

ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2024

GENERAL LEAVE

Mr. FLEISCHMANN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 4394, and that I may include tabular material on the same.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 756 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 4394.

The Chair appoints the gentleman from Nebraska (Mr. FLOOD) to preside over the Committee of the Whole.

□ 1736

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 4394) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2024, and for other purposes, with Mr. FLOOD in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

General debate shall be confined to the bill and shall not exceed 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations or their respective designees.

The gentleman from Tennessee (Mr. FLEISCHMANN) and the gentlewoman from Ohio (Ms. KAPTUR) each will control 30 minutes.

The Chair recognizes the gentleman from Tennessee.

Mr. FLEISCHMANN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, it is my distinct honor to bring the fiscal year 2024 Energy and Water bill before you today. Before I go into the details, I recognize the hard work of Chairwoman GRANGER and Ranking Member DELAURO on this bill and the entire appropriations process.

I also specifically thank my ranking member, Ms. KAPTUR, for being a tremendous partner throughout this year's process.

At a total of \$56.958 billion, the Energy and Water bill advances our national security, our energy security, and our economic competitiveness in a fiscally responsible manner.

The bill includes \$24 billion for the National Nuclear Security Administration. Within that, the bill fully funds all major weapons programs and infrastructure modernization activities, including the W93 warhead, the nuclear sea-launched cruise missile, the B83-1

sustainment efforts, and the restart of plutonium pit production capability. NNSA funding also supports naval reactors and defense nuclear non-proliferation.

Remaining a leader in nuclear energy technologies will ensure reliable energy here at home and will help allies across the globe.

The bill sustains the Department of Energy's nuclear energy base program and also redirects previously appropriated funds to higher priorities, specifically:

\$2.4 billion to develop a domestic capability for producing low-enriched uranium, including high-assay low-enriched uranium that will be necessary for upcoming advanced reactors; and

\$1.2 billion to support the ongoing advanced small modular reactor demonstration project.

To reduce our reliance on foreign sources of critical minerals, the bill provides more than \$200 million for the full spectrum of production technologies.

The Army Corps of Engineers is funded at \$9.57 billion, including full funding of the Harbor Maintenance Trust Fund activities and ongoing Inland Waterways Trust Fund construction projects. These investments will help ensure goods can be moved safely to and from global markets.

Funding for the Bureau of Reclamation totals \$1.8 billion and prioritizes projects that increase water supply and support drought resiliency.

The bill continues strong funding for the Department of Energy Office of Science, including fusion energy science, to enhance America's role as the global leader of scientific discovery and to lay the foundation for future scientific breakthroughs.

In closing, I thank the staff on both sides of the aisle for their hard work throughout this process. On the majority staff, Angie, Perry, Nora, Richie, Scott, and Janet. In my personal office, Ian and Daniel. On the minority staff, Scott, Jocelyn, and Adam.

This is a strong bill, and I urge Members to support it. I reserve the balance of my time.

Ms. KAPTUR. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, I appreciate Chair FLEISCHMANN very, very much for his serious attention to our complex bill and his cordiality and very constructive attitude throughout.

I begin by thanking our diligent staff for all their hard work on this bill. On the minority staff, I thank Scott McKee, Jocelyn Hunn, and Adam Wilson. On the majority staff, I thank Angie Giancarlo, Perry Yates, Nora Khalil, Richie O'Connell, Scott Prutting, and Janet Harrington. On my personal staff, I thank Margaret McInnis and Mayely Boyce.

As we work on this Energy and Water bill, I place in the RECORD how deeply saddened I am by the passing of our dear colleague in the other body, Senator Dianne Feinstein, who dedicated

the best years of her life to our country.

As Energy and Water appropriators, Dianne and all of us worked closely over many years to protect the waters of the United States and to build a brighter, cleaner energy future and to assure America's nuclear capabilities are secure.

Her acute mastery of the energy, water, and security needs of our Nation had no comparison, and her dignified, noble public service is truly a great loss to our Nation.

There is not time during our bill's consideration today to fully express my thoughts, but I am so deeply saddened for California's loss, for our Nation's loss, and for all who grieve the loss of the longest-serving woman in Senate history.

All I or any of us can do is laud Senator Dianne Feinstein's productive career of exemplary effective public service. Rest in peace, my dear friend.

We consider this important measure at a moment in which the United States economy is growing at record rates, producing historic levels of job growth due to the laws enacted by the last Congress.

With historic job growth, revenues are now coming into the private sector and the Federal Government at much higher levels than before because post-pandemic, millions more people are working. Companies are earning money.

The American people again are doing what America does best: being productive and leaving our Nation to the future in better condition than we found it.

Indeed, this gross domestic product/debt chart clearly illustrates as a result of robust economic growth, our Nation has bent the debt curve as a percentage of GDP for the first time in modern history.

Here we go. It is going down. That is where we want it to go, yes. We are beginning to pay down our Nation's accumulated debt, largely amassed from the costs of past wars, the old debts that were not paid for by those that conducted them at the time.

□ 1745

Then we had the pandemic and, sadly, over several decades, the tax cuts that were enacted allowed the wealthiest and most productive powerful corporations in our country not to carry their fair share of the tax load. I think it is important that everyone share in our Nation's responsibilities.

In this context, I must offer that I am unable to concur with my able colleague, Chairman FLEISCHMANN, on this particular appropriation bill. I prefer a more realistic energy and water allocation that meets the critical energy and water needs of our Nation, not just for today but for the energy independence and the water security for America in perpetuity. We are not out of the woods on this, we have got a lot of work to do.

Energy and water security are national security—think about it. Yet, the nondefense spending in this bill is \$6.4 billion lower—25 percent lower—than last year's effective level. That is a radical, irresponsible reduction. It repeals over \$5 billion for critical energy programs from the Inflation Reduction Act that would have helped American families save money on their monthly energy bills while simultaneously creating thousands of jobs, good-paying jobs, in new energy technologies.

For energy and water needs, it is not an overstatement to say people in our Nation live or die by decisions being made here in Congress.

Since World War II, America has paid a terrible price for its unconscious slide into foreign dependency on imported energy. While we have made strides toward energy independence after a half century of effort, starting in the late 1970s, we still haven't scored at the home plate of U.S. energy independence in perpetuity.

Recently, I read an article that said our country is going to import petroleum after 2040. Well, guess what? I am not voting for that. Our position must be to keep American energy and our people secure here at home. That is one of the major purposes of this bill.

Hasn't our Nation learned repeatedly the hard way that when gasoline prices top \$4 a gallon, our economy is thrown into deep recession. It is pretty clear. It should be obvious why U.S. energy independence is so vital. No foreign power should ever again make America vulnerable.

Energy security is national security. We must ensure energy security within our own borders. We cannot depend on foreign sources in the event of energy disruptions that are natural or malignantly concocted to do us harm.

Energy impacts every person's well-being. It allows our Nation to be free, and free of foreign malign influence. How well we know our Nation's fate can be impacted by events outside our borders.

News outlets are correctly reporting that Russia's unprovoked war on Ukraine is being waged on more than one front, surely including energy. Russia is known for manipulation of global oil and gas prices through reserves they control. In fact, global oil prices surged to nearly \$100 per barrel in September after Saudi Arabia and Russia continued their curtailment of oil supplies.

The sharp escalation in geopolitical risk in the Middle East from the brutal Hamas terror attack in Israel has oil markets on edge. Check it out. Let us not forget that the Middle East accounts for more than one-third of the world's seaborne oil trade. Again, energy resources are intricately bound to the fate of liberty halfway around our world. Let us make our home front impenetrable.

Energy also allows our private sector and its workforce the ability to flourish in a modern economy with millions

and millions upon millions of living wage jobs in energy production and conservation, across all sectors: natural gas, ethanol and biodiesel, nuclear, fossil fuels, thermal heat recovery, renewables, advancing sectors of hydrogen and fusion energy, and advanced nuclear platforms.

Meanwhile, imaginative energy conservation and other developing technologies are being created by America's amazing inventors in new building materials, solar and electrified windows, biofuels, geothermal and thermal heat recovery, wind and wave energy, to name but a few. America will never ever lose through power of invention because we are a free people.

Let me turn to our water responsibilities. New, major engineering challenges lie before America. Ask the citizens along the drought-stricken Mississippi and the Louisiana corridor as saltwater creeps north, or the flood victims in New York City.

Across our Nation, cities are having to manage water and wastewater loads for which they were not engineered. In rural America, farmers are losing crops because of increasing rainfall, an inability to manage water in their fields, and drainage systems that were built for another era. Frankly, a century or a century and a half ago. Well, times are changing.

The U.S. Army Corps of Engineers and Bureau of Reclamation are needed now more than ever to handle regional approaches to new and changing water flows, whether it is down the Mississippi, along our coasts, in the Great Lakes, or the dry, irrigated West.

There is an old expression: "Don't try to fool Mother Nature." I would say: Don't ignore Mother Nature. This is one such moment in American history. I must express the Energy and Water Appropriations bill before us is completely inadequate. It does not meet our country's needs in this new era of climate change.

If I need offer more proof, Americans and America are paying billions more in disaster relief. This country paid over \$150 billion last year in disaster damage, significantly higher than the \$60 billion average from the last 30 years. How about that—doubling and a half. Well, that is a big warning sign that one simply can't ignore.

We ought to be investing that money upfront to avoid those disasters by properly funding this bill. We must robustly meet the needs of the future, not flounder in the past.

In other areas of the bill, I continue to be troubled by the unsustainable spending in the Department of Energy's weapons programs. We know we have to keep a tight lid on them because they have a tendency to overspend when we don't watch.

Further, I am concerned how this bill cuts nuclear nonproliferation programs that reduce nuclear risks and counter the global challenge of nuclear proliferation.

Finally, the bill includes numerous controversial poison pill policy riders

that sadly show extremist Republicans are not interested in bills that can gain bipartisan support and become law.

Mr. Chair, I urge my colleagues to oppose this bill. America can and must do better on the new age frontiers of energy and water.

Mr. Chair, I reserve the balance of my time.

Mr. FLEISCHMANN. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from South Carolina (Mr. WILSON), my friend.

Mr. WILSON of South Carolina. Mr. Chairman, the Energy and Water Appropriations bill is critical for national security, energy security, and creating jobs.

I congratulate Chairman CHUCK FLEISCHMANN for his extraordinary success in developing this legislation, which is so crucial to achieve peace through strength. I respect but disagree with Ranking Member MARCY KAPTUR.

On passing H.R. 1, the Lower Energy Costs Act, earlier this year, House Republicans have shown dedication to lead in a way that will secure America's energy independence. I am grateful for the strong actions taken to lower costs for families through deregulation. Biden's disastrous war on fossil fuels has helped war criminal Putin to finance his mass murder in Ukraine.

Increasing domestic energy production is the best way to combat the dangerous dependency on Chinese-made or -supplied electric vehicle batteries and solar panels that further enrich the Chinese Communist Party.

The green energy spending has been diverted into unsustainable boondoggles wasting taxpayers' money.

I appreciate that this legislation supports critical missions at the Savannah River Site, which I am grateful to represent. As the only Member of Congress who ever worked at the Savannah River Site, I know firsthand of its importance and dedicated personnel.

In South Carolina, nuclear energy has provided over 60 percent of the energy matrix, and I am grateful to Governor Henry McMaster, a champion for small modular reactors.

Mr. Chair, I urge passage of the bill.

Ms. KAPTUR. Mr. Chairman, I yield 6 minutes to the gentlewoman from Connecticut (Ms. DELAURO), the ranking member of the full Committee on Appropriations.

Ms. DELAURO. Mr. Chairman, last year, the Energy and Water Development Appropriations bill lowered energy costs for families, created good-paying jobs by growing and supporting a robust clean energy sector and rebuilding water infrastructure, promoted American energy independence, strengthened our national security, and ensured American energy outcompeted China. Sadly, this is not what this year's bill does.

The majority has put forth a bill that cuts domestic energy investments by a staggering 25.4 percent or \$6.4 billion

lower than last year—with the consequences of increasing energy costs for American families at a time when families are living paycheck to paycheck and struggling with the high cost of living.

This bill undermines growth and modernization of our energy infrastructure, weakens our national security, and it would yield leadership of the world's energy future to our greatest adversaries.

As much as my Republican colleagues may refuse overwhelming evidence, deny scientific consensus, and ignore the catastrophic natural disasters becoming more severe and more common in their districts and across the country, we have no choice but to transform our energy sector to reflect our climate reality.

The only path that addresses climate change, reduces our dependence on fossil fuels, and curbs our reliance on foreign energy is to diversify how we produce and store energy: wind, solar, hydroelectric, hydrogen, and geothermal.

When it comes to addressing climate and driving a robust energy sector, our answer to the question of “how” must be “everything under the sun.” The Department of Energy's clean energy programs drive down energy costs, making it cheaper to expand domestic energy sources.

For energy efficiency and renewable energy, the majority proposes cutting the Department of Energy's budget by \$1.5 billion or 42 percent from the 2023 level. This office researches and develops manufacturing, building, energy management, and weatherization technologies that are critical to our Nation's growth and resilience. That is nearly half a billion dollars that will not be invested in our economic, energy, and climate future.

Furthermore, Republicans would cut \$4.5 billion from the High-Efficiency Electric Home Rebate Program. That program helps 250,000 low- and moderate-income households save upwards of \$1 billion on their energy bills annually, which creates 50,000 new jobs. There is a \$1 billion cut from the Assistance for Latest and Zero Building Energy Code Adoption, and \$200 million from the State-based Home Energy Efficiency Contractor Training Grants. It means that if American families want to reduce their home energy consumption and lower their monthly bills, my Republican colleagues say “no.”

We must be innovative, creative, and aggressive in fighting for a clean energy future to make America resilient in the face of climate change, which is why it is irresponsible to cut \$15 billion from the Department of Energy's Innovative Technology Loan Guarantee Program. That program supports critical projects that, for example, remove air pollutants that can cause asthma and cancer from the atmosphere.

After watching the skies turn orange over parts of the East Coast and Midwest this summer, I would hope that

we could agree that air pollution is a bad thing. Perhaps the majority feels differently. Sustainability, at its core, is a demand that we responsibly steward the planet and its natural resources to future generations. The majority fails this demand.

If the proposed abandonment of America's energy future and of our ability to build a robust and diversified energy industry were not enough reason to vote against this bill, then the offensive political riders on race, gender, and sexuality should be.

The majority continues to break the deal that the Speaker struck with the President earlier this year to avert a default. Democrats and Republicans from the House and Senate need to begin the process of negotiating and finding common ground to pass bipartisan appropriations bills immediately.

□ 1800

Pursuing these partisan bills all but guarantees we will need another continuing resolution in 3 weeks. Continuing resolutions may keep the government open, but they are no way to govern. There is no excuse to be considering bills written to appease a minority of this Chamber, who we know will not vote to fund the government.

For all of these reasons, I cannot support this bill, and I urge my colleagues to vote against it.

Mr. FLEISCHMANN. Mr. Chair, I yield 5 minutes to the gentleman from Idaho (Mr. SIMPSON), the chair of the Interior, Environment, and Related Agencies Subcommittee.

Mr. SIMPSON. Mr. Chair, having been a former chairman of this committee, and either ranking member or chairman for the last 9 years, I guess, when I left, people asked me repeatedly, “What kind of chairman will Mr. FLEISCHMANN be of this committee?” whether it was people from the Idaho National Laboratory, PNNL, or other places.

I told them I thought he would be a great chairman, and this is why: He cares about the Department of Energy's lab complex, not just Oak Ridge, which he represents, but all the labs throughout the complex. He has been to a lot of them, visited them, and found out what they do. He cares about nuclear energy, which is important to me and important to him also, and many other aspects within the Department of Energy.

I thought he would be a great chairman, and he has done a masterful job of putting this bill together.

This bill contains many things that are vitally important to the future of this country, whether it is nuclear power or fusion energy, as we have talked about, or the next-generation reactors that are going to be developed; whether it is high-speed computing—Oak Ridge is probably the leader in high-speed computing, and all other agencies kind of depend on the Department of Energy's high-speed computing to do work for them; whether it is cy-

bersecurity, and a lot of that is done at the Idaho National Laboratory and at other laboratories; whether it is renewable energy and the facility in Colorado. All of those things are important.

What a lot of people forget about this bill is that about a third of it—36, 38 percent, something like that—is the defense part of this bill, NNSA, whether it is the nonproliferation that was mentioned by the ranking member, whether it is the defense cleanup portion of it, whether it is the weapons modernization program, or whether it is the part that I kind of like, which is the naval reactors program.

When they started the naval reactors program at the Idaho National Laboratory, when they fueled the first submarine with nuclear energy, it lasted about 18 months, and then they had to refuel it. Because of the work they have done out there, we now fuel ships for the life of the ship. That is an amazing process that they have done, and it is because of the work that is done by the NNSA.

However, that is just on the energy side of this bill. We could talk about that for a long time. The other important part of this bill is the water part of it. It is energy and water.

The Army Corps of Engineers is funded through this bill, and they do the dredging for our ports and waterways throughout this country. Whether it is the Corps or the Bureau of Reclamation, I will tell you, every Member of Congress, I believe, has an Army Corps of Engineers project within their district. Therefore, this bill is important to them.

I think the chairman has done a masterful job of putting this bill together.

I enjoy listening to my colleagues on the other side of the aisle, and they are good friends. We have worked together in a cordial way for many years, both Chairwoman DELAURO and Ranking Member KAPTUR, who used to be chair of this committee, also. It goes back and forth.

I enjoy their conversation on where we haven't spent enough money on this bill, and they have talked about how we can spend more money in certain areas to address certain things and that kind of stuff. The one thing they didn't mention, when they were talking about the fact that we need more money in these bills, is the \$33 trillion deficit we have.

I will guarantee you, it is easier to write bills when you are just expanding spending and have more money than you know what to do with to throw at all the different bills, which is the way it has been for the last couple of years. If they didn't have enough money, they took things out and made it emergency spending. We are having to deal with that.

