, which shall be paid to the appropriation for "Foreign Agricultural Service, Salaries and Expenses".

TITLE VI

RELATED AGENCIES AND FOOD AND DRUG ADMINISTRATION

DEPARTMENT OF HEALTH AND HUMAN SERVICES

FOOD AND DRUG ADMINISTRATION

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Food and Drug Administration, including hire and purchase of passenger motor vehicles; for payment of space rental and related costs pursuant to Public Law 92-313 for programs and activities of the Food and Drug Administration which are included in this Act; for rental of special purpose space in the District of Columbia or elsewhere; in addition to amounts appropriated to the FDA Innovation Account, for carrying out the activities described in section 1002(b)(4) of the 21st Century Cures Act (Public Law 114-255); for miscellaneous and emergency expenses of enforcement activities, authorized and approved by the Secretary and to be accounted for solely on the Secretary's certificate, not to exceed \$25,000; and notwithstanding section 521 of Public Law 107-188; \$6,579,030,000: *Provided*, That of the amount provided under this heading, \$1,336,525,000 shall be derived from prescription drug user fees authorized by 21 U.S.C. 379h, and shall be credited to

this account and remain available until expended; \$331,273,000 shall be derived from medical device user fees authorized by 21 U.S.C. 379j, and shall be credited to this account and remain available until expended; \$594,150,000 shall be derived from human generic drug user fees authorized by 21 U.S.C. 379j-42, and shall be credited to this account and remain available until expended; \$42,432,000 shall be derived from biosimilar biological product user fees authorized by 21 U.S.C. 379j-52, and shall be credited to this account and remain available until expended; \$33,500,000 shall be derived from animal drug user fees authorized by 21 U.S.C. 379j-12, and shall be credited to this account and remain available until expended; \$25,000,000 shall be derived from generic new animal drug user fees authorized by 21 U.S.C. 379j-21, and shall be credited to this account and remain available until expended; \$712,000,000 shall be derived from tobacco product user fees authorized by 21 U.S.C. 387s, and shall be credited to this account and remain available until expended: *Provided further*, That in addition to and notwithstanding any other provision under this heading, amounts collected for prescription drug user fees, medical device user fees, human generic drug user fees, biosimilar biological product user fees, animal drug user fees, and generic new animal drug user fees that exceed the respective fiscal year 2024 limitations are appropriated and shall be credited to this account and remain available until expended: *Provided further*, That fees derived from prescription drug, medical device, human generic drug, biosimilar biological product, animal drug, and generic new animal drug assessments for fiscal year 2024, including any such fees collected prior to fiscal year 2024 but credited for fiscal year 2024, shall be subject to the fiscal year 2024 limitations: *Provided further*, That the Secretary may accept payment during fiscal year 2024 of user fees specified under this heading and authorized for fiscal year 2025, prior to the due date for such fees, and that amounts of such fees assessed for fiscal year 2025 for which the Secretary accepts payment in fiscal year 2024 shall not be included in amounts under this heading: *Provided further*, That none of these funds shall be used to develop, establish, or operate any program of user fees authorized by 31 U.S.C. 9701: *Provided further*, That of the total amount appropriated: (1) \$1,190,536,000 shall be for the Center for Food Safety and Applied Nutrition and related field activities in the Office of Regulatory Affairs, of which no less than \$15,000,000 shall be used for inspections of foreign seafood manufacturers and field examinations of imported seafood; (2) \$2,316,063,000 shall be for the Center for Drug Evaluation and Research and related field activities in the Office of Regulatory Affairs, of which no less than \$10,000,000 shall be for pilots to increase unannounced foreign inspections and shall remain available until expended; (3) \$492,314,000 shall be for the Center for Biologics Evaluation and Research and for related field activities in the Office of Regulatory Affairs; (4) \$283,678,000 shall be for the Center for Veterinary Medicine and for related field activities in the Office of Regulatory Affairs; (5) \$739,854,000 shall be for the Center for Devices and Radiological Health and for related field activities in the Office of Regulatory Affairs; (6) \$76,534,000 shall be for the National Center for Toxicological Research; (7) \$677,165,000 shall be for the Center for Tobacco Products and for related field activities in the Office of Regulatory Affairs; (8) \$214,304,000 shall be for Rent and Related activities, of which \$55,729,000 is for White Oak Consolidation, other than the amounts paid to the General Services Administration for rent; (9) \$227,708,000 shall be for payments

to the General Services Administration for rent; and (10) \$360,874,000 shall be for other activities, including the Office of the Commissioner of Food and Drugs, the Office of Food Policy and Response, the Office of Operations, the Office of the Chief Scientist, and central services for these offices: *Provided further*, That not to exceed \$25,000 of this amount shall be for official reception and representation expenses, not otherwise provided for, as determined by the Commissioner: *Provided further*, That any transfer of funds pursuant to, and for the administration of, section 770(n) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379dd(n)) shall only be from amounts made available under this heading for other activities and shall not exceed \$2,000,000: *Provided further*, That of the amounts that are made available under this heading for “other activities”, and that are not derived from user fees, \$1,500,000 shall be transferred to and merged with the appropriation for “Department of Health and Human Services—Office of Inspector General” for oversight of the programs and operations of the Food and Drug Administration and shall be in addition to funds otherwise made available for oversight of the Food and Drug Administration: *Provided further*, That funds may be transferred from one specified activity to another with the prior approval of the Committees on Appropriations of both Houses of Congress.

In addition, mammography user fees authorized by 42 U.S.C. 263b, export certification user fees authorized by 21 U.S.C. 381, priority review user fees authorized by 21 U.S.C. 360n and 360ff, food and feed recall fees, food reinspection fees, and voluntary qualified importer program fees authorized by 21 U.S.C. 379j-31, outsourcing facility fees authorized by 21 U.S.C. 379j-62, prescription drug wholesale distributor licensing and inspection fees authorized by 21 U.S.C. 353(e)(3), third-party logistics provider licensing and inspection fees authorized by 21 U.S.C. 360eee-3(c)(1), third-party auditor fees authorized by 21 U.S.C. 384d(c)(8), medical countermeasure priority review voucher user fees authorized by 21 U.S.C. 360bbb-4a, and fees relating to over-the-counter monograph drugs authorized by 21 U.S.C. 379j-72 shall be credited to this account, to remain available until expended.

FDA INNOVATION ACCOUNT, CURES ACT
(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the purposes described under section 1002(b)(4) of the 21st Century Cures Act, in addition to amounts available for such purposes under the heading “Salaries and Expenses”, \$50,000,000, to remain available until expended: *Provided*, That amounts appropriated in this paragraph are appropriated pursuant to section 1002(b)(3) of the 21st Century Cures Act, are to be derived from amounts transferred under section 1002(b)(2)(A) of such Act, and may be transferred by the Commissioner of Food and Drugs to the appropriation for “Department of Health and Human Services Food and Drug Administration Salaries and Expenses” solely for the purposes provided in such Act: *Provided further*, That upon a determination by the Commissioner that funds transferred pursuant to the previous proviso are not necessary for the purposes provided, such amounts may be transferred back to the account: *Provided further*, That such transfer authority is in addition to any other transfer authority provided by law.

INDEPENDENT AGENCIES

COMMODITY FUTURES TRADING COMMISSION
(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the provisions of the Commodity Exchange Act (7 U.S.C. 1 et seq.), including the purchase

and hire of passenger motor vehicles, and the rental of space (to include multiple year leases), in the District of Columbia and elsewhere, \$345,000,000, including not to exceed \$3,000 for official reception and representation expenses, and not to exceed \$25,000 for the expenses for consultations and meetings hosted by the Commission with foreign governmental and other regulatory officials, of which not less than \$20,000,000 shall remain available until September 30, 2025, and of which not less than \$4,218,000 shall be for expenses of the Office of the Inspector General: *Provided*, That notwithstanding the limitations in 31 U.S.C. 1553, amounts provided under this heading are available for the liquidation of obligations equal to current year payments on leases entered into prior to the date of enactment of this Act: *Provided further*, That for the purpose of recording and liquidating any lease obligations that should have been recorded and liquidated against accounts closed pursuant to 31 U.S.C. 1552, and consistent with the preceding proviso, such amounts shall be transferred to and recorded in a no-year account in the Treasury, which has been established for the sole purpose of recording adjustments for and liquidating such unpaid obligations.

FARM CREDIT ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed \$94,300,000 (from assessments collected from farm credit institutions, including the Federal Agricultural Mortgage Corporation) shall be obligated during the current fiscal year for administrative expenses as authorized under 12 U.S.C. 2249: *Provided*, That this limitation shall not apply to expenses associated with receiverships: *Provided further*, That the agency may exceed this limitation by up to 10 percent with notification to the Committees on Appropriations of both Houses of Congress: *Provided further*, That the purposes of section 3.7(b)(2)(A)(i) of the Farm Credit Act of 1971 (12 U.S.C. 2128(b)(2)(A)(i)), the Farm Credit Administration may exempt, an amount in its sole discretion, from the application of the limitation provided in that clause of export loans described in the clause guaranteed or insured in a manner other than described in subclause (II) of the clause.

TITLE VII

GENERAL PROVISIONS

(INCLUDING RESCISSIONS AND TRANSFERS OF FUNDS)

SEC. 701. The Secretary may use any appropriations made available to the Department of Agriculture in this Act to purchase new passenger motor vehicles, in addition to specific appropriations for this purpose, so long as the total number of vehicles purchased in fiscal year 2024 does not exceed the number of vehicles owned or leased in fiscal year 2018: *Provided*, That, prior to purchasing additional motor vehicles, the Secretary must determine that such vehicles are necessary for transportation safety, to reduce operational costs, and for the protection of life, property, and public safety: *Provided further*, That the Secretary may not increase the Department of Agriculture's fleet above the 2018 level unless the Secretary notifies in writing, and receives approval from, the Committees on Appropriations of both Houses of Congress within 30 days of the notification.

SEC. 702. Notwithstanding any other provision of this Act, the Secretary of Agriculture may transfer unobligated balances of discretionary funds appropriated by this Act or any other available unobligated discretionary balances that are remaining available of the Department of Agriculture to the Working Capital Fund for the acquisition of property, plant and equipment and for the

improvement, delivery, and implementation of Department financial, and administrative information technology services, and other support systems necessary for the delivery of financial, administrative, and information technology services, including cloud adoption and migration, of primary benefit to the agencies of the Department of Agriculture, such transferred funds to remain available until expended: *Provided*, That none of the funds made available by this Act or any other Act shall be transferred to the Working Capital Fund without the prior approval of the agency administrator: *Provided further*, That none of the funds transferred to the Working Capital Fund pursuant to this section shall be available for obligation without written notification to and the prior approval of the Committees on Appropriations of both Houses of Congress: *Provided further*, That none of the funds appropriated by this Act or made available to the Department's Working Capital Fund shall be available for obligation or expenditure to make any changes to the Department's National Finance Center without written notification to and prior approval of the Committees on Appropriations of both Houses of Congress as required by section 716 of this Act: *Provided further*, That none of the funds appropriated by this Act or made available to the Department's Working Capital Fund shall be available for obligation or expenditure to initiate, plan, develop, implement, or make any changes to remove or relocate any systems, missions, personnel, or functions of the offices of the Chief Financial Officer and the Chief Information Officer, co-located with or from the National Finance Center prior to written notification to and prior approval of the Committee on Appropriations of both Houses of Congress and in accordance with the requirements of section 716 of this Act: *Provided further*, That the National Finance Center Information Technology Services Division personnel and data center management responsibilities, and control of any functions, missions, and systems for current and future human resources management and integrated personnel and payroll systems (PPS) and functions provided by the Chief Financial Officer and the Chief Information Officer shall remain in the National Finance Center and under the management responsibility and administrative control of the National Finance Center: *Provided further*, That the Secretary of Agriculture and the offices of the Chief Financial Officer shall actively market to existing and new Departments and other government agencies National Finance Center shared services including, but not limited to, payroll, financial management, and human capital shared services and allow the National Finance Center to perform technology upgrades: *Provided further*, That of annual income amounts in the Working Capital Fund of the Department of Agriculture attributable to the amounts in excess of the true costs of the shared services provided by the National Finance Center and budgeted for the National Finance Center, the Secretary shall reserve not more than 4 percent for the replacement or acquisition of capital equipment, including equipment for the improvement, delivery, and implementation of financial, administrative, and information technology services, and other systems of the National Finance Center or to pay any unforeseen, extraordinary cost of the National Finance Center: *Provided further*, That none of the amounts reserved shall be available for obligation unless the Secretary submits written notification of the obligation to the Committees on Appropriations of both Houses of Congress: *Provided further*, That the limitations on the obligation of funds pending notification to Congressional Committees shall not apply to

any obligation that, as determined by the Secretary, is necessary to respond to a declared state of emergency that significantly impacts the operations of the National Finance Center; or to evacuate employees of the National Finance Center to a safe haven to continue operations of the National Finance Center.

SEC. 703. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 704. No funds appropriated by this Act may be used to pay negotiated indirect cost rates on cooperative agreements or similar arrangements between the United States Department of Agriculture and nonprofit institutions in excess of 10 percent of the total direct cost of the agreement when the purpose of such cooperative arrangements is to carry out programs of mutual interest between the two parties. This does not preclude appropriate payment of indirect costs on grants and contracts with such institutions when such indirect costs are computed on a similar basis for all agencies for which appropriations are provided in this Act.

SEC. 705. Appropriations to the Department of Agriculture for the cost of direct and guaranteed loans made available in the current fiscal year shall remain available until expended to disburse obligations made in the current fiscal year for the following accounts: the Rural Development Loan Fund program account, the Rural Electrification and Telecommunication Loans program account, and the Rural Housing Insurance Fund program account.

SEC. 706. None of the funds made available to the Department of Agriculture by this Act may be used to acquire new information technology systems or significant upgrades, as determined by the Office of the Chief Information Officer, without the approval of the Chief Information Officer and the concurrence of the Executive Information Technology Investment Review Board: *Provided*, That notwithstanding any other provision of law, none of the funds appropriated or otherwise made available by this Act may be transferred to the Office of the Chief Information Officer without written notification to and the prior approval of the Committees on Appropriations of both Houses of Congress: *Provided further*, That notwithstanding section 11319 of title 40, United States Code, none of the funds available to the Department of Agriculture for information technology shall be obligated for projects, contracts, or other agreements over \$25,000 prior to receipt of written approval by the Chief Information Officer: *Provided further*, That the Chief Information Officer may authorize an agency to obligate funds without written approval from the Chief Information Officer for projects, contracts, or other agreements up to \$250,000 based upon the performance of an agency measured against the performance plan requirements described in the explanatory statement accompanying Public Law 113-235.

SEC. 707. Funds made available under section 524(b) of the Federal Crop Insurance Act (7 U.S.C. 1524(b)) in the current fiscal year shall remain available until expended to disburse obligations made in the current fiscal year.

SEC. 708. Notwithstanding any other provision of law, any former Rural Utilities Service borrower that has repaid or prepaid an insured, direct or guaranteed loan under the Rural Electrification Act of 1936, or any not-for-profit utility that is eligible to receive an insured or direct loan under such Act, shall be eligible for assistance under section 313B(a) of such Act in the same manner as a borrower under such Act.

SEC. 709. Except as otherwise specifically provided by law, not more than \$20,000,000 in

unobligated balances from appropriations made available for salaries and expenses in this Act for the Farm Service Agency shall remain available through September 30, 2025, for information technology expenses.

SEC. 710. None of the funds appropriated or otherwise made available by this Act may be used for first-class travel by the employees of agencies funded by this Act in contravention of sections 301–10.122 through 301–10.124 of title 41, Code of Federal Regulations.

SEC. 711. In the case of each program established or amended by the Agricultural Act of 2014 (Public Law 113-79) or by a successor to that Act, other than by title I or subtitle A of title III of such Act, or programs for which indefinite amounts were provided in that Act, that is authorized or required to be carried out using funds of the Commodity Credit Corporation—

(1) such funds shall be available for salaries and related administrative expenses, including technical assistance, associated with the implementation of the program, without regard to the limitation on the total amount of allotments and fund transfers contained in section 11 of the Commodity Credit Corporation Charter Act (15 U.S.C. 714i); and

(2) the use of such funds for such purpose shall not be considered to be a fund transfer or allotment for purposes of applying the limitation on the total amount of allotments and fund transfers contained in such section.

SEC. 712. Of the funds made available by this Act, not more than \$2,900,000 shall be used to cover necessary expenses of activities related to all advisory committees, panels, commissions, and task forces of the Department of Agriculture, except for panels used to comply with negotiated rule makings and panels used to evaluate competitively awarded grants.

SEC. 713. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

(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.

SEC. 714. Notwithstanding subsection (b) of section 14222 of Public Law 110-246 (7 U.S.C. 612c–6; in this section referred to as “section 14222”), none of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries and expenses of personnel to carry out a program under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c; in this section referred to as “section 32”) in excess of \$1,573,666,000, as follows: Child Nutrition Programs Entitlement Commodities—\$485,000,000; State Option Contracts—\$5,000,000; Removal of Defective Commodities—\$2,500,000; Administration of section 32 Commodity Purchases—\$37,178,000: *Provided*, That none of the funds made available in this Act or any other Act shall be used for salaries and expenses to carry out in this fiscal year section 19(i)(1)(E) of the Richard B. Russell National School Lunch Act, as amended, except in an amount that excludes the transfer of \$195,000,000 of the funds to be transferred under subsection (c) of section 14222 of Public Law 110-246, until October 1, 2024: *Provided further*, That \$195,000,000 made available on October 1, 2024, to carry out section 19(i)(1)(E) of the Richard B. Russell National School Lunch Act, as amended, shall be excluded from the limitation described in subsection (b)(2)(A)(x) of section 14222 of Public Law 110-246 for fiscal year 2025: *Provided further*, That, none of the funds appropriated or otherwise made available by this or any other Act shall be used during fiscal year

2024 to pay the salaries or expenses of any employee of the Department of Agriculture to carry out clause (3) of section 32 of the Agricultural Adjustment Act of 1935 (Public Law 74-320, 7 U.S.C. 612c, as amended), or subsections (a) through (g) of section 5 of the Commodity Credit Corporation Charter Act: *Provided further*, That of the available unobligated balances under (b)(2)(A)(x) for fiscal year 2024 of section 14222 of Public Law 110-246, \$505,000,000 are rescinded.

SEC. 715. None of the funds appropriated by this or any other Act shall be used to pay the salaries and expenses of personnel who prepare or submit appropriations language as part of the President's budget submission to the Congress for programs under the jurisdiction of the Appropriations Subcommittees on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies that assumes revenues or reflects a reduction from the previous year due to user fees proposals that have not been enacted into law prior to the submission of the budget unless such budget submission identifies which additional spending reductions should occur in the event the user fees proposals are not enacted prior to the date of the convening of a committee of conference for the fiscal year 2024 appropriations Act.

SEC. 716. (a) None of the funds provided by this Act, or provided by previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in the current fiscal year, or provided from any accounts in the Treasury derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming, transfer of funds, or reimbursements as authorized by the Economy Act, or in the case of the Department of Agriculture, through use of the authority provided by section 702(b) of the Department of Agriculture Organic Act of 1944 (7 U.S.C. 2257) or section 8 of Public Law 89-106 (7 U.S.C. 2263), that—

- (1) creates new programs;
 - (2) eliminates a program, project, or activity;
 - (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted;
 - (4) relocates an office or employees;
 - (5) reorganizes offices, programs, or activities; or
 - (6) contracts out or privatizes any functions or activities presently performed by Federal employees;
- unless the Secretary of Agriculture, the Secretary of Health and Human Services, or the Chairman of the Commodity Futures Trading Commission (as the case may be) notifies in writing and receives approval from the Committees on Appropriations of both Houses of Congress at least 30 days in advance of the reprogramming of such funds or the use of such authority.

(b) None of the funds provided by this Act, or provided by previous Appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in the current fiscal year, or provided from any accounts in the Treasury derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure for activities, programs, or projects through a reprogramming or use of the authorities referred to in subsection (a) involving funds in excess of \$500,000 or 10 percent, whichever is less, that—

- (1) augments existing programs, projects, or activities;
- (2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or

(3) results from any general savings from a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress; unless the Secretary of Agriculture, the Secretary of Health and Human Services, or the Chairman of the Commodity Futures Trading Commission (as the case may be) notifies in writing and receives approval from the Committees on Appropriations of both Houses of Congress at least 30 days in advance of the reprogramming or transfer of such funds or the use of such authority.

(c) The Secretary of Agriculture, the Secretary of Health and Human Services, or the Chairman of the Commodity Futures Trading Commission shall notify in writing and receive approval from the Committees on Appropriations of both Houses of Congress before implementing any program or activity not carried out during the previous fiscal year unless the program or activity is funded by this Act or specifically funded by any other Act.

(d) None of the funds provided by this Act, or provided by previous Appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in the current fiscal year, or provided from any accounts in the Treasury derived by the collection of fees available to the agencies funded by this Act, shall be available for—

(1) modifying major capital investments funding levels, including information technology systems, that involves increasing or decreasing funds in the current fiscal year for the individual investment in excess of \$500,000 or 10 percent of the total cost, whichever is less;

(2) realigning or reorganizing new, current, or vacant positions or agency activities or functions to establish a center, office, branch, or similar entity with three or more personnel; or

(3) carrying out activities or functions that were not described in the budget request; unless the agencies funded by this Act notify, in writing, the Committees on Appropriations of both Houses of Congress at least 30 days in advance of using the funds for these purposes.

(e) As described in this section, no funds may be used for any activities unless the Secretary of Agriculture, the Secretary of Health and Human Services, or the Chairman of the Commodity Futures Trading Commission receives from the Committee on Appropriations of both Houses of Congress written or electronic mail confirmation of receipt of the notification as required in this section.

SEC. 717. Notwithstanding section 310B(g)(5) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932(g)(5)), the Secretary may assess a one-time fee for any guaranteed business and industry loan in an amount that does not exceed 3 percent of the guaranteed principal portion of the loan.

SEC. 718. None of the funds appropriated or otherwise made available to the Department of Agriculture, the Food and Drug Administration, the Commodity Futures Trading Commission, or the Farm Credit Administration shall be used to transmit or otherwise make available reports, questions, or responses to questions that are a result of information requested for the appropriations hearing process to any non-Department of Agriculture, non-Department of Health and Human Services, non-Commodity Futures Trading Commission, or non-Farm Credit Administration employee.

SEC. 719. Unless otherwise authorized by existing law, none of the funds provided in this Act, may be used by an executive branch agency to produce any prepackaged news story intended for broadcast or distribution

in the United States unless the story includes a clear notification within the text or audio of the prepackaged news story that the prepackaged news story was prepared or funded by that executive branch agency.

SEC. 720. No employee of the Department of Agriculture may be detailed or assigned from an agency or office funded by this Act or any other Act to any other agency or office of the Department for more than 60 days in a fiscal year unless the individual's employing agency or office is fully reimbursed by the receiving agency or office for the salary and expenses of the employee for the period of assignment.

SEC. 721. Not later than 30 days after the date of enactment of this Act, the Secretary of Agriculture, the Commissioner of the Food and Drug Administration, the Chairman of the Commodity Futures Trading Commission, and the Chairman of the Farm Credit Administration shall submit to the Committees on Appropriations of both Houses of Congress a detailed spending plan by program, project, and activity for all the funds made available under this Act including appropriated user fees, as defined in the report accompanying this Act.

SEC. 722. Of the unobligated balances from amounts made available to the Secretary of Agriculture in section 22002(a)(1) of Public Law 117-169, \$500,000,000 are hereby rescinded.

SEC. 723. For the purposes of determining eligibility or level of program assistance for Rural Development programs the Secretary shall not include incarcerated prison populations.

SEC. 724. For loans and loan guarantees that do not require budget authority and the program level has been established in this Act, the Secretary of Agriculture may increase the program level for such loans and loan guarantees by not more than 25 percent: *Provided*, That prior to the Secretary implementing such an increase, the Secretary notifies, in writing, the Committees on Appropriations of both Houses of Congress at least 15 days in advance.

SEC. 725. None of the credit card refunds or rebates transferred to the Working Capital Fund pursuant to section 729 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2002 (7 U.S.C. 2235a; Public Law 107-76) shall be available for obligation without written notification to, and the prior approval of, the Committees on Appropriations of both Houses of Congress: *Provided*, That the refunds or rebates so transferred shall be available for obligation only for the acquisition of property, plant and equipment, including equipment for the improvement, delivery, and implementation of Departmental financial management, information technology, and other support systems necessary for the delivery of financial, administrative, and information technology services, including cloud adoption and migration, of primary benefit to the agencies of the Department of Agriculture.

SEC. 726. For fiscal year 2024, the Secretary shall establish a process under which an establishment that is subject to examination and inspection under section 6 of the Federal Meat Inspection Act solely due to the establishment's processing of domestic, wild caught, invasive blue catfish (*Ictalurus furcatus*) solely for domestic consumption or use, may apply for a waiver of such examination and inspection requirements if the establishment is subject to inspection under the Seafood Hazard Analysis Critical Control Points Program of the Food and Drug Administration and the establishment attests that it applies existing Seafood Hazard Critical Control Points Program for all species processed at the establishment.

SEC. 727. None of the funds made available by this Act may be used to implement, ad-

minister, or enforce the "variety" requirements of the final rule entitled "Enhancing Retailer Standards in the Supplemental Nutrition Assistance Program (SNAP)" published by the Department of Agriculture in the Federal Register on December 15, 2016 (81 Fed. Reg. 90675) until the Secretary of Agriculture amends the definition of the term "variety" as defined in section 278.1(b)(1)(ii)(C) of title 7, Code of Federal Regulations, and "variety" as applied in the definition of the term "staple food" as defined in section 271.2 of title 7, Code of Federal Regulations, to increase the number of items that qualify as acceptable varieties in each staple food category so that the total number of such items in each staple food category exceeds the number of such items in each staple food category included in the final rule as published on December 15, 2016: *Provided*, That until the Secretary promulgates such regulatory amendments, the Secretary shall apply the requirements regarding acceptable varieties and breadth of stock to Supplemental Nutrition Assistance Program retailers that were in effect on the day before the date of the enactment of the Agricultural Act of 2014 (Public Law 113-79).

SEC. 728. Section 756 of division N of the Consolidated Appropriations Act, 2021 (7 U.S.C. 2254c), is amended by striking "each of fiscal years 2021 and 2022" and inserting "fiscal year 2021 and each fiscal year thereafter".

SEC. 729. In carrying out subsection (h) of section 502 of the Housing Act of 1949 (42 U.S.C. 1472), the Secretary of Agriculture shall have the same authority with respect to loans guaranteed under such section and eligible lenders for such loans as the Secretary has under subsections (h) and (j) of section 538 of such Act (42 U.S.C. 1490p-2) with respect to loans guaranteed under such section 538 and eligible lenders for such loans.

SEC. 730. None of the funds appropriated or otherwise made available by this Act shall be available for the United States Department of Agriculture to propose, finalize or implement any regulation that would promulgate new user fees pursuant to 31 U.S.C. 9701 after the date of the enactment of this Act.

SEC. 731. Of the unobligated balances from amounts made available for the supplemental nutrition program as authorized by section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786), \$500,000,000 are hereby rescinded: *Provided*, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to a Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 732. Notwithstanding any provision of law that regulates the calculation and payment of overtime and holiday pay for FSIS inspectors, the Secretary may charge establishments subject to the inspection requirements of the Poultry Products Inspection Act, 21 U.S.C. 451 et seq., the Federal Meat Inspection Act, 21 U.S.C. 601 et seq., and the Egg Products Inspection Act, 21 U.S.C. 1031 et seq., for the cost of inspection services provided outside of an establishment's approved inspection shifts, and for inspection services provided on Federal holidays: *Provided*, That any sums charged pursuant to this paragraph shall be deemed as overtime pay or holiday pay under section 1001(d) of the American Rescue Plan Act of 2021 (Public Law 117-2, 135 Stat. 242): *Provided further*, That sums received by the Secretary under this paragraph shall, in addition to other available funds, remain available until expended to the Secretary without further appropriation for the purpose of funding all costs associated with FSIS inspections.

SEC. 733. Of the unobligated balances from amounts made available to the Secretary of Agriculture in section 9003(j)(1) of the Farm Security and Rural Investment Act of 2002, \$1,000,000,000 are hereby rescinded.

SEC. 734. (a) The Secretary of Agriculture shall—

(1) conduct audits in a manner that evaluates the following factors in the country or region being audited, as applicable—

- (A) veterinary control and oversight;
- (B) disease history and vaccination practices;
- (C) livestock demographics and traceability;
- (D) epidemiological separation from potential sources of infection;
- (E) surveillance practices;
- (F) diagnostic laboratory capabilities; and
- (G) emergency preparedness and response; and

(2) promptly make publicly available the final reports of any audits or reviews conducted pursuant to subsection (1).

(b) This section shall be applied in a manner consistent with United States obligations under its international trade agreements.

SEC. 735. (a)(1) No Federal funds made available for this fiscal year for the rural water, waste water, waste disposal, and solid waste management programs authorized by sections 306, 306A, 306C, 306D, 306E, and 310B of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926 et seq.) shall be used for a project for the construction, alteration, maintenance, or repair of a public water or wastewater system unless all of the iron and steel products used in the project are produced in the United States.

(2) In this section, the term “iron and steel products” means the following products made primarily of iron or steel: lined or unlined pipes and fittings, manhole covers and other municipal castings, hydrants, tanks, flanges, pipe clamps and restraints, valves, structural steel, reinforced precast concrete, and construction materials.

(b) Subsection (a) shall not apply in any case or category of cases in which the Secretary of Agriculture (in this section referred to as the “Secretary”) or the designee of the Secretary finds that—

- (1) applying subsection (a) would be inconsistent with the public interest;
- (2) iron and steel products are not produced in the United States in sufficient and reasonably available quantities or of a satisfactory quality; or
- (3) inclusion of iron and steel products produced in the United States will increase the cost of the overall project by more than 25 percent.

(c) If the Secretary or the designee receives a request for a waiver under this section, the Secretary or the designee shall make available to the public on an informal basis a copy of the request and information available to the Secretary or the designee concerning the request, and shall allow for informal public input on the request for at least 15 days prior to making a finding based on the request. The Secretary or the designee shall make the request and accompanying information available by electronic means, including on the official public Internet Web site of the Department.

(d) This section shall be applied in a manner consistent with United States obligations under international agreements.

(e) The Secretary may retain up to 0.25 percent of the funds appropriated in this Act for “Rural Utilities Service—Rural Water and Waste Disposal Program Account” for carrying out the provisions described in subsection (a)(1) for management and oversight of the requirements of this section.

(f) Subsection (a) shall not apply with respect to a project for which the engineering

plans and specifications include use of iron and steel products otherwise prohibited by such subsection if the plans and specifications have received required approvals from State agencies prior to the date of enactment of this Act.

(g) For purposes of this section, the terms “United States” and “State” shall include each of the several States, the District of Columbia, and each Federally recognized Indian Tribe.

SEC. 736. None of the funds appropriated by this Act may be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before Congress, other than to communicate to Members of Congress as described in 18 U.S.C. 1913.

SEC. 737. None of the funds made available by this or any other Act thereafter may be used to write, prepare, or publish a proposed rule, final rule, or an interim final rule in furtherance of, or otherwise to implement or enforce the proposed rule entitled “Transparency in Poultry Grower Contracting and Tournaments,” published by the Department of Agriculture in the Federal Register on June 8, 2022 (87 Fed. Reg. 34980 et seq.), the advance notice of proposed rulemaking entitled “Poultry Growing Tournament Systems: Fairness and Related Concerns,” published by the Department of Agriculture in the Federal Register on June 8, 2022 (87 Fed. Reg. 34814) (also identified in the White House Office of Management and Budget’s Fall 2022 Unified Agenda of Regulatory and Deregulatory Actions as “Poultry Growing Tournament Systems: Fairness and Related Concerns—Harm to Competition (AMS-FTTP-22-0046),” RIN 0581-AE18), the proposed rule entitled “Inclusive Competition and Market Integrity Under the Packers and Stockyards Act,” published by the Department of Agriculture in the Federal Register on October 3, 2022 (87 Fed. Reg. 60010 et seq.), the rulemaking identified in the White House Office of Management and Budget’s Fall 2022 Unified Agenda of Regulatory and Deregulatory Actions as “Unfair Practices, Undue Preferences, and Harm to Competition Under the Packers and Stockyards Act (AMS-FTTP-21-0046),” RIN 0581-AE04, or any subsequent substantially similar rulemaking effort, except that funds may be used to, and the Secretary of Agriculture shall, withdraw or rescind any such proposed rules, advance notices of proposed rulemaking, and any such rules that may have been finalized.

SEC. 738. None of the funds appropriated or otherwise made available to the U.S. Department of Agriculture may be used to increase the number of positions in the Department (measured on a full-time equivalent basis) for which the primary duty station is located in the National Capital Region unless otherwise specified in the report accompanying this Act.

(1) The term “National Capital Region” means the District of Columbia; Montgomery and Prince George’s Counties of Maryland; and Arlington, Fairfax, Loudoun, and Prince William Counties of Virginia.