It is more difficult to write a bill where you have to actually reduce spending. I think everyone in our Conference on this side of the aisle realizes that we have to reduce spending if we are ever going to address the \$33 trillion debt. It is just a small part of it,

but it is an important part of it. That is what we are trying to do in a responsible manner. That is what Chairman FLEISCHMANN has done in a responsible manner.

I find it kind of curious that as I have heard the ranking member of the full committee and the subcommittee talk, they have said that we have to spend more money because families are struggling, and then they say this is the best economy we have had in years and years. Which one is it? I don't understand. Is it both? Interesting. When can we address the debt and deficit in this bill? It is a challenge that we face.

Again, I congratulate the chairman of the subcommittee for his work on this, and I also would be remiss if I didn't say something about the staff. They have done a fantastic job. They work incredible hours to get these bills ready for the floor, and they have done a good job on this one, too.

Mr. Chair, I congratulate them and thank them for their work.

Ms. KAPTUR. Mr. Chair, I look forward to responding to my dear friend, former Chair SIMPSON. However, first, I yield 2½ minutes to the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ), the ranking member of the Military Construction, Veterans Affairs, and Related Agencies Subcommittee, who does such a phenomenal job.

Ms. WASSERMAN SCHULTZ. Mr. Chair, I stand here as a proud member of the Subcommittee on Energy and Water Development, and Related Agencies for many years. I unfortunately rise in opposition to this harmful bill.

Let's start with the two most obvious problems. It raises energy costs for families, and it has zero chance of becoming law.

It was drafted with one goal: to appease MAGA extremists.

The new Speaker of the House just spoke of reaching across the aisle for all Americans, yet one of the Republicans' first major acts is to jam through a bill that raises their energy costs and undermines our security, all just to keep their rightwing base happy.

How do we know? Instead of fortifying our power infrastructure and confronting the climate crisis, it fixates on blocking the Army Corps of Engineers from renaming items that celebrate the Confederacy. You just cannot make up this stuff. That rockets to the top of the priority list for House Republicans.

As we recover from the hottest summer on record, it cuts a critical clean energy program by half a billion dollars, choking off vital energy efficiency avenues to battle climate change. House Republicans have drafted a bill that is entirely removed from the realities that our families and the entire planet face right now.

I recently had an affordable housing roundtable with Broward County in my home State of Florida, and they all talked about being rent burdened by

climbing housing costs. Yet, this bill takes away funding to help American homeowners keep their homes safe and energy efficient to cut their power bill.

Instead of investing in a stronger America, it cedes supremacy to a Chinese Communist Party that throws its full weight into infrastructure and clean energy investments.

If Republicans want to craft a bill that helps American families, start by abiding by the bipartisan budget agreement that was signed into law by President Biden just a few months ago.

In the rare instance where this bill actually honors that agreement, it fully funds a \$425 million budget request for Everglades restoration, which I am thankful for, and it allows us to keep moving the EAA Reservoir project forward.

Beyond that, though, this bill has dramatic funding gaps that jeopardize America's energy stability and independence. It raises costs for families, hurts job creation, fails to tackle the climate crisis, and rolls over to Chinese and Russian competitors.

Mr. Chair, for all of these obvious reasons, I urge my colleagues to vote "no."

Ms. KAPTUR. Mr. Chair, I wish to offer a few thoughts here regarding what our esteemed colleague, Mr. SIMPSON, said about the Federal balance sheet.

If you think of your own checkbook, when you work and earn money, you have an entry that is positive. You have a payroll check or earn interest on something. Then, if you have to pay a bill, you put a minus sign and subtract it, and you see what is left.

What is interesting about the arguments from the folks on the other side of the aisle is, they only talk about what is subtracted. They don't talk about what is being added. Both revenues and expenditures are a part of the Federal budget.

It is interesting to me. I have served in Congress for a while now, and the other side never talks about revenues. They only talk about expenditures. The interesting thing about revenues is when an economy is booming, you are bringing more revenue into the Federal Government. The Federal debt, as a percent of our economic prowess right now, is decreasing because we are growing the economy. What we are spending in this bill causes more economic growth. That is a good thing.

What the other side is not talking about is that there are a lot of free riders in our country, and they are not paying their fair share of revenues into the Treasury. We have to talk about that side of the budget, too. There are a lot of people who are what I call free riders. We are paying for them. Some of the richest people in this country and some of the biggest corporations aren't paying their fair share of the load. You have to look at both sides of the ledger.

I wanted to put that on the floor today in order to adopt the proper poli-

cies. It will be a most interesting discussion as we move forward with the new debt commission that has been formed. It will be interesting if they bring both pages in the ledger, both the revenues and the expenditures.

As our chart shows, the Federal debt, as a percent of GDP, is going down for the first time in modern history. We better not do anything that stops that because it is one of the answers, as well as getting those who are free riders to pay their fair share.

Mr. Chair, I reserve the balance of my time.

Mr. FLEISCHMANN. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from North Carolina (Mr. MURPHY), my friend and also my colleague on the congressional baseball team.

Mr. MURPHY. Mr. Chair, I recognize the MVP of the baseball team very much for his heroic athletic ability during the climactic game that we had.

I rise today in support of H.R. 4394, the Energy and Water Development and Related Agencies Appropriations Act, which funds the U.S. Army Corps of Engineers' civil works projects and the Department of Energy to enhance our energy security and bolster our economic competitiveness in FY24.

Under President Biden, Americans have been forced to pay record prices at the pump, and our Strategic Petroleum Reserve has been decimated. We have become further reliant on China for critical minerals, crushed by overregulation, and watched the woke agenda destroy America's energy independence.

This legislation rolls back America's last policies; robustly funds construction, operation, and maintenance of our Nation's ports and inland waterways; and provides \$34.8 million for dredging in North Carolina's Third District alone.

This bill includes \$6.3 million for dredging the Atlantic Intracoastal Waterway—we call it the ICW—which is vital to the commercial and recreational fishing industry in my district, and \$18 million for dredging the Morehead City port, where our Marine expeditionary units deploy from Navy amphibious ships and play a vital role in our national security. God forbid we have to use them soon.

Also included is funding for other important inlets that our fishing industry and ferries rely on, such as Manteo Bay, New River Inlet, Rollinson Channel, New Topsail Inlet and connecting channels, as well as Silver Lake Harbor.

Lastly, it includes \$5.2 million for the channel from Back Sound to Lookout Bight, which connects the ferry system to Cape Lookout. It has not been dredged in over 30 years, and it is common for vessels to run aground that must be pulled off the shoal with a very expensive movement by the U.S. Coast Guard.

I am very grateful for the work of Energy and Water Development, and

Related Agencies Subcommittee Chairman FLEISCHMANN, aka the MVP of the baseball team, for putting forward a bill that recognizes the unique challenges and needs of our coastal communities across the country.

Mr. Chair, I support this year's energy and water development appropriations bill and urge my colleagues to do the same.

□ 1815

Mr. FLEISCHMANN. Mr. Chair, I reserve the balance of my time.

Ms. KAPTUR. Mr. Chair, I reserve the balance of my time.

Mr. FLEISCHMANN. Mr. Chair, I yield 2 minutes to the gentleman from California (Mr. LAMALFA), my very good friend and fellow member of the Italian caucus.

Mr. LAMALFA. Mr. Chair, I appreciate the time from my great colleague from Tennessee who works a lot on the important energy field, and it is great to work with him.

Mr. Chair, I do rise today in support of the Energy and Water Development Appropriations Act. This funding bill cuts billions of needless spending from the Democrats' budget-busting spending bills of the last Congress and continues prioritizing funding toward our Nation's water infrastructure so desperately needed, especially in my home State of California.

Stored water means water for people and for agriculture. It means hydroelectricity can be generated, which is green power. It means flood control. It means recreation, yes, even environmental water, which is already getting the lion's share of the water we have in my home State.

Additionally, I am pleased to see H.R. 215, the WATER for California Act is included in this legislation, which my colleague Representative VALADAO and I worked on with the entire Republican delegation from California.

The WATER for California Act restores the basic principle of fairness for water users in California by requiring the Bureau of Reclamation to follow the terms of their water contracts and use the best available science to operate the Central Valley project.

This would also eliminate the environmental blockade against using water storage funds to move forward with the enlargement of Shasta Dam in my district, an opportunity to store 630,000 new acre-feet at an existing structure. That should be easy.

Lastly, this measure prohibits the administration from completely changing all the rules, regulations, and procedures of the California water system on a whim simply to satisfy the radical environmentalists, much to the detriment of our farms and agriculture, and forcing urban water users to have to ration water to the tune of 42 gallons of water per day.

Imagine, you have got a wading pool for your kids or your pets or whatever. It might take 3 days of your water ration to fill a wading pool under what

they have coming down the pike on rationing water and limiting.

We have so much water flowing out to the Pacific through the Delta that is being wasted. We have water right now being let out of the dams in order to meet their conservation level for flood control later, that should be put someplace that can be helpful such as the San Luis Reservoir.

Mr. Chair, I urge my colleagues to vote in favor of this bill and get some common sense back into our water supply.

Ms. KAPTUR. Mr. Chair, I reserve the balance of my time.

Mr. FLEISCHMANN. Mr. Chair, I yield back the balance of my time.

Ms. KAPTUR. Mr. Chairman, Congress needs to write bills that meet our country's needs, and I reiterate my disappointment that the energy and water bill before us today does not adhere to the agreed to levels in the bipartisan Fiscal Responsibility Act of 2023.

The American people are counting on us to work together, not draft partisan bills that will never become law.

I urge my colleagues to oppose this bill, and I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Chair, I rise in opposition to H.R. 4394—Energy and Water Development and Related Agencies Appropriations Act, 2024. This bill needs to be revised to be truly bipartisan to serve the American people and Houston.

As with all the additional appropriation bills that have been up for consideration on the House Floor, I strongly oppose the passage of this bill for a myriad of reasons—including the following listed below.

The majority has put forth a bill that increases energy costs for American families, undermines the growth and modernization of our energy infrastructure, weakens our national security, and would yield the world's energy future to foes abroad.

With massive cuts that renege on the debt limit agreement that was just signed into law, the 2024 Energy and Water bill raises costs for families and weakens energy security and our ability to out-compete China.

The bill invests \$55.2 billion, a decrease of \$3.9 billion or 6.5 percent below 2023.

Further, the bill's domestic allocation is effectively 21.5 percent, \$5.4 billion, below 2023 while its defense allocation is 3.5 percent, \$1.1 billion, above 2023, creating a further disparity between domestic and defense programs.

This harmful legislation would have the following damaging impact on America:

Increases energy costs by cutting the Department of Energy's clean energy programs that lower American families' energy bills;

Jeopardizes energy security by enabling Russia to continue weaponizing energy to destabilize global markets;

Hurts U.S. competitiveness by allowing competitors like China to monopolize markets for new energy technology; and

Fails to confront the climate crisis and create better-paying, clean energy jobs.

The bill cuts the Department of Energy's Energy Efficiency and Renewable Energy account by \$466 million or 14 percent below 2023 (\$1.8 billion or 38 percent below the

President's budget request). This office is critical to developing manufacturing, building efficiency, clean energy like hydrogen and solar, and weatherization technologies that are critical to our Nation's growth and resilience.

The bill includes dangerous cuts that House Democrats have been sounding the alarm about for months.

With this bill, House Republicans irresponsibly:

Call for \$5.7 billion in untenable repeals from the Department of Energy's Inflation Reduction Act programs, including:

\$4.5 billion from the High-Efficiency Electric Home Rebate Program;

\$1 billion from the Assistance for Latest and Zero Building Energy Code Adoption; and

\$200 million from the State-Based Home Energy Efficiency Contractor Training Grants.

Repurpose critical Infrastructure Investment and Jobs Act (IIJA) resources including:

\$3.6 billion from the Department of Energy's IIJA Civil Nuclear Credit Program that help preserve the existing U.S. reactor fleet and save thousands of high-paying jobs across the country; and

\$84 million from the Corps of Engineers' IIJA programs.

Revoke \$15 billion in loan authority from the Department of Energy's Innovative Technology Loan Guarantee Program—an increasingly successful program that promotes climate-friendly innovation and American manufacturing.

Sadly, this bill exemplifies Republican misguided values: increasing costs for hard-working families, decreasing job opportunities, failing to confront the climate crisis, and allowing Russia and China to outcompete us.

In an attempt to provide some reasonable action in this unreasonable legislation, I offered an amendment for consideration by the Rules Committee that would help our Nation's government take seriously our ever-changing climate and the crises that ensue creating national and international instability at unprecedented levels and degree.

The Jackson Lee Amendment (Rules Committee No. 121) to H.R. 4394—Energy and Water Development and Related Agencies Appropriations Act, 2024, if adopted would have added the following language to this bill:

It is the sense of Congress that energy and water are emerging as paramount and critical issues, posing challenges not only to the United States' national security and economy but to the stability of the global community; and

As each nation grapples with climate change, which is evidenced by climatic events taking place in this nation and others over the last decade, where precipitation in all of its forms and extreme drought have triggered calamities that clearly inform decision makers that nations must be purposeful in preparing to meet these challenges to protect life and human advancement in all of its forms.

Temperatures are rising, snow and rainfall patterns are shifting, and more extreme climate events—like heavy rainstorms and record high temperatures—are becoming more common.

The planet's oceans and glaciers have also experienced changes—oceans are warming and becoming more acidic, ice caps are melting, and sea level is rising.

As these and other changes become more pronounced in the coming decades, they will

likely present challenges to our society and our environment, our country and our world.

This summer saw the hottest days in Earth's modern history as a climate-change fueled surge of heat shattered temperature records across the globe.

According to scientists at NASA's Goddard Institute of Space Studies (GISS) in New York, the summer of 2023 was Earth's hottest since global records began in 1880.

The months of June, July, and August combined were 0.41 degrees Fahrenheit (0.23 degrees Celsius) warmer than any other summer in NASA's record, and 2.1 degrees F (1.2 C) warmer than the average summer between 1951 and 1980. August alone was 2.2 F (1.2 C) warmer than the average.

This new record comes as exceptional heat swept across much of the world, exacerbating deadly wildfires in Canada and Hawaii, and searing heat waves in South America, Japan, Europe, and the U.S., while likely contributing to severe rainfall in Italy, Greece, and Central Europe.

As backed up by NASA and global scientists and witnessed by everyone across the world, the Summer of 2023's record-setting temperatures are not just a set of numbers—they result in dire real-world consequences.

From sweltering temperatures in Arizona and across the country, to wildfires across Canada, extreme flooding in Europe, Asia, and Africa, as well as catastrophic earthquakes striking across the Middle East, extreme weather is threatening lives and livelihoods around the globe.

As we entered into the fall, September started with a typhoon that ripped through Hong Kong, uprooting trees and flooding the city.

It was the first of a slew of extreme weather events that hit ten countries and territories in just 12 days—the most catastrophic being the floods in Libya, which have killed more than 11,000 people according to the UN and left many thousands missing.

Scientists warn that these types of extreme weather events, affecting countries all over the world, may become increasingly common as the climate crisis accelerates, putting pressure on governments to prepare.

These real impacts of climate change are a threat to our planet and future generations that we must continue to confront and tackle head on.

The scientific evidence is overwhelming, and we will no doubt continue to see more climate records and more intense and frequent extreme weather events impacting society and ecosystems, until we come to acknowledge and accept the devastating impact of climate change and actively stop the harms that are contributing to the deadly and damaging climate crises of our time and inevitably forthcoming in our future.

Texans and the constituents in my home district of Houston are no strangers to the adverse impacts and dangers of climate change.

When Hurricane Harvey hit Houston in 2017, dumping over 50 inches of rain on Houston, it caused more than \$125 billion in economic damage as my constituents' homes, workplaces, schools, and businesses flooded.

Yet, research has shown that climate change made Harvey's torrential rainfall much worse, roughly 15 percent to 38 percent greater rainfall than it would have been in a world that was not warming.

This difference is far from insignificant—up to 50 percent of the properties that flooded in

Harris County might have escaped that fate in a world without climate change.

Houstonians are not the only ones to have faced harm from climate change fueled national disasters.

Since 1980, the US has sustained 341 weather and climate disasters, coasting over \$2.4 trillion in all.

However, for Houstonians, Texans, and all of our constituents, the worst of the threat is far from over.

The US coastline is projected to rise 10 to 12 inches in the next 30 years, threatening the coastal states and vastly increasing the risk of flooding for those on either coast.

Average global temperatures will continue to rise, prompting a crop loss of 10 percent in the next 5 to 25 years, melting glaciers, and further driving the rise of sea levels.

It is estimated that climate change could cost from 30 to over 100 billion dollars per year, along with significant potential for economic and federal revenue losses.

The OMB has predicted that climate change could reduce the national GDP by as much as 10 percent by the end of the century, costing a \$2 trillion loss in the federal budget.

Further, some of the most severe harms from climate change will fall disproportionately on socially vulnerable populations, including racial and ethnic minority communities.

Additionally, the GAO has highlighted that climate change further poses threats to national security, as rising sea levels and catastrophic storms threaten both military and civilian infrastructure and can even affect migration patterns.

There is no Planet B. We must address the existential threat of climate change now.

We are seeing the consequences of climate change at home and abroad.

However, Republicans continue to deny the scientific consensus of climate change.

Now more than ever before, we need to strengthen our energy security and diversify our energy sources, so we are not dependent on global adversaries—while also tackling the devastating global and economic policies impacting our climate.

And yet today, House Republicans are putting forth a bill that threatens to raise energy costs for more than 250,000 U.S. households and halt the creation of more than 50,000 new jobs, while failing to acknowledge and address energy policies that are decimating our global climates.

I call upon my fellow colleagues across the aisle to stand up against these harmful and dangerous policies offered in this appropriations bill.

For these reasons, I urge my colleagues to vote in opposition to H.R. 4394, the Energy and Water Development and Related Agencies Act of 2024.

The Acting CHAIR (Mr. ROSE). All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule. The amendment printed in part A of House Report 118-242, shall be considered as adopted and the bill, as amended, shall be considered as read.

The text of the bill, as amended, is as follows:

H.R. 4394

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

#### TITLE I

#### CORPS OF ENGINEERS—CIVIL

#### DEPARTMENT OF THE ARMY

#### CORPS OF ENGINEERS—CIVIL

The following appropriations shall be expended under the direction of the Secretary of the Army and the supervision of the Chief of Engineers for authorized civil functions of the Department of the Army pertaining to river and harbor, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and related efforts.

#### INVESTIGATIONS

For expenses necessary where authorized by law for the collection and study of basic information pertaining to river and harbor, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and related needs; for surveys and detailed studies, and plans and specifications of proposed river and harbor, flood and storm damage reduction, shore protection, and aquatic ecosystem restoration projects, and related efforts prior to construction; for restudy of authorized projects; and for miscellaneous investigations, and, when authorized by law, surveys and detailed studies, and plans and specifications of projects prior to construction, \$136,087,000, to remain available until expended: *Provided*, That the Secretary shall not deviate from the work plan, once the plan has been submitted to the Committees on Appropriations of both Houses of Congress.

#### CONSTRUCTION

For expenses necessary for the construction of river and harbor, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and related projects authorized by law; for conducting detailed studies, and plans and specifications, of such projects (including those involving participation by States, local governments, or private groups) authorized or made eligible for selection by law (but such detailed studies, and plans and specifications, shall not constitute a commitment of the Government to construction); \$2,889,942,000, to remain available until expended; of which \$74,152,000, to be derived from the Harbor Maintenance Trust Fund, shall be to cover the Federal share of construction costs for facilities under the Dredged Material Disposal Facilities program; and of which such sums as are necessary to cover 35 percent of the costs of construction, replacement, rehabilitation, and expansion of inland waterways projects shall be derived from the Inland Waterways Trust Fund, except as otherwise specifically provided for in law: *Provided*, That the Secretary shall not deviate from the work plan, once the plan has been submitted to the Committees on Appropriations of both Houses of Congress.

#### MISSISSIPPI RIVER AND TRIBUTARIES

For expenses necessary for flood damage reduction projects and related efforts in the Mississippi River alluvial valley below Cape Girardeau, Missouri, as authorized by law, \$364,349,000, to remain available until expended, of which \$5,457,000, to be derived from the Harbor Maintenance Trust Fund, shall be to cover the Federal share of eligible operation and maintenance costs for inland harbors: *Provided*, That the Secretary shall not deviate from the work plan, once the plan has been submitted to the Committees on Appropriations of both Houses of Congress.

#### OPERATION AND MAINTENANCE

For expenses necessary for the operation, maintenance, and care of existing river and harbor, flood and storm damage reduction, aquatic ecosystem restoration, and related projects authorized by law; providing security for infrastructure owned or operated by



the Corps, including administrative buildings and laboratories; maintaining harbor channels provided by a State, municipality, or other public agency that serve essential navigation needs of general commerce, where authorized by law; surveying and charting northern and northwestern lakes and connecting waters; clearing and straightening channels; and removing obstructions to navigation, \$5,496,622,000, to remain available until expended, of which \$2,691,391,000, to be derived from the Harbor Maintenance Trust Fund, shall be to cover the Federal share of eligible operations and maintenance costs for coastal harbors and channels, and for inland harbors; of which such sums as become available from the special account for the Corps of Engineers established by the Land and Water Conservation Fund Act of 1965 shall be derived from that account for resource protection, research, interpretation, and maintenance activities related to resource protection in the areas at which outdoor recreation is available; of which such sums as become available from fees collected under section 217 of Public Law 104-303 shall be used to cover the cost of operation and maintenance of the dredged material disposal facilities for which such fees have been collected; and of which \$58,000,000, to be derived from the general fund of the Treasury, shall be to carry out subsection (c) of section 2106 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2238c) and shall be designated as being for such purpose pursuant to paragraph (2) of section 14003 of division B of the Coronavirus Aid, Relief, and Economic Security Act (Public Law 116-136): *Provided*, That 1 percent of the total amount of funds provided for each of the programs, projects, or activities funded under this heading shall not be allocated to a field operating activity prior to the beginning of the fourth quarter of the fiscal year and shall be available for use by the Chief of Engineers to fund such emergency activities as the Chief of Engineers determines to be necessary and appropriate, and that the Chief of Engineers shall allocate during the fourth quarter any remaining funds which have not been used for emergency activities proportionally in accordance with the amounts provided for the programs, projects, or activities: *Provided further*, That the Secretary shall not deviate from the work plan, once the plan has been submitted to the Committees on Appropriations of both Houses of Congress.

#### REGULATORY PROGRAM

For expenses necessary for administration of laws pertaining to regulation of navigable waters and wetlands, \$218,000,000, to remain available until September 30, 2025.

#### FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM

For expenses necessary to clean up contamination from sites in the United States resulting from work performed as part of the Nation's early atomic energy program, \$200,000,000, to remain available until expended.

#### FLOOD CONTROL AND COASTAL EMERGENCIES

For expenses necessary to prepare for flood, hurricane, and other natural disasters and support emergency operations, repairs, and other activities in response to such disasters as authorized by law, \$40,000,000, to remain available until expended.

#### EXPENSES

For expenses necessary for the supervision and general administration of the civil works program in the headquarters of the Corps of Engineers and the offices of the Division Engineers; and for costs of management and operation of the Humphreys Engineer Center Support Activity, the Institute

for Water Resources, the United States Army Engineer Research and Development Center, and the United States Army Corps of Engineers Finance Center allocable to the civil works program, \$215,000,000, to remain available until September 30, 2025, of which not to exceed \$5,000 may be used for official reception and representation purposes and only during the current fiscal year: *Provided*, That no part of any other appropriation provided in this title shall be available to fund the civil works activities of the Office of the Chief of Engineers or the civil works executive direction and management activities of the division offices: *Provided further*, That any Flood Control and Coastal Emergencies appropriation may be used to fund the supervision and general administration of emergency operations, repairs, and other activities in response to any flood, hurricane, or other natural disaster.

#### OFFICE OF THE ASSISTANT SECRETARY OF THE ARMY FOR CIVIL WORKS

For the Office of the Assistant Secretary of the Army for Civil Works as authorized by 10 U.S.C. 3016(b)(3), \$5,000,000, to remain available until September 30, 2025: *Provided*, That not more than 25 percent of such amount may be obligated or expended until the Assistant Secretary submits to the Committees on Appropriations of both Houses of Congress the report required under section 101(d) of this Act and a work plan that allocates at least 95 percent of the additional funding provided under each heading in the report accompanying this Act to specific programs, projects, or activities.

#### WATER INFRASTRUCTURE FINANCE AND INNOVATION PROGRAM ACCOUNT

For administrative expenses to carry out the direct and guaranteed loan programs authorized by the Water Infrastructure Finance and Innovation Act of 2014, \$5,000,000, to remain available until September 30, 2025.

#### GENERAL PROVISIONS—CORPS OF ENGINEERS—CIVIL

##### (INCLUDING TRANSFER OF FUNDS)

SEC. 101. (a) None of the funds provided in title I of this Act, or provided by previous appropriations Acts to the agencies or entities funded in title I of this Act that remain available for obligation or expenditure in fiscal year 2024, shall be available for obligation or expenditure through a reprogramming of funds that:

- (1) creates or initiates a new program, project, or activity;
- (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 this Act, unless prior approval is received from the Committees on Appropriations of both Houses of Congress;
- (4) proposes to use funds directed for a specific activity for a different purpose, unless prior approval is received from the Committees on Appropriations of both Houses of Congress;
- (5) augments or reduces existing programs, projects, or activities in excess of the amounts contained in paragraphs (6) through (10), unless prior approval is received from the Committees on Appropriations of both Houses of Congress;
- (6) INVESTIGATIONS.—For a base level over \$100,000, reprogramming of 25 percent of the base amount up to a limit of \$150,000 per project, study or activity is allowed: *Provided*, That for a base level less than \$100,000, the reprogramming limit is \$25,000: *Provided further*, That up to \$25,000 may be reprogrammed into any continuing study or activity that did not receive an appropriation for existing obligations and concomitant administrative expenses;

(7) CONSTRUCTION.—For a base level over \$2,000,000, reprogramming of 15 percent of the base amount up to a limit of \$3,000,000 per project, study or activity is allowed: *Provided*, That for a base level less than \$2,000,000, the reprogramming limit is \$300,000: *Provided further*, That up to \$3,000,000 may be reprogrammed for settled contractor claims, changed conditions, or real estate deficiency judgments: *Provided further*, That up to \$300,000 may be reprogrammed into any continuing study or activity that did not receive an appropriation for existing obligations and concomitant administrative expenses;

(8) OPERATION AND MAINTENANCE.—Unlimited reprogramming authority is granted for the Corps to be able to respond to emergencies: *Provided*, That the Chief of Engineers shall notify the Committees on Appropriations of both Houses of Congress of these emergency actions as soon thereafter as practicable: *Provided further*, That for a base level over \$1,000,000, reprogramming of 15 percent of the base amount up to a limit of \$5,000,000 per project, study, or activity is allowed: *Provided further*, That for a base level less than \$1,000,000, the reprogramming limit is \$150,000: *Provided further*, That \$150,000 may be reprogrammed into any continuing study or activity that did not receive an appropriation;

(9) MISSISSIPPI RIVER AND TRIBUTARIES.—The reprogramming guidelines in paragraphs (6), (7), and (8) shall apply to the Investigations, Construction, and Operation and Maintenance portions of the Mississippi River and Tributaries Account, respectively; and

(10) FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM.—Reprogramming of up to 15 percent of the base of the receiving project is permitted.

(b) DE MINIMIS REPROGRAMMINGS.—In no case should a reprogramming for less than \$50,000 be submitted to the Committees on Appropriations of both Houses of Congress.

(c) CONTINUING AUTHORITIES PROGRAM.—Subsection (a)(1) shall not apply to any project or activity funded under the continuing authorities program.

(d) Not later than 60 days after the date of enactment of this Act, the Secretary shall submit a report to the Committees on Appropriations of both Houses of Congress to establish the baseline for application of reprogramming and transfer authorities for the current fiscal year which shall include:

- (1) A table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if applicable, and the fiscal year enacted level;
- (2) A delineation in the table for each appropriation both by object class and program, project and activity as detailed in the budget appendix for the respective appropriations; and
- (3) An identification of items of special congressional interest.

SEC. 102. The Secretary shall allocate funds made available in this Act solely in accordance with the provisions of this Act and in the report accompanying this Act.

SEC. 103. None of the funds made available in this title may be used to award or modify any contract that commits funds beyond the amounts appropriated for that program, project, or activity that remain unobligated, except that such amounts may include any funds that have been made available through reprogramming pursuant to section 101.

SEC. 104. The Secretary of the Army may transfer to the Fish and Wildlife Service, and the Fish and Wildlife Service may accept and expend, up to \$8,200,000 of funds provided in this title under the heading "Operation and

Maintenance” to mitigate for fisheries lost due to Corps of Engineers projects.

SEC. 105. None of the funds in this Act shall be used for an open lake placement alternative for dredged material, after evaluating the least costly, environmentally acceptable manner for the disposal or management of dredged material originating from Lake Erie or tributaries thereto, unless it is approved under a State water quality certification pursuant to section 401 of the Federal Water Pollution Control Act (33 U.S.C. 1341): *Provided*, That until an open lake placement alternative for dredged material is approved under a State water quality certification, the Corps of Engineers shall continue upland placement of such dredged material consistent with the requirements of section 101 of the Water Resources Development Act of 1986 (33 U.S.C. 2211).

SEC. 106. None of the funds made available by this Act may be used to carry out any water supply reallocation study under the Wolf Creek Dam, Lake Cumberland, Kentucky, project authorized under the Act of July 24, 1946 (60 Stat. 636, ch. 595).

SEC. 107. None of the funds made available by this Act or any other Act may be used to reorganize or to transfer the Civil Works functions or authority of the Corps of Engineers or the Secretary of the Army to another department or agency.

SEC. 108. Additional funding provided in this Act shall be allocated only to projects determined to be eligible by the Chief of Engineers.

SEC. 109. The rule submitted by the Department of the Army, Corps of Engineers, Department of Defense, and the Environmental Protection Agency relating to “Revised Definition of ‘Waters of the United States’ ” (88 Fed. Reg. 3004 (January 18, 2023)) shall have no force or effect.

SEC. 110. As of the date of enactment of this Act and each fiscal year thereafter, the Secretary of the Army shall not promulgate or enforce any regulation that prohibits an individual from possessing a firearm, including an assembled or functional firearm, at a water resources development project covered under section 327.0 of title 36, Code of Federal Regulations (as in effect on the date of enactment of this Act) if:

(1) the individual is not otherwise prohibited by law from possessing a firearm; and

(2) the possession of the firearm is in compliance with the law of the State in which the water resources development project is located.

SEC. 111. None of the funds made available by this Act or any other Act in any fiscal year may be used to alter the eligibility requirements for assistance under section 5 of the Act of August 18, 1941 (33 U.S.C. 701n) in effect on November 14, 2022, without express authorization by Congress.

SEC. 112. Notwithstanding any other requirement, unobligated balances from amounts made available under the heading “Corps of Engineers—Civil—Construction” in division J of the Infrastructure Investment and Jobs Act (Public Law 117–58) for which spend plan allocations have not been announced as of the date of enactment of this Act may be made available for projects, regardless of project purpose, that have previously received funds under the heading “Corps of Engineers—Civil—Construction” in the Bipartisan Budget Act of 2018 (Public Law 115–123) and for which non-Federal interests have entered into binding agreements with the Secretary as of the date of enactment of this Act: *Provided*, That projects receiving Infrastructure Investment and Jobs Act (Public Law 117–58) funding pursuant to this section shall be subject only to the terms and conditions of the Bipartisan Budget Act of 2018 (Public Law 115–123): *Provided*

*further*, That amounts repurposed pursuant to this section that were previously designated by the Congress as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985 or a concurrent resolution on the budget are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

## TITLE II

### DEPARTMENT OF THE INTERIOR

#### CENTRAL UTAH PROJECT

##### CENTRAL UTAH PROJECT COMPLETION ACCOUNT

For carrying out activities authorized by the Central Utah Project Completion Act, \$23,000,000, to remain available until expended, of which \$4,650,000 shall be deposited into the Utah Reclamation Mitigation and Conservation Account for use by the Utah Reclamation Mitigation and Conservation Commission: *Provided*, That of the amount provided under this heading, \$1,750,000 shall be available until September 30, 2025, for expenses necessary in carrying out related responsibilities of the Secretary of the Interior: *Provided further*, That for fiscal year 2024, of the amount made available to the Commission under this Act or any other Act, the Commission may use an amount not to exceed \$1,990,000 for administrative expenses.

#### BUREAU OF RECLAMATION

The following appropriations shall be expended to execute authorized functions of the Bureau of Reclamation:

##### WATER AND RELATED RESOURCES

###### (INCLUDING TRANSFERS OF FUNDS)

For management, development, and restoration of water and related natural resources and for related activities, including the operation, maintenance, and rehabilitation of reclamation and other facilities, participation in fulfilling related Federal responsibilities to Native Americans, and related grants to, and cooperative and other agreements with, State and local governments, federally recognized Indian Tribes, and others, \$1,693,366,000, to remain available until expended, of which \$1,051,000 shall be available for transfer to the Upper Colorado River Basin Fund and \$7,584,000 shall be available for transfer to the Lower Colorado River Basin Development Fund; of which such amounts as may be necessary may be advanced to the Colorado River Dam Fund: *Provided*, That \$500,000 shall be available for transfer into the Aging Infrastructure Account established by section 9603(d)(1) of the Omnibus Public Land Management Act of 2009, as amended (43 U.S.C. 510b(d)(1)): *Provided further*, That such transfers, except for the transfer authorized by the preceding proviso, may be increased or decreased within the overall appropriation under this heading: *Provided further*, That of the total appropriated, the amount for program activities that can be financed by the Reclamation Fund, the Water Storage Enhancement Receipts account established by section 4011(e) of Public Law 114–322, or the Bureau of Reclamation special fee account established by 16 U.S.C. 6806 shall be derived from that Fund or account: *Provided further*, That funds contributed under 43 U.S.C. 395 are available until expended for the purposes for which the funds were contributed: *Provided further*, That funds advanced under 43 U.S.C. 397a shall be credited to this account and are available until expended for the same purposes as the sums appropriated under this heading: *Provided further*, That of the amounts made available under this heading, \$5,500,000 shall be deposited in the San Gabriel Basin Restoration Fund established by section 110 of title I of division B of appendix

D of Public Law 106–554: *Provided further*, That of the amounts provided herein, funds may be used for high-priority projects which shall be carried out by the Youth Conservation Corps, as authorized by 16 U.S.C. 1706: *Provided further*, That within available funds, \$250,000 shall be for grants and financial assistance for educational activities: *Provided further*, That in accordance with section 4007 of Public Law 114–322 and as recommended by the Secretary in letters dated February 13, 2019, June 22, 2020, and December 3, 2020, funding provided for such purpose in this and prior fiscal years shall be made available to the Shasta Dam and Reservoir Enlargement Project.

##### CENTRAL VALLEY PROJECT RESTORATION FUND

For carrying out the programs, projects, plans, habitat restoration, improvement, and acquisition provisions of the Central Valley Project Improvement Act, such sums as may be collected in fiscal year 2024 in the Central Valley Project Restoration Fund pursuant to sections 3407(d), 3404(c)(3), and 3405(f) of Public Law 102–575, to remain available until expended: *Provided*, That the Bureau of Reclamation is directed to assess and collect the full amount of the additional mitigation and restoration payments authorized by section 3407(d) of Public Law 102–575: *Provided further*, That none of the funds made available under this heading may be used for the acquisition or leasing of water for in-stream purposes if the water is already committed to in-stream purposes by a court adopted decree or order.

##### CALIFORNIA BAY-DELTA RESTORATION

###### (INCLUDING TRANSFERS OF FUNDS)

For carrying out activities authorized by the Water Supply, Reliability, and Environmental Improvement Act, consistent with plans to be approved by the Secretary of the Interior, \$33,000,000, to remain available until expended, of which such amounts as may be necessary to carry out such activities may be transferred to appropriate accounts of other participating Federal agencies to carry out authorized purposes: *Provided*, That funds appropriated herein may be used for the Federal share of the costs of Calfed Program management: *Provided further*, That Calfed implementation shall be carried out in a balanced manner with clear performance measures demonstrating concurrent progress in achieving the goals and objectives of the Program.