SEC. 739. (a) There is hereby appropriated \$2,000,000, to remain available until expended, for the Secretary of Agriculture to carry out no more than 5 pilot projects, under the terms and conditions determined by the Secretary for a period not to exceed 3 years and without increasing household benefit allotments as authorized by section 8 of the Food and Nutrition Act of 2008 (7 U.S.C. 2017), that allow the use of supplemental nutrition assistance program benefits to purchase only nutrient-dense foods and beverages (as defined in the 2020–2025 Dietary Guidelines for Americans), of which 1 or more of such projects shall be carried out before December 21, 2024.

(b) Not later than 6 months after the first pilot project under subsection (a) begins, the Secretary shall enter into a contract with the National Academies of Sciences, Engineering, and Medicine to—

- (1) evaluate the pilot project or projects carried out under subsection (a); and
- (2) provide the results of such evaluation not later than 18 months after the date of such contract.

SEC. 740. Of the total amounts made available by this Act for direct loans and grants under the following headings: “Rural Housing Service—Rural Housing Insurance Fund Program Account”; “Rural Housing Service—Mutual and Self-Help Housing Grants”; “Rural Housing Service—Rural Housing Assistance Grants”; “Rural Housing Service—Rural Community Facilities Program Account”; “Rural Business-Cooperative Service—Rural Business Program Account”; “Rural Business-Cooperative Service—Rural Economic Development Loans Program Account”; “Rural Business-Cooperative Service—Rural Cooperative Development Grants”; “Rural Business-Cooperative Service—Rural Microentrepreneur Assistance Program”; “Rural Utilities Service—Rural Water and Waste Disposal Program Account”; “Rural Utilities Service—Rural Electrification and Telecommunications Loans Program Account”; and “Rural Utilities Service—Distance Learning, Telemedicine, and Broadband Program”, to the maximum extent feasible, at least 10 percent of the funds shall be allocated for assistance in persistent poverty counties under this section, including, notwithstanding any other provision regarding population limits, any county seat of such a persistent poverty county that has a population that does not exceed the authorized population limit by more than 10 percent: *Provided*, That for purposes of this section, the term “persistent poverty counties” means any county that has had 20 percent or more of its population living in poverty over the past 30 years, as measured by the 1990 and 2000 decennial censuses, and 2007–2011 American Community Survey 5-year average, or any territory or possession of the United States: *Provided further*, That with respect to specific activities for which program levels have been made available by this Act that are not supported by budget authority, the requirements of this section shall be applied to such program level.

SEC. 741. There is rescinded the unobligated balances of amounts made available under section 1006 of the American Rescue Plan Act of 2021 (7 U.S.C. 2279 note).

SEC. 742. None of the funds made available by this Act may be used to notify a sponsor or otherwise acknowledge receipt of a submission for an exemption for investigational use of a drug or biological product under section 505(i) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(i)) or section 351(a)(3) of the Public Health Service Act (42 U.S.C. 262(a)(3)) in research in which a human embryo is intentionally created or modified to include a heritable genetic modification. Any such submission shall be deemed to have not been received by the Secretary, and the exemption may not go into effect.

SEC. 743. None of the funds made available by this or any other Act may be used to enforce the final rule promulgated by the Food and Drug Administration entitled “Standards for the Growing, Harvesting, Packing, and Holding of Produce for Human Consumption,” and published on November 27, 2015, with respect to the regulation of entities that grow, harvest, pack, or hold wine grapes, hops, pulse crops, or almonds.

SEC. 744. For school years 2023–2024 and 2024–2025, none of the funds made available

by this Act may be used to implement or enforce the matter following the first comma in the second sentence of footnote (c) of section 220.8(c) of title 7, Code of Federal Regulations, with respect to the substitution of vegetables for fruits under the school breakfast program established under section 4 of the Child Nutrition Act of 1966 (42 U.S.C. 1773).

SEC. 745. None of the funds made available by this Act or any other Act may be used—

(1) in contravention of section 7606 of the Agricultural Act of 2014 (7 U.S.C. 5940), subtitle G of the Agricultural Marketing Act of 1946, or section 10114 of the Agriculture Improvement Act of 2018; or

(2) to prohibit the transportation, processing, sale, or use of hemp, or seeds of such plant, that is grown or cultivated in accordance with section 7606 of the Agricultural Act of 2014 or subtitle G of the Agricultural Marketing Act of 1946, within or outside the State in which the hemp is grown or cultivated.

SEC. 746. The Secretary of Agriculture may waive the matching funds requirement under section 412(g) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7632(g)).

SEC. 747. The Secretary, as part of the report on foreign landholding required under the Agricultural Foreign Investment Disclosure Act (Public Law 95-460), shall report to Congress on foreign investments in agricultural land in the United States, including the impact foreign ownership has on family farms, rural communities, and the domestic food supply: *Provided*, That within 2 years after the enactment of this Act, the Secretary shall establish a streamlined process for electronic submission and retention of disclosures made under the Agricultural Foreign Investment Disclosure Act, including an internet database that contains disaggregated data from each disclosure submitted: *Provided further*, That all prior year disclosures of foreign investments in agricultural land in the United States are published in the database: *Provided further*, That the plan includes a process to ensure the protection of personally identifiable information and that all disclosures of foreign investments in agricultural land on the USDA website be disaggregated by: (1) in any case in which such foreign person is an individual, the citizenship of such foreign person; and (2) in any case in which such foreign person is not an individual or a government, the nature of the legal entity holding the interest, the country in which such foreign person is created or organized, and the principal place of business of such foreign person.

SEC. 748. There is rescinded the unobligated balances of amounts made available under section 22006 of Public Law 117-169 (136 Stat. 2021).

SEC. 749. (a) After the effective date of any final rule FDA publishes in connection with its proposed rule to update these requirements (87 Federal Register 59168, issued on September 29, 2022), manufacturers may also continue to comply with the previous requirements promulgated by the FDA for the implied nutrient content claim “healthy” through the “compliance date” FDA provides in the final rule.

(b) Any food product manufactured and labeled as “healthy” during the compliance period FDA provides in that final rule shall not be directly or indirectly subject to any state-law requirements that are not identical to either (i) the federal requirements for the implied nutrition content claim “healthy” that were in effect as of the date FDA issues the final rule, or (ii) the updated federal requirements that FDA promulgates in the final rule, assuming the updated requirements go into effect during the regulatory compliance period.

SEC. 750. Funds made available under title II of the Food for Peace Act (7 U.S.C. 1721 et seq.) may only be used to provide assistance to recipient nations if adequate monitoring and controls, as determined by the Administrator, are in place to ensure that emergency food aid is received by the intended beneficiaries in areas affected by food shortages and not diverted for unauthorized or inappropriate purposes.

SEC. 751. None of the funds made available by this Act may be used to procure raw or processed poultry products imported into the United States from the People's Republic of China for use in the school lunch program under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.), the Child and Adult Care Food Program under section 17 of such Act (42 U.S.C. 1766), the Summer Food Service Program for Children under section 13 of such Act (42 U.S.C. 1761), or the school breakfast program under the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.).

SEC. 752. (a) Subject to subsection (c), none of the funds made available by this Act may be used to finalize, issue, implement, administer, or enforce any rule, regulation, or order that, pursuant to any revisions to the whole grain requirements under section 246.10 of title 7, Code of Federal Regulations, required by such rule, regulation, or order, would reduce the availability of WIC-eligible breakfast cereals, including the rule entitled “Special Supplemental Nutrition Program for Women, Infants, and Children (WIC): Revisions to the WIC Food Packages” published by the Department of Agriculture in the Federal Register on November 21, 2022 (87 Fed. Reg. 71090).

(b) The Secretary of Agriculture shall carry out a study—

(1) on the revisions of such whole grain requirements pursuant to such rule; and

(2) that is representative of all States.

(c) If the study required under subsection (b) demonstrates that such revisions will not limit consumption due to marketplace availability or reduce the redemption of WIC-authorized breakfast cereal, beginning on the date on which the Secretary publishes the results of such study, the limitation under subsection (a) shall not apply.

SEC. 753. For school year 2024–2025, only a school food authority that had a negative balance in the nonprofit school food service account as of June 30, 2023, shall be required to establish a price for paid lunches in accordance with section 12(p) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1760(p)).

SEC. 754. None of the funds made available by this Act may be made available to support, directly or indirectly, the Wuhan Institute of Virology, or any laboratory owned or controlled by the governments of the People's Republic of China, the Republic of Cuba, the Islamic Republic of Iran, the Democratic People's Republic of Korea, the Russian Federation, the Bolivarian Republic of Venezuela under the regime of Nicolás Maduro Moros, or any other country determined by the Secretary of State to be a foreign adversary.

SEC. 755. Any funds made available by this or any other Act that the Secretary withholds pursuant to section 1668(g)(2) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5921(g)(2)), as amended, shall be available for grants for biotechnology risk assessment research: *Provided*, That the Secretary may transfer such funds among appropriations of the Department of Agriculture for purposes of making such grants.

SEC. 756. Notwithstanding any other provision of law, no funds available to the Department of Agriculture may be used to move

any staff office or any agency from the mission area in which it was located on August 1, 2018, to any other mission area or office within the Department in the absence of the enactment of specific legislation affirming such move.

SEC. 757. None of the funds made available by this Act may be used to carry out any program, project, or activity that promotes or advances Critical Race Theory or any concept associated with Critical Race Theory.

SEC. 758. The Secretary, acting through the Chief of the Natural Resources Conservation Service, may use funds appropriated under this Act or any other Act for the Watershed and Flood Prevention Operations Program and the Watershed Rehabilitation Program carried out pursuant to the Watershed Protection and Flood Prevention Act (16 U.S.C. 1001 et seq.), and for the Emergency Watershed Protection Program carried out pursuant to section 403 of the Agricultural Credit Act of 1978 (16 U.S.C. 2203) to provide technical services for such programs pursuant to section 1252(a)(1) of the Food Security Act of 1985 (16 U.S.C. 3851(a)(1)), notwithstanding subsection (c) of such section.

SEC. 759. In administering the pilot program established by section 779 of division A of the Consolidated Appropriations Act, 2018 (Public Law 115-141), the Secretary of Agriculture may, for purposes of determining entities eligible to receive assistance, consider those communities which are “Areas Rural in Character”: *Provided*, That not more than 10 percent of the funds made available under the heading “Distance Learning, Telemedicine, and Broadband Program” for the purposes of the pilot program established by section 779 of Public Law 115-141 may be used for this purpose.

SEC. 760. None of the funds made available by this Act may be used to pay the salaries or expenses of personnel—

(1) to inspect horses under section 3 of the Federal Meat Inspection Act (21 U.S.C. 603);

(2) to inspect horses under section 903 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 1901 note; Public Law 104-127); or

(3) to implement or enforce section 352.19 of title 9, Code of Federal Regulations (or a successor regulation).

SEC. 761. (a) The modifications made by the Food and Drug Administration on January 3, 2023 to the risk evaluation and mitigation strategy under section 505-1 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355-1) for mifepristone are hereby nullified.

(b) None of the funds made available by this Act may be used to establish, implement, or enforce—

(1) any provision of a risk evaluation and mitigation strategy under section 505-1 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355-1) for mifepristone that is substantially similar to any of the modifications nullified by subsection (a); or

(2) any non-enforcement or enforcement discretion policy for any provision of a risk evaluation and mitigation strategy under such section for mifepristone.

SEC. 762. None of the funds appropriated or otherwise made available by this Act may be used by FDA to develop, issue, promote, or advance any new guidelines or regulations applicable to food manufacturers for population-wide sodium reduction actions until the issuance of the 2025–2026 National Health and Nutrition Examination Survey (NHANES) survey that will show consumer sodium consumption after the completion of the short-term sodium reduction targets.

SEC. 763. Within 60 days of enactment of this Act the Secretary shall provide to the Committees a plan for expenditure that accelerates the continued implementation and expansion of the Farmers.gov application

and the Enterprise Data Analytics Platform and Toolset (EDAPT) to enable USDA users to: (1) view their information, complete transactions, quickly review the status, and update tabular customer information; (2) submit applications for Farm Production and Conservation programs and receive program payments for all USDA farm programs; (3) to complete their own applications, including electronic signatures and submission, for all farm programs that require direct application; (4) enable electronic income reporting between USDA and IRS; and (5) transition acreage reporting, farm records mapping, and farm records information to Farmers.gov: *Provided*, That the Farm Production and Conservation Business Center shall provide a roadmap for systems to be decommissioned and consolidated with Farmers.gov and EDAPT including, but not limited to, the Agriculture Risk Coverage (ARC) and Price Loss Coverage (PLC) programs, the Dairy Margin Coverage program, and the Farm Service Agency Emergency Relief Program.

SEC. 764. None of the funds appropriated or otherwise made available by this or any other Act may be used to implement, administer, apply, enforce, or carry out Executive Order 13985 of January 20, 2021 (86 Fed. Reg. 7009, relating to advancing racial equity and support for underserved communities through the Federal Government), or the U.S. Department of Agriculture's Equity Action Plan in Support of Executive Order 13985, or any Equity Action Plan created by the Food and Drug Administration, the Commodity Futures Trading Commission, or the Farm Credit Administration, or Executive Order 14035 of June 25, 2021 (86 Fed. Reg. 34593, relating to diversity, equity, inclusion, and accessibility in the Federal workforce), or Executive Order 14091 of February 16, 2023 (88 Fed. Reg. 10825, relating to further advancing racial equity and support for underserved communities through the Federal Government), or to create or establish an Office of the Chief Diversity and Inclusion Officer.

SEC. 765. The Secretary of Agriculture shall take such actions as may be necessary to prohibit the purchase of agricultural land located in the United States by non-resident aliens, foreign businesses, of any agent, trustee, or fiduciary associated with Russia, North Korea, Iran, or the Communist Party of China.

SEC. 766. Notwithstanding any other provision of law, during the period beginning on the date of enactment of this Act and ending on the last day of school year 2024-2025, the Secretary of Agriculture shall —

(1) allow flavored, low-fat fluid milk to be served —

(A) under the school lunch program established under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.);

(B) under the school breakfast program established under the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.);

(C) as a competitive food available on campus during the school day; and

(D) to children ages 5 years and older under the child and adult care food program established under section 17 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1766); and

(2) with respect to weekly sodium limitations to meals and supplements served during such period under the school lunch program established under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.) —

(A) exclude sodium used for food safety and functional purposes in cheese-making, as determined by the Secretary in consultation with the Commissioner of the Food and Drug Administration; and

(B) if a determination has not been made under subparagraph (A), apply the Target 1 sodium levels included in the final rule entitled “Nutrition Standards in the National School Lunch and School Breakfast Programs” published by the Department of Agriculture in the Federal Register on January 26, 2012 (77 Fed. Reg. 4087).

SEC. 767. None of the funds made available by this Act may be used to finalize, implement, administer, or enforce any rule that would reduce the maximum monthly allowance with respect to milk under section 246.10 of title 7, Code of Federal Regulations (as in effect on April 1, 2023), including the rule entitled “Special Supplemental Nutrition Program for Women, Infants, and Children (WIC): Revisions to the WIC Food Packages” published by the Department of Agriculture in the Federal Register on November 21, 2022 (87 Fed. Reg. 71090).

SEC. 768. None of the funds provided by this Act or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, may be used by the Secretary of Health and Human Services to finalize, issue, implement, administer, or enforce any rule, regulation, or order setting a tobacco product standard that mandates a maximum nicotine level for cigarettes.

SEC. 769. None of the funds provided by this Act, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, may be used by the Secretary of Health and Human Services to finalize, issue, or implement any rule, regulation, notice of proposed rulemaking, or order setting any tobacco product standard that would prohibit menthol as a characterizing flavor in cigarettes or prohibit characterizing flavors in all cigars and their components and parts.

SEC. 770. In this fiscal year and each fiscal year thereafter, and notwithstanding any other provision of law, none of the funds made available by this or any other Act may be used to implement section 3.7(f) of the Farm Credit Act of 1971 in a manner inconsistent with section 343(a)(13) of the Consolidated Farm and Rural Development Act.

SEC. 771. (a) For an additional amount for the Office of the Secretary, \$2,000,000, to remain available until expended, for the Secretary of Agriculture to carry out no more than 10 pilot projects, under the terms and conditions determined by the Secretary for a period not to exceed 2 years, that award grants to an Indian tribe; a tribal organization approved by an Indian tribe; a tribal educational agency; a consortium of Indian tribes; or a partnership between an Indian tribe and either a State educational agency, a local educational agency, a tribal educational agency, or the Bureau of Indian Education to operate and implement the school lunch program as authorized by the Richard B. Russell National School Lunch Act (42 U.S.C. 1769), the summer food service program as established under section 13 of the Richard B. Russell National School Lunch Act, the child and adult care food program as established by section 17 of the Richard B. Russell National School Lunch Act, or the school breakfast program established by the Child Nutrition Act of 1966 (42 U.S.C. 1773) in either a Bureau-funded school (as defined in section 1141 of the Education Amendments of 1978 (25 U.S.C. 2021)); a school (as defined in section 12(d) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1760 (d)) on or near an Indian reservation; or an early child care and education facility: *Provided*, That to carry out this pilot program each grant awarded shall be no less than \$10,000 and no more than \$100,000 for each school year and shall not in-

crease state administrative costs or the amount of benefits provided in any program: *Provided further*, That the term “Indian tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(b) Notwithstanding any other provision of law, a pilot project grant recipient shall be reimbursed for meals served under the school lunch program, the summer food service program, and the child and adult care food program as if the recipient were a State under the Richard B. Russell National School Lunch Act; and under the school breakfast program as if the recipient were a State educational agency.

(c) Not later than 1 year after the conclusion of the pilot program, the Secretary shall submit to Congress a report on the outcomes of the pilot program.

SEC. 772. None of the funds made available by this Act may be used by the Secretary of Agriculture, the Commissioner of Food and Drugs, the Chairman of the Commodity Futures Trading Commission, or the Chairman of the Farm Credit Administration to fly or display a flag over a facility of the Department of Agriculture, the Food and Drug Administration, the Commodity Futures Trading Commission, or the Farm Credit Administration other than the flag of the United States; the flag of a State, territory, or the District of Columbia; the flag of an Indian Tribal Government; the official flag of a U.S. Department or agency; or the POW/MIA flag.

SEC. 773. (a) In general.—Notwithstanding section 7 of title 1, United States Code, section 1738C of title 28, United States Code, or any other provision of law, none of the funds provided by this Act, or previous appropriations Acts, shall be used in whole or in part to take any discriminatory action against a person, wholly or partially, on the basis that such person speaks, or acts, in accordance with a sincerely held religious belief, or moral conviction, that marriage is, or should be recognized as, a union of one man and one woman.

(b) Discriminatory action defined.—As used in subsection (a), a discriminatory action means any action taken by the Federal Government to—

(1) alter in any way the Federal tax treatment of, or cause any tax, penalty, or payment to be assessed against, or deny, delay, or revoke an exemption from taxation under section 501(a) of the Internal Revenue Code of 1986 of, any person referred to in subsection (a);

(2) disallow a deduction for Federal tax purposes of any charitable contribution made to or by such person;

(3) withhold, reduce the amount or funding for, exclude, terminate, or otherwise make unavailable or deny, any Federal grant, contract, subcontract, cooperative agreement, guarantee, loan, scholarship, license, certification, accreditation, employment, or other similar position or status from or to such person;

(4) withhold, reduce, exclude, terminate, or otherwise make unavailable or deny, any entitlement or benefit under a Federal benefit program, including admission to, equal treatment in, or eligibility for a degree from an educational program, from or to such person; or

(5) withhold, reduce, exclude, terminate, or otherwise make unavailable or deny access or an entitlement to Federal property, facilities, educational institutions, speech fora (including traditional, limited, and non-public fora), or charitable fundraising campaigns from or to such person.

(c) Accreditation; Licensure; Certification.—The Federal Government shall consider accredited, licensed, or certified for

purposes of Federal law any person that would be accredited, licensed, or certified, respectively, for such purposes but for a determination against such person wholly or partially on the basis that the person speaks, or acts, in accordance with a sincerely held religious belief or moral conviction described in subsection (a).

SEC. 774. None of the funds made available by this Act may be used by the Food and Drug Administration to issue, promote, or advance any new guideline or regulation applicable to food manufacturers for *Listeria monocytogenes* (Lm) until the Food and Drug Administration, based on the available new science, incorporates into the Compliance Policy Guide (CPG), Guidance for FDA Staff, Sec. 555.320, a tolerance for *Listeria monocytogenes* in low-risk foods, meaning foods that do not support the growth of *Listeria monocytogenes*.

SEC. 775. The Secretary of Agriculture may not use unobligated balances available under section 22002(a)(1) of Public Law 117-169, after the application of the rescission under section 722 of this Act, to award grants under section 9007 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8107).

SPENDING REDUCTION ACCOUNT

SEC. 776. \$0.

This division may be cited as the “Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2024”.

DIVISION C

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2024

TITLE I

DEPARTMENT OF TRANSPORTATION

OFFICE OF THE SECRETARY

SALARIES AND EXPENSES

For necessary expenses of the Office of the Secretary, \$176,859,000 to remain available until September 30, 2025: *Provided*, That of the sums appropriated under this heading—

(1) \$3,569,000 shall be available for the immediate Office of the Secretary;

(2) \$1,277,000 shall be available for the immediate Office of the Deputy Secretary;

(3) \$28,089,000 shall be available for the Office of the General Counsel;

(4) \$22,769,000 shall be available for the Office of the Under Secretary of Transportation for Policy, of which \$7,300,000 is for the Office for Multimodal Freight Infrastructure and Policy;

(5) \$21,026,000 shall be available for the Office of the Assistant Secretary for Budget and Programs;

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

(7) \$41,399,000 shall be available for the Office of the Assistant Secretary for Administration;

(8) \$2,093,000 shall be available for the Office of Public Affairs and Public Engagement;

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

(10) \$15,533,000 shall be available for the Office of Intelligence, Security, and Emergency Response;

(11) \$33,195,000 shall be available for the Office of the Chief Information Officer; and

(12) \$1,629,000 shall be available for the Office of Tribal Government Affairs:

Provided further, That the Secretary of Transportation (referred to in this title as the “Secretary”) is authorized to transfer funds appropriated for any office of the Office of the Secretary to any other office of the Office of the Secretary: *Provided further*, That no appropriation for any office shall be

increased or decreased by more than 7 percent by all such transfers: *Provided further*, That notice of any change in funding greater than 7 percent shall be submitted for approval to the House and Senate Committees on Appropriations: *Provided further*, That not to exceed \$10,000 shall be for allocation within the Department for official reception and representation expenses as the Secretary may determine: *Provided further*, That notwithstanding any other provision of law, there may be credited to this appropriation up to \$2,500,000 in funds received in user fees.

RESEARCH AND TECHNOLOGY

For necessary expenses related to the Office of the Assistant Secretary for Research and Technology, \$41,713,000, of which \$30,259,000 shall remain available until expended: *Provided*, That there may be credited to this appropriation, to be available until expended, funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training: *Provided further*, That any reference in law, regulation, judicial proceedings, or elsewhere to the Research and Innovative Technology Administration shall continue to be deemed to be a reference to the Office of the Assistant Secretary for Research and Technology of the Department of Transportation.

NATIONAL SURFACE TRANSPORTATION AND INNOVATIVE FINANCE BUREAU

For necessary expenses of the National Surface Transportation and Innovative Finance Bureau as authorized by 49 U.S.C. 116, \$10,550,000, to remain available until expended: *Provided*, That the Secretary may collect and spend fees, as authorized by title 23, United States Code, to cover the costs of services of expert firms, including counsel, in the field of municipal and project finance to assist in the underwriting and servicing of Federal credit instruments and all or a portion of the costs to the Federal Government of servicing such credit instruments: *Provided further*, That such fees are available until expended to pay for such costs: *Provided further*, That such amounts are in addition to other amounts made available for such purposes and are not subject to any obligation limitation or the limitation on administrative expenses under section 608 of title 23, United States Code.

RAILROAD REHABILITATION AND IMPROVEMENT FINANCING PROGRAM

The Secretary is authorized to issue direct loans and loan guarantees pursuant to chapter 224 of title 49, United States Code, and such authority shall exist as long as any such direct loan or loan guarantee is outstanding.

FINANCIAL MANAGEMENT CAPITAL

For necessary expenses for upgrading and enhancing the Department of Transportation's financial systems and re-engineering business processes, \$5,000,000, to remain available through September 30, 2025.

CYBER SECURITY INITIATIVES

For necessary expenses for cyber security initiatives, including necessary upgrades to network and information technology infrastructure, improvement of identity management and authentication capabilities, securing and protecting data, implementation of Federal cyber security initiatives, and implementation of enhanced security controls on agency computers and mobile devices, \$49,000,000, to remain available until September 30, 2025.

OFFICE OF CIVIL RIGHTS

For necessary expenses of the Office of Civil Rights, \$14,800,000.

TRANSPORTATION PLANNING, RESEARCH, AND DEVELOPMENT

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for conducting transportation planning, research, systems development, development activities, and making grants, \$25,017,000, to remain available until expended: *Provided*, That of such amount, \$8,517,000 shall be for necessary expenses of the Interagency Infrastructure Permitting Improvement Center (IIPIC): *Provided further*, That there may be transferred to this appropriation, to remain available until expended, amounts transferred from other Federal agencies for expenses incurred under this heading for IIPIC activities not related to transportation infrastructure: *Provided further*, That the tools and analysis developed by the IIPIC shall be available to other Federal agencies for the permitting and review of major infrastructure projects not related to transportation only to the extent that other Federal agencies provide funding to the Department in accordance with the preceding proviso.

WORKING CAPITAL FUND

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for operating costs and capital outlays of the Working Capital Fund, not to exceed \$522,165,000, shall be paid from appropriations made available to the Department of Transportation: *Provided*, That such services shall be provided on a competitive basis to entities within the Department of Transportation: *Provided further*, That the limitation in the preceding proviso on operating expenses shall not apply to entities external to the Department of Transportation or for funds provided in Public Law 117-58: *Provided further*, That no funds made available by this Act to an agency of the Department shall be transferred to the Working Capital Fund without majority approval of the Working Capital Fund Steering Committee and approval of the Secretary: *Provided further*, That no assessments may be levied against any program, budget activity, subactivity, or project funded by this Act unless notice of such assessments and the basis therefor are presented to the House and Senate Committees on Appropriations and are approved by such Committees.

SMALL AND DISADVANTAGED BUSINESS UTILIZATION AND OUTREACH

For necessary expenses for small and disadvantaged business utilization and outreach activities, \$5,000,000, to remain available until September 30, 2025: *Provided*, That notwithstanding section 332 of title 49, United States Code, such amounts may be used for business opportunities related to any mode of transportation: *Provided further*, That appropriations made available under this heading shall be available for any purpose consistent with prior year appropriations that were made available under the heading “Office of the Secretary—Minority Business Resource Center Program”.

PAYMENTS TO AIR CARRIERS

(AIRPORT AND AIRWAY TRUST FUND)

In addition to funds made available from any other source to carry out the essential air service program under sections 41731 through 41742 of title 49, United States Code, \$348,554,000, to be derived from the Airport and Airway Trust Fund, to remain available until expended: *Provided*, That in determining between or among carriers competing to provide service to a community, the Secretary may consider the relative subsidy requirements of the carriers: *Provided further*, That basic essential air service minimum requirements shall not include the 15-passenger capacity requirement under section 41732(b)(3) of title 49, United States

Code: *Provided further*, That amounts authorized to be distributed for the essential air service program under section 41742(b) of title 49, United States Code, shall be made available immediately from amounts otherwise provided to the Administrator of the Federal Aviation Administration: *Provided further*, That the Administrator may reimburse such amounts from fees credited to the account established under section 45303 of title 49, United States Code: *Provided further*, That, notwithstanding section 41733 of title 49, United States Code, for fiscal year 2024, the requirements established under subparagraphs (B) and (C) of section 41731(a)(1) of title 49, United States Code, and the subsidy cap established by section 332 of the Department of Transportation and Related Agencies Appropriations Act, 2000, shall not apply to maintain eligibility under section 41731 of title 49, United States Code.

ADMINISTRATIVE PROVISIONS—OFFICE OF THE
SECRETARY OF TRANSPORTATION
(INCLUDING RESCISSION OF FUNDS)
(INCLUDING TRANSFER OF FUNDS)

SEC. 101. None of the funds made available by this Act to the Department of Transportation may be obligated for the Office of the Secretary of Transportation to approve assessments or reimbursable agreements pertaining to funds appropriated to the operating administrations in this Act, except for activities underway on the date of enactment of this Act, unless such assessments or agreements have completed the normal reprogramming process for congressional notification.

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

SEC. 103. In addition to authority provided by section 327 of title 49, United States Code, the Department's Working Capital Fund is authorized to provide partial or full payments in advance and accept subsequent reimbursements from all Federal agencies from available funds for transit benefit distribution services that are necessary to carry out the Federal transit pass transportation fringe benefit program under Executive Order No. 13150 and section 3049 of SAFETEA-LU (5 U.S.C. 7905 note): *Provided*, That the Department shall maintain a reasonable operating reserve in the Working Capital Fund, to be expended in advance to provide uninterrupted transit benefits to Government employees: *Provided further*, That such reserve shall not exceed 1 month of benefits payable and may be used only for the purpose of providing for the continuation of transit benefits: *Provided further*, That the Working Capital Fund shall be fully reimbursed by each customer agency from available funds for the actual cost of the transit benefit.

SEC. 104. Receipts collected in the Department's Working Capital Fund, as authorized by section 327 of title 49, United States Code, for unused transit and van pool benefits, in an amount not to exceed 10 percent of fiscal year 2024 collections, shall be available until expended in the Department's Working Capital Fund to provide contractual services in support of section 189 of this Act: *Provided*, That obligations in fiscal year 2024 of such collections shall not exceed \$1,000,000.

SEC. 105. None of the funds in this title may be obligated or expended for retention or senior executive bonuses for an employee of the Department of Transportation without the prior written approval of the Assistant Secretary for Administration.

SEC. 106. In addition to authority provided by section 327 of title 49, United States Code,

the Department's Administrative Working Capital Fund is hereby authorized to transfer information technology equipment, software, and systems from Departmental sources or other entities and collect and maintain a reserve at rates which will return full cost of transferred assets.

SEC. 107. None of the funds provided in this Act to the Department of Transportation may be used to provide credit assistance unless not less than 3 days before any application approval to provide credit assistance under sections 603 and 604 of title 23, United States Code, the Secretary provides notification in writing to the following committees: the House and Senate Committees on Appropriations; the Committee on Environment and Public Works and the Committee on Banking, Housing and Urban Affairs of the Senate; and the Committee on Transportation and Infrastructure of the House of Representatives: *Provided*, That such notification shall include, but not be limited to, the name of the project sponsor; a description of the project; whether credit assistance will be provided as a direct loan, loan guarantee, or line of credit; and the amount of credit assistance.

SEC. 108. Of the unobligated balances from amounts made available for "Railroad Rehabilitation and Improvement Financing Program" in title I of division L of the Consolidated Appropriations Act, 2022 (Public Law 117-103), \$8,948,237.30 is hereby permanently rescinded.

SEC. 109. With respect to amounts provided under the heading "National Infrastructure Investments" in title VIII of division J of the Infrastructure Investment and Jobs Act (Public Law 117-58) for fiscal year 2024 to carry out section 6702 of title 49, United States Code, the set aside for historically disadvantaged communities or areas of persistent poverty under subsection (f)(2) of such section shall be treated as not less than 5 percent for fiscal year 2024.

SEC. 109A. The Secretary of Transportation may transfer amounts awarded to a Federally recognized Tribe under a funding agreement entered into under part 29 of title 49, Code of Federal Regulations, from the Department of Transportation's Operating Administrations to the Office of Tribal Government Affairs: *Provided*, That any amounts retroceded or reassumed under such part may be transferred back to the appropriate Operating Administration.