#### POLICY AND ADMINISTRATION

For expenses necessary for policy, administration, and related functions in the Office of the Commissioner, the Denver office, and offices in the six regions of the Bureau of Reclamation, to remain available until September 30, 2025, \$65,079,000, to be derived from the Reclamation Fund and be nonreimbursable as provided in 43 U.S.C. 377, of which not to exceed \$5,000 may be used for official reception and representation expenses: *Provided*, That no part of any other appropriation in this Act shall be available for activities or functions budgeted as policy and administration expenses.

#### ADMINISTRATIVE PROVISION

Appropriations for the Bureau of Reclamation shall be available for purchase and replacement of not to exceed 30 motor vehicles, which are for replacement only.

#### GENERAL PROVISIONS—DEPARTMENT OF THE INTERIOR

SEC. 201. (a) None of the funds provided in title II of this Act for Water and Related Resources, or provided by previous or subsequent appropriations Acts to the agencies or entities funded in title II of this Act for Water and Related Resources that remain



available for obligation or expenditure in fiscal year 2024, shall be available for obligation or expenditure through a reprogramming of funds that—

(1) initiates or creates a new program, project, or activity;

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

(3) increases funds for any program, project, or activity for which funds have been denied or restricted by this Act, unless prior approval is received from the Committees on Appropriations of both Houses of Congress;

(4) restarts or resumes any program, project or activity for which funds are not provided in this Act, unless prior approval is received from the Committees on Appropriations of both Houses of Congress;

(5) transfers funds in excess of the following limits, unless prior approval is received from the Committees on Appropriations of both Houses of Congress:

(A) 15 percent for any program, project or activity for which \$2,000,000 or more is available at the beginning of the fiscal year; or

(B) \$400,000 for any program, project or activity for which less than \$2,000,000 is available at the beginning of the fiscal year;

(6) transfers more than \$500,000 from either the Facilities Operation, Maintenance, and Rehabilitation category or the Resources Management and Development category to any program, project, or activity in the other category, unless prior approval is received from the Committees on Appropriations of both Houses of Congress; or

(7) transfers, where necessary to discharge legal obligations of the Bureau of Reclamation, more than \$5,000,000 to provide adequate funds for settled contractor claims, increased contractor earnings due to accelerated rates of operations, and real estate deficiency judgments, unless prior approval is received from the Committees on Appropriations of both Houses of Congress.

(b) Subsection (a)(5) shall not apply to any transfer of funds within the Facilities Operation, Maintenance, and Rehabilitation category.

(c) For purposes of this section, the term “transfer” means any movement of funds into or out of a program, project, or activity.

(d) Except as provided in subsections (a) and (b), the amounts made available in this title under the heading “Bureau of Reclamation—Water and Related Resources” shall be expended for the programs, projects, and activities specified in the “House Recommended” columns in the “Water and Related Resources” table included under the heading “Title II—Department of the Interior” in the report accompanying this Act.

(e) The Bureau of Reclamation shall submit reports on a quarterly basis to the Committees on Appropriations of both Houses of Congress detailing all the funds reprogrammed between programs, projects, activities, or categories of funding. The first quarterly report shall be submitted not later than 60 days after the date of enactment of this Act.

SEC. 202. (a) None of the funds appropriated or otherwise made available by this Act may be used to determine the final point of discharge for the interceptor drain for the San Luis Unit until development by the Secretary of the Interior and the State of California of a plan, which shall conform to the water quality standards of the State of California as approved by the Administrator of the Environmental Protection Agency, to minimize any detrimental effect of the San Luis drainage waters.

(b) The costs of the Kesterson Reservoir Cleanup Program and the costs of the San Joaquin Valley Drainage Program shall be classified by the Secretary of the Interior as

reimbursable or nonreimbursable and collected until fully repaid pursuant to the “Cleanup Program—Alternative Repayment Plan” and the “SJVDP—Alternative Repayment Plan” described in the report entitled “Repayment Report, Kesterson Reservoir Cleanup Program and San Joaquin Valley Drainage Program, February 1995”, prepared by the Department of the Interior, Bureau of Reclamation. Any future obligations of funds by the United States relating to, or providing for, drainage service or drainage studies for the San Luis Unit shall be fully reimbursable by San Luis Unit beneficiaries of such service or studies pursuant to Federal reclamation law.

### TITLE III DEPARTMENT OF ENERGY ENERGY PROGRAMS

#### ENERGY EFFICIENCY AND RENEWABLE ENERGY

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for energy efficiency and renewable energy activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$2,994,000,000 (reduced by \$1,000,000,000), to remain available until expended: *Provided*, That of such amount, \$223,000,000 shall be available until September 30, 2025, for program direction.

#### CYBERSECURITY, ENERGY SECURITY, AND EMERGENCY RESPONSE

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for energy sector cybersecurity, energy security, and emergency response activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$200,000,000, to remain available until expended: *Provided*, That of such amount, \$25,143,000 shall be available until September 30, 2025, for program direction.

#### ELECTRICITY

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for electricity activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$315,600,000, to remain available until expended: *Provided*, That of such amount, \$23,000,000 shall be available until September 30, 2025, for program direction.

#### NUCLEAR ENERGY

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for nuclear energy activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$1,783,000,000, to remain available until expended: *Provided*, That of such amount, \$85,500,000 shall be available until September 30, 2025, for program direction: *Provided further*, That for the purpose of section 954(a)(6) of the Energy Policy Act of 2005, as amended, the only amount available shall be from the amount

specified as including that purpose in the “House Recommended” column in the “Department of Energy” table included under the heading “Title III—Department of Energy” in the report accompanying this Act.

#### FOSSIL ENERGY AND CARBON MANAGEMENT

For Department of Energy expenses necessary in carrying out fossil energy and carbon management research and development activities, under the authority of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition of interest, including defeasible and equitable interests in any real property or any facility or for plant or facility acquisition or expansion, and for conducting inquiries, technological investigations and research concerning the extraction, processing, use, and disposal of mineral substances without objectionable social and environmental costs (30 U.S.C. 3, 1602, and 1603), \$857,904,000, to remain available until expended: *Provided*, That of such amount \$70,000,000 shall be available until September 30, 2025, for program direction.

#### NAVAL PETROLEUM AND OIL SHALE RESERVES

For Department of Energy expenses necessary to carry out naval petroleum and oil shale reserve activities, \$13,010,000, to remain available until expended: *Provided*, That notwithstanding any other provision of law, unobligated funds remaining from prior years shall be available for all naval petroleum and oil shale reserve activities.

#### STRATEGIC PETROLEUM RESERVE

For Department of Energy expenses necessary for Strategic Petroleum Reserve facility development and operations and program management activities pursuant to the Energy Policy and Conservation Act (42 U.S.C. 6201 et seq.), \$280,969,000, to remain available until expended.

#### NORTHEAST HOME HEATING OIL RESERVE

For Department of Energy expenses necessary for Northeast Home Heating Oil Reserve storage, operation, and management activities pursuant to the Energy Policy and Conservation Act (42 U.S.C. 6201 et seq.), \$7,150,000, to remain available until expended.

#### ENERGY INFORMATION ADMINISTRATION

For Department of Energy expenses necessary in carrying out the activities of the Energy Information Administration, \$135,000,000, to remain available until expended.

#### NON-DEFENSE ENVIRONMENTAL CLEANUP

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses necessary for non-defense environmental cleanup activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$341,700,000, to remain available until expended: *Provided*, That in addition, fees collected pursuant to subsection (b)(1) of section 6939f of title 42, United States Code, and deposited under this heading in fiscal year 2024 pursuant to section 309 of title III of division C of Public Law 116-94 are appropriated, to remain available until expended, for mercury storage costs.

#### URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING FUND

For Department of Energy expenses necessary in carrying out uranium enrichment facility decontamination and decommissioning, remedial actions, and other activities of title II of the Atomic Energy Act of 1954, and title X, subtitle A, of the Energy

Policy Act of 1992, \$865,208,000, to be derived from the Uranium Enrichment Decontamination and Decommissioning Fund, to remain available until expended, of which \$10,000,000 shall be available in accordance with title X, subtitle A, of the Energy Policy Act of 1992.

#### SCIENCE

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for science activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, and purchase of not more than 35 passenger motor vehicles, \$8,100,000,000, to remain available until expended: *Provided*, That of such amount, \$211,211,000 shall be available until September 30, 2025, for program direction.

#### NUCLEAR WASTE DISPOSAL

For Department of Energy expenses necessary for nuclear waste disposal activities to carry out the purposes of the Nuclear Waste Policy Act of 1982, Public Law 97-425, as amended, \$12,040,000, to remain available until expended, which shall be derived from the Nuclear Waste Fund.

#### TECHNOLOGY TRANSITIONS

For Department of Energy expenses necessary for carrying out the activities of technology transitions, \$22,098,000, to remain available until expended: *Provided*, That of such amount, \$13,183,000 shall be available until September 30, 2025, for program direction.

#### CLEAN ENERGY DEMONSTRATIONS

For Department of Energy expenses necessary to carry out program direction of the Office of Clean Energy Demonstrations, \$35,000,000, to remain available until September 30, 2025.

#### ADVANCED RESEARCH PROJECTS AGENCY—ENERGY

For Department of Energy expenses necessary in carrying out the activities authorized by section 5012 of the America COMPETES Act (Public Law 110-69), \$470,000,000, to remain available until expended: *Provided*, That of such amount, \$37,000,000 shall be available until September 30, 2025, for program direction.

#### TITLE 17 INNOVATIVE TECHNOLOGY LOAN GUARANTEE PROGRAM

Such sums as are derived from amounts received from borrowers pursuant to section 1702(b) of the Energy Policy Act of 2005 under this heading in prior Acts, shall be collected in accordance with section 502(7) of the Congressional Budget Act of 1974: *Provided*, That for necessary administrative expenses of the Title 17 Innovative Technology Loan Guarantee Program, as authorized, \$70,000,000 is appropriated, to remain available until September 30, 2025: *Provided further*, That up to \$70,000,000 of fees collected in fiscal year 2024 pursuant to section 1702(h) of the Energy Policy Act of 2005 shall be credited as offsetting collections under this heading and used for necessary administrative expenses in this appropriation and shall remain available until September 30, 2025: *Provided further*, That to the extent that fees collected in fiscal year 2024 exceed \$70,000,000, those excess amounts shall be credited as offsetting collections under this heading and available in future fiscal years only to the extent provided in advance in appropriations Acts: *Provided further*, That the sum herein appropriated from the general fund shall be reduced (1) as such fees are received during fiscal year 2024 (estimated at \$70,000,000) and (2) to the extent that any remaining general

fund appropriations can be derived from fees collected in previous fiscal years that are not otherwise appropriated, so as to result in a final fiscal year 2024 appropriation from the general fund estimated at \$0: *Provided further*, That the Department of Energy shall not subordinate any loan obligation to other financing in violation of section 1702 of the Energy Policy Act of 2005 or subordinate any Guaranteed Obligation to any loan or other debt obligations in violation of section 609.10 of title 10, Code of Federal Regulations.

#### ADVANCED TECHNOLOGY VEHICLES MANUFACTURING LOAN PROGRAM

For Department of Energy administrative expenses necessary in carrying out the Advanced Technology Vehicles Manufacturing Loan Program, \$13,000,000, to remain available until September 30, 2025.

#### TRIBAL ENERGY LOAN GUARANTEE PROGRAM

For Department of Energy administrative expenses necessary in carrying out the Tribal Energy Loan Guarantee Program, \$6,300,000, to remain available until September 30, 2025.

#### INDIAN ENERGY POLICY AND PROGRAMS

For necessary expenses for Indian Energy activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), \$75,000,000, to remain available until expended: *Provided*, That of the amount appropriated under this heading, \$14,000,000 shall be available until September 30, 2025, for program direction.

#### DEPARTMENTAL ADMINISTRATION

For salaries and expenses of the Department of Energy necessary for departmental administration in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), \$383,578,000, to remain available until September 30, 2025, including the hire of passenger motor vehicles and official reception and representation expenses not to exceed \$30,000, plus such additional amounts as necessary to cover increases in the estimated amount of cost of work for others notwithstanding the provisions of the Anti-Deficiency Act (31 U.S.C. 1511 et seq.): *Provided*, That such increases in cost of work are offset by revenue increases of the same or greater amount: *Provided further*, That moneys received by the Department for miscellaneous revenues estimated to total \$100,578,000 in fiscal year 2024 may be retained and used for operating expenses within this account, as authorized by section 201 of Public Law 95-238, notwithstanding the provisions of 31 U.S.C. 3302: *Provided further*, That the sum herein appropriated shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2024 appropriation from the general fund estimated at not more than \$283,000,000.

#### OFFICE OF THE INSPECTOR GENERAL

For expenses necessary for the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, \$92,000,000, to remain available until September 30, 2025.

#### ATOMIC ENERGY DEFENSE ACTIVITIES

##### NATIONAL NUCLEAR SECURITY ADMINISTRATION

##### WEAPONS ACTIVITIES

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other incidental expenses necessary for atomic energy defense weapons activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$19,114,167,000, to remain

available until expended: *Provided*, That of such amount, \$118,056,000 shall be available until September 30, 2025, for program direction.

#### DEFENSE NUCLEAR NONPROLIFERATION

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other incidental expenses necessary for defense nuclear nonproliferation activities, in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$2,380,037,000, to remain available until expended.

#### NAVAL REACTORS

##### (INCLUDING TRANSFER OF FUNDS)

For Department of Energy expenses necessary for naval reactors activities to carry out the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition (by purchase, condemnation, construction, or otherwise) of real property, plant, and capital equipment, facilities, and facility expansion, \$1,946,049,000, to remain available until expended, of which \$99,747,000 shall be transferred to "Department of Energy—Energy Programs—Nuclear Energy", for the Advanced Test Reactor: *Provided*, That of such amount, \$61,540,000 shall be available until September 30, 2025, for program direction.

#### FEDERAL SALARIES AND EXPENSES

For expenses necessary for Federal Salaries and Expenses in the National Nuclear Security Administration, \$518,994,000, to remain available until September 30, 2025, including official reception and representation expenses not to exceed \$17,000.

#### ENVIRONMENTAL AND OTHER DEFENSE ACTIVITIES

##### DEFENSE ENVIRONMENTAL CLEANUP

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses necessary for atomic energy defense environmental cleanup activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$7,073,556,000, to remain available until expended: *Provided*, That of such amount, \$326,893,000 shall be available until September 30, 2025, for program direction.

##### OTHER DEFENSE ACTIVITIES

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses, necessary for atomic energy defense, other defense activities, and classified activities, in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$1,075,197,000, to remain available until expended: *Provided*, That of such amount, \$381,460,000 shall be available until September 30, 2025, for program direction.

#### POWER MARKETING ADMINISTRATIONS

##### BONNEVILLE POWER ADMINISTRATION FUND

Expenditures from the Bonneville Power Administration Fund, established pursuant to Public Law 93-454, are approved for official reception and representation expenses in an amount not to exceed \$5,000: *Provided*, That during fiscal year 2024, no new direct loan obligations may be made.

OPERATION AND MAINTENANCE, SOUTHEASTERN  
POWER ADMINISTRATION

For expenses necessary for operation and maintenance of power transmission facilities and for marketing electric power and energy, including transmission wheeling and ancillary services, pursuant to section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the southeastern power area, \$8,449,000, including official reception and representation expenses in an amount not to exceed \$1,500, to remain available until expended: *Provided*, That notwithstanding 31 U.S.C. 3302 and section 5 of the Flood Control Act of 1944, up to \$8,449,000 collected by the Southeastern Power Administration from the sale of power and related services shall be credited to this account as discretionary offsetting collections, to remain available until expended for the sole purpose of funding the annual expenses of the Southeastern Power Administration: *Provided further*, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2024 appropriation estimated at not more than \$0: *Provided further*, That notwithstanding 31 U.S.C. 3302, up to \$71,850,000 collected by the Southeastern Power Administration pursuant to the Flood Control Act of 1944 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures: *Provided further*, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred (excluding purchase power and wheeling expenses).

OPERATION AND MAINTENANCE,  
SOUTHWESTERN POWER ADMINISTRATION

For expenses necessary for operation and maintenance of power transmission facilities and for marketing electric power and energy, for construction and acquisition of transmission lines, substations and appurtenant facilities, and for administrative expenses, including official reception and representation expenses in an amount not to exceed \$1,500 in carrying out section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the Southwestern Power Administration, \$52,326,000, to remain available until expended: *Provided*, That notwithstanding 31 U.S.C. 3302 and section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), up to \$40,886,000 collected by the Southwestern Power Administration from the sale of power and related services shall be credited to this account as discretionary offsetting collections, to remain available until expended, for the sole purpose of funding the annual expenses of the Southwestern Power Administration: *Provided further*, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2024 appropriation estimated at not more than \$11,440,000: *Provided further*, That notwithstanding 31 U.S.C. 3302, up to \$80,000,000 collected by the Southwestern Power Administration pursuant to the Flood Control Act of 1944 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures: *Provided further*, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred (excluding purchase power and wheeling expenses).

CONSTRUCTION, REHABILITATION, OPERATION  
AND MAINTENANCE, WESTERN AREA POWER  
ADMINISTRATION

For carrying out the functions authorized by title III, section 302(a)(1)(E) of the Act of August 4, 1977 (42 U.S.C. 7152), and other related activities including conservation and renewable resources programs as authorized, \$313,289,000, including official reception and representation expenses in an amount not to exceed \$1,500, to remain available until expended, of which \$313,289,000 shall be derived from the Department of the Interior Reclamation Fund: *Provided*, That notwithstanding 31 U.S.C. 3302, section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), and section 1 of the Interior Department Appropriation Act, 1939 (43 U.S.C. 392a), up to \$213,417,000 collected by the Western Area Power Administration from the sale of power and related services shall be credited to this account as discretionary offsetting collections, to remain available until expended, for the sole purpose of funding the annual expenses of the Western Area Power Administration: *Provided further*, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2024 appropriation estimated at not more than \$99,872,000, of which \$99,872,000 is derived from the Reclamation Fund: *Provided further*, That notwithstanding 31 U.S.C. 3302, up to \$475,000,000 collected by the Western Area Power Administration pursuant to the Flood Control Act of 1944 and the Reclamation Project Act of 1939 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures: *Provided further*, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred (excluding purchase power and wheeling expenses).