FEDERAL AVIATION ADMINISTRATION
OPERATIONS
(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses of the Federal Aviation Administration, not otherwise provided for, including operations and research activities related to commercial space transportation, administrative expenses for research and development, establishment of air navigation facilities, the operation (including leasing) and maintenance of aircraft, subsidizing the cost of aeronautical charts and maps sold to the public, the lease or purchase of passenger motor vehicles for replacement only, \$12,729,627,000, to remain available until September 30, 2025, of which \$8,740,627,000 to be derived from the Airport and Airway Trust Fund: *Provided*, That of the amounts made available under this heading—

(1) not less than \$1,745,532,000 shall be available for aviation safety activities;

(2) \$9,439,068,000 shall be available for air traffic organization activities;

(3) \$47,018,000 shall be available for commercial space transportation activities;

(4) \$949,376,000 shall be available for finance and management activities;

(5) \$70,097,000 shall be available for NextGen and operations planning activities;

(6) \$163,951,000 shall be available for security and hazardous materials safety activities; and

(7) \$314,585,000 shall be available for staff offices:

Provided further, That not to exceed 5 percent of any budget activity, except for aviation safety budget activity, may be transferred to any budget activity under this heading: *Provided further*, That no transfer may increase or decrease any appropriation under this heading by more than 5 percent: *Provided further*, That any transfer in excess of 5 percent shall be treated as a reprogramming of funds under section 405 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: *Provided further*, That not later than 60 days after the submission of the budget request, the Administrator of the Federal Aviation Administration shall transmit to Congress an annual update to the report submitted to Congress in December 2004 pursuant to section 221 of the Vision 100-Century of Aviation Reauthorization Act (49 U.S.C. 40101 note): *Provided further*, That the amounts made available under this heading shall be reduced by \$100,000 for each day after 60 days after the submission of the budget request that such report has not been transmitted to Congress: *Provided further*, That not later than 60 days after the submission of the budget request, the Administrator shall transmit to Congress a companion report that describes a comprehensive strategy for staffing, hiring, and training flight standards and aircraft certification staff in a format similar to the one utilized for the controller staffing plan, including stated attrition estimates and numerical hiring goals by fiscal year: *Provided further*, That the amounts made available under this heading shall be reduced by \$100,000 for each day after the date that is 60 days after the submission of the budget request that such report has not been submitted to Congress: *Provided further*, That funds may be used to enter into a grant agreement with a nonprofit standard-setting organization to assist in the development of aviation safety standards: *Provided further*, That none of the funds made available by this Act shall be available for new applicants for the second career training program: *Provided further*, That none of the funds made available by this Act shall be available for the Federal Aviation Administration to finalize or implement any regulation that would promulgate new aviation user fees not specifically authorized by law after the date of the enactment of this Act: *Provided further*, That there may be credited to this appropriation, as offsetting collections, funds received from States, counties, municipalities, foreign authorities, other public authorities, and private sources for expenses incurred in the provision of agency services, including receipts for the maintenance and operation of air navigation facilities, and for issuance, renewal or modification of certificates, including airman, aircraft, and repair station certificates, or for tests related thereto, or for processing major repair or alteration forms: *Provided further*, That of the amounts made available under this heading, not less than \$194,000,000 shall be used to fund direct operations of the current air traffic control towers in the contract tower program, including the contract tower cost share program, and any airport that is currently qualified or that will qualify for the program during the fiscal year: *Provided further*, That none of the funds made available by this Act for aeronautical charting and cartography are available for activities conducted by, or coordinated through, the Working Capital Fund: *Provided further*, That none of the funds appropriated or otherwise made available by this Act or any other Act

may be used to eliminate the Contract Weather Observers program at any airport.

FACILITIES AND EQUIPMENT

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for acquisition, establishment, technical support services, improvement by contract or purchase, and hire of national airspace systems and experimental facilities and equipment, as authorized under part A of subtitle VII of title 49, United States Code, including initial acquisition of necessary sites by lease or grant; engineering and service testing, including construction of test facilities and acquisition of necessary sites by lease or grant; construction and furnishing of quarters and related accommodations for officers and employees of the Federal Aviation Administration stationed at remote localities where such accommodations are not available; and the purchase, lease, or transfer of aircraft from funds made available under this heading, including aircraft for aviation regulation and certification; to be derived from the Airport and Airway Trust Fund, \$2,972,949,000, of which \$617,020,000 is for personnel and related expenses and shall remain available until September 30, 2025; \$2,330,929,000 shall remain available until September 30, 2026; and \$25,000,000 shall remain available until expended: *Provided*, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred in the establishment, improvement, and modernization of national airspace systems: *Provided further*, That not later than 60 days after submission of the budget request, the Secretary of Transportation shall transmit to the Congress an investment plan for the Federal Aviation Administration which includes funding for each budget line item for fiscal years 2025 through 2029, with total funding for each year of the plan constrained to the funding targets for those years as estimated and approved by the Office of Management and Budget: *Provided further*, That section 405 of this Act shall apply to amounts made available under this heading in title VIII of the Infrastructure Investment and Jobs Act (division J of Public Law 117-58).

RESEARCH, ENGINEERING, AND DEVELOPMENT

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for research, engineering, and development, as authorized under part A of subtitle VII of title 49, United States Code, including construction of experimental facilities and acquisition of necessary sites by lease or grant, \$196,050,000, to be derived from the Airport and Airway Trust Fund and to remain available until September 30, 2026: *Provided*, That there may be credited to this appropriation as offsetting collections, funds received from States, counties, municipalities, other public authorities, and private sources, which shall be available for expenses incurred for research, engineering, and development: *Provided further*, That amounts made available under this heading shall be used in accordance with the Report accompanying this Act: *Provided further*, That not to exceed 10 percent of any funding level specified under this heading in the Report accompanying this Act may be transferred to any other funding level specified under this heading in the Report accompanying this Act: *Provided further*, That no transfer may increase or decrease any funding level by more than 10 percent: *Provided further*, That any transfer in excess of 10 percent shall be treated as a reprogramming of funds under section 405 of this Act and shall not be available for obligation or expenditure except in compliance with the proce-

dures set forth in that section: *Provided further*, That any activity carried out using funds made available under this heading for counter-unmanned aerial systems research, testing, and evaluation may be carried out notwithstanding section 46502 of title 49, United States Code, or sections 32, 1030, or 1367 and chapters 119 and 206 of title 18 of such code.

GRANTS-IN-AID FOR AIRPORTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(AIRPORT AND AIRWAY TRUST FUND)

(INCLUDING TRANSFER OF FUNDS)

For liquidation of obligations incurred for grants-in-aid for airport planning and development, and noise compatibility planning and programs as authorized under subchapter I of chapter 471 and subchapter I of chapter 475 of title 49, United States Code, and under other law authorizing such obligations; for procurement, installation, and commissioning of runway incursion prevention devices and systems at airports of such title; for grants authorized under section 41743 of title 49, United States Code; and for inspection activities and administration of airport safety programs, including those related to airport operating certificates under section 44706 of title 49, United States Code, \$3,350,000,000, to be derived from the Airport and Airway Trust Fund and to remain available until expended: *Provided*, That none of the amounts made available under this heading shall be available for the planning or execution of programs the obligations for which are in excess of \$3,350,000,000, in fiscal year 2024, notwithstanding section 47117(g) of title 49, United States Code: *Provided further*, That none of the amounts made available under this heading shall be available for the replacement of baggage conveyor systems, reconfiguration of terminal baggage areas, or other airport improvements that are necessary to install bulk explosive detection systems: *Provided further*, That notwithstanding section 47109(a) of title 49, United States Code, the Government's share of allowable project costs under paragraph (2) of such section for subgrants or paragraph (3) of such section shall be 95 percent for a project at other than a large or medium hub airport that is a successive phase of a multi-phased construction project for which the project sponsor received a grant in fiscal year 2011 for the construction project: *Provided further*, That notwithstanding any other provision of law, of amounts limited under this heading, not less than \$157,475,000 shall be available for administration, \$15,000,000 shall be available for the Airport Cooperative Research Program, \$41,801,000 shall be available for Airport Technology Research, and \$10,000,000, to remain available until expended, shall be available and transferred to "Office of the Secretary, Salaries and Expenses" to carry out the Small Community Air Service Development Program: *Provided further*, That in addition to airports eligible under section 41743 of title 49, United States Code, such program may include the participation of an airport that serves a community or consortium that is not larger than a small hub airport, according to FAA hub classifications effective at the time the Office of the Secretary issues a request for proposals.

GRANTS-IN-AID FOR AIRPORTS

For an additional amount for "Grants-In-Aid for Airports", to enable the Secretary of Transportation to make grants for projects as authorized by subchapter 1 of chapter 471 and subchapter 1 of chapter 475 of title 49, United States Code, \$303,921,257 to remain available through September 30, 2026: *Provided*, That amounts made available under this heading shall be derived from the gen-

eral fund, and such funds shall not be subject to apportionment formulas, special apportionment categories, or minimum percentages under chapter 471 of title 49, United States Code: *Provided further*, That the sums appropriated under this heading shall be made available for the purposes, and in amounts, specified for Community Project Funding in the table entitled "Community Project Funding" included in the Report accompanying this Act.

ADMINISTRATIVE PROVISIONS—FEDERAL AVIATION ADMINISTRATION

SEC. 110. None of the funds made available by this Act may be used to compensate in excess of 600 technical staff-years under the federally funded research and development center contract between the Federal Aviation Administration and the Center for Advanced Aviation Systems Development during fiscal year 2024.

SEC. 111. None of the funds made available by this Act shall be used to pursue or adopt guidelines or regulations requiring airport sponsors to provide to the Federal Aviation Administration without cost building construction, maintenance, utilities and expenses, or space in airport sponsor-owned buildings for services relating to air traffic control, air navigation, or weather reporting: *Provided*, That the prohibition on the use of funds in this section does not apply to negotiations between the agency and airport sponsors to achieve agreement on "below-market" rates for these items or to grant assurances that require airport sponsors to provide land without cost to the Federal Aviation Administration for air traffic control facilities.

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

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

SEC. 114. None of the funds made available by this Act shall be available for paying premium pay under section 5546(a) of title 5, United States Code, to any Federal Aviation Administration employee unless such employee actually performed work during the time corresponding to such premium pay.

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

SEC. 116. Notwithstanding any other provision of law, none of the funds made available under this Act or any prior Act may be used to implement or to continue to implement any limitation on the ability of any owner or operator of a private aircraft to obtain, upon a request to the Administrator of the Federal Aviation Administration, a blocking of that owner's or operator's aircraft registration number, Mode S transponder code, flight identification, call sign, or similar identifying information from any ground based display to the public that would allow the real-time or near real-time flight tracking of that aircraft's movements, except data made available to a Government agency, for the noncommercial flights of that owner or operator.

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

expenses of more than nine political and Presidential appointees in the Federal Aviation Administration.

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

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

SEC. 119A. None of the funds made available by or limited by this Act may be used to change weight restrictions or prior permission rules at Teterboro airport in Teterboro, New Jersey.

SEC. 119B. None of the funds made available by this Act may be used by the Administrator of the Federal Aviation Administration to withhold from consideration and approval any new application for participation in the Contract Tower Program, or for reevaluation of Cost-share Program participants so long as the Federal Aviation Administration has received an application from the airport, and so long as the Administrator determines such tower is eligible using the factors set forth in Federal Aviation Administration published establishment criteria.

SEC. 119C. None of the funds made available by this Act may be used to open, close, redesignate as a lesser office, or reorganize a regional office, the aeronautical center, or the technical center unless the Administrator submits a request for the reprogramming of funds under section 405 of this Act.

SEC. 119D. The Federal Aviation Administration Administrative Services Franchise Fund may be reimbursed after performance or paid in advance from funds available to the Federal Aviation Administration and other Federal agencies for which the Fund performs services.

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

(1) during the period of time beginning on October 5, 2018 and ending on December 31, 2021; or

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

SEC. 119F. Of the funds provided under the heading "Grants-in-aid for Airports", up to \$3,500,000 shall be for necessary expenses, including an independent verification regime, to provide reimbursement to airport sponsors that do not provide gateway operations and providers of general aviation ground support services, or other aviation tenants, located at those airports closed during a temporary flight restriction (TFR) for any residence of the President that is designated or identified to be secured by the United States Secret Service, and for direct and incremental financial losses incurred while such airports are closed solely due to the actions of the Federal Government: *Provided*, That no funds shall be obligated or distributed to airport sponsors that do not provide gateway operations and providers of general aviation ground support services until an independent audit is completed: *Provided further*, That

losses incurred as a result of violations of law, or through fault or negligence, of such operators and service providers or of third parties (including airports) are not eligible for reimbursements: *Provided further*, That obligation and expenditure of funds are conditional upon full release of the United States Government for all claims for financial losses resulting from such actions.

FEDERAL HIGHWAY ADMINISTRATION
LIMITATION ON ADMINISTRATIVE EXPENSES
(HIGHWAY TRUST FUND)
(INCLUDING TRANSFER OF FUNDS)

Not to exceed \$483,551,671 together with advances and reimbursements received by the Federal Highway Administration, shall be obligated for necessary expenses for administration and operation of the Federal Highway Administration: *Provided*, That in addition, \$3,248,000 shall be transferred to the Appalachian Regional Commission in accordance with section 104(a) of title 23, United States Code.

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

Funds available for the implementation or execution of authorized Federal-aid highway and highway safety construction programs shall not exceed total obligations of \$60,095,782,888 for fiscal year 2024: *Provided*, That the limitation on obligations under this heading shall only apply to contract authority authorized from the Highway Trust Fund (other than the Mass Transit Account), unless otherwise specified in law.

(LIQUIDATION OF CONTRACT AUTHORIZATION)
(HIGHWAY TRUST FUND)

For the payment of obligations incurred in carrying out authorized Federal-aid highway and highway safety construction programs, \$60,834,782,888 shall be derived from the Highway Trust Fund (other than the Mass Transit Account), to remain available until expended.

HIGHWAY INFRASTRUCTURE PROGRAMS
(INCLUDING TRANSFER OF FUNDS)

There is hereby appropriated to the Secretary \$1,361,627,349: *Provided*, That the funds made available under this heading shall be derived from the general fund, shall be in addition to any funds provided for fiscal year 2024 in this or any other Act for: (1) "Federal-aid Highways" under chapter 1 of title 23, United States Code; or (2) activities eligible under the Tribal Transportation Program under section 202 of such title, and shall not affect the distribution or amount of funds provided in any other Act: *Provided further*, That section 11101(e) of Public Law 117-58 shall apply to funds made available under this heading: *Provided further*, That amounts made available under this heading shall be available until September 30, 2027, and shall not be subject to any limitation on obligations for Federal-aid highways or highway safety construction programs set forth in any Act making annual appropriations: *Provided further*, That of the sums made available under this heading—

(1) \$1,211,627,349 shall be for the purposes, and in the amounts, specified for Community Project Funding in the table entitled "Community Project Funding" included in the Report accompanying this Act: *Provided*, That, except as otherwise provided under this heading, the funds made available under this paragraph shall be administered as if apportioned under chapter 1 of title 23, United States Code: *Provided further*, That funds made available under this paragraph that are used for Tribal projects shall be administered as if allocated under chapter 2 of title 23, United States Code, except that the set-

asides described in subparagraph (C) of section 202(b)(3) of title 23, United States Code, and subsections (a)(6), (c), and (e) of section 202 of such title, and section 1123(h)(1) of MAP-21 (as amended by Public Law 117-58), shall not apply to such funds; and

(2) \$150,000,000 shall be available for activities eligible under the Tribal Transportation Program, as described in section 202 of title 23, United States Code: *Provided*, That, except as otherwise provided under this heading, the funds made available under this paragraph shall be administered as if allocated under chapter 2 of title 23, United States Code: *Provided further*, That the set-asides described in subparagraph (C) of section 202(b)(3) of title 23, United States Code, and subsections (a)(6), (c), (d), and (e) of section 202 of such title shall not apply to funds made available under this paragraph: *Provided further*, That the set-aside described in section 1123(h)(1) of MAP-21 (as amended by Public Law 117-58), shall not apply to such funds.

ADMINISTRATIVE PROVISIONS—FEDERAL
HIGHWAY ADMINISTRATION
(INCLUDING RESCISSION OF FUNDS)

SEC. 120. (a) For fiscal year 2024, the Secretary of Transportation shall—

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

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

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

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

(A) made available from the Highway Trust Fund (other than the Mass Transit Account) for Federal-aid highway and highway safety construction programs for previous fiscal years the funds for which are allocated by the Secretary (or apportioned by the Secretary under section 202 or 204 of title 23, United States Code); and

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

(3) determine the proportion that—

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

(B) the total of the sums authorized to be appropriated for the Federal-aid highway and highway safety construction programs (other than sums authorized to be appropriated for provisions of law described in paragraphs (1) through (11) of subsection (b) and sums authorized to be appropriated for section 119 of title 23, United States Code, equal to the amount referred to in subsection (b)(12) for such fiscal year), less the aggregate of the amounts not distributed under paragraphs (1) and (2) of this subsection;

(4) distribute the obligation limitation for Federal-aid highways, less the aggregate amounts not distributed under paragraphs (1) and (2), for each of the programs (other than programs to which paragraph (1) applies) that are allocated by the Secretary under authorized Federal-aid highway and highway safety construction programs, or apportioned by the Secretary under section 202 or 204 of title 23, United States Code, by multiplying—

(A) the proportion determined under paragraph (3); by

(B) the amounts authorized to be appropriated for each such program for such fiscal year; and

(5) distribute the obligation limitation for Federal-aid highways, less the aggregate amounts not distributed under paragraphs

(1) and (2) and the amounts distributed under paragraph (4), for Federal-aid highway and highway safety construction programs that are apportioned by the Secretary under title 23, United States Code (other than the amounts apportioned for the National Highway Performance Program in section 119 of title 23, United States Code, that are exempt from the limitation under subsection (b)(12) and the amounts apportioned under sections 202 and 204 of that title) in the proportion that—

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

(B) the total of the amounts authorized to be appropriated for the programs that are apportioned under title 23, United States Code, to all States for such fiscal year.

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

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

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

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

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

(5) subsections (b) and (c) of section 149 of the Surface Transportation and Uniform Relocation Assistance Act of 1987 (101 Stat. 198);

(6) sections 1103 through 1108 of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2027);

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

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

(9) Federal-aid highway programs for which obligation authority was made available under the Transportation Equity Act for the 21st Century (112 Stat. 107) or subsequent Acts for multiple years or to remain available until expended, but only to the extent that the obligation authority has not lapsed or been used;

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

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

(12) section 119 of title 23, United States Code (but, for each of fiscal years 2013 through 2024, only in an amount equal to \$639,000,000).

(c) REDISTRIBUTION OF UNUSED OBLIGATION AUTHORITY.—Notwithstanding subsection (a), the Secretary shall, after August 1 of such fiscal year—

(1) revise a distribution of the obligation limitation made available under subsection (a) if an amount distributed cannot be obligated during that fiscal year; and

(2) redistribute sufficient amounts to those States able to obligate amounts in addition to those previously distributed during that fiscal year, giving priority to those States having large unobligated balances of funds apportioned under sections 144 (as in effect on the day before the date of enactment of Public Law 112-141) and 104 of title 23, United States Code.

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

(1) IN GENERAL.—Except as provided in paragraph (2), the obligation limitation for Federal-aid highways shall apply to contract authority for transportation research programs carried out under—

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

(B) title VI of the Fixing America's Surface Transportation Act; and

(C) title III of division A of the Infrastructure Investment and Jobs Act (Public Law 117-58).

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

(A) remain available for a period of 4 fiscal years; and

(B) be in addition to the amount of any limitation imposed on obligations for Federal-aid highway and highway safety construction programs for future fiscal years.

(e) REDISTRIBUTION OF CERTAIN AUTHORIZED FUNDS.—

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

(A) are authorized to be appropriated for such fiscal year for Federal-aid highway programs; and

(B) the Secretary determines will not be allocated to the States (or will not be apportioned to the States under section 204 of title 23, United States Code), and will not be available for obligation, for such fiscal year because of the imposition of any obligation limitation for such fiscal year.

(2) RATIO.—Funds shall be distributed under paragraph (1) in the same proportion as the distribution of obligation authority under subsection (a)(5).

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

SEC. 121. Notwithstanding 31 U.S.C. 3302, funds received by the Bureau of Transportation Statistics from the sale of data products, for necessary expenses incurred pursuant to chapter 63 of title 49, United States Code, may be credited to the Federal-aid highways account for the purpose of reimbursing the Bureau for such expenses.

SEC. 122. Not less than 15 days prior to waiving, under his or her statutory authority, any Buy America requirement for Federal-aid highways projects, the Secretary of Transportation shall make an informal public notice and comment opportunity on the intent to issue such waiver and the reasons therefor: *Provided*, That the Secretary shall post on a website any waivers granted under the Buy America requirements.

SEC. 123. None of the funds made available in this Act may be used to make a grant for a project under section 117 of title 23, United States Code, unless the Secretary, at least 60 days before making a grant under that section, provides written notification to the House and Senate Committees on Appropriations of the proposed grant, including an evaluation and justification for the project and the amount of the proposed grant award.

SEC. 124. (a) A State or territory, as defined in section 165 of title 23, United States Code, may use for any project eligible under section 133(b) of title 23 or section 165 of title 23 and located within the boundary of the State or territory any earmarked amount, and any associated obligation limitation: *Provided*, That the Department of Transportation for the State or territory for which the earmarked amount was originally designated or directed notifies the Secretary of its intent to use its authority under this section and submits an annual report to the Secretary

identifying the projects to which the funding would be applied. Notwithstanding the original period of availability of funds to be obligated under this section, such funds and associated obligation limitation shall remain available for obligation for a period of 3 fiscal years after the fiscal year in which the Secretary is notified. The Federal share of the cost of a project carried out with funds made available under this section shall be the same as associated with the earmark.

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

(1) congressionally directed spending, as defined in rule XLIV of the Standing Rules of the Senate, identified in a prior law, report, or joint explanatory statement, which was authorized to be appropriated or appropriated more than 10 fiscal years prior to the current fiscal year, and administered by the Federal Highway Administration; or

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

(c) The authority under subsection (a) may be exercised only for those projects or activities that have obligated less than 10 percent of the amount made available for obligation as of October 1 of the current fiscal year, and shall be applied to projects within the same general geographic area within 25 miles for which the funding was designated, except that a State or territory may apply such authority to unexpended balances of funds from projects or activities the State or territory certifies have been closed and for which payments have been made under a final voucher.

(d) The Secretary shall submit consolidated reports of the information provided by the States and territories annually to the House and Senate Committees on Appropriations.

SEC. 125. (a) Of the unallocated and unobligated balances available to the Federal Highway Administration, the following funds are hereby permanently cancelled, subject to subsections (b) and (c), from the following accounts and programs in the specified amounts:

(1) \$53,160,115 from funds available in the “Surface Transportation Priorities” account (69 X 0538);

(2) \$1,839,130 from funds available in the “Delta Regional Transportation Development Program” account (69 X 0551);

(3) \$11,814,580 from funds available in the “Appalachian Development Highway System” account (69 X 0640);

(4) \$392,112 from funds available in the “Bridge Capacity Improvements” account (69 X 8057);

(5) \$30,640,110 from funds available in the “Miscellaneous Highway Project” account (69 X 8058); and

(6) \$7,063,307 from funds available in the “Highway Projects” account (69 X 8382).

(b) No amounts may be cancelled under subsection (a) from any funds for which a State exercised its authority under section 125 of division L of Public Law 114-113, section 422 of division K of Public Law 115-31, section 126 of division L of Public Law 115-141, section 125 of division G of Public Law 116-6, section 125 of division H of Public Law 116-94, section 124 of division L of Public Law 116-260, section 124 of division L of Public Law 117-103, or section 124 of division L of Public Law 117-328.

(c) No amounts may be cancelled under subsection (a) from any amounts that were designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 126. None of the funds made available by this or any other Act may be used to finalize, implement, administer, or enforce the proposed rule entitled “National Performance Management Measures; Assessing Performance of the National Highway System, Greenhouse Gas Emissions Measure” published by the Federal Highway Administration in the Federal Register on July 15, 2022 (87 Fed. Reg. 42401) or successor regulation.

FEDERAL MOTOR CARRIER SAFETY
ADMINISTRATION

MOTOR CARRIER SAFETY OPERATIONS AND
PROGRAMS

(LIQUIDATION OF CONTRACT AUTHORIZATION)
(LIMITATION ON OBLIGATIONS)
(HIGHWAY TRUST FUND)

For payment of obligations incurred in the implementation, execution and administration of motor carrier safety operations and programs pursuant to section 31110 of title 49, United States Code, as amended by the Infrastructure Investment and Jobs Act (Public Law 117–58), \$375,000,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account), together with advances and reimbursements received by the Federal Motor Carrier Safety Administration, 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 \$375,000,000, for “Motor Carrier Safety Operations and Programs” for fiscal year 2024, of which \$14,073,000, to remain available for obligation until September 30, 2026, is for the research and technology program, and of which not less than \$63,098,000, to remain available for obligation until September 30, 2026, 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, \$516,300,000, 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 obligations of \$516,300,000 in fiscal year 2024 for “Motor Carrier Safety Grants”: *Provided further*, That of the amounts made available under this heading—

- (1) \$406,500,000, to remain available for obligation until September 30, 2025, shall be for the motor carrier safety assistance program;
- (2) \$43,500,000, to remain available for obligation until September 30, 2025, shall be for the commercial driver's license program implementation program;
- (3) \$60,000,000, to remain available for obligation until September 30, 2025, shall be for the high priority program;
- (4) \$1,300,000, to remain available for obligation until September 30, 2025, shall be for the commercial motor vehicle operators grant program; and
- (5) \$5,000,000, to remain available for obligation until September 30, 2025, shall be for the commercial motor vehicle enforcement training and support grant program.

ADMINISTRATIVE PROVISIONS—FEDERAL MOTOR
CARRIER SAFETY ADMINISTRATION

SEC. 130. The Federal Motor Carrier Safety Administration shall send notice of section

385.308 of title 49, Code of Federal Regulations, violations by certified mail, registered mail, or another manner of delivery, which records the receipt of the notice by the persons responsible for the violations.

SEC. 131. None of the funds appropriated or otherwise made available by this Act or any other Act may be used to promulgate any rule or regulation to require vehicles with a gross vehicle weight of more than 26,000 pounds operating in interstate commerce to be equipped with a speed limiting device set to a maximum speed.

SEC. 132. None of the funds appropriated or otherwise made available by this Act or any other Act may be used to require the use of inward facing cameras as a condition for participation in the apprenticeship pilot program under section 23022 of the Infrastructure Investment and Jobs Act (49 U.S.C. 31315 note).

SEC. 133. None of the funds appropriated or otherwise made available by this Act or any other Act may be used to implement a policy or regulation for the requirement that a motor carrier register an apprenticeship program with the Department of Labor, including registration under part 29 of title 29, Code of Federal Regulations, in order to participate in the apprenticeship pilot program under section 23022 of the Infrastructure Investment and Jobs Act (49 U.S.C. 31315 note).

SEC. 134. None of the funds appropriated or otherwise made available to the Department of Transportation by this Act or any other Act may be obligated or expended to implement, administer, or enforce the requirements of section 31137 of title 49, United States Code, or any regulation issued by the Secretary pursuant to such section, with respect to the use of electronic logging devices by operators of commercial motor vehicles, as defined in section 31132(1) of such title, transporting livestock as defined in section 602 of the Emergency Livestock Feed Assistance Act of 1988 (7 U.S.C. 1471) or insects.

NATIONAL HIGHWAY TRAFFIC SAFETY
ADMINISTRATION

OPERATIONS AND RESEARCH

For expenses necessary to discharge the functions of the Secretary, with respect to traffic and highway safety, authorized under chapter 301 and part C of subtitle VI of title 49, United States Code, \$260,000,000, to remain available through September 30, 2025.

OPERATIONS AND RESEARCH

(LIQUIDATION OF CONTRACT AUTHORIZATION)
(LIMITATION ON OBLIGATIONS)
(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out the provisions of section 403 of title 23, United States Code, including behavioral research on Automated Driving Systems and Advanced Driver Assistance Systems and improving consumer responses to safety recalls, section 25024 of the Infrastructure Investment and Jobs Act (Public Law 117–58), and chapter 303 of title 49, United States Code, \$201,200,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account) and to remain available until expended: *Provided*, That none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which, in fiscal year 2024, are in excess of \$201,200,000: *Provided further*, That of the sums appropriated under this heading—

- (1) \$194,000,000 shall be for programs authorized under section 403 of title 23, United States Code, including behavioral research on Automated Driving Systems and Advanced Driver Assistance Systems and improving consumer responses to safety recalls, and section 25024 of the Infrastructure Investment and Jobs Act (Public Law 117–58); and

- (2) \$7,200,000 shall be for the National Driver Register authorized under chapter 303 of title 49, United States Code:

Provided further, That within the \$201,200,000 obligation limitation for operations and research, \$57,500,000 shall remain available until September 30, 2025, and shall be in addition to the amount of any limitation imposed on obligations for future years: *Provided further*, That amounts for behavioral research on Automated Driving Systems and Advanced Driver Assistance Systems and improving consumer responses to safety recalls are in addition to any other funds provided for those purposes for fiscal year 2024 in this Act.

HIGHWAY TRAFFIC SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)
(LIMITATION ON OBLIGATIONS)
(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out provisions of sections 402, 404, and 405 of title 23, United States Code, and grant administration expenses under chapter 4 of title 23, United States Code, to remain available until expended, \$813,300,800, to be derived from the Highway Trust Fund (other than the Mass Transit Account): *Provided*, That none of the funds in this Act shall be available for the planning or execution of programs for which the total obligations in fiscal year 2024 are in excess of \$813,300,800 for programs authorized under sections 402, 404, and 405 of title 23, United States Code, and grant administration expenses under chapter 4 of title 23, United States Code: *Provided further*, That of the sums appropriated under this heading—

- (1) \$378,400,000 shall be for “Highway Safety Programs” under section 402 of title 23, United States Code;
- (2) \$353,500,000 shall be for “National Priority Safety Programs” under section 405 of title 23, United States Code;
- (3) \$40,300,000 shall be for the “High Visibility Enforcement Program” under section 404 of title 23, United States Code; and
- (4) \$41,100,800 shall be for grant administrative expenses under chapter 4 of title 23, United States Code:

Provided further, That none of these funds shall be used for construction, rehabilitation, or remodeling costs, or for office furnishings and fixtures for State, local or private buildings or structures: *Provided further*, That not to exceed \$500,000 of the funds made available for “National Priority Safety Programs” under section 405 of title 23, United States Code, for “Impaired Driving Countermeasures” (as described in subsection (d) of that section) shall be available for technical assistance to the States: *Provided further*, That with respect to the “Transfers” provision under section 405(a)(8) of title 23, United States Code, any amounts transferred to increase the amounts made available under section 402 shall include the obligation authority for such amounts: *Provided further*, That the Administrator shall notify the House and Senate Committees on Appropriations of any exercise of the authority granted under the preceding proviso or under section 405(a)(8) of title 23, United States Code, within 5 days.

ADMINISTRATIVE PROVISION—NATIONAL
HIGHWAY TRAFFIC SAFETY ADMINISTRATION

SEC. 140. The limitations on obligations for the programs of the National Highway Traffic Safety Administration set in this Act shall not apply to obligations for which obligation authority was made available in previous public laws but only to the extent that the obligation authority has not lapsed or been used.

FEDERAL RAILROAD ADMINISTRATION
SAFETY AND OPERATIONS

For necessary expenses of the Federal Railroad Administration, not otherwise provided for, \$273,458,000, of which \$25,000,000 shall remain available until expended.

RAILROAD RESEARCH AND DEVELOPMENT

For necessary expenses for railroad research and development, \$44,000,000, to remain available until expended: *Provided*, That of the amounts provided under this heading, up to \$3,000,000 shall be available pursuant to section 20108(d) of title 49, United States Code, for the construction, alteration, and repair of buildings and improvements at the Transportation Technology Center.

CONSOLIDATED RAIL INFRASTRUCTURE AND
SAFETY IMPROVEMENTS

For necessary expenses related to Consolidated Rail Infrastructure and Safety Improvements grants, as authorized by section 22907 of title 49, United States Code, \$258,464,439 to remain available until expended: *Provided*, That of the amounts made available under this heading in this Act, \$28,864,439 shall be made available for the purposes, and in amounts, specified for Community Project Funding in the table entitled "Community Project Funding" included in the Report accompanying this Act: *Provided further*, That amounts made available for Community Project Funding under this heading in this Act shall be available for railroad project planning activities of projects otherwise eligible under 22907(c): *Provided further*, That requirements under subsections (g) and (l) of section 22907 of title 49, United States Code, shall not apply to the amounts made available under this heading in this Act for Community Project Funding: *Provided further*, That for amounts made available under this heading in this Act, eligible recipients under section 22907(b)(7) of title 49, United States Code, shall include any holding company of a Class II railroad or Class III railroad (as those terms are defined in section 20102 of title 49, United States Code): *Provided further*, That the Secretary may withhold up to 2 percent of the amounts made available under this heading in this Act for the costs of award and project management oversight of grants carried out under title 49, United States Code.

NORTHEAST CORRIDOR GRANTS TO THE
NATIONAL RAILROAD PASSENGER CORPORATION

To enable the Secretary of Transportation to make grants to the National Railroad Passenger Corporation for activities associated with the Northeast Corridor as authorized by section 22101(a) of the Infrastructure Investment and Jobs Act (Public Law 117-58), \$99,231,000, to remain available until expended: *Provided*, That the Secretary may retain up to one-half of one percent of the amounts made available under both this heading in this Act and the "National Network Grants to the National Railroad Passenger Corporation" heading in this Act to fund the costs of project management and oversight of activities authorized by section 22101(c) of the Infrastructure Investment and Jobs Act (Public Law 117-58).

NATIONAL NETWORK GRANTS TO THE NATIONAL
RAILROAD PASSENGER CORPORATION

To enable the Secretary of Transportation to make grants to the National Railroad Passenger Corporation for activities associated with the National Network as authorized by section 22101(b) of division B of the Infrastructure Investment and Jobs Act (Public Law 117-58), \$776,376,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS—FEDERAL
RAILROAD ADMINISTRATION
(INCLUDING TRANSFER OF FUNDS)

SEC. 150. The amounts made available to the Secretary or to the Federal Railroad Administration for the costs of award, administration, and project management oversight of financial assistance which are administered by the Federal Railroad Administration, in this and prior Acts, may be transferred to the Federal Railroad Administration's "Financial Assistance Oversight and Technical Assistance" account for the necessary expenses to support the award, administration, project management oversight, and technical assistance of financial assistance administered by the Federal Railroad Administration, in the same manner as appropriated for in this and prior Acts: *Provided*, That this section shall not apply to amounts that were previously designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 151. None of the funds made available to the National Railroad Passenger Corporation may be used to fund any overtime costs in excess of \$35,000 for any individual employee: *Provided*, That the President of Amtrak may waive the cap set in the preceding proviso for specific employees when the President of Amtrak determines such a cap poses a risk to the safety and operational efficiency of the system: *Provided further*, That the President of Amtrak shall report to the House and Senate Committees on Appropriations no later than 60 days after the date of enactment of this Act, a summary of all overtime payments incurred by Amtrak for 2023 and the three prior calendar years: *Provided further*, That such summary shall include the total number of employees that received waivers and the total overtime payments Amtrak paid to employees receiving waivers for each month for 2023 and for the three prior calendar years.

SEC. 152. None of the funds made available to the National Railroad Passenger Corporation under the headings "Northeast Corridor Grants to the National Railroad Passenger Corporation" and "National Network Grants to the National Railroad Passenger Corporation" may be used to reduce the total number of Amtrak Police Department uniformed officers patrolling on board passenger trains or at stations, facilities or rights-of-way below the staffing level on May 1, 2019.

SEC. 153. None of the funds appropriated or otherwise made available under this Act or any other Act may be provided to the State of California for a high-speed rail corridor development project that is the same or substantially similar to the project that is the subject of Cooperative Agreement No. FR-HSR-0118-12-01-01 entered into between the California High-Speed Rail Authority and the Federal Railroad Administration.

FEDERAL TRANSIT ADMINISTRATION
TRANSIT FORMULA GRANTS
(LIQUIDATION OF CONTRACT AUTHORIZATION)
(LIMITATION ON OBLIGATIONS)
(HIGHWAY TRUST FUND)

For payment of obligations incurred in the Federal Public Transportation Assistance Program in this account, and for payment of obligations incurred in carrying out the provisions of 49 U.S.C. 5305, 5307, 5310, 5311, 5312, 5314, 5318, 5329(e)(6), 5334, 5335, 5337, 5339, and 5340, as amended by the Infrastructure Investment and Jobs Act, section 20005(b) of Public Law 112-141, and section 3006(b) of the Fixing America's Surface Transportation Act, \$13,990,000,000, to be derived from the Mass Transit Account of the Highway Trust Fund and to remain available until ex-

pendent: *Provided*, That funds available for the implementation or execution of programs authorized under 49 U.S.C. 5305, 5307, 5310, 5311, 5312, 5314, 5318, 5329(e)(6), 5334, 5335, 5337, 5339, and 5340, as amended by the Infrastructure Investment and Jobs Act, section 20005(b) of Public Law 112-141, and section 3006(b) of the Fixing America's Surface Transportation Act, shall not exceed total obligations of \$13,990,000,000 in fiscal year 2024.

TRANSIT INFRASTRUCTURE GRANTS

For an additional amount for Community Project Funding for projects and activities eligible under chapter 53 of such title, \$130,828,124, to remain available until expended, for the purposes, and in amounts, specified for Community Project Funding in the table entitled "Community Project Funding" included in the Report accompanying this Act: *Provided*, That unless otherwise specified, applicable requirements under chapter 53 of title 49, United States Code, shall apply to amounts made available in this paragraph, except that the Federal share of the costs for a project in this paragraph shall be in an amount equal to 80 percent of the net costs of the project, unless the Secretary approves a higher maximum Federal share of the net costs of the project consistent with administration of similar projects funded under chapter 53 of title 49, United States Code: *Provided further*, That amounts made available under this heading in this Act shall be derived from the general fund: *Provided further*, That amounts made available under this heading in this Act shall not be subject to any limitation on obligations for transit programs set forth in this or any other Act.

TECHNICAL ASSISTANCE AND TRAINING

For necessary expenses to carry out section 5314 of title 49, United States Code, \$8,000,000, to remain available until September 30, 2025, of which \$500,000 shall be for the purpose of providing technical assistance and resources to Federally Recognized Tribes through the National Rural Transportation Assistance Program authorized under 5311(b)(3)(C) of title 49, United States Code: *Provided*, That the assistance provided under this heading does not duplicate the activities of section 5312 of title 49, United States Code: *Provided further*, That amounts made available under this heading are in addition to any other amounts made available for such purposes: *Provided further*, That amounts made available under this heading shall not be subject to any limitation on obligations set forth in this or any other Act.

CAPITAL INVESTMENT GRANTS

For necessary expenses to carry out fixed guideway capital investment grants under section 5309 of title 49, United States Code, and section 3005(b) of the Fixing America's Surface Transportation Act (Public Law 114-94), \$392,204,000, to remain available until expended, of which \$388,281,960 shall be available for projects authorized under section 5309(d) of title 49, United States Code.

GRANTS TO THE WASHINGTON METROPOLITAN
AREA TRANSIT AUTHORITY

For grants to the Washington Metropolitan Area Transit Authority as authorized under section 601 of division B of the Passenger Rail Investment and Improvement Act of 2008 (Public Law 110-432), \$150,000,000, to remain available until expended: *Provided*, That the Secretary of Transportation shall approve grants for capital and preventive maintenance expenditures for the Washington Metropolitan Area Transit Authority only after receiving and reviewing a request for each specific project: *Provided further*, That the Secretary shall determine that the Washington Metropolitan Area Transit Authority has placed the highest priority on

those investments that will improve the safety of the system before approving such grants.

ADMINISTRATIVE PROVISIONS—FEDERAL TRANSIT ADMINISTRATION

SEC. 160. The limitations on obligations for the programs of the Federal Transit Administration shall not apply to any authority under 49 U.S.C. 5338, previously made available for obligation, or to any other authority previously made available for obligation.

SEC. 161. Notwithstanding any other provision of law, funds appropriated or limited by this Act under the heading “Capital Investment Grants” of the Federal Transit Administration for projects specified in this Act not obligated by September 30, 2027, and other recoveries, shall be directed to projects eligible to use the funds for the purposes for which they were originally provided.

SEC. 162. Notwithstanding any other provision of law, any funds appropriated before October 1, 2023, under any section of chapter 53 of title 49, United States Code, that remain available for expenditure, may be transferred to and administered under the most recent appropriation heading for any such section.

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

GREAT LAKES ST. LAWRENCE SEAWAY DEVELOPMENT CORPORATION

The Great Lakes St. Lawrence Seaway Development Corporation is hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to the Corporation, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations, as provided by section 9104 of title 31, United States Code, as may be necessary in carrying out the programs set forth in the Corporation’s budget for the current fiscal year.

OPERATIONS AND MAINTENANCE (HARBOR MAINTENANCE TRUST FUND)

For necessary expenses to conduct the operations, maintenance, and capital infrastructure activities on portions of the St. Lawrence Seaway owned, operated, and maintained by the Great Lakes St. Lawrence Seaway Development Corporation, \$40,288,000, to be derived from the Harbor Maintenance Trust Fund, pursuant to section 210 of the Water Resources Development Act of 1986 (33 U.S.C. 2238): *Provided*, That of the amounts made available under this heading, not less than \$16,300,000 shall be for the seaway infrastructure program.

MARITIME ADMINISTRATION MARITIME SECURITY PROGRAM (INCLUDING RESCISSION OF FUNDS)

For necessary expenses to maintain and preserve a U.S.-flag merchant fleet as authorized under chapter 531 of title 46, United States Code, to serve the national security needs of the United States, \$318,000,000, to remain available until expended: *Provided*, That of the unobligated balances from prior year appropriations available under this heading, \$6,000,000 are hereby permanently rescinded.

CABLE SECURITY FLEET

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

TANKER SECURITY PROGRAM

For Tanker Security Fleet payments, as authorized under section 53406 of title 46,

United States Code, \$60,000,000, to remain available until expended: *Provided*, That funds appropriated for the Tanker Security Fleet Program in the Consolidated Appropriations Act, 2022 (P.L. 117-103) shall be available as authorized under section 53406 of title 46, United States Code, and for the Secretary to timely reimburse each program participant up to \$2,500,000 for each of its vessels covered by an operating agreement under section 53403 of title 46, United States Code, for verifiable training and other costs incurred to ensure that mariners on such vessels are fully qualified to meet the specialized requirements to serve on product tank vessels.

OPERATIONS AND TRAINING

For necessary expenses of operations and training activities authorized by law, \$210,181,000: *Provided*, That of the sums appropriated under this heading—

(1) \$89,507,000 shall remain available until September 30, 2025, for the operations of the United States Merchant Marine Academy;

(2) \$11,900,000 shall remain available until expended, for facilities maintenance and repair, and equipment, at the United States Merchant Marine Academy;

(3) \$31,921,000 shall remain available until expended, for capital improvements at the United States Merchant Marine Academy;

(4) \$6,000,000 shall remain available until September 30, 2025, for the Maritime Environmental and Technical Assistance program authorized under section 50307 of title 46, United States Code; and

(5) \$10,000,000 shall remain available until expended, for the United States Marine Highway Program to make grants for the purposes authorized under section 55601 of title 46, United States Code:

Provided further, That the Administrator of the Maritime Administration shall transmit to the House and Senate Committees on Appropriations the annual report on sexual assault and sexual harassment at the United States Merchant Marine Academy as required pursuant to section 3510 of the National Defense Authorization Act for fiscal year 2017 (46 U.S.C. 51318): *Provided further*, That available balances under this heading for the Short Sea Transportation Program or America’s Marine Highway Program (now known as the United States Marine Highway Program) from prior year recoveries shall be available to carry out activities authorized under section 55601 of title 46, United States Code.

STATE MARITIME ACADEMY OPERATIONS

For necessary expenses of operations, support, and training activities for State Maritime Academies, \$56,400,000: *Provided*, That of the sums appropriated under this heading—

(1) \$22,000,000 shall remain available until expended, for maintenance, repair, and life extension of training ships at the State Maritime Academies;

(2) \$19,200,000 shall remain available until expended, for the National Security Multi-Mission Vessel Program, including funds for construction, planning, administration, and design of school ships and, as determined by the Secretary, necessary expenses to design, plan, construct infrastructure, and purchase equipment necessary to berth such ships;

(3) \$2,400,000 shall remain available until September 30, 2028, for the Student Incentive Program;

(4) \$6,800,000 shall remain available until expended, for training ship fuel assistance; and

(5) \$6,000,000 shall remain available until September 30, 2025, for direct payments for State Maritime Academies:

Provided further, That the Administrator of the Maritime Administration may use the funds made available under paragraph (2) and

the funds provided for shoreside infrastructure improvements in Public Law 117-103 for the purposes described in paragraph (2): *Provided further*, That such funds may be used to reimburse State Maritime Academies for costs incurred prior to the date of enactment of this Act: *Provided further*, That such funds shall be available for reimbursement only for those costs incurred in compliance with all applicable Federal law, including the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and the National Historic Preservation Act (54 U.S.C. 300101 et seq.).

ASSISTANCE TO SMALL SHIPYARDS

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

SHIP DISPOSAL

For necessary expenses related to the disposal of obsolete vessels in the National Defense Reserve Fleet of the Maritime Administration, \$6,000,000, to remain available until expended.

MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For administrative expenses to carry out the guaranteed loan program, \$3,000,000, which shall be transferred to and merged with the appropriations for “Maritime Administration—Operations and Training”.

PORT INFRASTRUCTURE DEVELOPMENT PROGRAM

To make grants to improve port facilities as authorized under section 54301 of title 46, United States Code, \$69,727,566 to remain available until expended, for the purposes, and in the amounts, specified for Community Project Funding in the table entitled “Community Project Funding” included in the Report accompanying this Act.

ADMINISTRATIVE PROVISIONS—MARITIME ADMINISTRATION

SEC. 170. Notwithstanding any other provision of this Act, in addition to any existing authority, the Maritime Administration is authorized to furnish utilities and services and make necessary repairs in connection with any lease, contract, or occupancy involving Government property under control of the Maritime Administration: *Provided*, That payments received therefor shall be credited to the appropriation charged with the cost thereof and shall remain available until expended: *Provided further*, That rental payments under any such lease, contract, or occupancy for items other than such utilities, services, or repairs shall be deposited into the Treasury as miscellaneous receipts.

SEC. 171. In addition to amounts otherwise made available by this or any other Act, there is hereby appropriated \$6,000,000, to remain available until expended, to carry out section 3546 of Public Law 117-263, Recapitalization of National Defense Reserve Fleet.

PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION

OPERATIONAL EXPENSES

For necessary operational expenses of the Pipeline and Hazardous Materials Safety Administration, \$31,681,000, of which \$4,500,000 shall remain available until September 30, 2026.

HAZARDOUS MATERIALS SAFETY

For expenses necessary to discharge the hazardous materials safety functions of the Pipeline and Hazardous Materials Safety Administration, \$80,874,000; of which \$14,070,000 shall remain available until September 30, 2026, of which \$1,000,000 shall be made available for carrying out section 5107(i) of title 49, United States Code: *Provided*, That up to \$800,000 in fees collected under section 5108(g)

of title 49, United States Code, shall be deposited in the general fund of the Treasury as offsetting receipts: *Provided further*, That there may be credited to this appropriation, to be available until expended, funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training, for reports publication and dissemination, and for travel expenses incurred in performance of hazardous materials exemptions and approvals functions.

PIPELINE SAFETY
(PIPELINE SAFETY FUND)

(OIL SPILL LIABILITY TRUST FUND)

For expenses necessary to carry out a pipeline safety program, as authorized by section 60107 of title 49, United States Code, and to discharge the pipeline program responsibilities of the Oil Pollution Act of 1990 (Public Law 101-380), \$197,441,000, to remain available until September 30, 2026, of which \$30,000,000 shall be derived from the Oil Spill Liability Trust Fund; of which \$160,041,000 shall be derived from the Pipeline Safety Fund; of which \$400,000 shall be derived from the fees collected under section 60303 of title 49, United States Code, and deposited in the Liquefied Natural Gas Siting Account for compliance reviews of liquefied natural gas facilities; and of which \$7,000,000 shall be derived from fees collected under section 60302 of title 49, United States Code, and deposited in the Underground Natural Gas Storage Facility Safety Account for the purpose of carrying out section 60141 of title 49, United States Code: *Provided*, That not less than \$1,058,000 of the amounts made available under this heading shall be for the One-Call State grant program: *Provided further*, That any amounts made available under this heading in this Act or in prior Acts for research contracts, grants, cooperative agreements or research other transactions agreements (“OTAs”) shall require written notification to the House and Senate Committees on Appropriations not less than 3 full business days before such research contracts, grants, cooperative agreements, or research OTAs are announced by the Department of Transportation.

EMERGENCY PREPAREDNESS GRANTS
(LIMITATION ON OBLIGATIONS)
(EMERGENCY PREPAREDNESS FUND)

For expenses necessary to carry out the Emergency Preparedness Grants program, not more than \$28,318,000 shall remain available until September 30, 2026, from amounts made available by section 5116(h) and subsections (b) and (c) of section 5128 of title 49, United States Code: *Provided*, That notwithstanding section 5116(h)(4) of title 49, United States Code, not more than 4 percent of the amounts made available from this account shall be available to pay the administrative costs of carrying out sections 5116, 5107(e), and 5108(g)(2) of title 49, United States Code: *Provided further*, That notwithstanding subsections (b) and (c) of section 5128 of title 49, United States Code, and the limitation on obligations provided under this heading, prior year recoveries recognized in the current year shall be available to develop and deliver hazardous materials emergency response training for emergency responders, including response activities for the transportation of crude oil, ethanol, flammable liquids, and other hazardous commodities by rail, consistent with National Fire Protection Association standards, and to make such training available through an electronic format: *Provided further*, That the prior year recoveries made available under this heading shall also be available to carry out sections 5116(a)(1)(C), 5116(h), 5116(i), 5116(j), and 5107(e) of title 49, United States Code.

OFFICE OF INSPECTOR GENERAL
SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General to carry out the provisions of section 404 of title 5, United States Code, as amended, \$121,001,000: *Provided*, That the Inspector General shall have all necessary authority, in carrying out the duties specified in the Inspector General Act, as amended (5 U.S.C. App.), to investigate allegations of fraud, including false statements to the government (18 U.S.C. 1001), by any person or entity that is subject to regulation by the Department of Transportation: *Provided further*, That the Inspector General shall have independent authority over all personnel issues within this office.

GENERAL PROVISIONS—DEPARTMENT OF
TRANSPORTATION

SEC. 180. (a) During the current fiscal year, applicable appropriations to the Department of Transportation shall be available for maintenance and operation of aircraft; hire of passenger motor vehicles and aircraft; purchase of liability insurance for motor vehicles operating in foreign countries on official department business; and uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code.

(b) During the current fiscal year, applicable appropriations to the Department and its operating administrations shall be available for the purchase, maintenance, operation, and deployment of unmanned aircraft systems that advance the missions of the Department of Transportation or an operating administration of the Department of Transportation.

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

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

SEC. 182. (a) No recipient of amounts made available by this Act shall disseminate personal information (as defined in section 2725(3) of title 18, United States Code) obtained by a State department of motor vehicles in connection with a motor vehicle record as defined in section 2725(1) of title 18, United States Code, except as provided in section 2721 of title 18, United States Code, for a use permitted under section 2721 of title 18, United States Code.

(b) Notwithstanding subsection (a), the Secretary shall not withhold amounts made available by this Act for any grantee if a State is in noncompliance with this provision.

SEC. 183. None of the funds made available by this Act shall be available for salaries and expenses of more than 125 political and Presidential appointees in the Department of Transportation: *Provided*, That none of the personnel covered by this provision may be assigned on temporary detail outside the Department of Transportation.

SEC. 184. Funds received by the Federal Highway Administration and Federal Railroad Administration from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training may be credited respectively to the Federal Highway Administration’s “Federal-Aid Highways” account and to the Federal Railroad Administration’s “Safety and Operations” account, except for State rail safety inspectors participating in training pursuant

to section 20105 of title 49, United States Code.

SEC. 185. None of the funds made available by this Act or in title VIII of division J of Public Law 117-58 to the Department of Transportation may be used to make a loan, loan guarantee, line of credit, letter of intent, federally funded cooperative agreement, full funding grant agreement, or discretionary grant unless the Secretary of Transportation notifies the House and Senate Committees on Appropriations not less than 3 full business days before any project competitively selected to receive any discretionary grant award, letter of intent, loan commitment, loan guarantee commitment, line of credit commitment, federally funded cooperative agreement, or full funding grant agreement is announced by the Department or its operating administrations: *Provided*, That the Secretary of Transportation shall provide the House and Senate Committees on Appropriations with a comprehensive list of all such loans, loan guarantees, lines of credit, letters of intent, federally funded cooperative agreements, full funding grant agreements, and discretionary grants prior to the notification required under the preceding proviso: *Provided further*, That the Secretary gives concurrent notification to the House and Senate Committees on Appropriations for any “quick release” of funds from the emergency relief program: *Provided further*, That no notification shall involve funds that are not available for obligation.

SEC. 186. Rebates, refunds, incentive payments, minor fees, and other funds received by the Department of Transportation from travel management centers, charge card programs, the subleasing of building space, and miscellaneous sources are to be credited to appropriations of the Department of Transportation and allocated to organizational units of the Department of Transportation using fair and equitable criteria and such funds shall be available until expended.

SEC. 187. Notwithstanding any other provision of law, if any funds provided by or limited by this Act are subject to a reprogramming action that requires notice to be provided to the House and Senate Committees on Appropriations, transmission of such reprogramming notice shall be provided solely to the House and Senate Committees on Appropriations, and such reprogramming action shall be approved or denied solely by the House and Senate Committees on Appropriations: *Provided*, That the Secretary of Transportation may provide notice to other congressional committees of the action of the House and Senate Committees on Appropriations on such reprogramming but not sooner than 30 days after the date on which the reprogramming action has been approved or denied by the House and Senate Committees on Appropriations.

SEC. 188. Funds appropriated by this Act to the operating administrations may be obligated for the Office of the Secretary for the costs related to assessments or reimbursable agreements only when such amounts are for the costs of goods and services that are purchased to provide a direct benefit to the applicable operating administration or administrations.

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

SEC. 190. The Department of Transportation may use funds provided by this Act, or any other Act, to assist a contract under title 49 or 23 of the United States Code utilizing geographic, economic, or any other

hiring preference not otherwise authorized by law, or to amend a rule, regulation, policy or other measure that forbids a recipient of a Federal Highway Administration or Federal Transit Administration grant from imposing such hiring preference on a contract or construction project with which the Department of Transportation is assisting, only if the grant recipient certifies the following:

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

(2) that the grant recipient will include appropriate provisions in its bid document ensuring that the contractor does not displace any of its existing employees in order to satisfy such hiring preference; and

(3) that any increase in the cost of labor, training, or delays resulting from the use of such hiring preference does not delay or displace any transportation project in the applicable Statewide Transportation Improvement Program or Transportation Improvement Program.

SEC. 191. The Secretary of Transportation shall coordinate with the Secretary of Homeland Security to ensure that best practices for Industrial Control Systems Procurement are up-to-date and shall ensure that systems procured with funds provided under this title were procured using such practices.

SEC. 192. None of the funds made available in this Act or any other Act may be used to require information, criteria, reporting requirements, or submissions with respect to any grant program of the Department of Transportation in accordance with an equity action plan, including the Equity Action Plan of the Department of Transportation published in January 2022.

This title may be cited as the “Department of Transportation Appropriations Act, 2024”.

TITLE II

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

MANAGEMENT AND ADMINISTRATION EXECUTIVE OFFICES

For necessary salaries and expenses for Executive Offices, which shall be comprised of the offices of the Secretary, Deputy Secretary, Adjudicatory Services, Congressional and Intergovernmental Relations, Public Affairs, Small and Disadvantaged Business Utilization, and the Center for Faith-Based and Neighborhood Partnerships, \$18,699,000, to remain available until September 30, 2025: *Provided*, That not to exceed \$25,000 of the amount made available under this heading shall be available to the Secretary of Housing and Urban Development (referred to in this title as “the Secretary”) for official reception and representation expenses as the Secretary may determine.

ADMINISTRATIVE SUPPORT OFFICES

For necessary salaries and expenses for Administrative Support Offices, \$664,287,000, to remain available until September 30, 2025: *Provided*, That of the sums appropriated under this heading—

(1) \$90,380,000 shall be available for the Office of the Chief Financial Officer;

(2) \$125,833,000 shall be available for the Office of the General Counsel, of which not less than \$20,300,000 shall be for the Departmental Enforcement Center;

(3) \$226,682,000 shall be available for the Office of Administration, of which not less than \$4,680,000 may be for modernization and deferred maintenance of the Weaver Building;

(4) \$51,743,000 shall be available for the Office of the Chief Human Capital Officer;

(5) \$28,137,000 shall be available for the Office of the Chief Procurement Officer;

(6) \$66,130,000 shall be available for the Office of Field Policy and Management;

(7) \$4,630,000 shall be available for the Office of Departmental Equal Employment Opportunity; and

(8) \$70,752,000 shall be available for the Office of the Chief Information Officer:

Provided further, That funds made available under this heading may be used for necessary administrative and non-administrative expenses of the Department, not otherwise provided for, including purchase of uniforms, or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; hire of passenger motor vehicles; and services as authorized by section 3109 of title 5, United States Code: *Provided further*, That notwithstanding any other provision of law, funds appropriated under this heading may be used for advertising and promotional activities that directly support program activities funded in this title.

PROGRAM OFFICES

For necessary salaries and expenses for Program Offices, \$1,062,065,000, to remain available until September 30, 2025: *Provided*, That of the sums appropriated under this heading—

(1) \$280,117,000 shall be available for the Office of Public and Indian Housing;

(2) \$164,507,000 shall be available for the Office of Community Planning and Development;

(3) \$468,286,000 shall be available for the Office of Housing, of which not less than \$13,300,000 shall be for the Office of Recaptalization;

(4) \$39,884,000 shall be available for the Office of Policy Development and Research;

(5) \$98,081,000 shall be available for the Office of Fair Housing and Equal Opportunity; and

(6) \$11,190,000 shall be available for the Office of Lead Hazard Control and Healthy Homes.

WORKING CAPITAL FUND

(INCLUDING TRANSFER OF FUNDS)

For the working capital fund for the Department of Housing and Urban Development (referred to in this paragraph as the “Fund”), pursuant, in part, to section 7(f) of the Department of Housing and Urban Development Act (42 U.S.C. 3535(f)), amounts transferred, including reimbursements pursuant to section 7(f), to the Fund under this heading shall be available only for Federal shared services used by offices and agencies of the Department, and for any such portion of any office or agency’s information technology end-user devices and wireless support, printing, records management, space renovation, furniture, or supply services the Secretary has determined shall be provided through the Fund, and the operational expenses of the Fund: *Provided*, That amounts within the Fund shall not be available to provide services not specifically authorized under this heading: *Provided further*, That upon a determination by the Secretary that any other service (or portion thereof) authorized under this heading shall be provided through the Fund, amounts made available in this title for salaries and expenses under the headings “Executive Offices”, “Administrative Support Offices”, “Program Offices”, and “Government National Mortgage Association”, for such services shall be transferred to the Fund, to remain available until expended: *Provided further*, That the Secretary shall notify the House and Senate Committees on Appropriations of its plans for executing such transfers at least 15 days in advance of such transfers.

PUBLIC AND INDIAN HOUSING

TENANT-BASED RENTAL ASSISTANCE

For activities and assistance for the provision of tenant-based rental assistance au-

thorized under the United States Housing Act of 1937, as amended (42 U.S.C. 1437 et seq.) (in this title “the Act”), not otherwise provided for, \$27,131,600,000 to remain available until expended, which shall be available on October 1, 2023 (in addition to the \$4,000,000,000 previously appropriated under this heading that shall be available on October 1, 2023), and \$4,000,000,000, to remain available until expended, which shall be available on October 1, 2024: *Provided*, That of the sums appropriated under this heading—

(1) \$27,374,554,000 shall be available for renewals of expiring section 8 tenant-based annual contributions contracts (including renewals of enhanced vouchers under any provision of law authorizing such assistance under section 8(t) of the Act), including renewal of other special purpose incremental vouchers: *Provided*, That notwithstanding any other provision of law, from amounts provided under this paragraph and any carryover, the Secretary for the calendar year 2024 funding cycle shall provide renewal funding for each public housing agency based on validated voucher management system (VMS) leasing and cost data for the prior calendar year and by applying an inflation factor as established by the Secretary, by notice published in the Federal Register, and by making any necessary adjustments for the costs associated with the first-time renewal of vouchers under this paragraph including tenant protection and Choice Neighborhoods vouchers: *Provided further*, That none of the funds provided under this paragraph may be used to fund a total number of unit months under lease which exceeds a public housing agency’s authorized level of units under contract, except for public housing agencies participating in the Moving to Work (MTW) demonstration, which are instead governed in accordance with the requirements of the MTW demonstration program or their MTW agreements, if any: *Provided further*, That the Secretary shall, to the extent necessary to stay within the amount specified under this paragraph (except as otherwise modified under this paragraph), prorate each public housing agency’s allocation otherwise established pursuant to this paragraph: *Provided further*, That except as provided in the following provisos, the entire amount specified under this paragraph (except as otherwise modified under this paragraph) shall be obligated to the public housing agencies based on the allocation and pro rata method described above, and the Secretary shall notify public housing agencies of their annual budget by the latter of 60 days after enactment of this Act or March 1, 2024: *Provided further*, That the Secretary may extend the notification period with the prior written approval of the House and Senate Committees on Appropriations: *Provided further*, That public housing agencies participating in the MTW demonstration shall be funded in accordance with the requirements of the MTW demonstration program or their MTW agreements, if any, and shall be subject to the same pro rata adjustments under the preceding provisos: *Provided further*, That the Secretary may offset public housing agencies’ calendar year 2024 allocations based on the excess amounts of public housing agencies’ net restricted assets accounts, including HUD-held programmatic reserves (in accordance with VMS data in calendar year 2023 that is verifiable and complete), as determined by the Secretary: *Provided further*, That public housing agencies participating in the MTW demonstration shall also be subject to the offset, as determined by the Secretary, excluding amounts subject to the single fund budget authority provisions of their MTW agreements, from the agencies’ calendar year 2024 MTW funding allocation: *Provided further*, That the Secretary shall use

any offset referred to in the preceding two provisos throughout the calendar year to prevent the termination of rental assistance for families as the result of insufficient funding, as determined by the Secretary, and to avoid or reduce the proration of renewal funding allocations: *Provided further*, That up to \$100,000,000 shall be available only—

(A) for adjustments in the allocations for public housing agencies, after application for an adjustment by a public housing agency that experienced a significant increase, as determined by the Secretary, in renewal costs of vouchers resulting from unforeseen circumstances or from portability under section 8(r) of the Act;

(B) for vouchers that were not in use during the previous 12-month period in order to be available to meet a commitment pursuant to section 8(o)(13) of the Act, or an adjustment for a funding obligation not yet expended in the previous calendar year for a MTW-eligible activity to develop affordable housing for an agency added to the MTW demonstration under the expansion authority provided in section 239 of the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2016 (division L of Public Law 114-113);

(C) for adjustments for costs associated with HUD-Veterans Affairs Supportive Housing (HUD-VASH) vouchers;

(D) for public housing agencies that despite taking reasonable cost savings measures, as determined by the Secretary, would otherwise be required to terminate rental assistance for families as a result of insufficient funding;

(E) for adjustments in the allocations for public housing agencies that—

(i) are leasing a lower-than-average percentage of their authorized vouchers,

(ii) have low amounts of budget authority in their net restricted assets accounts and HUD-held programmatic reserves, relative to other agencies, and

(iii) are not participating in the Moving to Work demonstration, to enable such agencies to lease more vouchers;

(F) for withheld payments in accordance with section 8(o)(8)(A)(ii) of the Act for months in the previous calendar year that were subsequently paid by the public housing agency after the agency's actual costs were validated; and

(G) for public housing agencies that have experienced increased costs or loss of units in an area for which the President declared a disaster under title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170 et seq.):

Provided further, That the Secretary shall allocate amounts under the preceding proviso based on need, as determined by the Secretary;

(2) \$337,000,000 shall be available for section 8 rental assistance for relocation and replacement of housing units that are demolished or disposed of pursuant to section 18 of the Act, conversion of section 23 projects to assistance under section 8, relocation of witnesses (including victims of violent crimes) in connection with efforts to combat crime in public and assisted housing pursuant to a request from a law enforcement or prosecution agency, enhanced vouchers under any provision of law authorizing such assistance under section 8(t) of the Act, Choice Neighborhood vouchers, mandatory and voluntary conversions, and tenant protection assistance including replacement and relocation assistance or for project-based assistance to prevent the displacement of unassisted elderly tenants currently residing in section 202 properties financed between 1959 and 1974 that are refinanced pursuant to Public Law 106-569, as amended, or under the authority as provided under this Act: *Provided*, That

when a public housing development is submitted for demolition or disposition under section 18 of the Act, the Secretary may provide section 8 rental assistance when the units pose an imminent health and safety risk to residents: *Provided further*, That the Secretary may provide section 8 rental assistance from amounts made available under this paragraph for units assisted under a project-based subsidy contract funded under the "Project-Based Rental Assistance" heading under this title where the owner has received a Notice of Default and the units pose an imminent health and safety risk to residents: *Provided further*, That of the amounts made available under this paragraph, no less than \$5,000,000 may be available to provide tenant protection assistance, not otherwise provided under this paragraph, to residents residing in low vacancy areas and who may have to pay rents greater than 30 percent of household income, as the result of (A) the maturity of a HUD-insured, HUD-held or section 202 loan that requires the permission of the Secretary prior to loan prepayment; (B) the expiration of a rental assistance contract for which the tenants are not eligible for enhanced voucher or tenant protection assistance under existing law; or (C) the expiration of affordability restrictions accompanying a mortgage or preservation program administered by the Secretary: *Provided further*, That such tenant protection assistance made available under the preceding proviso may be provided under the authority of section 8(t) or section 8(o)(13) of the Act: *Provided further*, That any tenant protection voucher made available from amounts under this paragraph shall not be reissued by any public housing agency, except the replacement vouchers as defined by the Secretary by notice, when the initial family that received any such voucher no longer receives such voucher, and the authority for any public housing agency to issue any such voucher shall cease to exist: *Provided further*, That the Secretary may only provide replacement vouchers for units that were occupied within the previous 24 months that cease to be available as assisted housing, subject only to the availability of funds;

(3) \$2,734,046,000 shall be available for administrative and other expenses of public housing agencies in administering the section 8 tenant-based rental assistance program, of which up to \$30,000,000 shall be available to the Secretary to allocate to public housing agencies that need additional funds to administer their section 8 programs, including fees associated with section 8 tenant protection rental assistance, the administration of disaster related vouchers, HUD-VASH vouchers, and other special purpose incremental vouchers: *Provided*, That no less than \$2,704,046,000 of the amount provided in this paragraph shall be allocated to public housing agencies for the calendar year 2024 funding cycle based on section 8(q) of the Act (and related appropriation Act provisions) as in effect immediately before the enactment of the Quality Housing and Work Responsibility Act of 1998 (Public Law 105-276): *Provided further*, That if the amounts made available under this paragraph are insufficient to pay the amounts determined under the preceding proviso, the Secretary may decrease the amounts allocated to agencies by a uniform percentage applicable to all agencies receiving funding under this paragraph or may, to the extent necessary to provide full payment of amounts determined under the preceding proviso, utilize unobligated balances, including recaptures and carry-over, remaining from funds appropriated to the Department of Housing and Urban Development under this heading from prior fiscal years, excluding special purpose vouchers, notwithstanding the purposes for which such

amounts were appropriated: *Provided further*, That all public housing agencies participating in the MTW demonstration shall be funded in accordance with the requirements of the MTW demonstration program or their MTW agreements, if any, and shall be subject to the same uniform percentage decrease as under the preceding proviso: *Provided further*, That amounts provided under this paragraph shall be only for activities related to the provision of tenant-based rental assistance authorized under section 8, including related development activities;

(4) \$686,000,000 shall be available for the renewal of tenant-based assistance contracts under section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013), including necessary administrative expenses: *Provided*, That administrative and other expenses of public housing agencies in administering the special purpose vouchers in this paragraph shall be funded under the same terms and be subject to the same pro rata reduction as the percent decrease for administrative and other expenses to public housing agencies under paragraph (3) of this heading: *Provided further*, That up to \$10,000,000 shall be available only—

(A) for adjustments in the allocation for public housing agencies, after applications for an adjustment by a public housing agency that experienced a significant increase, as determined by the Secretary, in Mainstream renewal costs resulting from unforeseen circumstances; and

(B) for public housing agencies that despite taking reasonable cost savings measures, as determined by the Secretary, would otherwise be required to terminate the rental assistance for Mainstream families as a result of insufficient funding:

Provided further, That the Secretary shall allocate amounts under the preceding proviso based on need, as determined by the Secretary: *Provided further*, That upon turnover, section 811 special purpose vouchers funded under this heading in this or prior Acts, or under any other heading in prior Acts, shall be provided to non-elderly persons with disabilities;

(5) Of the amounts provided under paragraph (1), up to \$5,000,000 shall be available for rental assistance and associated administrative fees for Tribal HUD-VASH to serve Native American veterans that are homeless or at-risk of homelessness living on or near a reservation or other Indian areas: *Provided*, That such amount shall be made available for renewal grants to recipients that received assistance under prior Acts under the Tribal HUD-VASH program: *Provided further*, That the Secretary shall be authorized to specify criteria for renewal grants, including data on the utilization of assistance reported by grant recipients: *Provided further*, That such assistance shall be administered in accordance with program requirements under the Native American Housing Assistance and Self-Determination Act of 1996 and modeled after the HUD-VASH program: *Provided further*, That the Secretary shall be authorized to waive, or specify alternative requirements for any provision of any statute or regulation that the Secretary administers in connection with the use of funds made available under this paragraph (except for requirements related to fair housing, non-discrimination, labor standards, and the environment), upon a finding by the Secretary that any such waivers or alternative requirements are necessary for the effective delivery and administration of such assistance: *Provided further*, That grant recipients shall report to the Secretary on utilization of such rental assistance and other program data, as prescribed by the Secretary: *Provided further*, That the Secretary may reallocate, as determined by the Secretary, amounts returned

or recaptured from awards under the Tribal HUD-VASH program under prior Acts to existing recipients under the Tribal HUD-VASH program; and

(6) The Secretary shall separately track all special purpose vouchers funded under this heading.