FALCON AND AMISTAD OPERATING AND  
MAINTENANCE FUND

For operation, maintenance, and emergency costs for the hydroelectric facilities at the Falcon and Amistad Dams, \$3,425,000, to remain available until expended, and to be derived from the Falcon and Amistad Operating and Maintenance Fund of the Western Area Power Administration, as provided in section 2 of the Act of June 18, 1954 (68 Stat. 255): *Provided*, That notwithstanding the provisions of that Act and of 31 U.S.C. 3302, up to \$3,197,000 collected by the Western Area Power Administration from the sale of power and related services from the Falcon and Amistad Dams shall be credited to this account as discretionary offsetting collections, to remain available until expended for the sole purpose of funding the annual expenses of the hydroelectric facilities of these Dams and associated Western Area Power Administration activities: *Provided further*, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2024 appropriation estimated at not more than \$228,000: *Provided further*, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred: *Provided further*, That for fiscal year 2024, the Administrator of the Western Area Power Administration may accept up to \$1,872,000 in funds contributed by United States power customers of the Falcon and Amistad Dams for deposit into the Falcon and Amistad Operating and Maintenance Fund, and such funds shall be available for the purpose for which contributed in like manner as if said sums had been specifically

appropriated for such purpose: *Provided further*, That any such funds shall be available without further appropriation and without fiscal year limitation for use by the Commissioner of the United States Section of the International Boundary and Water Commission for the sole purpose of operating, maintaining, repairing, rehabilitating, replacing, or upgrading the hydroelectric facilities at these Dams in accordance with agreements reached between the Administrator, Commissioner, and the power customers.

FEDERAL ENERGY REGULATORY COMMISSION  
SALARIES AND EXPENSES

For expenses necessary for the Federal Energy Regulatory Commission to carry out the provisions of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including services as authorized by 5 U.S.C. 3109, official reception and representation expenses not to exceed \$3,000, and the hire of passenger motor vehicles, \$520,000,000, to remain available until expended: *Provided*, That notwithstanding any other provision of law, not to exceed \$520,000,000 of revenues from fees and annual charges, and other services and collections in fiscal year 2024 shall be retained and used for expenses necessary in this account, and shall remain available until expended: *Provided further*, That the sum herein appropriated from the general fund shall be reduced as revenues are received during fiscal year 2024 so as to result in a final fiscal year 2024 appropriation from the general fund estimated at not more than \$0.

GENERAL PROVISIONS—DEPARTMENT  
OF ENERGY(INCLUDING RESCISSIONS AND TRANSFERS OF  
FUNDS)

SEC. 301. (a) No appropriation, funds, or authority made available by this title for the Department of Energy shall be used to initiate or resume any program, project, or activity or to prepare or initiate Requests For Proposals or similar arrangements (including Requests for Quotations, Requests for Information, and Funding Opportunity Announcements) for a program, project, or activity if the program, project, or activity has not been funded by Congress.

(b)(1) Unless the Secretary of Energy notifies the Committees on Appropriations of both Houses of Congress at least 3 full business days in advance, none of the funds made available in this title may be used to—

(A) make a grant allocation or discretionary grant award totaling \$1,000,000 or more;

(B) make a discretionary contract award or Other Transaction Agreement totaling \$1,000,000 or more, including a contract covered by the Federal Acquisition Regulation;

(C) issue a letter of intent to make an allocation, award, or Agreement in excess of the limits in subparagraph (A) or (B); or

(D) announce publicly the intention to make an allocation, award, or Agreement in excess of the limits in subparagraph (A) or (B).

(2) The Secretary of Energy shall submit to the Committees on Appropriations of both Houses of Congress within 15 days of the conclusion of each quarter a report detailing each grant allocation or discretionary grant award totaling less than \$1,000,000 provided during the previous quarter.

(3) The notification required by paragraph (1) and the report required by paragraph (2) shall include the recipient of the award, the amount of the award, the fiscal year for which the funds for the award were appropriated, the account and program, project, or activity from which the funds are being drawn, the title of the award, and a brief description of the activity for which the award is made.

(c) The Department of Energy may not, with respect to any program, project, or activity that uses budget authority made available in this title under the heading “Department of Energy—Energy Programs”, enter into a multiyear contract, award a multiyear grant, or enter into a multiyear cooperative agreement unless—

(1) the contract, grant, or cooperative agreement is funded for the full period of performance as anticipated at the time of award; or

(2) the contract, grant, or cooperative agreement includes a clause conditioning the Federal Government’s obligation on the availability of future year budget authority and the Secretary notifies the Committees on Appropriations of both Houses of Congress at least 3 days in advance.

(d) Except as provided in subsections (e), (f), and (g), the amounts made available by this title shall be expended as authorized by law for the programs, projects, and activities specified in the “House Recommended” column in the “Department of Energy” table included under the heading “Title III—Department of Energy” in the report accompanying this Act.

(e) The amounts made available by this title may be reprogrammed for any program, project, or activity, and the Department shall notify, and obtain the prior approval of, the Committees on Appropriations of both Houses of Congress at least 30 days prior to the use of any proposed reprogramming that would cause any program, project, or activity funding level to increase or decrease by more than \$5,000,000 or 10 percent, whichever is less, during the time period covered by this Act.

(f) None of the funds provided in this title shall be available for obligation or expenditure through a reprogramming of funds that—

(1) creates, initiates, or eliminates a program, project, or activity;

(2) increases funds or personnel for any program, project, or activity for which funds are denied or restricted by this Act; or

(3) reduces funds that are directed to be used for a specific program, project, or activity by this Act.

(g)(1) The Secretary of Energy may waive any requirement or restriction in this section that applies to the use of funds made available for the Department of Energy if compliance with such requirement or restriction would pose a substantial risk to human health, the environment, welfare, or national security.

(2) The Secretary of Energy shall notify the Committees on Appropriations of both Houses of Congress of any waiver under paragraph (1) as soon as practicable, but not later than 3 days after the date of the activity to which a requirement or restriction would otherwise have applied. Such notice shall include an explanation of the substantial risk under paragraph (1) that permitted such waiver.

(h) The unexpended balances of prior appropriations provided for activities in this Act may be available to the same appropriation accounts for such activities established pursuant to this title. Available balances may be merged with funds in the applicable established accounts and thereafter may be accounted for as one fund for the same time period as originally enacted.

SEC. 302. Funds appropriated by this or any other Act, or made available by the transfer of funds in this Act, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 3094) during fiscal year 2024 until the enactment of the Intelligence Authorization Act for fiscal year 2024.

SEC. 303. None of the funds made available in this title shall be used for the construction of facilities classified as high-hazard nuclear facilities under 10 CFR Part 830 unless independent oversight is conducted by the Office of Enterprise Assessments to ensure the project is in compliance with nuclear safety requirements.

SEC. 304. None of the funds made available in this title may be used to approve critical decision-2 or critical decision-3 under Department of Energy Order 413.3B, or any successive departmental guidance, for construction projects where the total project cost exceeds \$100,000,000, until a separate independent cost estimate has been developed for the project for that critical decision.

SEC. 305. None of the funds made available in this title may be used to support a grant allocation award, discretionary grant award, or cooperative agreement that exceeds \$100,000,000 in Federal funding unless the project is carried out through internal independent project management procedures.

SEC. 306. No funds shall be transferred directly from “Department of Energy—Power Marketing Administration—Colorado River Basins Power Marketing Fund, Western Area Power Administration” to the general fund of the Treasury in the current fiscal year.

SEC. 307. None of the funds made available by this Act may be used to finalize, implement, administer, or enforce an energy efficiency standard that increases efficiency standards on distribution transformers, including the proposed rule entitled “Energy Conservation Program: Energy Conservation Standards for Distribution Transformers” published by the Department of Energy in the Federal Register on January 11, 2023 (88 Fed. Reg. 1722) or any substantially similar rule.

SEC. 308. Notwithstanding section 301(c) of this Act, none of the funds made available under the heading “Department of Energy—Energy Programs—Science” may be used for a multiyear contract, grant, cooperative agreement, or Other Transaction Agreement of \$5,000,000 or less unless the contract, grant, cooperative agreement, or Other Transaction Agreement is funded for the full period of performance as anticipated at the time of award.

SEC. 309. (a) Of the unobligated balances of amounts made available to the Department of Energy under each heading in title III of division J of Public Law 117–58, an amount equal to the amount transferred from each such heading as of the date of enactment of this Act pursuant to section 303 of Public Law 117–58 shall be transferred on October 1, 2023, to the Office of the Inspector General of the Department of Energy to oversee the funds made available to the Department of Energy in Public Law 117–58: *Provided*, That any amounts so transferred that were previously designated by the Congress as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985 or a concurrent resolution on the budget are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

(b) Beginning on October 1, 2023, of the amounts made available to the Department of Energy under each of sections 50121, 50141, 50142, 50143, 50144, 50145, 50151, 50152, 50153, and 50161 of Public Law 117–169, two-tenths of one percent of such amounts shall be transferred to the Office of the Inspector General of the Department of Energy to oversee the funds made available to the Department of Energy in Public Law 117–169: *Provided*, That amounts so transferred shall be derived from the unobligated balances of amounts under each such section.

(c) Section 303 of Public Law 117–58 is amended by—

(1) striking “One-tenth” and inserting “(a) Except as provided in subsection (b), one-tenth”; and

(2) adding at the end the following new provision:

“(b) Beginning on October 1, 2023, of the amounts made available to the Department of Energy under each heading in this title in this Act, two-tenths of one percent of such amounts in each of fiscal years 2024 through 2026 shall be transferred to the Office of the Inspector General of the Department of Energy to oversee the funds made available to the Department of Energy in this title in this Act: *Provided*, That any amounts so transferred that were previously designated by the Congress as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985 or a concurrent resolution on the budget are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.”

SEC. 310. (a) Notwithstanding sections 161 and 167 of the Energy Policy and Conservation Act (42 U.S.C. 6241, 6247), the Secretary of Energy shall draw down and sell one million barrels of refined petroleum product from the Strategic Petroleum Reserve during fiscal year 2024.

(b) All proceeds from such sale shall be deposited into the general fund of the Treasury during fiscal year 2024.

(c) Upon the completion of such sale, the Secretary shall carry out the closure of the Northeast Gasoline Supply Reserve.

(d)(1) The Secretary of Energy may not establish any new regional petroleum product reserve unless funding for the proposed regional petroleum product reserve is explicitly requested in advance in an annual budget submission and approved by the Congress in an appropriations Act.

(2) The budget request or notification shall include—

(A) the justification for the new reserve;

(B) a cost estimate for the establishment, operation, and maintenance of the reserve, including funding sources;

(C) a detailed plan for operation of the reserve, including the conditions upon which the products may be released;

(D) the location of the reserve; and

(E) the estimate of the total inventory of the reserve.

SEC. 311. Of the authority made available in Public Law 117–328 for the Title 17 Innovative Technology Loan Guarantee Program for commitments to guarantee loans for eligible projects under title XVII of the Energy Policy Act of 2005, a total principal of \$15,000,000,000 is hereby permanently rescinded.

SEC. 312. (a) Of the unobligated balances from amounts made available in section 50131 of Public Law 117–169, \$1,000,000,000 are hereby permanently rescinded.

(b) Of the unobligated balances from amounts made available in section 50122 of Public Law 117–169, \$4,500,000,000 are hereby permanently rescinded.

(c) Of the unobligated balances from amounts made available in section 50123 of Public Law 117–169, \$200,000,000 are hereby permanently rescinded.

SEC. 313. None of the funds appropriated or otherwise made available by this Act may be expended to support the Department of Energy Justice40 initiative as defined by or required by Executive Order 14008.

SEC. 314. None of the funds made available by this Act may be used to draw down and sell petroleum products from the Strategic Petroleum Reserve (1) to any entity that is under the ownership, control, or influence of the Chinese Communist Party; or (2) except on condition that such petroleum products

will not be exported to the People's Republic of China.

SEC. 315. The funds made available to the Department of Energy in this Act shall be applied in a manner consistent with subtitle D of title VI of the Research and Development, Competition, and Innovation Act (enacted as division B of the CHIPS Act of 2022 (Public Law 117-167; 42 U.S.C. 19231 et seq.)).

SEC. 316. (a) Of the unobligated amounts available under the heading "Department of Energy—Energy Programs—Nuclear Energy" in division J of the Infrastructure Investment and Jobs Act (Public Law 117-58) for fiscal years 2024, 2025, and 2026, the following are available, in addition to amounts otherwise made available for these purposes:

(1) (A) \$2,400,000,000 for Advanced Nuclear Fuel Availability, of which \$800,000,000, to remain available until expended, shall be available in each of fiscal years 2024, 2025, 2026.

(B) Funds available under subparagraph (A) shall only be available if a law is enacted after May 1, 2023, that specifically authorizes a program for the Secretary of Energy to support the availability of low-enriched uranium, including high-assay low-enriched uranium, for civilian domestic research, development, demonstration, and commercial use.

(2) \$1,197,000,000 to carry out the ongoing demonstration project under the Advanced Small Modular Reactor RD&D program, of which \$399,000,000, to remain available until expended, shall be available in each of fiscal years 2024, 2025, and 2026.

(b) Amounts repurposed pursuant to this paragraph that were previously designated by the Congress as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985 or a concurrent resolution on the budget are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 317. None of the funds made available in this title may be used to finalize, implement, administer, or enforce the proposed rule titled "Energy Conservation Program: Energy Conservation Standards for Consumer Conventional Cooking Products; Supplemental Notice of Proposed Rulemaking and announcement of public meeting" (88 Fed. Reg. 6818; published February 1, 2023) with respect to energy conservation standards for gas kitchen ranges and ovens, or any substantially similar rule, including any rule that would directly or indirectly limit consumer access to gas kitchen ranges or ovens.

#### TITLE IV

##### INDEPENDENT AGENCIES

###### APPALACHIAN REGIONAL COMMISSION

For expenses necessary to carry out the programs authorized by the Appalachian Regional Development Act of 1965, as amended, and for expenses necessary for the Federal Co-Chairman and the Alternate on the Appalachian Regional Commission, for payment of the Federal share of the administrative expenses of the Commission, including services as authorized by 5 U.S.C. 3109, and hire of passenger motor vehicles, \$200,000,000, to remain available until expended.

###### DEFENSE NUCLEAR FACILITIES SAFETY BOARD SALARIES AND EXPENSES

For expenses necessary for the Defense Nuclear Facilities Safety Board in carrying out activities authorized by the Atomic Energy Act of 1954, as amended by Public Law 100-456, section 1441, \$45,000,000, to remain available until September 30, 2025, of which not to exceed \$1,000 shall be available for official reception and representation expenses.

###### DELTA REGIONAL AUTHORITY SALARIES AND EXPENSES

For expenses necessary for the Delta Regional Authority and to carry out its activities, as authorized by the Delta Regional Authority Act of 2000, notwithstanding sections 382F(d), 382M, and 382N of said Act, \$31,100,000, to remain available until expended.

###### DENALI COMMISSION

For expenses necessary for the Denali Commission including the purchase, construction, and acquisition of plant and capital equipment as necessary and other expenses, \$17,000,000, to remain available until expended, notwithstanding the limitations contained in section 306(g) of the Denali Commission Act of 1998: *Provided*, That funds shall be available for construction projects for which the Denali Commission is the sole or primary funding source in an amount not to exceed 80 percent of total project cost for distressed communities, as defined by section 307 of the Denali Commission Act of 1998 (division C, title III, Public Law 105-277), as amended by section 701 of appendix D, title VII, Public Law 106-113 (113 Stat. 1501A-280), and an amount not to exceed 50 percent for non-distressed communities: *Provided further*, That notwithstanding any other provision of law regarding payment of a non-Federal share in connection with a grant-in-aid program, amounts under this heading shall be available for the payment of such a non-Federal share for any project for which the Denali Commission is not the sole or primary funding source, provided that such project is consistent with the purposes of the Commission.

###### NORTHERN BORDER REGIONAL COMMISSION

For expenses necessary for the Northern Border Regional Commission in carrying out activities authorized by subtitle V of title 40, United States Code, \$40,000,000, to remain available until expended: *Provided*, That such amounts shall be available for administrative expenses, notwithstanding section 15751(b) of title 40, United States Code.

###### SOUTHEAST CRESCENT REGIONAL COMMISSION

For expenses necessary for the Southeast Crescent Regional Commission in carrying out activities authorized by subtitle V of title 40, United States Code, \$20,000,000, to remain available until expended.

###### SOUTHWEST BORDER REGIONAL COMMISSION

For expenses necessary for the Southwest Border Regional Commission in carrying out activities authorized by subtitle V of title 40, United States Code, \$5,000,000, to remain available until expended.

###### GREAT LAKES AUTHORITY

For expenses necessary for the Great Lakes Authority in carrying out activities authorized by subtitle V of title 40, United States Code, \$5,000,000, to remain available until expended.

###### NUCLEAR REGULATORY COMMISSION SALARIES AND EXPENSES

For expenses necessary for the Commission in carrying out the purposes of the Energy Reorganization Act of 1974 and the Atomic Energy Act of 1954, \$960,560,450, including official representation expenses not to exceed \$30,000, to remain available until expended: *Provided*, That of the amount appropriated herein, not more than \$10,350,720 may be made available for salaries, travel, and other support costs for the Office of the Commission, to remain available until September 30, 2025: *Provided further*, That revenues from licensing fees, inspection services, and other services and collections estimated at \$807,727,130 in fiscal year 2024 shall be retained and used for necessary salaries and

expenses in this account, notwithstanding 31 U.S.C. 3302, and shall remain available until expended: *Provided further*, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 2024 so as to result in a final fiscal year 2024 appropriation estimated at not more than \$152,833,320.

###### OFFICE OF INSPECTOR GENERAL

For expenses necessary for the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, \$18,648,340, to remain available until September 30, 2025: *Provided*, That revenues from licensing fees, inspection services, and other services and collections estimated at \$15,481,566 in fiscal year 2024 shall be retained and be available until September 30, 2025, for necessary salaries and expenses in this account, notwithstanding section 3302 of title 31, United States Code: *Provided further*, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 2024 so as to result in a final fiscal year 2024 appropriation estimated at not more than \$3,166,774: *Provided further*, That of the amounts appropriated under this heading, \$1,534,900 shall be for Inspector General services for the Defense Nuclear Facilities Safety Board.

###### NUCLEAR WASTE TECHNICAL REVIEW BOARD SALARIES AND EXPENSES

For expenses necessary for the Nuclear Waste Technical Review Board, as authorized by Public Law 100-203, section 5051, \$4,064,000, to be derived from the Nuclear Waste Fund, to remain available until September 30, 2025.

###### GENERAL PROVISIONS—INDEPENDENT AGENCIES

SEC. 401. The Nuclear Regulatory Commission shall comply with the July 5, 2011, version of Chapter VI of its Internal Commission Procedures when responding to Congressional requests for information, consistent with Department of Justice guidance for all Federal agencies.

SEC. 402. (a) The amounts made available by this title for the Nuclear Regulatory Commission may be reprogrammed for any program, project, or activity, and the Commission shall notify the Committees on Appropriations of both Houses of Congress at least 30 days prior to the use of any proposed reprogramming that would cause any program funding level to increase or decrease by more than \$500,000 or 10 percent, whichever is less, during the time period covered by this Act.

(b)(1) The Nuclear Regulatory Commission may waive the notification requirement in subsection (a) if compliance with such requirement would pose a substantial risk to human health, the environment, welfare, or national security.

(2) The Nuclear Regulatory Commission shall notify the Committees on Appropriations of both Houses of Congress of any waiver under paragraph (1) as soon as practicable, but not later than 3 days after the date of the activity to which a requirement or restriction would otherwise have applied. Such notice shall include an explanation of the substantial risk under paragraph (1) that permitted such waiver and shall provide a detailed report to the Committees of such waiver and changes to funding levels to programs, projects, or activities.

(c) Except as provided in subsections (a), (b), and (d), the amounts made available by this title for "Nuclear Regulatory Commission—Salaries and Expenses" shall be expended as directed in the report accompanying this Act.

(d) None of the funds provided for the Nuclear Regulatory Commission shall be available for obligation or expenditure through a

reprogramming of funds that increases funds or personnel for any program, project, or activity for which funds are denied or restricted by this Act.

(e) The Commission shall provide a monthly report to the Committees on Appropriations of both Houses of Congress, which includes the following for each program, project, or activity, including any prior year appropriations—

- (1) total budget authority;
- (2) total unobligated balances; and
- (3) total unliquidated obligations.

#### TITLE V—WATER FOR CALIFORNIA

##### SEC. 501. DEFINITIONS.

In Subtitle A through Subtitle D, the following definitions apply:

(1) CVP.—The term “CVP” means the Central Valley Project.

(2) CVP CONTRACTOR.—The term “CVP contractor” means any public water agency, water user organization, or person that has entered into a contract with the United States for water service from the CVP, whether in the form of a water service contract, repayment contract, water rights settlement contract, exchange contract, or refuge contract.

(3) FWS BIOLOGICAL OPINION.—The term “FWS Biological Opinion” means the United States Fish and Wildlife Service “Biological Opinion for the Reinitiation of Consultation on the Coordinated Operations of the Central Valley Project and State Water Project” (Service File No. 08FBTD00-2019-F-0164) signed on October 21, 2019.

(4) NOAA BIOLOGICAL OPINION.—The term “NOAA Biological Opinion” means the National Oceanic and Atmospheric Administration Fisheries “Biological Opinion on the Long-term Operation of the Central Valley Project and the State Water Project” (Consultation Tracking Number: WCRO-2016-00069) signed on October 21, 2019.

(5) PREFERRED ALTERNATIVE.—The term “Preferred Alternative” means the Alternative 1 (Preferred Alternative), as described in the Final Environmental Impact Statement on the Reinitiation of Consultation on the Coordinated Long-Term Operation of the Central Valley Project and the State Water Project, issued by the Bureau of Reclamation, and dated December 2019.

(6) SWP.—The term “SWP” means the California State Water Project.

(7) SWP CONTRACTOR.—The term “SWP contractor” means a public agency that has entered into a long-term water supply contract with the California Department of Water Resources for water service from the SWP.

##### SEC. 502. TREATMENT OF FUNDS.

Amounts repurposed pursuant to this title that were previously designated by the Congress as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985 or a concurrent resolution on the budget are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### Subtitle A—CVP and SWP Operations

##### SEC. 511. OPERATION OF THE CVP AND SWP.

(a) CONGRESSIONAL DIRECTION REGARDING CVP AND SWP OPERATIONS.—The CVP and the SWP shall be operated, and reporting shall be done, in accordance with the Preferred Alternative and FWS Biological Opinion and NOAA Biological Opinion.

(b) EXCEPTIONS.—Operation of the CVP and SWP shall proceed pursuant to subsection (a) of this section, except:

(1) to the extent changes to operations are undertaken pursuant to one or more agreements, which are voluntarily entered into, approved, and implemented by CVP contractors, for operations of the CVP, and SWP

contractors, for operations of the SWP, with all applicable Federal departments and the State of California, including any agency or board of the State of California; or

(2) to the extent changes in operations of the CVP, SWP, or both can be made while improving the supply of water available to CVP contractors, SWP contractors, or both.

(c) COSTS.—No cost, including water supply, financial, mitigation-related, or otherwise, associated with the implementation of any agreement under subsection (b)(1) or the implementation of any reoperation under subsection (b)(2) shall be imposed by any Federal department or agency or the State of California, including any agency or board of the State of California, directly or indirectly on any CVP contractor, SWP contractor, or any other person or entity, unless such costs are incurred on a voluntary basis.

(d) NO REDIRECTED ADVERSE IMPACTS.—The Secretary of the Interior and Secretary of Commerce shall not carry out any specific action authorized under the applicable provisions of this subtitle that would directly or through State agency action indirectly result in the involuntary reduction of water supply to an individual, district, or agency that has in effect a contract for water with the SWP or the CVP, including settlement, exchange, and refuge contracts, and Friant Division contracts.

(e) ENDANGERED SPECIES ACT.—Notwithstanding subsection (b), implementation of subsection (a) shall not conflict with the FWS Biological Opinion and the NOAA Biological Opinion.

(f) NATIVE SPECIES PROTECTION.—The State of California shall not impose any bag, catch, or size restriction or limit on the take or harvest of striped bass or any species of black bass, including largemouth bass, smallmouth bass, and spotted bass, that occupy the Sacramento-San Joaquin Rivers Delta or its tributaries.

##### SEC. 512. OPERATIONS AND REVIEWS.

In carrying out section 511(a), the Secretary of the Interior and the Secretary of Commerce shall implement their statutory authorities in a manner that improves water supply reliability and enables the CVP and SWP to provide the maximum quantity of water supplies practicable to CVP agricultural, municipal, and industrial contractors, water service or repayment contractors, water rights settlement contractors, exchange contractors, refuge contractors, and SWP contractors, in accordance with the Preferred Alternative, NOAA Biological Opinion, and FWS Biological Opinion.

##### SEC. 513. APPLICATION OF STATE LAWS.

(a) REDUCED WATER SUPPLY.—If, as a result of the application of applicable State law or regulation, the State of California (including any agency or board of the State of California) alters operation of the SWP in a manner that directly or indirectly results in reduced water supply to the SWP as compared with the water supply available under the Preferred Alternative, and as a result, CVP yield is greater than it otherwise would have been under the Preferred Alternative, then that additional yield shall be made available to the SWP for delivery to SWP Contractors to offset that reduced water supply. If it is necessary to reduce water supplies for any authorized uses of the CVP or CVP Contractors to make available to the SWP that additional yield, such reductions shall be applied proportionately to those authorized uses or CVP contractors that benefit from that increased yield.

(b) NO RESTRICTION OF CERTAIN WATER RIGHTS.—The State of California (including any agency or board of the State of California) shall not restrict the exercise of any water right obtained pursuant to State law, including but not limited to a pre-1914 appro-

priative right or riparian right in order to offset any impact resulting from the implementation of this subtitle on any species affected by operations of the CVP or the SWP.

(c) NO INVOLUNTARY WATER REDUCTION.—The State of California (including any agency or board of the State of California), the Secretary of the Interior and Secretary of Commerce shall not take any action related to operation of the CVP or SWP that would directly or indirectly result in the involuntary reduction of water supply to any CVP agricultural, municipal and industrial contractor, water service or repayment contractor, water rights settlement contractor, exchange contractor, refuge contractor or any SWP contractor, as compared to the water supply available under the Preferred Alternative; and nothing in this section is intended to modify, amend, or affect any of the rights and obligations of the parties to such contracts.

##### SEC. 514. RECONSULTATION OF NOAA BIOLOGICAL OPINION AND FWS BIOLOGICAL OPINION.

##### (a) REQUIREMENT FOR RECONSULTATION.—

(1) REQUIREMENT.—Unless action is taken pursuant to section 101(b), neither the Secretary of the Interior, acting through the Commissioner of the Bureau of Reclamation, nor the Secretary of Commerce, or their designees shall commence, complete, or request reinitiation of consultation on the coordinated long-term operation of the Central Valley Project and the State Water Project that will result in changes to or the replacement of the documents listed in paragraph (2) unless—

(A) more than 75 percent of California has experienced 4 consecutive years of D3 or D4 level drought, as defined by the U.S. Drought Monitor;

(B) the Commissioner of the Bureau of Reclamation identifies one specific factor or combination of factors under section 402.16 of title 50, Code of Federal Regulations; and

(C) not fewer than 120 days before officially commencing or requesting reinitiation, the Secretary of the Interior notifies the Committee on Natural Resources of the House of Representatives, and the Committee on Energy and Natural Resources of the Senate, in writing, of—

(i) the intent to commence or request reinitiation under this section; and

(ii) the detailed justification for the identification of the specific factor or combination of factors under section 402.16 of title 50, Code of Federal Regulations, that was identified to satisfy the requirement in subparagraph (B).

(2) DOCUMENTS.—The documents referred to in paragraph (1) are the following:

(A) The FWS Biological Opinion.

(B) The NOAA Biological Opinion.

(C) The Record of Decision for the Reinitiation of Consultation on the Coordinated Long-Term Modified Operations of the Central Valley Project and State Water Project, signed on February 18, 2020.

(b) APPLICABLE PROCEDURES AND REVIEW.—For the purposes of this Act, before reinitiating consultation on the Long-Term Operation of the CVP and SWP, a request by the Secretary of the Interior, the Secretary of the Commerce, or any other Federal employee, to reinitiate consultation shall be made in writing and considered a rule under section 551 of title 5, United States Code, and subject to the requirements of sections 801 through 808 of that title.

(c) COOPERATION.—In implementing this section, the Secretary of the Interior and the Secretary of Commerce shall comply with requirements included in section 4004 of the Water Infrastructure Improvements for the Nation Act (Public Law 114-322).

(d) EXCLUSION.—Notwithstanding subsection (b), in implementing this section,



section 801(b)(2) of title 5, United States Code, shall not apply.

**SEC. 515. SUNSET.**

Sections 511 through 514 shall have no force or effect on and after the date that is 7 years after the date of the enactment of this Act.

**SEC. 516. CONSULTATION ON COORDINATED OPERATIONS.**

The Water Infrastructure Improvements for the Nation Act (Public Law 114-322) is amended—

(1) in section 4004(a)—

(A) in the matter preceding paragraph (1), strike “public water agency that contracts” and insert “contractor”;

(B) in paragraph (1), by inserting “or proposed action” after “biological assessment.”;

(C) in paragraph (2), by inserting “or proposed action” after “biological assessment.”;

(D) by redesignating paragraphs (3) through (6) as paragraphs (4) through (7), respectively;

(E) after paragraph (2), by inserting the following new paragraph:

“(3) receive a copy of the draft proposed action and have the opportunity to review that document and provide comment to the action agency, which comments shall be afforded due consideration during development.”; and

(F) in paragraph (7), as redesignated by subparagraph (C) of this paragraph—

(i) in the matter preceding subparagraph (A), by inserting “action agency proposes a proposed action or” before “the consulting agency”;

(ii) in subparagraph (A), by inserting “proposed action or” before “alternative will”;

(iii) in subparagraph (B), by striking “alternative actions” and insert “actions or alternatives”;

(2) in section 4013, by deleting “section 4004, which shall expire 10 years after the date of its enactment;” and inserting “section 4004, which shall expire on December 16, 2033.”;

**Subtitle B—Allocations for Sacramento Valley Contractors**

**SEC. 521. DEFINITIONS.**

In this subtitle, the following definitions apply:

(1) The term “existing CVP agricultural water service or repayment contractor within the Sacramento River Watershed” means any water service or repayment contractor within the Shasta, Trinity, or Sacramento River division of the CVP that has in effect a water service or repayment contract on the date of enactment of this title that provides water for irrigation.

(2) The terms “Above Normal”, “Below Normal”, “Dry”, and “Wet”, with respect to a year, have the meanings given those terms in the Sacramento Valley Water Year Type (40-30-30) Index.

**SEC. 522. ALLOCATIONS OF WATER.**

Subject to section 523, the Secretary of the Interior shall make every reasonable effort in the operation of the CVP to allocate water provided for irrigation purposes to each existing CVP agricultural water service contractor within the Sacramento River Watershed in accordance with the following:

(1) Not less than 100 percent of the contract quantity of the existing CVP agricultural water service contractor within the Sacramento River Watershed in a Wet year.

(2) Not less than 100 percent of the contract quantity of the existing CVP agricultural water service contractor within the Sacramento River Watershed in an Above Normal year.

(3) Not less than 100 percent of the contract quantity of the existing CVP agricultural water service contractor within the Sac-

ramento River Watershed in a Below Normal year that is preceded by an Above Normal or Wet year.

(4) Not less than 50 percent of the contract quantity of the existing CVP agricultural water service contractor within the Sacramento River Watershed in a Dry year that is preceded by a Below Normal, Above Normal, or Wet year.

(5) In any other year not identified in paragraphs (1) through (4), not less than twice the allocation percentage to south-of-Delta CVP agricultural water service contractors, up to 100 percent.

**SEC. 523. PROTECTION OF REFUGE, MUNICIPAL AND INDUSTRIAL, AND OTHER CONTRACTORS.**

Nothing in section 522 shall—

(1) adversely affect any protections for the environment, including the obligation of the Secretary of the Interior to make water available to managed wetlands pursuant to section 3406(d) of the Central Valley Project Improvement Act (title XXXIV of Public Law 102-575; 106 Stat. 4722);

(2) adversely affect any obligation of the Secretary of the Interior or the Secretary of Commerce under the FWS Biological Opinion or the NOAA Biological Opinion;

(3) modify any provision of a water service contract that addresses municipal or industrial water shortage policies of the Secretary of the Interior;

(4) affect or limit the authority of the Secretary of the Interior to adopt or modify municipal and industrial water shortage policies;

(5) constrain, govern, or affect, directly or indirectly, the operations of the American River division of the CVP or any deliveries from that division or a unit or facility of that division; or

(6) affect any allocation to a CVP municipal or industrial water service contractor by increasing or decreasing allocations to the contractor, as compared to the allocation the contractor would have received absent section 522.

**SEC. 524. OTHER CONTRACTORS.**

Nothing in section 522 shall—

(1) affect the priority of any individual or entity with a Sacramento River settlement contract over water service or repayment contractors;

(2) affect the United States ability to deliver water to the San Joaquin River exchange contractors from the Sacramento River and the Delta via the Delta-Mendota Canal or modify or amend the rights and obligations under the Purchase Contract between Miller and Lux and the United States and the Second Amended Exchange Contract between the United States, Department of the Interior, Bureau of Reclamation and Central California Irrigation District, San Luis Canal Company, Firebaugh Canal Water District and Columbia Canal Company;

(3) affect the allocation of water to Friant division contractors of the CVP;

(4) result in the involuntary reduction in contract water allocations to individuals or entities with contracts to receive water from the Friant division;

(5) result in the involuntary reduction in water allocations to refuge contractors; or

(6) authorize any actions inconsistent with State water rights law.

**Subtitle C—Infrastructure**

**SEC. 531. SHASTA RESERVOIR ENLARGEMENT PROJECT.**

Section 40902(a)(2) of the Infrastructure Investment and Jobs Act (Public Law 117-58) is amended—

(1) in subparagraph (B)—

(A) in the matter preceding clause (i), by striking “this Act, except for any project for which—” and inserting “this Act; or”;

(B) by striking clauses (i) and (ii); and

(2) in subparagraph (C), by striking “(except that projects described in clauses (i) and (ii) of subparagraph (B) shall not be eligible)”.

**SEC. 532. WATER SUPPLY PLAN; PROJECTS.**

(a) PLAN.—Not later than 180 days after the date of the enactment of this Act, the Commissioner of the Bureau of Reclamation shall develop a water deficit report, which shall identify—

(1) projected water supply shortages in the State of California for irrigation water service, municipal and industrial water service, water supply for wildlife refuges supplied by the CVP or the SWP; and

(2) infrastructure projects or actions which, if taken, would—

(A) significantly reduce or eliminate the projected water supply shortage; or

(B) fulfill water allocations consistent with agricultural, municipal and industrial contractors, water service or repayment contractors, water rights settlement contractors, exchange contractors, and SWP contractors with water delivery contractors on the CVP and SWP.

(b) REPORT TO CONGRESS.—The Commissioner of the Bureau of Reclamation shall provide a report described in subsection (a) to the House Committee on Appropriations, the Senate Committee on Appropriations, the House Committee on Natural Resources, the Senate Committee on Energy, and the Senate Committee on Natural Resources upon its completion.