HOUSING CERTIFICATE FUND (INCLUDING RESCISSIONS)

Unobligated balances, including recaptures and carryover, remaining from funds appropriated to the Department of Housing and Urban Development under this heading, the heading “Annual Contributions for Assisted Housing” and the heading “Project-Based Rental Assistance”, for fiscal year 2024 and prior years may be used for renewal of or amendments to section 8 project-based contracts and for performance-based contract administrators, notwithstanding the purposes for which such funds were appropriated: *Provided*, That any obligated balances of contract authority from fiscal year 1974 and prior fiscal years that have been terminated shall be rescinded: *Provided further*, That amounts heretofore recaptured, or recaptured during the current fiscal year, from section 8 project-based contracts from source years fiscal year 1975 through fiscal year 1987 are hereby rescinded, and an amount of additional new budget authority, equivalent to the amount rescinded is hereby appropriated, to remain available until expended, for the purposes set forth under this heading, in addition to amounts otherwise available.

PUBLIC HOUSING FUND

For 2024 payments to public housing agencies for the operation and management of public housing, as authorized by section 9(e) of the United States Housing Act of 1937 (42 U.S.C. 1437g(e)) (the “Act”), and to carry out capital and management activities for public housing agencies, as authorized under section 9(d) of the Act (42 U.S.C. 1437g(d)), \$8,363,000,000, to remain available until September 30, 2027: *Provided*, That of the sums appropriated under this heading—

(1) \$5,103,000,000 shall be available for the Secretary to allocate pursuant to the Operating Fund formula at part 990 of title 24, Code of Federal Regulations, for 2024 payments;

(2) \$25,000,000 shall be available for the Secretary to allocate pursuant to a need-based application process notwithstanding section 203 of this title and not subject to such Operating Fund formula to public housing agencies that experience, or are at risk of, financial shortfalls, as determined by the Secretary: *Provided*, That after all such shortfall needs are met, the Secretary may distribute any remaining funds to all public housing agencies on a pro-rata basis pursuant to such Operating Fund formula;

(3) \$3,180,000,000 shall be available for the Secretary to allocate pursuant to the Capital Fund formula at section 905.400 of title 24, Code of Federal Regulations: *Provided*, That for funds provided under this paragraph, the limitation in section 9(g)(1) of the Act shall be 25 percent: *Provided further*, That the Secretary may waive the limitation in the preceding proviso to allow public housing agencies to fund activities authorized under section 9(e)(1)(C) of the Act: *Provided further*, That the Secretary shall notify public housing agencies requesting waivers under the preceding proviso if the request is approved or denied within 14 days of submitting the request: *Provided further*, That from the funds made available under this paragraph, the Secretary shall provide bonus awards in fiscal year 2024 to public housing agencies that are designated high performers: *Provided further*, That the Department shall notify public housing agencies of their formula

allocation within 60 days of enactment of this Act;

(4) \$40,000,000 shall be available for the Secretary to make grants, notwithstanding section 203 of this title, to public housing agencies for emergency capital needs, including safety and security measures necessary to address crime and drug-related activity, as well as needs resulting from unforeseen or unpreventable emergencies and natural disasters excluding Presidentially declared emergencies and natural disasters under the Robert T. Stafford Disaster Relief and Emergency Act (42 U.S.C. 5121 et seq.) occurring in fiscal year 2024: *Provided*, That of the amount made available under this paragraph, not less than \$20,000,000 shall be for safety and security measures: *Provided further*, That in addition to the amount in the preceding proviso for such safety and security measures, any amounts that remain available, after all applications received on or before September 30, 2025, for emergency capital needs have been processed, shall be allocated to public housing agencies for such safety and security measures; and

(5) \$15,000,000 shall be available to support the costs of administrative and judicial receiverships and for competitive grants to PHAs in receivership, designated troubled or substandard, or otherwise at risk, as determined by the Secretary, for costs associated with public housing asset improvement, in addition to other amounts for that purpose provided under any heading under this title: *Provided further*, That notwithstanding any other provision of law or regulation, during fiscal year 2024, the Secretary of Housing and Urban Development may not delegate to any Department official other than the Deputy Secretary and the Assistant Secretary for Public and Indian Housing any authority under paragraph (2) of section 9(j) of the Act regarding the extension of the time periods under such section: *Provided further*, That for purposes of such section 9(j), the term “obligate” means, with respect to amounts, that the amounts are subject to a binding agreement that will result in outlays, immediately or in the future.

OPERATIONAL PERFORMANCE EVALUATION AND RISK ASSESSMENTS

For the Department’s inspection and assessment programs, including travel, training, and program support contracts, \$51,000,000 to remain available until September 30, 2027: *Provided*, That unobligated balances, including recaptures and carryover, remaining from funds appropriated under the heading “Public Housing Fund” to support ongoing public housing financial and physical assessment activities shall be available for the purposes authorized under this heading in addition to the purposes for which such funds originally were appropriated.

SELF-SUFFICIENCY PROGRAMS

For activities and assistance related to Self-Sufficiency Programs, to remain available until September 30, 2027, \$175,000,000: *Provided*, That of the sums appropriated under this heading—

(1) \$125,000,000 shall be available for the Family Self-Sufficiency program to support family self-sufficiency coordinators under section 23 of the United States Housing Act of 1937 (42 U.S.C. 1437u), to promote the development of local strategies to coordinate the use of assistance under sections 8 and 9 of such Act with public and private resources, and enable eligible families to achieve economic independence and self-sufficiency;

(2) \$35,000,000 shall be available for the Resident Opportunity and Self-Sufficiency program to provide for supportive services, service coordinators, and congregate services as authorized by section 34 of the United

States Housing Act of 1937 (42 U.S.C. 1437z–6) and the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.): *Provided*, That amounts made available under this paragraph may be used to renew Resident Opportunity and Self-Sufficiency program grants to allow the public housing agency, or a new owner, to continue to serve (or restart service to) residents of a project with assistance converted from public housing to project-based rental assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) or assistance under section 8(o)(13) of such Act under the heading “Rental Assistance Demonstration” in the Department of Housing and Urban Development Appropriations Act, 2012 (Public Law 112–55), as amended (42 U.S.C. 1437f note); and

(3) \$15,000,000 shall be available for a Jobs-Plus Initiative, modeled after the Jobs-Plus demonstration: *Provided*, That funding provided under this paragraph shall be available for competitive grants to partnerships between public housing authorities, local workforce investment boards established under section 107 of the Workforce Innovation and Opportunity Act of 2014 (29 U.S.C. 3122), and other agencies and organizations that provide support to help public housing residents obtain employment and increase earnings: *Provided further*, That applicants must demonstrate the ability to provide services to residents, partner with workforce investment boards, and leverage service dollars: *Provided further*, That the Secretary may allow public housing agencies to request exemptions from rent and income limitation requirements under sections 3 and 6 of the United States Housing Act of 1937 (42 U.S.C. 1437a, 1437d), as necessary to implement the Jobs-Plus program, on such terms and conditions as the Secretary may approve upon a finding by the Secretary that any such waivers or alternative requirements are necessary for the effective implementation of the Jobs-Plus Initiative as a voluntary program for residents: *Provided further*, That the Secretary shall publish by notice in the Federal Register any waivers or alternative requirements pursuant to the preceding proviso no later than 10 days before the effective date of such notice.

NATIVE AMERICAN PROGRAMS

For activities and assistance authorized under title I of the Native American Housing Assistance and Self-Determination Act of 1996 (in this heading “NAHASDA”) (25 U.S.C. 4111 et seq.), title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.) with respect to Indian tribes, and related training and technical assistance, \$1,344,000,000, to remain available until September 30, 2028: *Provided*, That of the sums appropriated under this heading—

(1) \$1,110,000,000 shall be available for the Native American Housing Block Grants program, as authorized under title I of NAHASDA: *Provided*, That, notwithstanding NAHASDA, to determine the amount of the allocation under title I of such Act for each Indian tribe, the Secretary shall apply the formula under section 302 of such Act with the need component based on single-race census data and with the need component based on multi-race census data, and the amount of the allocation for each Indian tribe shall be the greater of the two resulting allocation amounts: *Provided further*, That the Secretary shall notify grantees of their formula allocation not later than 60 days after the date of enactment of this Act;

(2) \$150,000,000 shall be available for competitive grants under the Native American Housing Block Grants program, as authorized under title I of NAHASDA: *Provided*, That the Secretary shall obligate such

amount for competitive grants to eligible recipients authorized under NAHASDA that apply for funds: *Provided further*, That in awarding amounts made available in this paragraph, the Secretary shall consider need and administrative capacity, and shall give priority to projects that will spur construction and rehabilitation of housing: *Provided further*, That any amounts transferred for the necessary costs of administering and overseeing the obligation and expenditure of such additional amounts in prior Acts may also be used for the necessary costs of administering and overseeing such additional amount;

(3) \$2,000,000 shall be available for the cost of guaranteed notes and other obligations, as authorized by title VI of NAHASDA: *Provided*, That such costs, including the cost of modifying such notes and other obligations, shall be as defined in section 502 of the Congressional Budget Act of 1974 (2 U.S.C. 661a): *Provided further*, That amounts made available in this and prior Acts for the cost of such guaranteed notes and other obligations that are unobligated, including 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, 2025;

(4) \$75,000,000 shall be available 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 purpose, shall be available 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 made available under this heading and other headings in this Act for the needs of Native American families and Indian country: *Provided*, That of the amounts made available in this paragraph, not less than \$2,000,000 shall be for a national organization as authorized under section 703 of NAHASDA (25 U.S.C. 4212): *Provided further*, That amounts made available in this paragraph may be used, contracted, or competed as determined by the Secretary: *Provided further*, That notwithstanding chapter 63 of title 31, United States Code (commonly known as the Federal Grant and Cooperative Agreements Act of 1977), the amounts made available in this paragraph may be used by the Secretary to enter into cooperative agreements with public and private organizations, agencies, institutions, and other technical assistance providers to support the administration of negotiated rulemaking under section 106 of NAHASDA (25 U.S.C. 4116), the administration of the allocation formula under section 302 of NAHASDA (25 U.S.C. 4152), and the administration of performance tracking and reporting under section 407 of NAHASDA (25 U.S.C. 4167).

INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM ACCOUNT

For the cost of guaranteed loans, as authorized by section 184 of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z-13a), \$1,500,000, to remain avail-

able 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 of 1974 (2 U.S.C. 661a): *Provided further*, That amounts made available in this and prior Acts for the cost of guaranteed loans, as authorized by section 184 of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z-13a), that are unobligated, including recaptures and carryover, shall be available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed \$1,800,000,000, to remain available until September 30, 2025.

NATIVE HAWAIIAN HOUSING BLOCK GRANT

For the Native Hawaiian Housing Block Grant program, as authorized under title VIII of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4221 et seq.), \$22,300,000, to remain available until September 30, 2028: *Provided*, That notwithstanding section 812(b) of such Act, the Department of Hawaiian Home Lands may not invest grant amounts made available under this heading in investment securities and other obligations: *Provided further*, That amounts made available under this heading in this and prior fiscal years may be used to provide rental assistance to eligible Native Hawaiian families both on and off the Hawaiian Home Lands, notwithstanding any other provision of law: *Provided further*, That up to \$1,000,000 of the amounts made available under this heading shall be for training and technical assistance related to amounts made available under this heading and other headings in this Act for the needs of Native Hawaiians and the Department of Hawaiian Home Lands.

NATIVE HAWAIIAN HOUSING LOAN GUARANTEE FUND PROGRAM ACCOUNT

New commitments to guarantee loans, as authorized by section 184A of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z-13b), any part of which is to be guaranteed, shall not exceed \$21,000,000 in total loan principal, to remain available until September 30, 2025: *Provided*, That the Secretary may enter into commitments to guarantee loans used for refinancing.

COMMUNITY PLANNING AND DEVELOPMENT HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

For carrying out the Housing Opportunities for Persons with AIDS program, as authorized by the AIDS Housing Opportunity Act (42 U.S.C. 12901 et seq.), \$505,000,000, to remain available until September 30, 2025, except that amounts allocated pursuant to section 854(c)(5) of such Act shall remain available until September 30, 2026: *Provided*, That the Secretary shall renew or replace all expiring contracts for permanent supportive housing that initially were funded under section 854(c)(5) of such Act from funds made available under this heading in fiscal year 2010 and prior fiscal years that meet all program requirements before awarding funds for new contracts under such section: *Provided further*, That the process for submitting amendments and approving replacement contracts shall be established by the Secretary in a notice: *Provided further*, That the Department shall notify grantees of their formula allocation within 60 days of enactment of this Act.

COMMUNITY DEVELOPMENT FUND

For assistance to States and units of general local government, and other entities, for economic and community development activities, and other purposes, \$5,554,267,912 to remain available until September 30, 2027: *Provided*, That of the sums appropriated under this heading—

(1) \$3,300,000,000 shall be available for carrying out the community development block

grant program under title I of the Housing and Community Development Act of 1974, as amended (42 U.S.C. 5301 et seq.) (in this heading “the Act”): *Provided*, That not to exceed 20 percent of any grant made with funds made available under this paragraph shall be expended for planning and management development and administration: *Provided further*, That a metropolitan city, urban county, unit of general local government, or insular area that directly or indirectly receives funds under this paragraph may not sell, trade, or otherwise transfer all or any portion of such funds to another such entity in exchange for any other funds, credits, or non-Federal considerations, but shall use such funds for activities eligible under title I of the Act: *Provided further*, That notwithstanding section 105(e)(1) of the Act, no funds made available under this paragraph may be provided to a for-profit entity for an economic development project under section 105(a)(17) unless such project has been evaluated and selected in accordance with guidelines required under subsection (e)(2) of section 105;

(2) \$30,000,000 shall be available for activities authorized under section 8071 of the SUPPORT for Patients and Communities Act (Public Law 115-271): *Provided*, That funds allocated pursuant to this paragraph shall not adversely affect the amount of any formula assistance received by a State under paragraph (1) of this heading: *Provided further*, That the Secretary shall allocate the funds for such activities based on the notice establishing the funding formula published in 84 FR 16027 (April 17, 2019) except that the formula shall use age-adjusted rates of drug overdose deaths for 2021 based on data from the Centers for Disease Control and Prevention; and

(3) \$2,224,267,912 shall be available for grants for the Economic Development Initiative (EDI) for the purposes authorized under paragraphs (1), (2), (4), and (5) of section 105(a) of the Act (42 U.S.C. 5305(a)), and in amounts, specified for Community Project Funding in the table entitled “Community Project Funding” included in the Report accompanying this Act: *Provided*, That such grants for the EDI shall be available for reimbursement of otherwise eligible expenses incurred on or after the date of enactment of this Act and prior to the date of grant execution: *Provided further*, That none of the amounts made available under this paragraph for grants for the EDI shall be used for reimbursement of expenses incurred prior to the date of enactment of this Act: *Provided further*, That for amounts made available under paragraphs (1) and (2), the Secretary shall notify grantees of their formula allocation within 60 days of enactment of this Act.

COMMUNITY DEVELOPMENT LOAN GUARANTEES PROGRAM ACCOUNT

Subject to section 502 of the Congressional Budget Act of 1974 (2 U.S.C. 661a), during fiscal year 2024, commitments to guarantee loans under section 108 of the Housing and Community Development Act of 1974 (42 U.S.C. 5308), any part of which is guaranteed, shall not exceed a total principal amount of \$300,000,000, notwithstanding any aggregate limitation on outstanding obligations guaranteed in subsection (k) of such section 108: *Provided*, That the Secretary shall collect fees from borrowers, notwithstanding subsection (m) of such section 108, to result in a credit subsidy cost of zero for guaranteeing such loans, and any such fees shall be collected in accordance with section 502(7) of the Congressional Budget Act of 1974: *Provided further*, That such commitment authority funded by fees may be used to guarantee, or make commitments to guarantee, notes

or other obligations issued by any State on behalf of non-entitlement communities in the State in accordance with the requirements of such section 108: *Provided further*, That any State receiving such a guarantee or commitment under the preceding proviso shall distribute all funds subject to such guarantee to the units of general local government in non-entitlement areas that received the commitment.

HOME INVESTMENT PARTNERSHIPS PROGRAM

For the HOME Investment Partnerships program, as authorized under title II of the Cranston-Gonzalez National Affordable Housing Act, as amended (42 U.S.C. 12721 et seq.), \$500,000,000, to remain available until September 30, 2027: *Provided*, That notwithstanding section 231(b) of such Act (42 U.S.C. 12771(b)), all unobligated balances remaining from amounts recaptured pursuant to such section that remain available until expended shall be combined with amounts made available under this heading and allocated in accordance with the formula under section 217(b)(1)(A) of such Act (42 U.S.C. 12747(b)(1)(A)): *Provided further*, That the Department shall notify grantees of their formula allocations within 60 days after enactment of this Act: *Provided further*, That section 218(g) of such Act (42 U.S.C. 12748(g)) shall not apply with respect to the right of a jurisdiction to draw funds from its HOME Investment Trust Fund that otherwise expired or would expire in any calendar year from 2018 through 2026 under that section: *Provided further*, That section 231(b) of such Act (42 U.S.C. 12771(b)) shall not apply to any uninvested funds that otherwise were deducted or would be deducted from the line of credit in the participating jurisdiction's HOME Investment Trust Fund in any calendar year from 2018 through 2026 under that section.

PRESERVATION AND REINVESTMENT INITIATIVE FOR COMMUNITY ENHANCEMENT

For competitive grants to preserve and revitalize manufactured housing and eligible manufactured housing communities (including pre-1976 mobile homes) under title I of the Housing and Community Development Act of 1974, as amended (42 U.S.C. 5301 et seq.), \$20,000,000, to remain available until September 30, 2025: *Provided*, That recipients of grants provided with amounts made available under this heading shall be States, units of general local government, resident-owned manufactured housing communities, cooperatives, nonprofit entities including consortia of nonprofit entities, community development financial institutions, Indian Tribes (as such term is defined in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA) (25 U.S.C. 4103)), or other entities approved by the Secretary: *Provided further*, That the Secretary shall reserve an amount for Indian Tribes within such competition: *Provided further*, That the Secretary may approve entities for selection that partner with one or several residents of such eligible communities or that propose to implement a grant program that would assist residents of such eligible communities: *Provided further*, That eligible uses of such grants may include infrastructure, planning, resident and community services (including relocation assistance and eviction prevention), resiliency activities, and providing other assistance to residents or owners of manufactured homes, which may include providing assistance for manufactured housing land and site acquisition: *Provided further*, That, except as determined by the Secretary, participation in this program shall not encumber the future transfer of title or use of property by the residents, owners, or communities: *Provided further*, That when selecting recipients, the

Secretary shall prioritize applications that primarily benefit low- or moderately low-income residents and preserve long-term housing affordability for residents of manufactured housing or a manufactured housing community: *Provided further*, That eligible manufactured housing communities may include those that are—

(1) owned by the residents of the manufactured housing community through a resident-controlled entity, as defined by the Secretary; or

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

Provided further, That resiliency activities means the reconstruction, repair, or replacement of manufactured housing and manufactured housing communities to protect the health and safety of manufactured housing residents and to address weatherization and energy efficiency needs, except that for pre-1976 mobile homes, funds made available under this heading may be used only for replacement: *Provided further*, That the Secretary may waive or specify alternative requirements for any provision of any statute or regulation that the Secretary administers in connection with the use of amounts made available under this heading (except for requirements related to fair housing, non-discrimination, labor standards, and the environment), upon a finding that such waiver or alternative requirement is necessary to facilitate the use of such amounts.

SELF-HELP AND ASSISTED HOMEOWNERSHIP OPPORTUNITY PROGRAM

For the Self-Help and Assisted Homeownership Opportunity Program, as authorized under section 11 of the Housing Opportunity Program Extension Act of 1996 (42 U.S.C. 12805 note), and for related activities and assistance, \$60,000,000, to remain available until September 30, 2026: *Provided*, That of the sums appropriated under this heading—

(1) \$10,000,000 shall be available for the Self-Help Homeownership Opportunity Program as authorized under such section 11;

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

(3) \$7,000,000 shall be available for capacity building by national rural housing organizations having experience assessing national rural conditions and providing financing, training, technical assistance, information, and research to local nonprofit organizations, local governments, and Indian Tribes serving high need rural communities; and

(4) \$1,000,000 shall be available for a program to rehabilitate and modify the homes of disabled or low-income veterans, as authorized under section 1079 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (38 U.S.C. 2101 note): *Provided*, That the issuance of a Notice of Funding Opportunity for the amounts made available in this paragraph shall be completed not later than 120 days after enactment of this Act and such amounts shall be awarded not later than 180 days after such issuance.

HOMELESS ASSISTANCE GRANTS

For assistance under title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360 et seq.), and for related activities and assistance, \$3,729,000,000, to remain available until September 30, 2026: *Provided*,

That of the sums appropriated under this heading—

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

(2) \$3,350,000,000 shall be available for the Continuum of Care program authorized under subtitle C of such title IV (42 U.S.C. 11381 et seq.) and the Rural Housing Stability Assistance programs authorized under subtitle D of such title IV (42 U.S.C. 11408): *Provided*, That the Secretary shall prioritize funding under the Continuum of Care program to continuums of care that have demonstrated a capacity to reallocate funding from lower performing projects to higher performing projects: *Provided further*, That the Secretary shall provide incentives to create projects that coordinate with housing providers and healthcare organizations to provide permanent supportive housing and rapid re-housing services: *Provided further*, That the Secretary may establish by notice an alternative maximum amount for administrative costs related to the requirements described in sections 402(f)(1) and 402(f)(2) of subtitle A of such title IV or no more than 5 percent or \$50,000, whichever is greater, notwithstanding the 3 percent limitation in section 423(a)(10) of such subtitle C: *Provided further*, That of the amounts made available for the Continuum of Care program under this paragraph, not less than \$52,000,000 shall be for grants for new rapid re-housing projects and supportive service projects providing coordinated entry, and for eligible activities that the Secretary determines to be critical in order to assist survivors of domestic violence, dating violence, sexual assault, or stalking: *Provided further*, That amounts made available for the Continuum of Care program under this paragraph and any remaining unobligated balances under this heading in prior Acts may be used to competitively or non-competitively renew or replace grants for youth homeless demonstration projects under the Continuum of Care program, notwithstanding any conflict with the requirements of the Continuum of Care program;

(3) \$7,000,000 shall be available for the national homeless data analysis project: *Provided*, That notwithstanding the provisions of the Federal Grant and Cooperative Agreements Act of 1977 (31 U.S.C. 6301–6308), the amounts made available under this paragraph and any remaining unobligated balances under this heading for such purposes in prior Acts may be used by the Secretary to enter into cooperative agreements with such entities as may be determined by the Secretary, including public and private organizations, agencies, and institutions; and

(4) \$82,000,000 shall be available to implement projects to demonstrate how a comprehensive approach to serving homeless youth, age 24 and under, in up to 25 communities with a priority for communities with substantial rural populations in up to eight locations, can dramatically reduce youth homelessness: *Provided*, That of the amount made available under this paragraph, not less than \$25,000,000 shall be for youth homelessness system improvement grants to support communities, including but not limited to the communities assisted under the matter preceding this proviso, in establishing and implementing a response system for youth homelessness, or for improving their existing system: *Provided further*, That of the

amount made available under this paragraph, up to \$10,000,000 shall be to provide technical assistance to communities, including but not limited to the communities assisted in the preceding proviso and the matter preceding such proviso, on improving system responses to youth homelessness, and collection, analysis, use, and reporting of data and performance measures under the comprehensive approaches to serve homeless youth, in addition to and in coordination with other technical assistance funds provided under this title: *Provided further*, That the Secretary may use up to 10 percent of the amount made available under the preceding proviso to build the capacity of current technical assistance providers or to train new technical assistance providers with verifiable prior experience with systems and programs for youth experiencing homelessness:

Provided further, That youth aged 24 and under seeking assistance under this heading shall not be required to provide third party documentation to establish their eligibility under subsection (a) or (b) of section 103 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11302) to receive services: *Provided further*, That unaccompanied youth aged 24 and under or families headed by youth aged 24 and under who are living in unsafe situations may be served by youth-serving providers funded under this heading: *Provided further*, That persons eligible under section 103(a)(5) of the McKinney-Vento Homeless Assistance Act may be served by any project funded under this heading to provide both transitional housing and rapid rehousing: *Provided further*, That for all matching funds requirements applicable to funds made available under this heading for this fiscal year and prior fiscal years, a grantee may use (or could have used) as a source of match funds other funds administered by the Secretary and other Federal agencies unless there is (or was) a specific statutory prohibition on any such use of any such funds: *Provided further*, That none of the funds made available under this heading shall be available to provide funding for new projects, except for projects created through reallocation, unless the Secretary determines that the continuum of care has demonstrated that projects are evaluated and ranked based on the degree to which they improve the continuum of care's system performance: *Provided further*, That any unobligated amounts remaining from funds made available under this heading in fiscal year 2012 and prior years for project-based rental assistance for rehabilitation projects with 10-year grant terms may be used for purposes under this heading, notwithstanding the purposes for which such funds were appropriated: *Provided further*, That unobligated balances, including recaptures and carryover, remaining from funds transferred to or appropriated under this heading in fiscal year 2019 or prior years, except for rental assistance amounts that were recaptured and made available until expended, shall be available for the current purposes authorized under this heading in addition to the purposes for which such funds originally were appropriated.

HOUSING PROGRAMS

PROJECT-BASED RENTAL ASSISTANCE

For activities and assistance for the provision of project-based subsidy contracts under the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.) ("the Act"), not otherwise provided for, \$15,420,000,000, to remain available until expended, shall be available on October 1, 2023 (in addition to the \$400,000,000 previously appropriated under this heading that became available October 1, 2023), and \$400,000,000, to remain available until expended, shall be available on October

1, 2024: *Provided*, That the amounts made available under this heading shall be available for expiring or terminating section 8 project-based subsidy contracts (including section 8 moderate rehabilitation contracts), for amendments to section 8 project-based subsidy contracts (including section 8 moderate rehabilitation contracts), for contracts entered into pursuant to section 441 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11401), for renewal of section 8 contracts for units in projects that are subject to approved plans of action under the Emergency Low Income Housing Preservation Act of 1987 or the Low-Income Housing Preservation and Resident Homeownership Act of 1990, and for administrative and other expenses associated with project-based activities and assistance funded under this heading: *Provided further*, That of the total amounts provided under this heading, not to exceed \$448,000,000 shall be available for performance-based contract administrators for section 8 project-based assistance, for carrying out 42 U.S.C. 1437(f): *Provided further*, That the Secretary may also use such amounts in the preceding proviso for performance-based contract administrators for the administration of: interest reduction payments pursuant to section 236(a) of the National Housing Act (12 U.S.C. 1715z-1(a)); rent supplement payments pursuant to section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s); section 236(f)(2) rental assistance payments (12 U.S.C. 1715z-1(f)(2)); project rental assistance contracts for the elderly under section 202(c)(2) of the Housing Act of 1959 (12 U.S.C. 1701q); project rental assistance contracts for supportive housing for persons with disabilities under section 811(d)(2) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013(d)(2)); project assistance contracts pursuant to section 202(h) of the Housing Act of 1959 (Public Law 86-372; 73 Stat. 667); and loans under section 202 of the Housing Act of 1959 (Public Law 86-372; 73 Stat. 667): *Provided further*, That amounts recaptured under this heading, the heading "Annual Contributions for Assisted Housing", or the heading "Housing Certificate Fund", may be used for renewals of or amendments to section 8 project-based contracts or for performance-based contract administrators, notwithstanding the purposes for which such amounts were appropriated: *Provided further*, That, notwithstanding any other provision of law, upon the request of the Secretary, project funds that are held in residual receipts accounts for any project subject to a section 8 project-based housing assistance payments contract that authorizes the Department or a housing finance agency to require that surplus project funds be deposited in an interest-bearing residual receipts account and that are in excess of an amount to be determined by the Secretary, shall be remitted to the Department and deposited in this account, to be available until expended: *Provided further*, That amounts deposited pursuant to the preceding proviso shall be available in addition to the amount otherwise provided by this heading for uses authorized under this heading.

HOUSING FOR THE ELDERLY

(INCLUDING TRANSFER OF FUNDS)

For capital advances, including amendments to capital advance contracts, for housing for the elderly, as authorized by section 202 of the Housing Act of 1959 (12 U.S.C. 1701q), for project rental assistance for the elderly under section 202(c)(2) of such Act, including amendments to contracts for such assistance and renewal of expiring contracts for such assistance for up to a 5-year term, for senior preservation rental assistance contracts, including renewals, as authorized by

section 811(e) of the American Homeownership and Economic Opportunity Act of 2000 (12 U.S.C. 1701q note), and for supportive services associated with the housing, \$913,000,000 to remain available until September 30, 2027: *Provided*, That of the amount made available under this heading, up to \$112,000,000 shall be for service coordinators and the continuation of existing congregate service grants for residents of assisted housing projects: *Provided further*, That any funding for existing service coordinators under the preceding proviso shall be provided within 120 days of enactment of this Act: *Provided further*, That the Secretary may waive the provisions of section 202 governing the terms and conditions of project rental assistance, except that the initial contract term for such assistance shall not exceed 5 years in duration: *Provided further*, That upon request of the Secretary, project funds that are held in residual receipts accounts for any project subject to a section 202 project rental assistance contract, and that upon termination of such contract are in excess of an amount to be determined by the Secretary, shall be remitted to the Department and deposited in this account, to remain available until September 30, 2027: *Provided further*, That amounts deposited in this account pursuant to the preceding proviso shall be available, in addition to the amounts otherwise provided by this heading, for the purposes authorized under this heading: *Provided further*, That unobligated balances, including recaptures and carryover, remaining from funds transferred to or appropriated under this heading shall be available for the current purposes authorized under this heading in addition to the purposes for which such funds originally were appropriated: *Provided further*, That of the total amount made available under this heading, up to \$25,000,000 shall be used to expand the supply of intergenerational dwelling units (as such term is defined in section 202 of the Legacy Act of 2003 (12 U.S.C. 1701q note)) for elderly caregivers raising children: *Provided further*, That for the purposes of the preceding proviso the Secretary may waive, or specify alternative requirements for, any provision of section 202 of the Housing Act of 1959 (12 U.S.C. 1701q) in order to facilitate the development of such units, except for requirements related to fair housing, non-discrimination, labor standards, and the environment: *Provided further*, That of the total amount made available under this heading, up to \$6,000,000 shall be used by the Secretary to support preservation transactions of housing for the elderly originally developed with a capital advance and assisted by a project rental assistance contract under the provisions of section 202(c) of the Housing Act of 1959.