**SEC. 533. CONSERVATION FISH HATCHERIES.**

Section 4010(b)(5) of the Water Infrastructure Improvements for the Nation Act (Public Law 114-322) is amended by adding at the end the following:

“(D) SEMI-ANNUAL REPORT.—The Secretary of the Interior and the Secretary of Commerce shall submit to the Committee on Natural Resources of the House of Representatives, and the Committee on Energy and Natural Resources of the Senate semi-annual reports that detail activities carried out under this paragraph.”.

**SEC. 534. STORAGE; DURATION.**

(a) STORAGE.—Section 4007 of the Water Infrastructure Improvements for the Nation Act (Public Law 114-322) is amended—

(1) in subsection (b)(1), by striking “or any public agency organized pursuant to State law” and inserting “any public agency organized pursuant to State law, or any stakeholder”;

(2) in subsection (i), by striking “January 1, 2021” and inserting “January 1, 2028”.

(b) DURATION.—Section 4013 of the Water Infrastructure Improvements for the Nation Act (Public Law 114-322) is amended—

(1) in paragraph (1), by striking “and”;

(2) by redesignating paragraph (2) as paragraph (3); and

(3) by inserting after paragraph (1) the following:

“(2) section 4007, which (except as provided in paragraph (3)), shall expire on December 31, 2028; and”.

**SEC. 535. SHASTA DAM ENLARGEMENT**

No provision of State law shall preclude or otherwise prevent any public water agency, including a public agency of the State, that contracts for the delivery of CVP water from assisting or cooperating with, whether by loan, grant, license, or otherwise, the planning and construction of any project undertaken by the Bureau of Reclamation to enlarge Shasta Dam.

**Subtitle D—CVPIA Actions**

**SEC. 541. CVPIA RESTORATION ACTIONS.**

(a) REFUGE WATER SUPPLY PROGRAM.—Not later than 2 years after the date of enactment of this Act, the Secretary of the Interior shall complete the refuge water supply program under section 3406(d) of the Central

Valley Project Improvement Act (title XXXIV of Public Law 102-575; 106 Stat. 4722) and shall, within that 2-year period, give priority to completing the refuge water supply program when making funding decisions from the Central Valley Project Restoration Fund established under section 3407 of the Central Valley Project Improvement Act (106 Stat. 4726), the Infrastructure Investment and Jobs Act (Public Law 117-25), the Land and Water Conservation Fund Act (Public Law 88-578), and other sources of funding.

(b) RESTORATION ACTIONS DEEMED COMPLETE.—Upon completion of the refuge water supply program pursuant to subsection (a), or September 30, 2025, whichever occurs first, the Secretary of the Interior shall deem complete the fish, wildlife, and habitat mitigation and restoration actions mandated under section 3406 of the Central Valley Project Improvement Act (title XXXIV of Public Law 102-575; 106 Stat. 4714).

Subtitle E—Water Supply Permitting  
Coordination Act

SEC. 551. DEFINITIONS.

In this subtitle:

(1) BUREAU.—The term “Bureau” means the Bureau of Reclamation.

(2) COOPERATING AGENCIES.—The term “cooperating agency” means a Federal agency with jurisdiction over a review, analysis, opinion, statement, permit, license, or other approval or decision required for a qualifying project under applicable Federal laws and regulations, or a State agency subject to section 503(c).

(3) QUALIFYING PROJECTS.—The term “qualifying projects” means new surface water storage projects in the States covered under the Act of June 17, 1902 (32 Stat. 388, chapter 1093), and Acts supplemental to and amendatory of that Act (43 U.S.C. 371 et seq.) constructed on lands administered by the Department of the Interior or the Department of Agriculture, exclusive of any easement, right-of-way, lease, or any private holding, if the project applicant or sponsor elects to participate in the process authorized by this title. Such term shall also include State-led projects (as defined in section 4007(a)(2) of the WIIN Act) for new surface water storage projects in the States covered under the Act of June 17, 1902 (32 Stat. 388, chapter 1093), and Acts supplemental to and amendatory of that Act (43 U.S.C. 371 et seq.) constructed on lands administered by the Department of the Interior or the Department of Agriculture, exclusive of any easement, right-of-way, lease, or any private holding, unless the project applicant elects not to participate in the process authorized by this title.

(4) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

SEC. 552. ESTABLISHMENT OF LEAD AGENCY AND COOPERATING AGENCIES.

(a) ESTABLISHMENT OF LEAD AGENCY.—The Bureau is established as the lead agency for purposes of coordinating all reviews, analyses, opinions, statements, permits, licenses, or other approvals or decisions required under Federal law to construct qualifying projects.

(b) IDENTIFICATION AND ESTABLISHMENT OF COOPERATING AGENCIES.—The Commissioner of the Bureau shall—

(1) identify, as early as practicable upon receipt of an application for a qualifying project, any Federal agency that may have jurisdiction over a review, analysis, opinion, statement, permit, license, approval, or decision required for a qualifying project under applicable Federal laws and regulations; and

(2) notify any such agency, within a reasonable timeframe, that the agency has been designated as a cooperating agency in regards to the qualifying project unless that

agency responds to the Bureau in writing, within a timeframe set forth by the Bureau, notifying the Bureau that the agency—

(A) has no jurisdiction or authority with respect to the qualifying project;

(B) has no expertise or information relevant to the qualifying project or any review, analysis, opinion, statement, permit, license, or other approval or decision associated therewith; or

(C) does not intend to submit comments on the qualifying project or conduct any review of such a project or make any decision with respect to such project in a manner other than in cooperation with the Bureau.

(c) STATE AUTHORITY.—A State in which a qualifying project is being considered may choose, consistent with State law—

(1) to participate as a cooperating agency; and

(2) to make subject to the processes of this subtitle all State agencies that—

(A) have jurisdiction over the qualifying project;

(B) are required to conduct or issue a review, analysis, or opinion for the qualifying project; or

(C) are required to make a determination on issuing a permit, license, or approval for the qualifying project.

SEC. 553. BUREAU RESPONSIBILITIES.

(a) IN GENERAL.—The principal responsibilities of the Bureau under this subtitle are—

(1) to serve as the point of contact for applicants, State agencies, Indian Tribes, and others regarding proposed qualifying projects;

(2) to coordinate preparation of unified environmental documentation that will serve as the basis for all Federal decisions necessary to authorize the use of Federal lands for qualifying projects; and

(3) to coordinate all Federal agency reviews necessary for project development and construction of qualifying projects.

(b) COORDINATION PROCESS.—The Bureau shall have the following coordination responsibilities:

(1) PREAPPLICATION COORDINATION.—Notify cooperating agencies of proposed qualifying projects not later than 30 days after receipt of a proposal and facilitate a preapplication meeting for prospective applicants, relevant Federal and State agencies, and Indian Tribes—

(A) to explain applicable processes, data requirements, and applicant submissions necessary to complete the required Federal agency reviews within the timeframe established; and

(B) to establish the schedule for the qualifying project.

(2) CONSULTATION WITH COOPERATING AGENCIES.—Consult with the cooperating agencies throughout the Federal agency review process, identify and obtain relevant data in a timely manner, and set necessary deadlines for cooperating agencies.

(3) SCHEDULE.—Work with the qualifying project applicant and cooperating agencies to establish a project schedule. In establishing the schedule, the Bureau shall consider, among other factors—

(A) the responsibilities of cooperating agencies under applicable laws and regulations;

(B) the resources available to the cooperating agencies and the non-Federal qualifying project sponsor, as applicable;

(C) the overall size and complexity of the qualifying project;

(D) the overall schedule for and cost of the qualifying project; and

(E) the sensitivity of the natural and historic resources that may be affected by the qualifying project.

(4) ENVIRONMENTAL COMPLIANCE.—Prepare a unified environmental review document for

each qualifying project application, incorporating a single environmental record on which all cooperating agencies with authority to issue approvals for a given qualifying project shall base project approval decisions. Help ensure that cooperating agencies make necessary decisions, within their respective authorities, regarding Federal approvals in accordance with the following timelines:

(A) Not later than 1 year after acceptance of a completed project application when an environmental assessment and finding of no significant impact is determined to be the appropriate level of review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(B) Not later than 1 year and 30 days after the close of the public comment period for a draft environmental impact statement under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), when an environmental impact statement is required under the same.

(5) CONSOLIDATED ADMINISTRATIVE RECORD.—Maintain a consolidated administrative record of the information assembled and used by the cooperating agencies as the basis for agency decisions.

(6) PROJECT DATA RECORDS.—To the extent practicable and consistent with Federal law, ensure that all project data is submitted and maintained in generally accessible electronic format, compile, and where authorized under existing law, make available such project data to cooperating agencies, the qualifying project applicant, and to the public.

(7) PROJECT MANAGER.—Appoint a project manager for each qualifying project. The project manager shall have authority to oversee the project and to facilitate the issuance of the relevant final authorizing documents, and shall be responsible for ensuring fulfillment of all Bureau responsibilities set forth in this section and all cooperating agency responsibilities under section 554.

SEC. 554. COOPERATING AGENCY RESPONSIBILITIES.

(a) ADHERENCE TO BUREAU SCHEDULE.—

(1) TIMEFRAMES.—On notification of an application for a qualifying project, the head of each cooperating agency shall submit to the Bureau a timeframe under which the cooperating agency reasonably will be able to complete the authorizing responsibilities of the cooperating agency.

(2) SCHEDULE.—

(A) USE OF TIMEFRAMES.—The Bureau shall use the timeframes submitted under this subsection to establish the project schedule under section 504.

(B) ADHERENCE.—Each cooperating agency shall adhere to the project schedule established by the Bureau under subparagraph (A).

(b) ENVIRONMENTAL RECORD.—The head of each cooperating agency shall submit to the Bureau all environmental review material produced or compiled in the course of carrying out activities required under Federal law, consistent with the project schedule established by the Bureau under subsection (a)(2).

(c) DATA SUBMISSION.—To the extent practicable and consistent with Federal law, the head of each cooperating agency shall submit all relevant project data to the Bureau in a generally accessible electronic format, subject to the project schedule established by the Bureau under subsection (a)(2).

SEC. 555. FUNDING TO PROCESS PERMITS.

(a) IN GENERAL.—The Secretary, after public notice in accordance with subchapter II of chapter 5, and chapter 7, of title 5, United States Code (commonly known as the “Administrative Procedure Act”), may accept and expend funds, to the extent provided in advance in appropriations Acts, contributed

by a non-Federal public entity to expedite the evaluation of a permit of that entity related to a qualifying project.

(b) EFFECT ON PERMITTING.—

(1) EVALUATION OF PERMITS.—In carrying out this section, the Secretary shall ensure that the evaluation of permits carried out using funds accepted under this section shall—

(A) be reviewed by the Regional Director of the Bureau of the region in which the qualifying project or activity is located (or a designee); and

(B) use the same procedures for decisions that would otherwise be required for the evaluation of permits for similar projects or activities not carried out using funds authorized under this section.

(2) IMPARTIAL DECISION MAKING.—In carrying out this section, the Secretary shall ensure that the use of the funds accepted under this section for a qualifying project shall not—

(A) substantively or procedurally impact impartial decision making with respect to the issuance of permits; or

(B) diminish, modify, or otherwise affect the statutory or regulatory authorities of the cooperating agency.

(c) LIMITATION ON USE OF FUNDS.—None of the funds accepted under this section shall be used to carry out a review of the evaluation of permits required under subsection (b)(1)(A).

(d) PUBLIC AVAILABILITY.—The Secretary shall ensure that all final permit decisions carried out using funds authorized under this section are made available to the public, including on the internet.

#### TITLE VI

#### GENERAL PROVISIONS

##### (INCLUDING TRANSFER OF FUNDS)

SEC. 601. 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. 602. (a) None of the funds made available in title III of 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 Act for any fiscal year, transfer authority referenced in the report accompanying this Act, or any authority whereby a department, agency, or instrumentality of the United States Government may provide goods or services to another department, agency, or instrumentality.

(b) None of the funds made available for any department, agency, or instrumentality of the United States Government may be transferred to accounts funded in title III of this Act, except pursuant to a transfer made by or transfer authority provided in this Act or any other appropriations Act for any fiscal year, transfer authority referenced in the report accompanying this Act, or any authority whereby a department, agency, or instrumentality of the United States Government may provide goods or services to another department, agency, or instrumentality.

(c) The head of any relevant department or agency funded in this Act utilizing any transfer authority shall submit to the Committees on Appropriations of both Houses of Congress a semiannual report detailing the transfer authorities, except for any authority whereby a department, agency, or instrumentality of the United States Government may provide goods or services to another department, agency, or instrumentality, used in the previous 6 months and in the year-to-

date. This report shall include the amounts transferred and the purposes for which they were transferred, and shall not replace or modify existing notification requirements for each authority.

SEC. 603. (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. 604. (a) No federal monies shall be expended in furtherance of any agreement among private entities for consolidated interim storage of spent nuclear fuel that is not specifically authorized under federal law until such time that host state and local governments and any affected Indian tribes have formalized their consent.

(b) Provided that the prohibition provided for in this section shall not apply to facilities presently storing commercial spent nuclear fuel, pursuant to an NRC license, as of the date of enactment of this Act.

(c) For purposes of this section, “spent nuclear fuel” shall have the same meaning as provided in section 2 of the Nuclear Waste Policy Act of 1982.

SEC. 605. 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. 606. None of the funds appropriated or otherwise made available by this Act may be made available to implement, administer, apply, enforce, or carry out the Equity Action Plan of the Department of Energy, or 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), 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).

SEC. 607. (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. 608. None of the funds made available by this Act may be used to finalize, implement, administer, apply, or enforce the proposed rule entitled “Energy Conservation Program: Energy Conservation Standards for Residential Clothes Washers” published by the Department of Energy in the Federal Register on March 3, 2023 (88 Fed. Reg. 13520), or any substantively similar rule.

SEC. 609. None of the funds made available by this Act may be used to implement, administer, apply, enforce, or carry out any diversity, equity, and inclusion office, program, or training.

SEC. 610. None of the funds made available by this Act may be used to implement or enforce section 370 of Public Law 116-283 with respect to civil works projects.

SEC. 611. None of the funds made available by this Act may be used by the Department of Energy to award any grant, contract, subcontract, award, loan, program, support, or other activity, to any entity who enters into, or maintains, partnerships or licensing agreements with any entity of concern, as defined in section 10114 of title I of division B of Public Law 117-167.

##### STATE-OWNED ENTERPRISES PROHIBITION

SEC. 612. (a) INNOVATE IN AMERICA.—None of the funds made available by this Act may be used by the Secretary of Energy to award a contract, subcontract, grant, or loan to an entity that—

(1) is owned or controlled by, is a subsidiary of, or is otherwise related legally or financially to a corporation based in a country that—

(A) is identified as a nonmarket economy country (as defined in section 771(18) of the Tariff Act of 1930 (19 U.S.C. 1677(18))) as of the date of enactment of this Act;

(B) was identified by the United States Trade Representative in the most recent report required by section 182 of the Trade Act of 1974 (19 U.S.C. 2242) as a priority foreign country under subsection (a)(2) of that section; and

(C) is subject to monitoring by the Trade Representative under section 306 of the Trade Act of 1974 (19 U.S.C. 2416); or

(2) is listed pursuant to section 9(b)(3) of the Uyghur Human Rights Policy Act of 2020 (Public Law 116-145).

(b) EXCEPTION.—For purposes of subsection (a), the Secretary of Energy may issue a waiver, to be made publicly available, to an entity in which the legal or financial connection to a corporation is a minority relationship or investment.

(c) INTERNATIONAL AGREEMENTS.—This section shall be applied in a manner consistent

with the obligations of the United States under applicable international agreements.

SPENDING REDUCTION ACCOUNT

SEC. 613. \$0.

This Act may be cited as the “Energy and Water Development and Related Agencies Appropriations Act, 2024”.

The Acting CHAIR. All points of order against provisions in the bill, as amended, are waived.

No further amendment to the bill, as amended, shall be in order except those printed in part B of House Report 118–242, amendments en bloc described in section 3 of House Resolution 756, and pro forma amendments described in section 4 of that resolution.

Each further amendment printed in part B of the report shall be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment except as provided by section 4 of House Resolution 756, and shall not be subject to a demand for division of the question.

It shall be in order at any time for the chair of the Committee on Appropriations or her designee to offer amendments en bloc consisting of amendments printed in part B of the report not earlier disposed of. Amendments en bloc shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations or their designees, shall not be subject to amendment, except as provided by section 4 of House Resolution 756, and shall not be subject to a demand for division of the question.

During the consideration of the bill for amendment, the chair and ranking minority member of the Committee on Appropriations or their respective designees may offer up to 10 pro forma amendments each at any point for the purpose of debate.

AMENDMENTS EN BLOC OFFERED BY MR. FLEISCHMANN OF TENNESSEE

Mr. FLEISCHMANN. Mr. Chair, pursuant to House Resolution 756, I offer amendments en bloc.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc consisting of amendment Nos. 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 17, 18, 21, 23, and 33 printed in part B of House Report 118–242, offered by Mr. FLEISCHMANN of Tennessee:

AMENDMENT NO. 1 OFFERED BY MR. LAWLER OF NEW YORK

Page 3, line 1, after the first dollar amount, insert “(reduced by \$1,000,000) (increased by \$1,000,000)”.

AMENDMENT NO. 2 OFFERED BY MR. MOLINARO OF NEW YORK

Page 3, line 1, after the dollar amount, insert “(increased by \$10,000,000) (reduced by \$10,000,000)”.

AMENDMENT NO. 4 OFFERED BY MR. GRAVES OF LOUISIANA

Page 3, line 16, after the dollar amount, insert “(increased by \$1,746,000,000) (reduced by \$1,746,000,000)”.

AMENDMENT NO. 5 OFFERED BY MR. MOLINARO OF NEW YORK

Page 3, line 16, after the dollar amount, insert “(increased by \$10,000,000) (reduced by \$10,000,000)”.