HOUSING FOR PERSONS WITH DISABILITIES

(INCLUDING TRANSFER OF FUNDS)

For capital advances, including amendments to capital advance contracts, for supportive housing for persons with disabilities, as authorized by section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013), for project rental assistance for supportive housing for persons with disabilities under section 811(d)(2) of such Act, for project assistance contracts pursuant to subsection (h) of section 202 of the Housing Act of 1959, as added by section 205(a) of the Housing and Community Development Amendments of 1978 (Public Law 95-557; 92 Stat. 2090), including amendments to contracts for such assistance and renewal of expiring contracts for such assistance for up to a 5-year term, for project rental assistance to State housing finance agencies and other

appropriate entities as authorized under section 811(b)(3) of the Cranston-Gonzalez National Affordable Housing Act, and for supportive services associated with the housing for persons with disabilities as authorized by section 811(b)(1) of such Act, \$208,000,000, to remain available until September 30, 2027: *Provided*, That, upon the request of the Secretary, project funds that are held in residual receipts accounts for any project subject to a section 811 project rental assistance contract, and that upon termination of such contract are in excess of an amount to be determined by the Secretary, shall be remitted to the Department and deposited in this account, to remain available until September 30, 2027: *Provided further*, That amounts deposited in this account pursuant to the preceding proviso shall be available in addition to the amounts otherwise provided by this heading for the purposes authorized under this heading: *Provided further*, That unobligated balances, including recaptures and carryover, remaining from funds transferred to or appropriated under this heading shall be used for the current purposes authorized under this heading in addition to the purposes for which such funds originally were appropriated.

HOUSING COUNSELING ASSISTANCE

For contracts, grants, and other assistance excluding loans, as authorized under section 106 of the Housing and Urban Development Act of 1968, as amended, \$57,500,000, to remain available until September 30, 2025, including up to \$4,500,000 for administrative contract services: *Provided*, That funds shall be used for providing counseling and advice to tenants and homeowners, both current and prospective, with respect to property maintenance, financial management or literacy, and such other matters as may be appropriate to assist them in improving their housing conditions, meeting their financial needs, and fulfilling the responsibilities of tenancy or homeownership; for program administration; and for housing counselor training: *Provided further*, That for purposes of awarding grants from amounts provided under this heading, the Secretary may enter into multiyear agreements, as appropriate, subject to the availability of annual appropriations.

PAYMENT TO MANUFACTURED HOUSING FEES TRUST FUND

For necessary expenses as authorized by the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. 5401 et seq.), up to \$14,000,000, to remain available until expended, of which \$14,000,000 shall be derived from the Manufactured Housing Fees Trust Fund (established under section 620(e) of such Act (42 U.S.C. 5419(e))): *Provided*, That not to exceed the total amount appropriated under this heading shall be available from the general fund of the Treasury to the extent necessary to incur obligations and make expenditures pending the receipt of collections to the Fund pursuant to section 620 of such Act: *Provided further*, That the amount made available under this heading from the general fund shall be reduced as such collections are received during fiscal year 2024 so as to result in a final fiscal year 2024 appropriation from the general fund estimated at zero, and fees pursuant to such section 620 shall be modified as necessary to ensure such a final fiscal year 2024 appropriation: *Provided further*, That for the dispute resolution and installation programs, the Secretary may assess and collect fees from any program participant: *Provided further*, That such collections shall be deposited into the Trust Fund, and the Secretary, as provided herein, may use such collections, as well as fees collected under section 620 of such Act, for necessary

expenses of such Act: *Provided further*, That, notwithstanding the requirements of section 620 of such Act, the Secretary may carry out responsibilities of the Secretary under such Act through the use of approved service providers that are paid directly by the recipients of their services.

FEDERAL HOUSING ADMINISTRATION MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

New commitments to guarantee single family loans insured under the Mutual Mortgage Insurance Fund shall not exceed \$400,000,000,000, to remain available until September 30, 2025: *Provided*, That during fiscal year 2024, obligations to make direct loans to carry out the purposes of section 204(g) of the National Housing Act, as amended, shall not exceed \$1,000,000: *Provided further*, That the foregoing amount in the preceding proviso shall be for loans to nonprofit and governmental entities in connection with sales of single family real properties owned by the Secretary and formerly insured under the Mutual Mortgage Insurance Fund: *Provided further*, That for administrative contract expenses of the Federal Housing Administration, \$150,000,000, to remain available until September 30, 2025: *Provided further*, That notwithstanding the limitation in the first sentence of section 255(g) of the National Housing Act (12 U.S.C. 1715z-20(g)), during fiscal year 2024 the Secretary may insure and enter into new commitments to insure mortgages under section 255 of the National Housing Act only to the extent that the net credit subsidy cost for such insurance does not exceed zero.

GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

New commitments to guarantee loans insured under the General and Special Risk Insurance Funds, as authorized by sections 238 and 519 of the National Housing Act (12 U.S.C. 1715z-3 and 1735c), shall not exceed \$35,000,000,000 in total loan principal, any part of which is to be guaranteed, to remain available until September 30, 2025: *Provided*, That during fiscal year 2024, gross obligations for the principal amount of direct loans, as authorized by sections 204(g), 207(l), 238, and 519(a) of the National Housing Act, shall not exceed \$1,000,000, which shall be for loans to nonprofit and governmental entities in connection with the sale of single family real properties owned by the Secretary and formerly insured under such Act.

GOVERNMENT NATIONAL MORTGAGE ASSOCIATION

GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN GUARANTEE PROGRAM ACCOUNT

New commitments to issue guarantees to carry out the purposes of section 306 of the National Housing Act, as amended (12 U.S.C. 1721(g)), shall not exceed \$550,000,000,000, to remain available until September 30, 2025: *Provided*, That \$51,000,000, to remain available until September 30, 2025, shall be for necessary salaries and expenses of the Government National Mortgage Association: *Provided further*, That receipts from Commitment and Multiclass fees collected pursuant to title III of the National Housing Act (12 U.S.C. 1716 et seq.) shall be credited as offsetting collections to this account.

POLICY DEVELOPMENT AND RESEARCH RESEARCH AND TECHNOLOGY

For contracts, grants, and necessary expenses of programs of research and studies relating to housing and urban problems, not otherwise provided for, as authorized by title V of the Housing and Urban Development Act of 1970 (12 U.S.C. 1701z-1 et seq.), including carrying out the functions of the Secretary of Housing and Urban Development under section 1(a)(1)(i) of Reorganization

Plan No. 2 of 1968, and for technical assistance, \$139,000,000, to remain available until September 30, 2025: *Provided*, That with respect to amounts made available under this heading, notwithstanding section 203 of this title, the Secretary may enter into cooperative agreements with philanthropic entities, other Federal agencies, State or local governments and their agencies, Indian Tribes, tribally designated housing entities, or colleges or universities for research projects: *Provided further*, That with respect to the preceding proviso, such partners to the cooperative agreements shall contribute at least a 50 percent match toward the cost of the project: *Provided further*, That for non-competitive agreements entered into in accordance with the preceding two provisos, the Secretary shall comply with section 2(b) of the Federal Funding Accountability and Transparency Act of 2006 (Public Law 109-282; 31 U.S.C. note) in lieu of compliance with section 102(a)(4)(C) of the Department of Housing and Urban Development Reform Act of 1989 (42 U.S.C. 3545(a)(4)(C)) with respect to documentation of award decisions: *Provided further*, That prior to obligation of technical assistance funding, the Secretary shall submit a plan to the House and Senate Committees on Appropriations on how the Secretary will allocate funding for this activity at least 30 days prior to obligation: *Provided further*, That none of the funds provided under this heading may be available for the doctoral dissertation research grant program.

FAIR HOUSING AND EQUAL OPPORTUNITY

FAIR HOUSING ACTIVITIES

For contracts, grants, and other assistance, not otherwise provided for, as authorized by title VIII of the Civil Rights Act of 1968 (42 U.S.C. 3601 et seq.), and section 561 of the Housing and Community Development Act of 1987 (42 U.S.C. 3616a), \$85,000,000, to remain available until September 30, 2025: *Provided*, That notwithstanding section 3302 of title 31, United States Code, the Secretary may assess and collect fees to cover the costs of the Fair Housing Training Academy, and may use such funds to develop online courses and provide such training: *Provided further*, That none of the funds made available under this heading may be used to lobby the executive or legislative branches of the Federal Government in connection with a specific contract, grant, or loan: *Provided further*, That of the funds made available under this heading, \$1,000,000 may be available to the Secretary for the creation and promotion of translated materials and other programs that support the assistance of persons with limited English proficiency in utilizing the services provided by the Department of Housing and Urban Development.

OFFICE OF LEAD HAZARD CONTROL AND HEALTHY HOMES

LEAD HAZARD REDUCTION

(INCLUDING TRANSFER OF FUNDS)

For the Lead Hazard Reduction Program, as authorized by section 1011 of the Residential Lead-Based Paint Hazard Reduction Act of 1992 (42 U.S.C. 4852), the Healthy Homes Initiative, pursuant to sections 501 and 502 of the Housing and Urban Development Act of 1970 (12 U.S.C. 1701z-1 and 1701z-2), and for related activities and assistance, \$345,000,000, to remain available until September 30, 2026: *Provided*, That the amounts made available under this heading are provided as follows:

(1) \$200,000,000 shall be for the award of grants pursuant to such section 1011, of which not less than \$80,000,000 shall be provided to areas with the highest lead-based paint abatement need.

(2) \$140,000,000 shall be for the Healthy Homes Initiative, pursuant to sections 501

and 502 of the Housing and Urban Development Act of 1970, which shall include research, studies, testing, and demonstration efforts, including education and outreach concerning lead-based paint poisoning and other housing-related diseases and hazards, and mitigating housing-related health and safety hazards in housing of low-income families, of which \$10,000,000 shall be for the establishment and implementation of a national pilot program to facilitate new financing mechanisms to address lead and other residential environmental stressors in low-income communities.

(3) \$3,000,000 shall be for the award of grants and contracts for research pursuant to sections 1051 and 1052 of the Residential Lead-Based Paint Hazard Reduction Act of 1992 (42 U.S.C. 4854, 4854a).

(4) Up to \$2,000,000 in total of the amounts made available under paragraphs (2) and (3) may be transferred to the heading "Research and Technology" for the purposes of conducting research and studies and for use in accordance with the provisos under that heading for non-competitive agreements.

(5) \$2,000,000 shall be for grants for a radon testing and mitigation safety demonstration program (the radon demonstration) in public housing: *Provided*, That the testing method, mitigation method, or action level used under the radon demonstration shall be as specified by applicable State or local law, if such law is more protective of human health or the environment than the method or level specified by the Secretary:

Provided further, That for purposes of environmental review, pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and other provisions of law that further the purposes of such Act, a grant under the Healthy Homes Initiative, or the Lead Technical Studies program, or other demonstrations or programs under this heading or under prior appropriations Acts for such purposes under this heading, or under the heading "Housing for the Elderly" under prior Appropriations Acts, shall be considered to be funds for a special project for purposes of section 305(c) of the Multifamily Housing Property Disposition Reform Act of 1994: *Provided further*, That each applicant for a grant or cooperative agreement under this heading shall certify adequate capacity that is acceptable to the Secretary to carry out the proposed use of funds pursuant to a notice of funding opportunity: *Provided further*, That the Secretary shall conduct a demonstration to harmonize income eligibility criteria for grants under this heading in this and prior Acts with the income eligibility criteria of certain other Federal programs: *Provided further*, That for purposes of such demonstration, the Secretary may establish income eligibility criteria for such grants using income eligibility criteria of any program administered by the Secretary, the Department of Energy weatherization assistance program (42 U.S.C. 6851 et seq.), the Department of Health and Human Services low income home energy assistance program (42 U.S.C. 8621 et seq.), and the Department of Veterans Affairs supportive services for veteran families program (38 U.S.C. 2044): *Provided further*, That amounts made available under this heading, in this or prior appropriations Acts, still remaining available, may be used for any purpose under this heading notwithstanding the purpose for which such amounts were appropriated if a program competition is undersubscribed and there are other program competitions under this heading that are oversubscribed.

INFORMATION TECHNOLOGY FUND

For Department-wide and program-specific information technology systems and infrastructure, \$371,250,000, to remain available

until September 30, 2026: *Provided*, That not more than 10 percent of the funds made available under this heading for development, modernization, and enhancement may be obligated until 90 days after the Secretary submits a plan and quarterly reports in accordance with the requirements stated in the Report accompanying this Act.

OFFICE OF INSPECTOR GENERAL

For necessary salaries and expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, as amended, \$154,000,000: *Provided*, That the Inspector General shall have independent authority over all personnel issues within this office.

GENERAL PROVISIONS—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

(INCLUDING TRANSFER OF FUNDS)

(INCLUDING RESCISSIONS)

SEC. 201. Fifty percent of the amounts of budget authority, or in lieu thereof 50 percent of the cash amounts associated with such budget authority, that are recaptured from projects described in section 1012(a) of the Stewart B. McKinney Homeless Assistance Amendments Act of 1988 (42 U.S.C. 1437f note) shall be rescinded or in the case of cash, shall be remitted to the Treasury, and such amounts of budget authority or cash recaptured and not rescinded or remitted to the Treasury shall be used by State housing finance agencies or local governments or local housing agencies with projects approved by the Secretary of Housing and Urban Development for which settlement occurred after January 1, 1992, in accordance with such section. Notwithstanding the previous sentence, the Secretary may award up to 15 percent of the budget authority or cash recaptured and not rescinded or remitted to the Treasury to provide project owners with incentives to refinance their project at a lower interest rate.

SEC. 202. None of the funds made available by this Act may be used during fiscal year 2024 to investigate or prosecute under the Fair Housing Act any otherwise lawful activity engaged in by one or more persons, including the filing or maintaining of a non-frivolous legal action, that is engaged in solely for the purpose of achieving or preventing action by a Government official or entity, or a court of competent jurisdiction.

SEC. 203. Except as explicitly provided in law, any grant, cooperative agreement or other assistance made pursuant to title II of this Act shall be made on a competitive basis and in accordance with section 102 of the Department of Housing and Urban Development Reform Act of 1989 (42 U.S.C. 3545).

SEC. 204. Funds of the Department of Housing and Urban Development subject to the Government Corporation Control Act or section 402 of the Housing Act of 1950 shall be available, without regard to the limitations on administrative expenses, for legal services on a contract or fee basis, and for utilizing and making payment for services and facilities of the Federal National Mortgage Association, Government National Mortgage Association, Federal Home Loan Mortgage Corporation, Federal Financing Bank, Federal Reserve banks or any member thereof, Federal Home Loan banks, and any insured bank within the meaning of the Federal Deposit Insurance Corporation Act, as amended (12 U.S.C. 1811-1).

SEC. 205. Unless otherwise provided for in this Act or through a reprogramming of funds, no part of any appropriation for the Department of Housing and Urban Development shall be available for any program, project or activity in excess of amounts set forth in the budget estimates submitted to Congress.

SEC. 206. Corporations and agencies of the Department of Housing and Urban Develop-

ment which are subject to the Government Corporation Control Act are hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of such Act as may be necessary in carrying out the programs set forth in the budget for 2024 for such corporation or agency except as hereinafter provided: *Provided*, That collections of these corporations and agencies may be used for new loan or mortgage purchase commitments only to the extent expressly provided for in this Act (unless such loans are in support of other forms of assistance provided for in this or prior appropriations Acts), except that this proviso shall not apply to the mortgage insurance or guaranty operations of these corporations, or where loans or mortgage purchases are necessary to protect the financial interest of the United States Government.

SEC. 207. The Secretary shall provide quarterly reports to the House and Senate Committees on Appropriations regarding all uncommitted, unobligated, recaptured and excess funds in each program and activity within the jurisdiction of the Department and shall submit additional, updated budget information to these Committees upon request.

SEC. 208. None of the funds made available by this title may be used for an audit of the Government National Mortgage Association that makes applicable requirements under the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.).

SEC. 209. (a) Notwithstanding any other provision of law, subject to the conditions listed under this section, for fiscal years 2024 and 2025, the Secretary of Housing and Urban Development may authorize the transfer of some or all project-based assistance, debt held or insured by the Secretary and statutorily required low-income and very low-income use restrictions if any, associated with one or more multifamily housing project or projects to another multifamily housing project or projects.

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

(c) The transfer authorized in subsection (a) is subject to the following conditions:

(1) NUMBER AND BEDROOM SIZE OF UNITS.—

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

(B) For unoccupied units in the transferring project: The Secretary may authorize a reduction in the number of dwelling units in the receiving project or projects to allow for a reconfiguration of bedroom sizes to meet current market demands, as determined by the Secretary and provided there is no increase in the project-based assistance budget authority.

(2) The transferring project shall, as determined by the Secretary, be either physically obsolete or economically nonviable, or be reasonably expected to become economically nonviable when complying with State or

Federal requirements for community integration and reduced concentration of individuals with disabilities.

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

(4) The owner or mortgagor of the transferring project shall notify and consult with the tenants residing in the transferring project and provide a certification of approval by all appropriate local governmental officials.

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

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

(7) If either the transferring project or the receiving project or projects meets the condition specified in subsection (d)(2)(A), any lien on the receiving project resulting from additional financing obtained by the owner shall be subordinate to any FHA-insured mortgage lien transferred to, or placed on, such project by the Secretary, except that the Secretary may waive this requirement upon determination that such a waiver is necessary to facilitate the financing of acquisition, construction, and/or rehabilitation of the receiving project or projects.

(8) If the transferring project meets the requirements of subsection (d)(2), the owner or mortgagor of the receiving project or projects shall execute and record either a continuation of the existing use agreement or a new use agreement for the project where, in either case, any use restrictions in such agreement are of no lesser duration than the existing use restrictions.

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

(d) For purposes of this section—

(1) the terms “low-income” and “very low-income” shall have the meanings provided by the statute and/or regulations governing the program under which the project is insured or assisted;

(2) the term “multifamily housing project” means housing that meets one of the following conditions—

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

(B) housing that has project-based assistance attached to the structure including projects undergoing mark to market debt restructuring under the Multifamily Assisted Housing Reform and Affordability Housing Act;

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

(D) housing that is assisted under section 202 of the Housing Act of 1959 (12 U.S.C. 1701q), as such section existed before the enactment of the Cranston-Gonzales National Affordable Housing Act;

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

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

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

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

(B) assistance for housing constructed or substantially rehabilitated pursuant to assistance provided under section 8(b)(2) of

such Act (as such section existed immediately before October 1, 1983);

(C) rent supplement payments under section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s);

(D) interest reduction payments under section 236 and/or additional assistance payments under section 236(f)(2) of the National Housing Act (12 U.S.C. 1715z-1);

(E) assistance payments made under section 202(c)(2) of the Housing Act of 1959 (12 U.S.C. 1701q(c)(2)); and

(F) assistance payments made under section 811(d)(2) of the Cranston-Gonzales National Affordable Housing Act (42 U.S.C. 8013(d)(2));

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

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

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

(e) RESEARCH REPORT.—The Secretary shall conduct an evaluation of the transfer authority under this section, including the effect of such transfers on the operational efficiency, contract rents, physical and financial conditions, and long-term preservation of the affected properties.

SEC. 210. (a) No assistance shall be provided under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) to any individual who—

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

(2) is under 24 years of age;

(3) is not a veteran;

(4) is unmarried;

(5) does not have a dependent child;

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

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

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

(b) For purposes of determining the eligibility of a person to receive assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), any financial assistance (in excess of amounts received for tuition and any other required fees and charges) that an individual receives under the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.), from private sources, or from an institution of higher education (as defined under section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002)), shall be considered income to that individual, except for a person over the age of 23 with dependent children.

SEC. 211. The funds made available for Native Alaskans under paragraph (1) under the heading “Native American Programs” in title II of this Act shall be allocated to the same Native Alaskan housing block grant recipients that received funds in fiscal year 2005, and only such recipients shall be eligible to apply for funds made available under paragraph (2) of such heading.

SEC. 212. Notwithstanding any other provision of law, in fiscal year 2024, in managing

and disposing of any multifamily property that is owned or has a mortgage held by the Secretary of Housing and Urban Development, and during the process of foreclosure on any property with a contract for rental assistance payments under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) or any other Federal programs, the Secretary shall maintain any rental assistance payments under section 8 of the United States Housing Act of 1937 and other programs that are attached to any dwelling units in the property. To the extent the Secretary determines, in consultation with the tenants and the local government that such a multifamily property owned or having a mortgage held by the Secretary is not feasible for continued rental assistance payments under such section 8 or other programs, based on consideration of (1) the costs of rehabilitating and operating the property and all available Federal, State, and local resources, including rent adjustments under section 524 of the Multifamily Assisted Housing Reform and Affordability Act of 1997 (in this section “MAHRAA”) (42 U.S.C. 1437f note), and (2) environmental conditions that cannot be remedied in a cost-effective fashion, the Secretary may, in consultation with the tenants of that property, contract for project-based rental assistance payments with an owner or owners of other existing housing properties, or provide other rental assistance. The Secretary shall also take appropriate steps to ensure that project-based contracts remain in effect prior to foreclosure, subject to the exercise of contractual abatement remedies to assist relocation of tenants for imminent major threats to health and safety after written notice to and informed consent of the affected tenants and use of other available remedies, such as partial abatements or receivership. After disposition of any multifamily property described in this section, the contract and allowable rent levels on such properties shall be subject to the requirements under section 524 of MAHRAA.

SEC. 213. Public housing agencies that own and operate 400 or fewer public housing units may elect to be exempt from any asset management requirement imposed by the Secretary in connection with the operating fund rule: *Provided*, That an agency seeking a discontinuance of a reduction of subsidy under the operating fund formula shall not be exempt from asset management requirements.

SEC. 214. With respect to the use of amounts provided in this Act and in future Acts for the operation, capital improvement, and management of public housing as authorized by sections 9(d) and 9(e) of the United States Housing Act of 1937 (42 U.S.C. 1437g(d),(e)), the Secretary shall not impose any requirement or guideline relating to asset management that restricts or limits in any way the use of capital funds for central office costs pursuant to paragraph (1) or (2) of section 9(g) of the United States Housing Act of 1937 (42 U.S.C. 1437g(g)(1), (2)): *Provided*, That a public housing agency may not use capital funds authorized under section 9(d) for activities that are eligible under section 9(e) for assistance with amounts from the operating fund in excess of the amounts permitted under paragraph (1) or (2) of section 9(g).

SEC. 215. No official or employee of the Department of Housing and Urban Development shall be designated as an allotment holder unless the Office of the Chief Financial Officer has determined that such allotment holder has implemented an adequate system of funds control and has received training in funds control procedures and directives. The Chief Financial Officer shall ensure that there is a trained allotment holder for each HUD appropriation under the accounts “Executive Offices”, “Administrative Support

Offices”, “Program Offices”, “Government National Mortgage Association—Guarantees of Mortgage-Backed Securities Loan Guarantee Program Account”, and “Office of Inspector General” within the Department of Housing and Urban Development.

SEC. 216. The Secretary shall, for fiscal year 2024, notify the public through the Federal Register and other means, as determined appropriate, of the issuance of a notice of the availability of assistance or notice of funding opportunity (NOFO) for any program or discretionary fund administered by the Secretary that is to be competitively awarded. Notwithstanding any other provision of law, for fiscal year 2024, the Secretary may make the NOFO available only on the Internet at the appropriate Government website or through other electronic media, as determined by the Secretary.

SEC. 217. Payment of attorney fees in program-related litigation shall be paid from the individual program office and Office of General Counsel salaries and expenses appropriations.

SEC. 218. The Secretary is authorized to transfer up to 10 percent or \$5,000,000, whichever is less, of funds appropriated for any office under the headings “Administrative Support Offices”, or “Program Offices”, to any other such office under such headings: *Provided*, That no appropriation for any such office under such headings shall be increased or decreased by more than 10 percent or \$5,000,000, whichever is less, without prior written approval of the House and Senate Committees on Appropriations: *Provided further*, That the Secretary shall provide notification to such Committees 3 business days in advance of any such transfers under this section up to 10 percent or \$5,000,000, whichever is less.

SEC. 219. (a) Any entity receiving housing assistance payments shall maintain decent, safe, and sanitary conditions, as determined by the Secretary, and comply with any standards under applicable State or local laws, rules, ordinances, or regulations relating to the physical condition of any property covered under a housing assistance payment contract.

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

(1) receives a failing score under the Uniform Physical Condition Standards (UPCS) or a successor standard; or

(2) fails to certify in writing to the Secretary within 3 days that all Exigent Health and Safety deficiencies or those deficiencies requiring correction within 24 hours identified by the inspector at the project have been corrected.

Such requirements shall apply to insured and noninsured projects with assistance attached to the units under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), but shall not apply to such units assisted under section 8(o)(13) of such Act (42 U.S.C. 1437f(o)(13)) or to public housing units assisted with capital or operating funds under section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437g).

(c)(1) Within 15 days of the issuance of the Real Estate Assessment Center (“REAC”) inspection, the Secretary shall provide the owner with a Notice of Default with a specified timetable, determined by the Secretary, for correcting all deficiencies. The Secretary shall provide a copy of the Notice of Default to the tenants, the local government, any mortgagees, and any contract administrator. If the owner’s appeal results in a passing score, the Secretary may withdraw the Notice of Default.

(2) At the end of the time period for correcting all deficiencies specified in the Notice of Default, if the owner fails to fully correct such deficiencies, the Secretary may—

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

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

(C) abate the section 8 contract, including partial abatement, as determined by the Secretary, until all deficiencies have been corrected;

(D) pursue transfer of the project to an owner, approved by the Secretary under established procedures, who will be obligated to promptly make all required repairs and to accept renewal of the assistance contract if such renewal is offered;

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

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

(G) seek judicial appointment of a receiver to manage the property and cure all project deficiencies or seek a judicial order of specific performance requiring the owner to cure all project deficiencies;

(H) work with the owner, lender, or other related party to stabilize the property in an attempt to preserve the property through compliance, transfer of ownership, or an infusion of capital provided by a third-party that requires time to effectuate; or

(I) take any other regulatory or contractual remedies available as deemed necessary and appropriate by the Secretary.

(d) The Secretary shall take appropriate steps to ensure that project-based contracts remain in effect, subject to the exercise of contractual abatement remedies to assist relocation of tenants for major threats to health and safety after written notice to the affected tenants. To the extent the Secretary determines, in consultation with the tenants and the local government, that the property is not feasible for continued rental assistance payments under such section 8 or other programs, based on consideration of—

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

(2) environmental conditions that cannot be remedied in a cost-effective fashion, the Secretary may contract for project-based rental assistance payments with an owner or owners of other existing housing properties, or provide other rental assistance.

(e) The Secretary shall report semi-annually on all properties covered by this section that are assessed through the Real Estate Assessment Center and have failing physical inspection scores or have received an unsatisfactory management and occupancy review within the past 36 months. The report shall include—

(1) identification of the enforcement actions being taken to address such conditions, including imposition of civil money penalties and termination of subsidies, and identification of properties that have such conditions multiple times;

(2) identification of actions that the Department of Housing and Urban Development is taking to protect tenants of such identified properties; and

(3) any administrative or legislative recommendations to further improve the living

conditions at properties covered under a housing assistance payment contract.

The first report shall be submitted to the Senate and House Committees on Appropriations not later than 30 days after the enactment of this Act, and the second report shall be submitted within 180 days of the transmittal of the first report.

SEC. 220. None of the funds made available by this Act, or any other Act, for purposes authorized under section 8 (only with respect to the tenant-based rental assistance program) and section 9 of the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.), may be used by any public housing agency for any amount of salary, including bonuses, for the chief executive officer of which, or any other official or employee of which, that exceeds the annual rate of basic pay payable for a position at level IV of the Executive Schedule at any time during any public housing agency fiscal year 2024.

SEC. 221. None of the funds made available by this Act and provided to the Department of Housing and Urban Development may be used to make a grant award unless the Secretary notifies the House and Senate Committees on Appropriations not less than 3 full business days before any project, State, locality, housing authority, Tribe, nonprofit organization, or other entity selected to receive a grant award is announced by the Department or its offices: *Provided*, That such notification shall list each grant award by State and congressional district.

SEC. 222. None of the funds made available in this Act shall be used by the Federal Housing Administration, the Government National Mortgage Association, or the Department of Housing and Urban Development to insure, securitize, or establish a Federal guarantee of any mortgage or mortgage backed security that refinances or otherwise replaces a mortgage that has been subject to eminent domain condemnation or seizure, by a State, municipality, or any other political subdivision of a State.

SEC. 223. None of the funds made available by this Act may be used to terminate the status of a unit of general local government as a metropolitan city (as defined in section 102 of the Housing and Community Development Act of 1974 (42 U.S.C. 5302)) with respect to grants under section 106 of such Act (42 U.S.C. 5306).

SEC. 224. Amounts made available by this Act that are appropriated, allocated, advanced on a reimbursable basis, or transferred to the Office of Policy Development and Research of the Department of Housing and Urban Development and functions thereof, for research, evaluation, or statistical purposes, and that are unexpended at the time of completion of a contract, grant, or cooperative agreement, may be deobligated and shall immediately become available and may be reobligated in that fiscal year or the subsequent fiscal year for the research, evaluation, or statistical purposes for which the amounts are made available to that Office subject to reprogramming requirements in section 405 of this Act.

SEC. 225. None of the funds provided in this Act or any other Act may be used for awards, including performance, special act, or spot, for any employee of the Department of Housing and Urban Development subject to administrative discipline (including suspension from work), in this fiscal year, but this prohibition shall not be effective prior to the effective date of any such administrative discipline or after any final decision over-turning such discipline.

SEC. 226. With respect to grant amounts awarded under the heading “Homeless Assistance Grants” for fiscal years 2015 through 2024 for the Continuum of Care (CoC) program as authorized under subtitle C of title

IV of the McKinney-Vento Homeless Assistance Act, costs paid by program income of grant recipients may count toward meeting the recipient's matching requirements, provided the costs are eligible CoC costs that supplement the recipient's CoC program.

SEC. 227. (a) From amounts made available under this title under the heading "Homeless Assistance Grants", the Secretary may award 1-year transition grants to recipients of funds for activities under subtitle C of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11381 et seq.) to transition from one Continuum of Care program component to another.

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

SEC. 228. The Promise Zone designations and Promise Zone Designation Agreements entered into pursuant to such designations, made by the Secretary in prior fiscal years, shall remain in effect in accordance with the terms and conditions of such agreements.

SEC. 229. Any public housing agency designated as a Moving to Work agency pursuant to section 239 of division L of Public Law 114-113 (42 U.S.C. 1437f note; 129 Stat. 2897) may, upon such designation, use funds (except for special purpose funding, including special purpose vouchers) previously allocated to any such public housing agency under section 8 or 9 of the United States Housing Act of 1937, including any reserve funds held by the public housing agency or funds held by the Department of Housing and Urban Development, pursuant to the authority for use of section 8 or 9 funding provided under such section and section 204 of title II of the Departments of Veterans Affairs and Housing and Urban Development and Independent Agencies Appropriations Act, 1996 (Public Law 104-134; 110 Stat. 1321-28), notwithstanding the purposes for which such funds were appropriated.

SEC. 230. None of the amounts made available by this Act may be used to prohibit any public housing agency under receivership or the direction of a Federal monitor from applying for, receiving, or using funds made available under the heading "Public Housing Fund" for competitive grants to evaluate and reduce lead-based paint hazards in this Act or that remain available and not awarded from prior Acts, or be used to prohibit a public housing agency from using such funds to carry out any required work pursuant to a settlement agreement, consent decree, voluntary agreement, or similar document for a violation of the Lead Safe Housing or Lead Disclosure Rules.

SEC. 231. None of the funds made available by this title may be used to issue rules or guidance in contravention of section 1210 of Public Law 115-254 (132 Stat. 3442) or section 312 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5155).

SEC. 232. The language under the heading "RENTAL ASSISTANCE DEMONSTRATION" in the Department of Housing and Urban Development Appropriations Act, 2012 (Public Law 112-55), as most recently amended by Public Law 117-103, is further amended—

(1) in the matter before the first proviso, by striking "and 'Public Housing Operating Fund'" and inserting "'Public Housing Operating Fund' and 'Public Housing Fund'";

(2) in the second proviso, by striking "until September 30, 2024" and inserting "for fiscal year 2012 and thereafter";

(3) by striking the fourth proviso and inserting the following new provisos: "Provided further, That at properties with assistance under section 9 of the Act requesting to partially convert such assistance, and where an

event under section 18 of the Act occurs that results in the eligibility for tenant protection vouchers under section 8(o) of the Act, the Secretary may convert the tenant protection voucher assistance to assistance under a project-based subsidy contract under section 8 of the Act, which shall be eligible for renewal under section 524 of the Multifamily Assisted Housing Reform and Affordability Act of 1997, or assistance under section 8(o)(13) of the Act, but only if the property meets any additional requirements established by the Secretary to facilitate conversion: *Provided further*, That to facilitate the conversion of assistance under the preceding proviso, the Secretary may transfer an amount equal to the total amount that would have been allocated for tenant protection voucher assistance for properties that have requested such conversions from amounts made available for tenant protection voucher assistance under the heading 'Tenant-Based Rental Assistance' to the heading 'Project-Based Rental Assistance': *Provided further*, That at properties with assistance previously converted hereunder to assistance under the heading 'Project-Based Rental Assistance,' which are also separately assisted under section 8(o)(13) of the Act, the Secretary may, with the consent of the public housing agency and owner, terminate such project-based subsidy contracts and immediately enter into one new project-based subsidy contract under section 8 of the Act, which shall be eligible for renewal under section 524 of the Multifamily Assisted Housing Reform and Affordability Act of 1997, subject to the requirement that any residents assisted under section 8(o)(13) of the Act at the time of such termination of such project-based subsidy contract shall retain all rights accrued under section 8(o)(13)(E) of the Act under the new project-based subsidy contract and section 8(o)(13)(F)(iv) of the Act shall not apply: *Provided further*, That to carry out the previous proviso, the Secretary may transfer from the heading 'Tenant-Based Rental Assistance' to the heading 'Project-Based Rental Assistance' an amount equal to the amounts associated with such terminating contract under section 8(o)(13) of the Act:"

(4) in the thirteenth proviso, as so reordered by the preceding provisions of this section—

(A) by inserting "'Public Housing Fund', 'Self-Sufficiency Programs', 'Family Self-Sufficiency', 'Housing for the Elderly,'" after "'Public Housing Operating Fund,'" and

(B) by inserting "or the ongoing availability of services for residents" after "effective conversion of assistance under the demonstration";

(5) after the twenty-third proviso, as so reordered by the preceding provisions of this section, by inserting the following proviso: "*Provided further*, That owners of properties with a senior preservation rental assistance contract under section 811 of the American Homeownership and Economic Opportunity Act of 2000 (12 U.S.C. 1701q note), shall be eligible, subject to requirements established by the Secretary as necessary to facilitate the conversion of assistance while maintaining the affordability period and the designation of the property as serving elderly families, and tenant consultation procedures, for conversion of assistance available for such assistance contracts to assistance under a long-term project-based subsidy contract under section 8 of the Act";

(6) in the twenty-eighth proviso, as so reordered by the preceding provisions of this section, by inserting ", section 811 of the American Homeownership and Economic Opportunity Act of 2000," after "Housing Act of 1959"; and

(7) in the thirty-third proviso, as so reordered by the preceding provisions of this sec-

tion, by striking "any section 202 project rental assistance contract or section 811 project rental assistance contract conversions" and inserting "the conversion of assistance from section 202(c)(2) of the Housing Act of 1959, section 811 of the American Homeownership and Economic Opportunity Act of 2000, or section 811(d)(2) of the Cranston-Gonzalez National Affordable Housing Act".

SEC. 233. None of the funds made available by this Act may be used to implement, administer, or enforce the proposed rule entitled "Affirmatively Furthering Fair Housing" published by the Department of Housing and Urban Development in the Federal Register on February 9, 2023 (88 Fed. Reg. 8516), or to direct a grantee to undertake specific changes to existing zoning laws as a part of carrying out the interim final rule entitled "Restoring Affirmatively Furthering Fair Housing Definitions and Certifications" published by such Department in the Federal Register on June 10, 2021 (86 Fed. Reg. 30779).

SEC. 234. For fiscal year 2024, if the Secretary determines or has determined, for any prior formula grant allocation administered by the Secretary through the Offices of Public and Indian Housing, Community Planning and Development, or Housing, that a recipient received an allocation greater than the amount such recipient should have received for a formula allocation cycle pursuant to applicable statutes and regulations, the Secretary may adjust for any such funding error in the next applicable formula allocation cycle by (a) offsetting each such recipient's formula allocation (if eligible for a formula allocation in the next applicable formula allocation cycle) by the amount of any such funding error, and (b) reallocating any available balances that are attributable to the offset to the recipient or recipients that would have been allocated additional funds in the formula allocation cycle in which any such error occurred (if such recipient or recipients are eligible for a formula allocation in the next applicable formula allocation cycle) in an amount proportionate to such recipient's eligibility under the next applicable formula allocation cycle: *Provided*, That all offsets and reallocations from such available balances shall be recorded against funds available for the next applicable formula allocation cycle: *Provided further*, That the term "next applicable formula allocation cycle" means the first formula allocation cycle for a program that is reasonably available for correction following such a Secretarial determination: *Provided further*, That if, upon request by a recipient and giving consideration to all Federal resources available to the recipient for the same grant purposes, the Secretary determines that the offset in the next applicable formula allocation cycle would critically impair the recipient's ability to accomplish the purpose of the formula grant, the Secretary may adjust for the funding error across two or more formula allocation cycles.

SEC. 235. The Secretary may transfer from amounts made available for salaries and expenses under all headings in this title (excluding amounts made available under the heading "Office of Inspector General") to the heading "Information Technology Fund" for information technology needs, including for additional development, modernization, and enhancement, to remain available until September 30, 2026: *Provided*, That the total amount of such transfers shall not exceed \$5,000,000: *Provided further*, That this transfer authority shall not be used to fund information technology projects or activities that have known out-year development, modernization, or enhancement costs in excess of \$500,000: *Provided further*, That the Secretary

shall provide notification to the House and Senate Committees on Appropriations no less than three business days in advance of any such transfer.

SEC. 236. The Secretary shall comply with all process requirements, including public notice and comment, when seeking to revise any annual contributions contract.

SEC. 237. There is hereby established in the Treasury of the United States a fund to be known as the Department of Housing and Urban Development Nonrecurring Expenses Fund (the Fund); *Provided*, That unobligated balances of expired discretionary funds appropriated in this or any succeeding fiscal year from the General Fund of the Treasury to the Department of Housing and Urban Development by this or any other Act may be transferred (not later than the end of the fifth fiscal year after the last fiscal year for which such funds are available for the purposes for which they were appropriated) into the Fund: *Provided further*, That amounts deposited in the Fund shall be available until expended, in addition to such other funds as may be available for such purposes, for capital needs of the Department, including facilities infrastructure and information technology infrastructure, subject to approval by the Office of Management and Budget: *Provided further*, That amounts in the Fund may be obligated only after the Committees on Appropriations of the House of Representatives and the Senate are notified at least 15 days in advance of the planned use of funds.

SEC. 238. For the fiscal year 2024 allocation of amounts under the Native American Housing Block Grants program, as authorized under title I of Native American Housing and Self-Determination Act of 1996 (25 U.S.C. 4111 et seq.), the number of qualifying low-income housing dwelling units under section 302(b)(1) of such Act (25 U.S.C. 4152(b)(1)) shall not be reduced due to the placement of a Native American veteran assisted with amounts provided under the Tribal HUD-VASH Program within any such qualifying unit.

SEC. 239. (a) Subsection (a) of section 184 of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z-13a(a)) is amended to read as follows:

“(a) **AUTHORITY.**—To provide access to sources of private financing to Indian families, Indian housing authorities, and Indian tribes, who otherwise could not acquire housing financing because of the unique legal status of Indian lands and the unique nature of tribal economies; and to expand homeownership opportunities to Indian families, Indian housing authorities and Indian tribes on fee simple lands, the Secretary may guarantee not to exceed 100 percent of the unpaid principal and interest due on any loan eligible under subsection (b) made to an Indian family, Indian housing authority, or Indian tribe on trust land and fee simple land.”

(b) Paragraph (2) of section 184(b) of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z-13a(b)(2)) is amended to read as follows:

“(2) **ELIGIBLE HOUSING.**—The loan shall be used to construct, acquire, refinance, or rehabilitate 1- to 4-family dwellings that are standard housing.”

SEC. 240. Section 105 of the Housing and Community Development Act of 1974 (42 U.S.C. 5305) is amended by adding at the end the following new subsection:

“(i) **SPECIAL ACTIVITIES BY INDIAN TRIBES.**—Indian tribes receiving grants under section 106(a)(1) of this Act are authorized to carry out activities described in subsection (a)(15) of this section directly.”

SEC. 241. None of the funds made available by this Act may be used in contravention of existing Federal law regarding non-citizen

eligibility and ineligibility for occupancy in federally assisted housing or for participation in and assistance under federal housing programs, including section 214 of the Housing and Community Development Act of 1980 (42 U.S.C. 1436a) and title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1601 et seq.).

SEC. 242. Of the unobligated balances of amounts made available under the heading “Office of Lead Hazard Control and Healthy Homes” from prior Acts making appropriations for the Department of Housing and Urban Development, \$564,200,000 are hereby permanently rescinded.

SEC. 243. None of the funds made available to the Department of Housing and Urban Development in this or prior Acts may be used to issue a solicitation or accept bids on any solicitation that is substantially equivalent to the draft solicitation entitled “Housing Assistance Payments (HAP) Contract Support Services (HAPSS)” posted to www.Sam.gov on July 27, 2022.

SEC. 244. None of the funds made available by this Act may be used to provide Federal funds to a local jurisdiction that refuses to comply with a request from the Department of Homeland Security to provide advance notice of the scheduled release date and time for a particular illegal alien in local custody.

This title may be cited as the “Department of Housing and Urban Development Appropriations Act, 2024”.

TITLE III RELATED AGENCIES ACCESS BOARD SALARIES AND EXPENSES

For expenses necessary for the Access Board, as authorized by section 502 of the Rehabilitation Act of 1973 (29 U.S.C. 792), \$9,955,000.

FEDERAL MARITIME COMMISSION SALARIES AND EXPENSES

For necessary expenses of the Federal Maritime Commission as authorized by section 46107 of title 46, United States Code, including services as authorized by section 3109 of title 5, United States Code; hire of passenger motor vehicles as authorized by section 1343(b) of title 31, United States Code; and uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code, \$43,720,000, of which \$2,000,000 shall remain available until September 30, 2025: *Provided*, That not to exceed \$3,500 shall be for official reception and representation expenses.

NATIONAL RAILROAD PASSENGER CORPORATION OFFICE OF INSPECTOR GENERAL SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General for the National Railroad Passenger Corporation to carry out the provisions of the Inspector General Act of 1978 (5 U.S.C. App. 3), \$30,410,000: *Provided*, That the Inspector General shall have all necessary authority, in carrying out the duties specified in such Act, to investigate allegations of fraud, including false statements to the Government under section 1001 of title 18, United States Code, by any person or entity that is subject to regulation by the National Railroad Passenger Corporation: *Provided further*, That the Inspector General may enter into contracts and other arrangements for audits, studies, analyses, and other services with public agencies and with private persons, subject to the applicable laws and regulations that govern the obtaining of such services within the National Railroad Passenger Corporation: *Provided further*, That the Inspector General may select, appoint, and employ such officers and employees as may be necessary for carrying out the functions,

powers, and duties of the Office of Inspector General, subject to the applicable laws and regulations that govern such selections, appointments, and employment within the National Railroad Passenger Corporation: *Provided further*, That concurrent with the President's budget request for fiscal year 2025, the Inspector General shall submit to the House and Senate Committees on Appropriations a budget request for fiscal year 2025 in similar format and substance to budget requests submitted by executive agencies of the Federal Government.

NATIONAL TRANSPORTATION SAFETY BOARD SALARIES AND EXPENSES

For necessary expenses of the National Transportation Safety Board, including hire of passenger motor vehicles and aircraft; services as authorized by section 3109 of title 5, United States Code, but at rates for individuals not to exceed the per diem rate equivalent to the rate for a GS-15; uniforms, or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code, \$145,000,000, of which not to exceed \$2,000 may be used for official reception and representation expenses.

NEIGHBORHOOD REINVESTMENT CORPORATION PAYMENT TO THE NEIGHBORHOOD REINVESTMENT CORPORATION

For payment to the Neighborhood Reinvestment Corporation for use in neighborhood reinvestment activities, as authorized by the Neighborhood Reinvestment Corporation Act (42 U.S.C. 8101-8107), \$172,000,000.

SURFACE TRANSPORTATION BOARD SALARIES AND EXPENSES

For necessary expenses of the Surface Transportation Board, including services authorized by section 3109 of title 5, United States Code, \$48,184,000: *Provided*, That, notwithstanding any other provision of law, not to exceed \$1,250,000 from fees established by the Surface Transportation Board shall be credited to this appropriation as offsetting collections and used for necessary and authorized expenses under this heading: *Provided further*, That the amounts made available under this heading from the general fund shall be reduced on a dollar-for-dollar basis as such offsetting collections are received during fiscal year 2024, to result in a final appropriation from the general fund estimated at not more than \$46,934,000.

UNITED STATES INTERAGENCY COUNCIL ON HOMELESSNESS OPERATING EXPENSES

For necessary expenses, including payment of salaries, authorized travel, hire of passenger motor vehicles, the rental of conference rooms, and the employment of experts and consultants under section 3109 of title 5, United States Code, of the United States Interagency Council on Homelessness in carrying out the functions pursuant to title II of the McKinney-Vento Homeless Assistance Act, as amended, \$4,188,000.

TITLE IV GENERAL PROVISIONS—THIS ACT (INCLUDING RESCISSIONS)

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

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

SEC. 403. The expenditure of any appropriation under this Act for any consulting service through a procurement contract pursuant to section 3109 of title 5, United States

Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive Order issued pursuant to existing law.

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

(1) does not meet identified needs for knowledge, skills, and abilities bearing directly upon the performance of official duties;

(2) contains elements likely to induce high levels of emotional response or psychological stress in some participants;

(3) does not require prior employee notification of the content and methods to be used in the training and written end of course evaluation;

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

(5) is offensive to, or designed to change, participants’ personal values or lifestyle outside the workplace.

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

SEC. 405. Except as otherwise provided in this Act, none of the funds provided in this Act, provided by previous appropriations Acts to the agencies or entities funded in this Act that remain available for obligation or expenditure in fiscal year 2024, or provided from any accounts in the Treasury derived by the collection of fees and available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that—

(1) creates a new program;

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

(3) increases funds or personnel for any program, project, or activity for which funds have been denied or restricted by the Congress;

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

(5) augments existing programs, projects, or activities in excess of \$5,000,000 or 10 percent, whichever is less;

(6) reduces existing programs, projects, or activities by \$5,000,000 or 10 percent, whichever is less; or

(7) creates, reorganizes, or restructures a branch, division, office, bureau, board, commission, agency, administration, or department different from the budget justifications submitted to the Committees on Appropriations or the table in the Report accompanying this Act, whichever is more detailed, unless prior approval is received from the House and Senate Committees on Appropriations:

Provided, That not later than 60 days after the date of enactment of this Act, each agency funded by this Act shall submit a report to the Committees on Appropriations of the Senate and of the House of Representatives to establish the baseline for application of reprogramming and transfer authorities for the current fiscal year: *Provided further*, That the report shall include—

(A) a table for each appropriation with a separate column to display the prior year enacted level, the President’s budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(B) a delineation in the table for each appropriation and its respective prior year en-

acted level by object class and program, project, and activity as detailed in this Act, the table in the Report accompanying this Act or in the budget appendix for the respective appropriations whichever is more detailed, and shall apply to all items for which a dollar amount is specified and to all programs for which new budget (obligational) authority is provided, as well as to discretionary grants and discretionary grant allocations; and

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

SEC. 406. Except as otherwise specifically provided by law, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 2024 from appropriations made available for salaries and expenses for fiscal year 2024 in this Act, shall remain available through September 30, 2025, for each such account for the purposes authorized: *Provided*, That a request shall be submitted to the House and Senate Committees on Appropriations for approval prior to the expenditure of such funds: *Provided further*, That these requests shall be made in compliance with reprogramming guidelines under section 405 of this Act.

SEC. 407. No funds in this Act may be used to support any Federal, State, or local projects that seek to use the power of eminent domain, unless eminent domain is employed only for a public use: *Provided*, That for purposes of this section, public use shall not be construed to include economic development that primarily benefits private entities: *Provided further*, That any use of funds for mass transit, railroad, airport, seaport or highway projects, as well as utility projects which benefit or serve the general public (including energy-related, communication-related, water-related and wastewater-related infrastructure), other structures designated for use by the general public or which have other common-carrier or public-utility functions that serve the general public and are subject to regulation and oversight by the government, and projects for the removal of an immediate threat to public health and safety or brownfields as defined in the Small Business Liability Relief and Brownfields Revitalization Act (Public Law 107-118) shall be considered a public use for purposes of eminent domain.

SEC. 408. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Acts.

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

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

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

SEC. 412. None of the funds made available in this Act may be used to send or otherwise pay for the attendance of more than 50 employees of a single agency or department of the United States Government, who are stationed in the United States, at any single international conference unless the relevant Secretary reports to the House and Senate Committees on Appropriations at least 5 days in advance that such attendance is im-

portant to the national interest: *Provided*, That for purposes of this section the term “international conference” shall mean a conference occurring outside of the United States attended by representatives of the United States Government and of foreign governments, international organizations, or nongovernmental organizations.

SEC. 413. None of the funds appropriated or otherwise made available under this Act may be used by the Surface Transportation Board to charge or collect any filing fee for rate or practice complaints filed with the Board in an amount in excess of the amount authorized for district court civil suit filing fees under section 1914 of title 28, United States Code.

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

(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.

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

(b) A department or agency covered by this section shall provide its Inspector General with access to all such records, documents, and other materials in a timely manner.

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

(d) Each Inspector General covered by this section shall report to the Committees on Appropriations of the House of Representatives and the Senate within 5 calendar days any failures to comply with this requirement.

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

SEC. 417. No part of any appropriation contained in this Act shall be available to pay the salary for any person filling a position, other than a temporary position, formerly held by an employee who has left to enter the Armed Forces of the United States and has satisfactorily completed his or her period of active military or naval service, and has within 90 days after his or her release from such service or from hospitalization continuing after discharge for a period of not more than 1 year, made application for restoration to his or her former position and has been certified by the Office of Personnel Management as still qualified to perform the

duties of his or her former position and has not been restored thereto.

SEC. 418. (a) None of the funds made available by this Act may be used to approve a new foreign air carrier permit under sections 41301 through 41305 of title 49, United States Code, or exemption application under section 40109 of that title of an air carrier already holding an air operators certificate issued by a country that is party to the U.S.-E.U.-Iceland-Norway Air Transport Agreement where such approval would contravene United States law or Article 17 bis of the U.S.-E.U.-Iceland-Norway Air Transport Agreement.

(b) Nothing in this section shall prohibit, restrict or otherwise preclude the Secretary of Transportation from granting a foreign air carrier permit or an exemption to such an air carrier where such authorization is consistent with the U.S.-E.U.-Iceland-Norway Air Transport Agreement and United States law.

SEC. 419. (a) None of the funds appropriated or otherwise made available under this Act may be used to operate, procure, or enter into a contracting action related to acquire unmanned aircraft systems, as defined under section 44801 of title 49, United States Code, manufactured by an entity that is—

(1) included on the Consolidated Screening List or Entity List as designated by the Secretary of Commerce;

(2) included in the Chinese Military-Industrial Complex list by the Secretary of the Treasury;

(3) included in the 1260H list by the Secretary of Defense;

(4) domiciled in the People's Republic of China;

(5) subject to influence or control by the government of the People's Republic of China; or

(6) a subsidiary or affiliate of an entity described in paragraphs (1) through (5).

(b) Subsection (a) shall not apply to an operation, procurement, or contracting action that—

(1) is for purposes of counter-UAS testing, analysis, training, or aviation safety testing and research; and

(2) notification is provided in writing not later than 15 days after making an expenditure to such an operation, procurement, or contracting action to the Committees on Appropriations of the House of Representatives and the Senate in a manner that identifies the unmanned aircraft system and intended use of such system, provided that such notification may include a classified annex, as necessary.

SEC. 420. Of the unobligated balances available in Public Law 117-169, \$25,035,000,000 available under section 10301(1)(A)(ii) as of the date of the enactment of this Act are permanently rescinded.

SEC. 421. None of the funds made available by this Act may be used to provide any education, training, or professional development that utilizes, promotes, or teaches Critical Race Theory, any concept associated with Critical Race Theory, or that teaches or trains any idea or concept that condones an individual being discriminated against or receiving adverse or beneficial treatment based on race or sex, that condones an individual feeling discomfort, guilt, anguish, or any other form of psychological distress on account of that individual's race or sex, as well as any idea or concept that regards one race as inherently superior to another race, the United States or its institutions as being systemically racist or sexist, an individual as being inherently racist, sexist, or oppressive by virtue of that individual's race or sex, an individual's moral character as being necessarily determined by race or sex, an individual as bearing responsibility for actions

committed in the past by other members of the same race or sex, or meritocracy being racist, sexist, or having been created by a particular race to oppress another race.

SEC. 422. The Secretary of Transportation and the Secretary of Housing and Urban Development shall provide the House and Senate Committees on Appropriations quarterly written notification regarding the status of pending congressional reports.

SEC. 423. None of the funds made available by this Act may be used by the Secretary of Housing and Urban Development to establish, administer, or enforce any requirement to elevate any structure that is newly constructed, substantially repaired, or substantially improved and is located within the areas impacted or distressed as a result of a major disaster declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) and within a special flood hazard area for purposes of the National Flood Insurance Program, to an elevation higher than the elevation required by the Federal Emergency Management Agency under the National Flood Insurance Program.

SEC. 424. None of the funds made available by this Act may be used by the Secretary of Housing and Urban Development in contravention of section 312 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5155).

SEC. 425. With respect to a person who has received Federal assistance for a major disaster or emergency under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) related to Major Disaster Declarations for Disaster Number 4263 from March of 2016 or Disaster Number 4277 from August of 2016, none of the funds under this or a prior Act shall be used to enforce an income threshold to limit the eligibility of such recipient from qualifying for a waiver of the general prohibition of the duplication of benefits under section 312(b)(4) of such Act (42 U.S.C. 5155(b)(4)) for assistance made available under section 145(a) of division C of Public Law 114-223, section 192(b) of division C of Public Law 114-223, or section 421 of division K of Public Law 115-31.

SEC. 426. None of the funds made available in this Act may be used to facilitate new scheduled air transportation originating from the United States if such flights would land on, or pass through, property confiscated by the Cuban Government, including property in which a minority interest was confiscated, as the terms confiscated, by the Cuban Government, and property are defined in paragraphs (4), (5), and (12)(A), respectively, of section 4 of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 (22 U.S.C. 6023 (4), (5), and 7 (12)(A)); *Provided*, That for this section, new scheduled air transportation shall include any flights not already regularly scheduled prior to May 2022.

SEC. 427. (a) In the table of projects in the explanatory statement referenced in section 417 of the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2022 (division L of Public Law 117-103) the item relating to "Midland Center for the Arts only for structural improvements" is deemed to be amended by striking recipient "City of Midland" and inserting "Midland Center for the Arts."

(b) In the table of projects entitled "Community Project Funding/Congressionally Directed Spending" included in the explanatory statement that accompanied the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2023 (division L of Public Law 117-328)—

(1) the item relating to "River Road Homes Affordable Housing Infrastructure" is deemed to be amended by striking recipient

"Town of Canaan" and inserting "Falls Village Housing Trust Inc."; and

(2) the item relating to "The Star Community Family Life Center" is deemed to be amended by striking recipient "The Star Community Family Life Center" and inserting "Morning Star Baptist Life Center Five Star Program, Inc."

SEC. 428. None of the funds made available in this Act or any other Act may be used for any activities related to the implementation of Priced Zones (Cordon Pricing) under the Value Pricing Pilot Program or New York City's Central Business District Tolling Program.

SEC. 429. None of the funds made available by this Act or any other Act may be used for any program, project, or activity associated with the collection of tolls on Interstate Route 5 or Interstate Route 205 in the State of Oregon.

SEC. 430. None of the funds made available by this Act may be obligated or expended to fly or display a flag over a facility of a Department or agency funded by this Act other than the flag of the United States; the flag of a State, insular area, or the District of Columbia; the flag of a Federally recognized Tribal entity; the official flag of the Secretary of Transportation or the Secretary of Housing and Urban Development; the official flag of a U.S. Department or agency; or the POW/MIA flag.

SEC. 431. (a) IN GENERAL.—Notwithstanding section 7 of title 1, United States Code, section 1738C of title 28, United States Code, or any other provision of law, none of the funds provided by this Act, or previous appropriations Acts, shall be used in whole or in part to take any discriminatory action against a person, wholly or partially, on the basis that such person speaks, or acts, in accordance with a sincerely held religious belief, or moral conviction, that marriage is, or should be recognized as, a union of one man and one woman.

(b) DISCRIMINATORY ACTION DEFINED.—As used in subsection (a), a discriminatory action means any action taken by the Federal Government to—

(1) alter in any way the Federal tax treatment of, or cause any tax, penalty, or payment to be assessed against, or deny, delay, or revoke an exemption from taxation under section 501(a) of the Internal Revenue Code of 1986 of, any person referred to in subsection (a);

(2) disallow a deduction for Federal tax purposes of any charitable contribution made to or by such person;

(3) withhold, reduce the amount or funding for, exclude, terminate, or otherwise make unavailable or deny, any Federal grant, contract, subcontract, cooperative agreement, guarantee, loan, scholarship, license, certification, accreditation, employment, or other similar position or status from or to such person;

(4) withhold, reduce, exclude, terminate, or otherwise make unavailable or deny, any entitlement or benefit under a Federal benefit program, including admission to, equal treatment in, or eligibility for a degree from an educational program, from or to such person; or

(5) withhold, reduce, exclude, terminate, or otherwise make unavailable or deny access or an entitlement to Federal property, facilities, educational institutions, speech fora (including traditional, limited, and non-public fora), or charitable fundraising campaigns from or to such person.

(c) ACCREDITATION; LICENSURE; CERTIFICATION.—The Federal Government shall consider accredited, licensed, or certified for purposes of Federal law any person that would be accredited, licensed, or certified, respectively, for such purposes but for

a determination against such person wholly or partially on the basis that the person speaks, or acts, in accordance with a sincerely held religious belief or moral conviction described in subsection (a).

SEC. 432. None of the funds made available by this title may be used in contravention of section 642 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996.

SEC. 433. (a) IN GENERAL.—None of the funds made available, limited, or otherwise affected by this Act shall be used to approve or otherwise authorize the imposition of any toll on any segment of highway or bridge located on the Federal-aid system in the Commonwealth of Pennsylvania that—

(1) as of the date of enactment of this Act, is not tolled;

(2) is constructed with Federal assistance provided under title 23, United States Code;

(3) is constructed with Federal assistance provided under section 141 of the Internal Revenue Code of 1986; and

(4) is in actual operation as of the date of enactment of this Act.

(b) EXCEPTIONS.—

(1) NUMBER OF TOLL LANES.—Subsection (a) shall not apply to any segment of highway on the Federal-aid system described in that subsection that, as of the date on which a toll is imposed on the segment, will have the same number of nontoll lanes as were in existence prior to that date.

(2) HIGH-OCCUPANCY VEHICLE LANES.—A high-occupancy vehicle lane that is converted to a toll lane shall not be subject to this section, and shall not be considered to be a non-toll lane for purposes of determining whether a highway will have fewer non-toll lanes than prior to the date of imposition of the toll, if—

(A) high-occupancy vehicles occupied by the number of passengers specified by the entity operating the toll lane may use the toll lane without paying a toll, unless otherwise specified by the appropriate county, town, municipal or other local government entity, or public toll road or transit authority; or

(B) each high-occupancy vehicle lane that was converted to a toll lane was constructed as a temporary lane to be replaced by a toll lane under a plan approved by the appropriate county, town, municipal or other local government entity, or public toll road or transit authority.

SEC. 434. Spending Reduction Account.—The amount by which the applicable allocation of new budget authority made by the Committee on Appropriations of the House of Representatives under section 302(b) of the Congressional Budget Act of 1974 exceeds the amount of proposed new budget authority is \$0.

This Act may be cited as the “Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2024”.

SA 1158. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . ENSURING COMPLIANCE BY MEXICO WITH TREATY ON UTILIZATION OF WATERS OF THE COLORADO AND TIJUANA RIVERS AND OF THE RIO GRANDE.

The Secretary of State shall use the voice, vote, diplomatic capital, and resources of the

United States to ensure that United States diplomats and officials of the U.S. Section of the International Boundary Commission are able to secure compliance by the United Mexican States with the Treaty on Utilization of Waters of the Colorado and Tijuana Rivers and of the Rio Grande, signed at Washington February 3, 1944, and to establish understandings that ensure future deliveries of water by the United Mexican States are predictable and reliable.

SA 1159. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . None of the funds made available by this Act may be used for any office, programs, or activity for the purposes of diversity, equity, and inclusion training or implementation.

SA 1160. Mr. MORAN (for himself, Mr. TESTER, and Mr. BOOZMAN) submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division A, insert the following:

SEC. ____ . PROHIBITION ON USE OF FUNDS TO CHANGE RATE OF REIMBURSEMENT FOR TRANSPORTATION VIA SPECIAL MODE OF TRANSPORTATION.

During the period beginning on October 1, 2023, and ending on September 30, 2024, no funds appropriated by this division may be obligated or expended to change rates for reimbursement for transportation of a veteran or other individual via a special mode of transportation under the laws administered by the Secretary of Veterans Affairs from the rates in place as of January 1, 2023.

SA 1161. Mr. MARSHALL (for himself and Mr. DURBIN) submitted an amendment intended to be proposed by him to the bill H.R. 4366, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . COMPETITION IN CREDIT CARD TRANSACTIONS.

(a) IN GENERAL.—Section 921 of the Electronic Fund Transfer Act (15 U.S.C. 1693o–2) is amended—

(1) in subsection (b)—

(A) by redesignating paragraphs (2), (3), and (4) as paragraphs (3), (4), and (5), respectively; and

(B) by inserting after paragraph (1) the following:

“(2) COMPETITION IN CREDIT CARD TRANSACTIONS.—

“(A) NO EXCLUSIVE NETWORK.—

“(i) IN GENERAL.—Not later than 1 year after the date of enactment of this paragraph, the Board shall prescribe regulations providing that a covered card issuer or payment card network shall not directly or through any agent, processor, or licensed member of a payment card network, by contract, requirement, condition, penalty, technological specification, or otherwise, restrict the number of payment card networks on which an electronic credit transaction may be processed to—

“(I) 1 such network;

“(II) 2 or more such networks, if—

“(aa) each such network is owned, controlled, or otherwise operated by—

“(AA) affiliated persons; or

“(BB) networks affiliated with such issuer; or

“(bb) any such network is identified on the list established and updated under subparagraph (D); or

“(III) subject to clause (ii), the 2 such networks that hold the 2 largest market shares with respect to the number of credit cards issued in the United States by licensed members of such networks (and enabled to be processed through such networks), as determined by the Board on the date on which the Board prescribes the regulations.

“(ii) DETERMINATIONS BY BOARD.—

“(I) IN GENERAL.—The Board, not later than 3 years after the date on which the regulations prescribed under clause (i) take effect, and not less frequently than once every 3 years thereafter, shall determine whether the 2 networks identified under clause (i)(III) have changed, as compared with the most recent such determination by the Board.

“(II) EFFECT OF DETERMINATION.—If the Board, under subclause (I), determines that the 2 networks described in clause (i)(III) have changed (as compared with the most recent such determination by the Board), clause (i)(III) shall no longer have any force or effect.

“(B) NO ROUTING RESTRICTIONS.—Not later than 1 year after the date of enactment of this paragraph, the Board shall prescribe regulations providing that a covered card issuer or payment card network shall not—

“(i) directly or through any agent, processor, or licensed member of the network, by contract, requirement, condition, penalty, or otherwise—

“(I) inhibit the ability of any person who accepts credit cards for payments to direct the routing of electronic credit transactions for processing over any payment card network that—

“(aa) may process such transactions; and

“(bb) is not on the list established and updated by the Board under subparagraph (D);

“(II) require any person who accepts credit cards for payments to exclusively use, for transactions associated with a particular credit card, an authentication, tokenization, or other security technology that cannot be used by all of the payment card networks that may process electronic credit transactions for that particular credit card; or

“(III) inhibit the ability of another payment card network to handle or process electronic credit transactions using an authentication, tokenization, or other security technology for the processing of those electronic credit transactions; or

“(ii) impose any penalty or disadvantage, financial or otherwise, on any person for—

“(I) choosing to direct the routing of an electronic credit transaction over any payment card network on which the electronic credit transaction may be processed; or

“(II) failing to ensure that a certain number, or aggregate dollar amount, of electronic credit transactions are handled by a particular payment card network.

“(C) APPLICABILITY.—The regulations prescribed under subparagraphs (A) and (B) shall not apply to a credit card issued in a 3-party payment system model.

“(D) DESIGNATION OF NATIONAL SECURITY RISKS.—

“(i) IN GENERAL.—Not later than 1 year after the date of enactment of this paragraph, the Board, in consultation with the Secretary of the Treasury, shall prescribe regulations to establish a public list of any payment card network—

“(I) the processing of electronic credit transactions by which is determined by the Board to pose a risk to the national security of the United States; or

“(II) that is owned, operated, or sponsored by a foreign state entity.

“(ii) UPDATING OF LIST.—Not less frequently than once every 2 years after the date on which the Board establishes the public list required under clause (i), the Board, in consultation with the Secretary of the Treasury, shall update that list.

“(E) DEFINITIONS.—In this paragraph—

“(i) the terms ‘card issuer’ and ‘creditor’ have the meanings given the terms in section 103 of the Truth in Lending Act (15 U.S.C. 1602);

“(ii) the term ‘covered card issuer’ means a card issuer that, together with the affiliates of the card issuer, has assets of more than \$100,000,000,000;

“(iii) the term ‘credit card issued in a 3-party payment system model’ means a credit card issued by a card issuer that is—

“(I) the payment card network with respect to the credit card; or

“(II) under common ownership with the payment card network with respect to the credit card;

“(iv) the term ‘electronic credit transaction’—

“(I) means a transaction in which a person uses a credit card; and

“(II) includes a transaction in which a person does not physically present a credit card for payment, including a transaction involving the entry of credit card information onto, or use of credit card information in conjunction with, a website interface or a mobile telephone application; and

“(v) the term ‘licensed member’ includes, with respect to a payment card network—

“(I) a creditor or card issuer that is authorized to issue credit cards bearing any logo of the payment card network; and

“(II) any person, including any financial institution and any person that may be referred to as an ‘acquirer’, that is authorized to—

“(aa) screen and accept any person into any program under which that person may accept, for payment for goods or services, a credit card bearing any logo of the payment card network;

“(bb) process transactions on behalf of any person who accepts credit cards for payments; and

“(cc) complete financial settlement of any transaction on behalf of a person who accepts credit cards for payments.”; and

(2) in subsection (d)(1), by inserting “, except that the Bureau shall not have authority to enforce the requirements of this section or any regulations prescribed by the Board under this section” after “section 918”.

(b) EFFECTIVE DATE.—Each set of regulations prescribed by the Board of Governors of the Federal Reserve System under paragraph (2) of section 921(b) of the Electronic Fund Transfer Act (15 U.S.C. 1693o-2(b)), as amended by subsection (a) of this section, shall

take effect on the date that is 180 days after the date on which the Board prescribes the final version of that set of regulations.

SA 1162. Mr. MARSHALL submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division B, insert the following:

SEC. _____. None of the funds made available by this Act, or any other Act thereafter, may be used to write, prepare, or publish any final or interim final rule relating to, or otherwise implement or enforce, the proposed rule entitled “National Organic Program (NOP): Organic Livestock and Poultry Standards” (87 Fed. Reg. 48562 (August 9, 2022)).

SA 1163. Mr. MARSHALL submitted an amendment intended to be proposed by him to the bill H.R. 4366, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division A, insert the following:

SEC. _____. **PROHIBITION ON USE OF FUNDS FOR SURGICAL PROCEDURES OR HORMONE THERAPIES FOR THE PURPOSES OF GENDER AFFIRMING CARE.**

None of the funds made available by this division may be used for surgical procedures or hormone therapies for the purposes of gender affirming care.

SA 1164. Mr. MARSHALL submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table; as follows:

In the appropriate place in division B, insert the following:

SEC. _____. None of the funds made available by this Act may be used to finalize, implement, administer, or enforce any rule that would reduce the maximum monthly allowance with respect to milk under section 246.10 of title 7, Code of Federal Regulations (as in effect on April 1, 2023), including the rule of the Food and Nutrition Service entitled “Special Supplemental Nutrition Program for Women, Infants, and Children (WIC): Revisions to the WIC Food Packages” (87 Fed. Reg. 71090 (November 21, 2022)).

SA 1165. Mr. MARSHALL submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, making appropri-

tions for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. None of the funds made available by this Act may be made available to support, directly or indirectly, the Wuhan Institute of Virology or any laboratory owned or controlled by the government of the People's Republic of China, the Republic of Cuba, the Islamic Republic of Iran, the Democratic People's Republic of Korea, the Russian Federation, the Bolivarian Republic of Venezuela under the regime of Nicolás Maduro Moros, or any other country determined by the Secretary of State to be a foreign adversary.

SA 1166. Mr. MARSHALL submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table; as follows:

In the appropriate place in division B, insert the following:

SEC. _____. None of the funds made available by this Act may be used to finalize, implement, administer, or enforce any rule that would reduce the maximum monthly allowance with respect to milk under section 246.10 of title 7, Code of Federal Regulations (as in effect on April 1, 2023), including the rule of the Food and Nutrition Service entitled “Special Supplemental Nutrition Program for Women, Infants, and Children (WIC): Revisions to the WIC Food Packages” (87 Fed. Reg. 71090 (November 21, 2022)).

SA 1167. Mr. MARSHALL (for himself and Mr. WELCH) submitted an amendment intended to be proposed by him to the bill H.R. 4366, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table; as follows:

On page 147, strike lines 9 through 19 and insert “of 1974: *Provided further*, That at least 75 percent of the households to be served by a project receiving a loan or grant under the pilot program shall be in a rural area without sufficient access to broadband: *Provided further*, That for purposes of such pilot program, a rural area without sufficient access to broadband shall be defined as 100 megabits per second downstream and 20 megabits per second upstream: *Provided further*, That for purposes of such pilot program, preference shall be given to projects with respect to which at least 90 percent of the households to be served by the project are in a rural area without sufficient access to broadband: *Provided further*, That to the extent possible, projects receiving funds provided under the pilot program must build out service to at least 100 megabits per second downstream and 100”.

SA 1168. Mr. MARSHALL submitted an amendment intended to be proposed

to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . PROHIBITION AND FEDERAL CAUSE OF ACTION RELATING TO INTERFERENCE WITH AGRICULTURAL PRODUCTION ACROSS STATE LINES.

(a) **DEFINITION OF AGRICULTURAL PRODUCTS.**—In this section, the term “agricultural products” has the meaning given the term in section 207 of the Agricultural Marketing Act of 1946 (7 U.S.C. 1626).

(b) **PROHIBITION AGAINST INTERFERENCE BY STATE AND LOCAL GOVERNMENTS WITH PRODUCTION OF ITEMS IN OTHER STATES.**—

(1) **PROHIBITION.**—The government of a State or a unit of local government within a State shall not impose a standard or condition on the preharvest production of any agricultural products sold or offered for sale in interstate commerce if—

(A) the production occurs in another State; and

(B) subject to paragraph (2), the standard or condition is in addition to the standards and conditions applicable to the production pursuant to—

(i) Federal law; and

(ii) the laws of the State and unit of local government in which the production occurs.

(2) **RULE OF CONSTRUCTION.**—If no standards or conditions are applicable to the production of an agricultural product pursuant to Federal law, or the laws of a State or unit of local government in which the production occurs, that lack of standards and conditions shall be deemed to be the standards and conditions applicable to the production of the agricultural product for purposes of paragraph (1)(B).

(c) **FEDERAL CAUSE OF ACTION TO CHALLENGE STATE REGULATION OF INTERSTATE COMMERCE.**—

(1) **PRIVATE RIGHT OF ACTION.**—A person, including a producer, a transporter, a distributor, a consumer, a laborer, a trade association, the Federal Government, a State government, or a unit of local government, that is affected by a regulation of a State or unit of local government that regulates any aspect of 1 or more agricultural products that are sold in interstate commerce, including any aspect of the method of production, or any means or instrumentality through which 1 or more agricultural products are sold in interstate commerce may bring an action in the appropriate court to invalidate that regulation and seek damages for economic loss resulting from that regulation.

(2) **PRELIMINARY INJUNCTION.**—On a motion of the plaintiff in an action brought under paragraph (1), the court shall issue a preliminary injunction to preclude the applicable State or unit of local government from enforcing the regulation at issue until such time as the court enters a final judgment in the case, unless the State or unit of local government proves by clear and convincing evidence that—

(A) the State or unit of local government is likely to prevail on the merits at trial; and

(B) the injunction would cause irreparable harm to the State or unit of local government.

(3) **STATUTE OF LIMITATIONS.**—No action shall be maintained under this subsection

unless the action is commenced not later than 10 years after the cause of action arose.

(4) **JURISDICTION.**—A person described in paragraph (1) may bring an action under that paragraph in—

(A) the district court of the United States for the judicial district in which the person—

(i) is affected by a regulation described in that paragraph; or

(ii) resides, operates, or does business; or

(B) any other appropriate court otherwise having jurisdiction.

SA 1169. Mr. MARSHALL submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . No funds made available to the Environmental Protection Agency under this Act or any other Act for fiscal year 2024 may be used by the Administrator of the Environmental Protection Agency to propose, finalize, promulgate, or implement any final regulations under section 202(a) of the Clean Air Act (42 U.S.C. 7521(a)) for new light-duty and medium-duty vehicles until the date on which the Administrator of the Environmental Protection Agency submits to Congress a report that describes the impacts of the current and projected market penetration of new light-duty battery electric vehicles on the agricultural community, including a description of the impacts on the production, sale, and use of ethanol blended transportation fuels.

SA 1170. Mr. MARSHALL submitted an amendment intended to be proposed by him to the bill H.R. 4366, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division A, insert the following:

SEC. ____ . PROHIBITION ON USE OF FUNDS FOR RACIAL EQUITY AND DIVERSITY, EQUITY, INCLUSION, AND ACCESSIBILITY INITIATIVES.

None of the funds made available by this division may be used to implement, administer, apply, enforce, or carry out Executive Order 13985 (5 U.S.C. 601 note; relating to advancing racial equity and support for underserved communities through the Federal Government), Executive Order 14035 (42 U.S.C. 2000e note; relating to diversity, equity, inclusion, and accessibility in the Federal Workforce), or Executive Order 14091 (88 Fed. Reg. 10825; relating to further advancing racial equity and support for underserved communities through the Federal Government).

SA 1171. Mr. MARSHALL submitted an amendment intended to be proposed by him to the bill H.R. 4366, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division A, insert the following:

SEC. ____ . PROHIBITION ON USE OF FUNDS FOR DIVERSITY, EQUITY, AND INCLUSION TRAINING OR IMPLEMENTATION.

None of the funds made available by this division may be used for any office, program, or activity for the purposes of diversity, equity, and inclusion training or implementation.

SA 1172. Mr. MARSHALL submitted an amendment intended to be proposed by him to the bill H.R. 4366, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division A, insert the following:

SEC. ____ . PROHIBITION ON USE OF FUNDS TO FLY OR DISPLAY CERTAIN FLAGS OVER FACILITIES OF THE DEPARTMENT OF VETERANS AFFAIRS OR NATIONAL CEMETERIES.

None of the funds made available by this division may be used by the Secretary of Veterans Affairs to fly or display a flag over a facility of the Department of Veterans Affairs or a national cemetery other than the flag of the United States, the flag of a State, territory of the United States, or the District of Columbia, the flag of an Indian Tribal government, the flag of the Department, the flag of an Armed Force, or the POW/MIA flag.

SA 1173. Mr. MARSHALL submitted an amendment intended to be proposed by him to the bill H.R. 4366, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division B, insert the following:

SEC. ____ . NO EXPENDITURE FOR FNS RULE.

No amount authorized to be appropriated or appropriated by this Act shall be used to carry out the rule submitted by the Food and Nutrition Service relating to “Application of Bostock v. Clayton County to Program Discrimination Complaint Processing—Policy Update” (issued May 5, 2022, as a memorandum, and a letter of opinion from the Government Accountability Office dated June 5, 2023, printed in the Congressional record on June 7, 2023, on pages S1998–S2000, concluding that such memorandum is a rule under the Congressional Review Act).

SA 1174. Mr. MARSHALL submitted an amendment intended to be proposed by him to the bill H.R. 4366, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division A, insert the following:

SEC. ____ . PROHIBITION ON USE OF FUNDS FOR ABORTION.

(a) **PROHIBITION ON IMPLEMENTATION OF RULE.**—None of the funds made available by this division may be used to implement, administer, or otherwise carry out the rule submitted by the Department of Veterans Affairs relating to “Reproductive Health

Services” (87 Fed. Reg. 55287; published September 9, 2022), or any successor to such rule, or to propose, promulgate, or implement any substantially similar rule or policy.

(b) LIMITATION ON ABORTION.—

(1) IN GENERAL.—Except as provided in paragraph (2), none of the funds made available by this division may be expended for any abortion, including through a medical benefits package or health benefits program that includes coverage of abortion.

(2) EXCEPTIONS.—The limitations under paragraph (1) shall not apply to an abortion—

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

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

SA 1175. Mr. BOOKER (for himself and Mr. TUBERVILLE) submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table; as follows:

In the matter under the heading “RURAL WATER AND WASTE DISPOSAL PROGRAM ACCOUNT” under the heading “RURAL UTILITIES SERVICE” in title III, in the second undesignated paragraph, strike “, and of which not to exceed \$5,000,000 shall be available for the rural utilities program described in section 306E of such Act: *Provided,*” and insert “: *Provided,* That not to exceed \$20,000,000 of the amount appropriated under this heading shall be available for the rural utilities program described in section 306E of such Act, of which not less than \$10,000,000 shall be used to provide subgrants to eligible individuals for the construction, refurbishing, and servicing of individually owned household decentralized wastewater systems: *Provided further,*”.

SA 1176. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ ENSURING COMPLIANCE BY MEXICO WITH TREATY ON UTILIZATION OF WATERS OF THE COLORADO AND TIJUANA RIVERS AND OF THE RIO GRANDE.

The Secretary of State shall use the voice, vote, diplomatic capital, and resources of the United States to ensure that United States diplomats and officials of the U.S. Section of the International Boundary and Water Commission are able to secure compliance by the United Mexican States with the Treaty on Utilization of Waters of the Colorado and Tijuana Rivers and of the Rio Grande, signed at Washington February 3, 1944, and to estab-

lish understandings that ensure future deliveries of water by the United Mexican States are predictable and reliable.

SA 1177. Ms. ERNST submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 4. REPORTING REGARDING TELEWORK.

(a) DEFINITIONS.—In this section, the terms “employee”, “locality pay area”, “locality rate”, and “official worksite” have the meanings given those terms in section 531.602 of title 5, Code of Federal Regulations.

(b) REPORTING REQUIREMENT.—Not later than 30 days after the date of enactment of this Act, the Secretary for each agency funded under division A, division B, or division C of this Act shall submit to Congress a report containing—

(1) the number of employees of the agency or department who, based upon information technology login information, office swipe-ins, and other measurable and observable factors, perform the majority of their working hours in a locality pay area with a lower locality rate than the locality rate for the locality pay area in which the official worksite of the employee is located, but continue to receive the higher locality rate associated with the official worksite of the employee;

(2) the cost savings that would be achieved by adjusting the locality rate for employees described in paragraph (1) to be the locality rate for the locality pay area in which the employees perform the majority of their working hours;

(3) the actions the agency or department has taken to audit and adjust the locality rates for employees with a telework agreement to account for the location from which the employees perform the majority of their working hours;

(4) as of the date of enactment of this Act, the actions the agency or department has taken to ensure oversight and quality control of remote work;

(5) any additional steps the agency or department is considering taking to improve oversight and quality control of remote work;

(6) the typical daily onsite attendance in the office buildings of the agency or department, as a proportion of the total workforce of the agency or department;

(7) any guidance, initiatives, or other incentives in effect to entice the employees of the agency or department to return to working from the office buildings of the agency or department;

(8) a description of the instances in which the agency or department has exercised the authority under paragraph (2) of section 531.605(d) of title 5, Code of Federal Regulations to waive the twice-in-a-pay-period standard under paragraph (1) of such section;

(9) the number of exceptions to the exercises of authority described in paragraph (8) that have been revoked during each month beginning on or after July 1, 2021;

(10) as of the date of enactment of this Act, the number of employees for whom an exception described in paragraph (8) remains in effect;

(11) a discussion of the monetary and environmental cost of maintaining underutilized

space for the agency or department, in terms of energy use and carbon emissions;

(12) any steps the agency or department is taking or planning to take on or before the date that is 30 days after the date of enactment of this Act to reduce underutilization of building and office space; and

(13) the impacts of telework on the delivery of services and response times, including any increase or decrease in backlogs relative to the backlog as of March 1, 2020.

SA 1178. Mr. MARSHALL submitted an amendment intended to be proposed by him to the bill H.R. 4366, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division A, insert the following:

SEC. ____ PROHIBITION ON USE OF FUNDS TO PROMOTE OR ADVANCE CRITICAL RACE THEORY.

None of the funds made available by this division may be used to carry out any program, project, or activity that promotes or advances critical race theory or any concept associated with critical race theory.

SA 1179. Mr. BOOKER submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table; as follows:

In division B of the amendment, strike section 773.

SA 1180. Mr. MARSHALL submitted an amendment intended to be proposed by him to the bill H.R. 4366, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division B, insert the following:

SEC. ____ AGE REQUIREMENT FOR ABLE BODIED ADULTS WITHOUT DEPENDENTS.

Section 6(o)(3) of the Food and Nutrition Act of 2008 (7 U.S.C. 2015(o)(3)) is amended by striking subparagraph (A) and inserting the following:

“(A) under 18 years of age or over 55 years of age;”.

SA 1181. Mr. MERKLEY (for himself and Mr. CRAPO) submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table; as follows:

On page 121, line 23, strike “\$10,000,000” and insert “\$20,000,000”.

SA 1182. Mr. BRAUN (for himself, Ms. ERNST, Mr. BARRASSO, and Mr. DAINES) submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table; as follows:

On page 2, after line 19, add the following:
SEC. 4. PROHIBITION ON EARMARKS.

(a) IN GENERAL.—Notwithstanding any provision of any division of this Act, none of the funds made available under any division of this Act may be used to implement any earmark, Community Project Funding, or Congressionally Directed Spending specified in any provision of any division of this Act or in any report described in section 3.

(b) RULE OF CONSTRUCTION.—Nothing in this section shall prevent funds allocated for any earmark, Community Project Funding, or Congressionally Directed Spending included in any division of this Act or in a report described in section 3 of the matter preceding division A in this Act from being awarded under a merit-based process under existing law.

SA 1183. Mr. WELCH (for himself and Mr. MARSHALL) submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table; as follows:

On page 147, beginning on line 9, strike “90 percent” and all that follows through line 19 and insert “75 percent of the households to be served by a project receiving a loan or grant under the pilot program shall be in a rural area without sufficient access to broadband: *Provided further*, That for purposes of such pilot program, a rural area without sufficient access to broadband shall be defined as 100 megabits per second downstream and 20 megabits per second upstream: *Provided further*, That to the extent possible, projects receiving funds provided under the pilot program must build out service to at least 100 megabits per second downstream and 100”.

SA 1184. Mr. WELCH (for himself, Mr. SANDERS, Mrs. SHAHEEN, and Ms. HASSAN) submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division A, insert the following:

SEC. ____ . REPORT ON TOXIC EXPOSURES EXPERIENCED BY VETERANS DURING ACTIVE MILITARY, NAVAL, AIR, OR SPACE SERVICE IN KOSOVO.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this

Act, the Secretary of Veterans Affairs shall submit to the Committee on Veterans’ Affairs of the Senate and the Committee on Veterans’ Affairs of the House of Representatives a report consisting of an analysis of data of suspected and known toxic exposures experienced by veterans during active military, naval, air, or space service in Kosovo and whether a presumption—

(1) of service connection for one or more conditions relating to such toxic exposures should be established under subchapter VII of chapter 11 of title 38, United States Code; or

(2) of toxic exposure should be established for such service under section 1119 of such title.

(b) DEFINITIONS.—In this section, the terms “active military, naval, air, or space service”, “service-connected”, “toxic exposure”, and “veteran” have the meanings given such terms in section 101 of title 38, United States Code.

SA 1185. Mr. DAINES submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table; as follows:

On page 41, line 6, insert after the colon the following: “*Provided further*, That the Secretary of Veterans Affairs shall submit to Congress a report containing an earned value analysis of the Veterans Electronic Health Record system, which shall include a graphic performance report, a schedule and cost performance indexes, an estimate at completion and budget at completion, and a variance analysis for cost and schedule.”.

SA 1186. Mr. MORAN submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division B, insert the following:

SEC. ____ . None of the funds appropriated or otherwise made available by this Act for the Department of Agriculture may be used to increase the number of positions in the Department of Agriculture (measured on a full-time equivalent basis) for which the primary duty station is located in the National Capital Region.

SA 1187. Mr. KELLY (for himself, Mr. CORNYN, Mrs. GILLIBRAND, Mr. WICKER, and Mr. SCHUMER) submitted an amendment intended to be proposed by him to the bill H.R. 4366, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title I of division C, insert the following:

SEC. ____ . UNITED STATES MERCHANT MARINE ACADEMY CAPITAL IMPROVEMENTS.

(a) FINDINGS.—

(1) The United States is a maritime Nation.

(2) A robust commercial maritime industry in the United States is critical for providing military sea-lift capacity at times of war and for providing economic security in peace times.

(3) The United States Merchant Marine Academy and the State maritime academies play a critical role in training licensed merchant mariners to operate commercial vessels, in peacetime and during times of conflict.

(4) The United States Merchant Marine Academy is 1 of the 5 Federal service academies and plays a critical role in maintaining a domestic, commercial maritime industry, with each graduate having a commitment to serve not less than 8 years in the foreign and domestic commerce and the national defense of the United States, which may include service on a merchant vessel documented under chapter 121 of title 46, and graduates make up more than 80 percent of the Navy’s Strategic Sealift Officer Program.

(5) The 6 State maritime academies provide a critical complement to the Federal academy by providing instruction and at-sea training, which enables a graduate to become a commissioned officer and merchant marine upon graduation.

(6) The United States defense readiness and economic security relies on a strong investment in training and cultivating United States merchant marine officers at the maritime academies.

(7) The partnership between commercial shipping companies and the maritime academies to ensure students receive real-world training on commercial vessels has been successful for decades and should continue, while ensuring that these training opportunities are safe environments for students.

(8) To ensure that the United States continues to have a sufficient number of licensed merchant mariners to meet current and future economic and national security needs, the Maritime Administration and the Department of Transportation have a responsibility to provide suitable academic and dormitory facilities at the United States Merchant Marine Academy by maintaining a capital improvement program plan for campus-wide modernization and providing sufficient accountability and oversight to ensure that milestones in a capital improvement plan are met.

(9) In developing capital improvement plans for the United States Merchant Marine Academy, the Maritime Administration and the Department of Transportation should identify opportunities to utilize design-build contracts to increase delivery times and reduce costs.

(b) DIRECTIVES.—

(1) STATUS UPDATE.—Not later than 30 days after the date of enactment of this section, the Secretary of Transportation and the Maritime Administrator shall provide an update to the Board of Visitors of the United States Merchant Marine Academy on—

(A) the status of the fiscal year 2022 United States Merchant Marine Academy’s capital improvement plan execution, including recent steps taken to obligate prior appropriated funds to address all critical near-term projects;

(B) the status of the fiscal year 2023 plan’s release; and

(C) the status of long-term projects not included in the capital improvement plan to enable full campus modernization.

(2) MEETINGS.—The Maritime Administrator shall—

(A) ensure that the United States Merchant Marine Academy Board of Visitors meets not less than 3 times each calendar year, and is encouraged to ensure that meetings are structured to enable Members of Congress to participate virtually, or be represented by staff, to the extent permitted by law; and

(B) transmit a copy of any report transmitted to the President by the Board of Visitors to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives, in addition to copies provided to committees of jurisdiction identified in section 51312 of title 46, United States Code.

SA 1188. Ms. LUMMIS submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division B, insert the following:

SEC. _____. None of the funds made available by this Act may be used to procure imported beef for use in the school lunch program under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.), the summer food service program for children under section 13 of that Act (42 U.S.C. 1761), the child and adult care food program under section 17 of that Act (42 U.S.C. 1766), or the school breakfast program under section 4 of the Child Nutrition Act of 1966 (42 U.S.C. 1773) if the Secretary of Agriculture determines that such beef does not meet applicable safety standards.

SA 1189. Ms. LUMMIS submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table; as follows:

In title I of division C, insert after section 127 the following:

SEC. 128. None of the funds made available by this Act may be used to finalize, implement, administer, or enforce the proposed rulemaking entitled “National Performance Management Measures; Assessing Performance of the National Highway System, Greenhouse Gas Emissions Measure” (87 Fed. Reg. 42401 (July 15, 2022)).

SA 1190. Ms. LUMMIS submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division B, insert the following:

SEC. _____. None of the funds made available by this Act may be used by the Secretary of Agriculture or the Administrator of Food and Drugs to promote or research lab-grown cell-cultured meat products.

SA 1191. Mr. SCHATZ (for himself, Ms. HIRONO, Mr. SANDERS, Mr. PADILLA, Mr. WELCH, and Mr. WARNOCK) submitted an amendment intended to be proposed to amendment SA 1092 submitted by Mrs. MURRAY (for herself and Ms. COLLINS) and intended to be proposed to the bill H.R. 4366, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table; as follows:

On page 257, between lines 2 and 3, insert the following:

EMERGENCY RELIEF PROGRAM

For an additional amount for the emergency relief program under section 125 of title 23, United States Code, \$484,000,000, to remain available until expended: *Provided*, That such amount is designated by Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 951(b)(2)(A)(i)).

SA 1192. Mr. SCHATZ (for himself, Ms. HIRONO, Mr. SANDERS, Mr. PADILLA, Mr. WELCH, and Mr. WARNOCK) submitted an amendment intended to be proposed by him to the bill H.R. 4366, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title I of division C, insert the following:

SEC. _____. For an additional amount for “Public Transportation Emergency Relief Program” as authorized under section 5324 of title 49, United States Code, \$100,000,000, to remain available until expended, for transit systems affected by major declared disasters occurring in calendar year 2023 and beyond: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That not more than three-quarters of 1 percent of the funds for public transportation emergency relief shall be available for administrative expenses and ongoing program management oversight as authorized under sections 5334 and 5338(c)(2) of such title and shall be in addition to any other appropriations for such purpose.

SA 1193. Mr. SCHATZ (for himself and Mr. WICKER) submitted an amendment intended to be proposed by him to the bill H.R. 4366, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division C, add the following:

TITLE V

SUPPLEMENTAL APPROPRIATIONS FOR DISASTER RELIEF DEPARTMENT OF HOMELAND SECURITY FEDERAL EMERGENCY MANAGEMENT AGENCY DISASTER RELIEF FUND

For an additional amount for “Disaster Relief Fund”, \$20,000,000,000, to remain available until expended, for major disasters declared pursuant to section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170): *Provided*, That of the amount provided under this heading, not more than \$500,000,000 may be used for all purposes authorized under such Act and may be used in addition to amounts designated by the Congress as being for disaster relief pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(D)): *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)): *Provided further*, That such amount shall be available only if the President designates such amount as an emergency requirement pursuant to such section 251(b)(2)(A).

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

COMMUNITY PLANNING AND DEVELOPMENT COMMUNITY DEVELOPMENT FUND (INCLUDING TRANSFERS OF FUNDS)

For an additional amount for “Community Development Fund”, \$5,000,000,000, to remain available until expended, for the same purposes and under the same terms and conditions as funds appropriated under such heading in title VIII of the Disaster Relief Supplemental Appropriations Act, 2022 (Public Law 117-43; 135 Stat. 355), except that such amounts shall be for major disasters that occurred in 2023 or 2024 and the fourth, 20th, and 21st provisos under such heading in such Act shall not apply: *Provided*, That of the amounts made available under this heading, \$5,000,000 shall be made available for capacity building and technical assistance, including assistance on contracting and procurement processes, to support States, units of general local government, or Indian tribes (and their subrecipients) that receive allocations related to major disasters under this heading in this Act or any Act enacted before or after the date of enactment of this Act: *Provided further*, That of the amounts made available under this heading, \$10,000,000 shall be transferred, in aggregate, to “Department of Housing and Urban Development—Program Office Salaries and Expenses—Community Planning and Development” for necessary costs, including information technology costs, of administering and overseeing the obligation and expenditure of amounts made available under this heading in this Act or any Act enacted before or after the date of enactment of this Act that makes amounts available for purposes related to major disasters under such heading: *Provided further*, That of the amounts made available under this heading in this Act, \$3,000,000 shall be transferred in aggregate to “Department of Housing and Urban Development—Office of Inspector General” for necessary costs of overseeing and auditing funds amounts made available under the heading “Community Development Fund” in this Act or any Act enacted before or after the date of enactment of this Act that makes amounts available for purposes related to major disasters under such heading: *Provided further*, That amounts made available under this section and under such heading in such Act may be used by a

grantee to assist utilities as part of a disaster-related eligible activity under section 105(a) of the Housing and Community Development Act of 1974 (42 U.S.C. 5305(a)): *Provided further*, That the Secretary's determination of unmet needs should consider the best available data on the total cost to reconstruct destroyed properties: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)(i)).

INDEPENDENT AGENCIES

SMALL BUSINESS ADMINISTRATION DISASTER LOANS PROGRAM ACCOUNT (INCLUDING TRANSFERS OF FUNDS)

For an additional amount for "Disaster Loans Program Account" for the cost of direct loans authorized by section 7(b) of the Small Business Act, \$98,000,000, to remain available until expended, which may be transferred to and merged with "Salaries and Expenses" for administrative expenses to carry out the disaster loan program authorized by section 7(b) of the Small Business Act: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)(i)).

AUTHORITY FOR COMMITTEE'S TO MEET

Mr. KAINE. Madam President, I have four requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority Leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works is authorized to meet during the session of the Senate on Wednesday, September 13, 2023, at 10 a.m., to conduct a hearing.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Wednesday, September 13, 2023, at 10 a.m., to conduct a hearing.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Wednesday, September 13, at 2:30 p.m., to conduct a closed briefing.

PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

The Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Wednesday, September 13, at 11 a.m., to conduct a hearing.

PRIVILEGES OF THE FLOOR

Ms. LUMMIS. Madam President, I ask unanimous consent that my intern,

Aidan Jacketta, be granted floor privileges until September 24, 2023.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDING TITLE 38, UNITED STATES CODE, TO EXTEND AND MODIFY CERTAIN AUTHORITIES AND REQUIREMENTS RELATING TO THE DEPARTMENT OF VETERANS AFFAIRS

Mrs. MURRAY. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 2795, introduced earlier today by Senators Tester and Moran.

The PRESIDING OFFICER. The clerk will report the bill by title.

The bill clerk read as follows:

A bill (S. 2795) to amend title 38, United States Code, to extend and modify certain authorities and requirements relating to the Department of Veterans Affairs, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mrs. MURRAY. Madam President, I ask that the bill be considered read a third time.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill was ordered to be engrossed for a third reading and was read the third time.

Mrs. MURRAY. I know of no further debate on the bill.

The PRESIDING OFFICER. If there is no further debate, the bill having been read the third time, the question is, Shall the bill pass?

The bill (S. 2795) was passed as follows:

S. 2795

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. TWO-YEAR EXTENSION OF TEMPORARY CLARIFICATION OF LICENSURE REQUIREMENTS FOR CONTRACTOR MEDICAL PROFESSIONALS TO PERFORM MEDICAL DISABILITY EXAMINATIONS FOR THE DEPARTMENT OF VETERANS AFFAIRS UNDER PILOT PROGRAM FOR USE OF CONTRACT PHYSICIANS FOR DISABILITY EXAMINATIONS.

Section 2002(a)(4) of the Johnny Isakson and David P. Roe, M.D. Veterans Health Care and Benefits Improvement Act of 2020 (Public Law 116-315; 38 U.S.C. 5101 note) is amended by striking "three years" and inserting "five years".

SEC. 2. TWO-YEAR EXTENSION OF PERIOD OF APPLICABILITY OF CERTAIN RELIEF FOR RECIPIENTS OF DEPARTMENT OF VETERANS AFFAIRS EDUCATIONAL ASSISTANCE WHO ARE AFFECTED BY CLOSURE OR DISAPPROVAL OF AN EDUCATIONAL INSTITUTION.

Section 3699(c)(2)(C) of title 38, United States Code, is amended by striking "September 30, 2023" and inserting "September 30, 2025".

SEC. 3. EXTENSION OF AUTHORIZATION OF APPROPRIATIONS FOR EMERGENCY PREPAREDNESS OF DEPARTMENT OF VETERANS AFFAIRS.

Section 8117(g) of title 38, United States Code, is amended by striking "2023" and inserting "2028".

SEC. 4. DEPARTMENT OF VETERANS AFFAIRS HOUSING LOAN FEES.

The loan fee table in section 3729(b)(2) of title 38, United States Code, is amended by striking "November 14, 2031" each place it appears and inserting "November 15, 2031".

Mrs. MURRAY. I ask unanimous consent that the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL VOTER REGISTRATION DAY

Mrs. MURRAY. Madam President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 341, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 341) recognizing September 19, 2023, as "National Voter Registration Day".

There being no objection, the Senate proceeded to consider the resolution.

Mrs. MURRAY. I ask unanimous consent that the resolution be agreed to and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 341) was agreed to.

(The resolution is printed in today's RECORD under "Submitted Resolutions.")

ORDERS FOR THURSDAY, SEPTEMBER 14, 2023

Mrs. MURRAY. Madam President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 10 a.m. on Thursday, September 14; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and morning business be closed; that upon the conclusion of morning business, the Senate resume consideration of the motion to proceed to Calendar No. 198, H.R. 4366, postclosure; further, that all time be considered expired at 10:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mrs. MURRAY. Madam President, if there is no further business to come before the Senate, I ask that it stand adjourned under the previous order.

There being no objection, the Senate, at 5:57 p.m., adjourned until Thursday, September 14, 2023, at 10 a.m.