AMENDMENT NO. 6 OFFERED BY MR. PHILLIPS OF MINNESOTA

Page 5, line 3, after the dollar amount, insert “(increased by \$3,000,000) (reduced by \$3,000,000)”.

AMENDMENT NO. 7 OFFERED BY MR. MOYLAN OF GUAM

Page 7, line 3, insert “typhoon,” before “and other”.

Page 8, line 3, insert “typhoon,” after “hurricane.”.

AMENDMENT NO. 8 OFFERED BY MR. LAWLER OF NEW YORK

Page 7, line 5, after the first dollar amount, insert “(reduced by \$1,000,000) (increased by \$1,000,000)”.

AMENDMENT NO. 9 OFFERED BY MR. MOYLAN OF GUAM

Page 7, line 5, after the dollar amount, insert “(increased by \$1,500,000)”.

Page 7, line 16, after the dollar amount, insert “(reduced by \$1,500,000)”.

AMENDMENT NO. 10 OFFERED BY MS. BOEBERT OF COLORADO

Page 18, line 1, after the dollar amount, insert “(increased by \$2,000,000)”.

Page 18, line 2, after the dollar amount, insert “(increased by \$2,000,000)”.

Page 34, line 13, after the dollar amount, insert “(reduced by \$2,000,000)”.

AMENDMENT NO. 11 OFFERED BY MS. BOEBERT OF COLORADO

Page 18, line 1, after the dollar amount, insert “(increased by \$4,000,000)”.

Page 34, line 13, after the dollar amount, insert “(reduced by \$4,000,000)”.

AMENDMENT NO. 17 OFFERED BY MR. FALLON OF TEXAS

Page 26, line 13, after the dollar amount, insert “(increased by \$5,000,000) (reduced by \$5,000,000)”.

AMENDMENT NO. 18 OFFERED BY MR. WALBERG OF MICHIGAN

Page 26, line 13, after the dollar amount, insert “(reduced by \$7,000,000) (increased by \$7,000,000)”.

AMENDMENT NO. 21 OFFERED BY MRS. PELTOLA OF ALASKA

On page 32, line 14, after the dollar amount, insert “(reduced by \$3,000,000) (increased by \$3,000,000)”.

AMENDMENT NO. 23 OFFERED BY MR. JACKSON OF TEXAS

Page 35, line 24, after the dollar amount, insert “(increased by \$3,000,000)”.

Page 37, line 6, after the dollar amount, insert “(reduced by \$3,000,000)”.

AMENDMENT NO. 33 OFFERED BY MR. LAWLER OF NEW YORK

Page 61, line 6, after the first dollar amount, insert “(reduced by \$1,000,000) (increased by \$1,000,000)”.

The Acting CHAIR. Pursuant to House Resolution 756, the gentleman from Tennessee (Mr. FLEISCHMANN) and the gentlewoman from Ohio (Ms. KAPTUR) each will control 10 minutes.

The Chair recognizes the gentleman from Tennessee.

Mr. FLEISCHMANN. Mr. Chair, this bipartisan en bloc amendment was developed in coordination with the minority. It contains noncontroversial amendments addressing important issues at the agency’s funded in this

bill that have been agreed to by both sides. I support its adoption, and I reserve the balance of my time.

Ms. KAPTUR. Mr. Chair, I rise in support of this amendment. I know it took a lot of effort on the part of the chair, and we appreciate your cooperation. The en bloc contains noncontroversial amendments from Members of both parties, and I have no objections. I urge support of the amendment.

Mr. Chair, I yield back the balance of my time.

Mr. FLEISCHMANN. Mr. Chair, I yield 3 minutes to the gentleman of Louisiana (Mr. GRAVES).

Mr. GRAVES of Louisiana. Mr. Chair, I thank Chairman FLEISCHMANN and Ranking Member KAPTUR for their cooperation here.

Mr. Chair, dating back to the Bipartisan Budget Act of 2018, there was funding that provided important advancement of projects known as the Comite project, which is north of my hometown of Baton Rouge, as well as the West Shore project in the River Parishes.

Mr. Chairman, these projects date back, in the case of Comite, date back all the way to the early 1980s, one of these awful Army Corps of Engineer projects that has been stalled for so long. We had a record flood in 2016, by some measure a 1,000-year flood that would have been tempered or mitigated if this project had been constructed, and thankfully in BBA 2018, the project was fully funded. The folks were excited and believed that we were going to be moving forward on this project.

Similarly, Mr. Chairman, the West Shore project actually started before I was born, literally, 1970, 1971. That project had been stalled and had not advanced at all until we were able to get the authorization passed through Congress in 2016 and we were able to get the project what we believed was also fully funded in BBA 2018.

Mr. Chairman, what we found today is that these project costs have skyrocketed. In the case of the West Shore project, it is approximately \$1.3 billion short now and in the case of the Comite project, it is about \$447 million short. What this amendment does, this is an increase/decrease amendment of approximately \$1.75 billion and it is designed to complete these projects.

Mr. Chairman, it is kind of like being a little bit pregnant. The project just doesn’t work. It is either completed and it is functional, or it is not. We have got to finish these projects. We have to ensure the resiliency of these communities. I know that my two colleagues here being the chair and the ranking member of this committee, the subcommittee, with the Corps of Engineers knows the importance of investment in resiliency or mitigation efforts and certainly know the importance that they share.

I thank them again for accepting our amendment and look forward to continuing to work with you.

Mr. FLEISCHMANN. Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Tennessee (Mr. FLEISCHMANN).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MR. PERRY

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in part B of House Report 118-242.

Mr. PERRY. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, line 1, after the dollar amount, insert "(reduced by \$715,000)".

Page 101, line 20, after the dollar amount, insert "(increased by \$715,000)".

The Acting CHAIR. Pursuant to House Resolution 756, the gentleman from Pennsylvania (Mr. PERRY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. PERRY. Mr. Chair, this amendment eliminates the funding for the Delaware River Basin Commission, the funding that is from the Federal Government.

Unfortunately, this bill provides nearly three quarters of a million dollars to the Delaware River Basin Commission, meaning that since 1998, the Federal Government has provided funding of some sort to this commission full of unelected, unaccountable bureaucrats that have unilaterally, in this case, instituted a hydraulic fracturing ban for a portion of the Commonwealth of Pennsylvania, literally stripping away the property and mineral rights from Pennsylvanians in direct contravention of the will of the legislature.

These people aren't elected by anybody. They are not accountable to anybody. Most people have no idea who the people on this commission even are.

The result is a prohibition on the development of critical shale plays in eastern Pennsylvania that can bring desperately needed natural gas to the market and the unconstitutional taking of mineral rights of the people of the Commonwealth of Pennsylvania. Americans are having unelected bureaucrats take their rights away.

It is an attack on Pennsylvania energy and American energy. At a time when residential natural gas prices are near record highs, it creates significant inflation, cost-of-living increases for our constituents, and empowers our enemies abroad.

Now, instead of taking action to stop this unconstitutional seizure of State authority, as my other amendment that was not made in order would have done, or better yet, dissolving the compact altogether, this bill, as it currently exists, rewards the radical commissioners with money from the very taxpayers the Delaware River Basin Commission is attacking.

Providing funds to such an out-of-control, radical commission is a step in the wrong direction that incentivizes others like it to follow.

This amendment that I am offering would rescind this money and move it to the spending reduction account, ensuring that we do not further incentivize this commission to attack American energy and the rights of Pennsylvania while trying to pay off some of our \$33 trillion of debt.

Mr. Chair, I urge my colleagues to do the right thing and send a message to these unelected bureaucrats by supporting this amendment, and I reserve the balance of my time.

Mrs. WATSON COLEMAN. Mr. Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mrs. WATSON COLEMAN. Mr. Chair, I rise in strong opposition to this amendment, which would strip Federal funding for the Delaware River Basin Commission. This amendment would remove \$715,000, funding that I secured through the community project funding process.

This amount is mere pennies within the entire Federal budget and provides an outsized return on investment for the millions of Americans who rely on the Delaware River Basin for clean water and recreational use.

□ 1830

The basin provides drinking water to over 14.2 million people and contributes approximately \$22 billion in annual economic activity.

The Delaware River Basin provides immense value to the region, and the Federal Government's small but critical role in managing the region's water resources is vital to maintaining the Commission's work.

This amendment is an assault on the communities that rely on the resources and the economy of the basin, and it is an attack on those who have fought to secure this necessary funding for the next fiscal year; therefore, I urge my colleagues to oppose this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. PERRY. Mr. Chairman, my colleague says that it costs mere pennies. These mere pennies add up to mere dollars. These mere dollars add up to thousands, eventually millions and eventually billions, which is where we are right now.

It talks about return on investments. It talks about it but it doesn't say what the return on investment is, because there isn't any return on investment.

It provides immense value, it is claimed. Yet, the value cannot be described. It cannot be quantified. No one knows what the value is.

Will the Delaware River Basin go away if the Commission were not there? Are you saying without the Commission there would be no safe drinking water?

The actions that this commission has taken are unfounded, unjustified, and are happening nowhere else. Yet, there is clean drinking water across the rest of the Commonwealth of Pennsylvania without this commission banning public and private activity.

My colleague says it is necessary funding. Necessary for what? What are we getting for this? Somebody is getting something, but the people of Pennsylvania, they are getting the shaft.

Mr. Chairman, I reserve the balance of my time.

Mrs. WATSON COLEMAN. Mr. Chair, needless to say, I disagree with the premise of my wonderful colleague across the aisle.

Mr. Chairman, I yield 3 minutes to the gentleman from Ohio (Ms. KAPTUR), ranking member of the Subcommittee on Energy and Water Development.

Ms. KAPTUR. Mr. Chairman, I rise in strong opposition to this amendment.

Let's be clear. This amendment reduces funding for the Army Corps of Engineers' investigations account by \$715,000, with the amendment description's stated intent of eliminating funding for the Delaware River Basin Commission.

I will note that the actual bill language of the amendment only reduces funding for the account. It does not in any way eliminate funding for the Delaware River Basin Commission.

However, I vigorously oppose the stated intent behind this amendment, especially since the Delaware River Basin, which flows into the Delaware Bay and then into the Atlantic Ocean, covers over 13,000 square miles in four States.

As established by law through the Delaware River Basin Compact that went into effect in 1961, the Commission consists of the Army Corps of Engineers and the four basin State Governors. Those States include Delaware, New Jersey, Pennsylvania, and New York.

The Corps of Engineers in these States work as equal partners for planning, development, and regulatory actions for the river basin. Frankly, all across the country we are facing issues that deal with very large watersheds and basins that in the past centuries and decades didn't face what we face today with water flows.

While the Commission's work could be further discussed, my strongest reason for opposition to this amendment is that the underlying bill provides \$715,000 to the Delaware River Basin Commission as community project funding on behalf of two Members of this body. The community project funding process allows Members of Congress to request funding for their community to meet urgent needs that they identify. There is a rigorous process for vetting and inclusion of community project funding, including strict transparency and accountability rules. I am shocked that one Member would target another Member's community

project funding through an amendment on the floor.

Mr. Chair, I strongly urge my colleagues to vote against this amendment.

Mr. PERRY. Mr. Chairman, I would say I dispute the claim that they work in collaboration.

The Delaware River Basin Commission itself, in contravention of the Pennsylvania legislature, has banned the practice all over northern Pennsylvania. Hydraulic fracturing; banned it in contravention of the will and the wishes of the elected members of the Pennsylvania legislature.

I would say this as well: The Corps of Engineers can do this work whether there is a commission or not, or whether this money is here or not. The Corps of Engineers has wide latitude to do that work all across the country. They don't need our involvement.

Finally, the individual States involved in this compact, that is why they got into the compact. They charge people in the individual States all kinds of permit fees and regulatory fees to pay for this Commission. Yet, somehow the Commission can't survive without more money from the Federal Government. It is ridiculous, it is duplicative, it is costly, it is unaffordable, it is unnecessary, and it needs to end.

Mr. Chairman, I yield back the balance of my time.

Mrs. WATSON COLEMAN. Mr. Chairman, I simply say as we finalize this discussion, that there are 14.2 million people who are being affected, who will be affected, and who think this is important.

There is a \$22 billion economic activity that will be impacted. Needless to say, I have chosen this as a project that I support because in the time that I have had the opportunity to serve the 12th Congressional District in the State of New Jersey, this is an issue that I find very important. I do hope that my colleagues will oppose this amendment.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. PERRY).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mrs. WATSON COLEMAN. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Pennsylvania will be postponed.

AMENDMENT NO. 12 OFFERED BY MR. NEGUSE

The Acting CHAIR. It is now in order to consider amendment No. 12 printed in part B of House Report 118-242.

Mr. NEGUSE. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 18, line 1, after the dollar amount, insert "(increased by \$1,000,000)".

Page 34, line 13, after the dollar amount, insert "(reduced by \$1,000,000)".

The Acting CHAIR. Pursuant to House Resolution 756, the gentleman from Colorado (Mr. NEGUSE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. NEGUSE. Mr. Chairman, I rise to offer my amendment which would allocate additional funding to the Bureau of Reclamation for the Colorado River Compliance Account and to support the Upper Colorado and San Juan River Basin Endangered Fish Recovery Programs.

Mr. Chair, first, I would express my gratitude to the ranking member, who has served with such distinction in this body representing northwestern Ohio, Toledo and Sandusky, and doing her part to build a better future for the people of Ohio and the people of our country. In particular, her service as ranking member of this august subcommittee and always trying to find a way to bridge the divide and to build a bipartisan path forward.

It is unfortunate that my colleagues on the other side of the aisle have regrettably chosen not to do that with this particular bill.

However, with respect to this amendment, the Upper Colorado and San Juan River Basin Recovery Programs provide us with an opportunity to chart a bipartisan path forward. They are a model of successful partnership and collaboration across agencies, States, with both Federal and non-Federal partners in my State of Colorado, in addition to Utah, Wyoming, and New Mexico.

I have been leading legislation over the past several years to reauthorize these programs, including bipartisan legislation in the previous Congress, which was signed into law and legislation this year that would extend the programs for an additional 7 years.

The programs work to recover and protect four species of endangered and threatened fish, while providing Endangered Species Act compliance for over 2,500 water projects.

The Colorado River Compliance Account provides critical Federal support for these programs, and my amendment would simply increase the Bureau of Reclamation's funding to direct additional Federal resources to these programs.

I hope it is an amendment that my colleagues on both sides of the aisle can support. It is common sense.

Mr. Chairman, I reserve the balance of my time.

Mr. FLEISCHMANN. Mr. Chairman, I claim the time in opposition, although I am not opposed to the amendment.

The Acting CHAIR. Without objection, the gentleman from Tennessee is recognized for 5 minutes.

There was no objection.

Mr. FLEISCHMANN. Mr. Chair, the Upper Colorado River and San Juan

River Endangered Species Program enjoys bipartisan support in the region, providing for a collaborative approach to species management, avoiding a heavy-handed ESA listing.

This program enables robust power production at Glen Canyon Dam, and I support the gentleman's amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. NEGUSE. Mr. Chairman, I thank the chairman of the subcommittee for his support and his words with respect to this amendment.

Mr. Chairman, I yield 1½ minutes to the gentlewoman from Ohio (Ms. KAPTUR), the distinguished ranking member of the Energy and Water Development Subcommittee.

Ms. KAPTUR. Mr. Chair, I thank Congressman NEGUSE for yielding and compliment him on the hardworking representation of the people of Colorado.

There could not be a more complex water system than the one that his community is a part of, and most of America has no idea about the plumbing of the West, so I really compliment him.

I know that funding provided in this bill will help advance or complete projects to protect the Humpback Chub, Bonytail, Colorado Pikeminnow, and Razorback Sucker that are feeling the impacts of drought while allowing water development projects to proceed.

We know many reports, including one from the United Nations just a couple years ago, talked about the extinction of natural species across our country and world. We must combat these efforts to prevent biodiversity loss, particularly in areas like the Colorado River, which was diverted for the first time in American history recently. That is a showstopper by anyone's measure.

We need to provide the resources necessary to continue this collaborative work in the Upper Colorado and San Juan Basins.

I thank my colleague for his leadership on this. I also thank the chair of the subcommittee for his great effort to try to accommodate as many members as possible.

Mr. NEGUSE. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mr. NEGUSE).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. NEGUSE. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Colorado will be postponed.

AMENDMENT NO. 13 OFFERED BY MR. NEGUSE

The Acting CHAIR. It is now in order to consider amendment No. 13 printed in part B of House Report 118-242.

Mr. NEGUSE. Mr. Chair, I have an amendment at the desk.



The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 18, line 1, after the dollar amount, insert “(increased by \$500,000)”.

Page 34, line 13, after the dollar amount, insert “(reduced by \$500,000)”.

The Acting CHAIR. Pursuant to House Resolution 756, the gentleman from Colorado (Mr. NEGUSE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. NEGUSE. Mr. Chairman, I would assure the chairman of the subcommittee that I won't be asking for a recorded vote on this amendment, but it is a similar amendment to the amendment just offered.

Essentially, this amendment directs the allocation of funding from a different account, again, to support this incredibly important program for all the reasons that had been stated by, of course, the ranking member of the subcommittee as well as the chairman previously.

The headwaters of the Colorado River are in my district. As the ranking member so eloquently stated, we face a complex set of challenges in the West as it relates to the Colorado River, which I continue to work to address in my State of Colorado and, of course, working with our colleagues in the Upper Basin and Lower Basin States.

This program, the Upper Colorado and San Juan River Basin Endangered Species Recovery Implementation Program, I think is a great and salient example of a way in which we can chart unique solutions to really pressing challenges; in this case, of course, the potential for endangered species in our community and in our water basins.

All that being said, Mr. Chairman, without belaboring the point, I would simply say it is a program worth investing in and it is why I am pursuing this particular amendment, and I hope my colleagues can support it.

Mr. Chair, I reserve the balance of my time.

Mr. FLEISCHMANN. Mr. Chairman, I rise to claim time in opposition, although I do not oppose the amendment.

The Acting CHAIR. Without objection, the gentleman from Tennessee is recognized for 5 minutes.

There was no objection.

Mr. FLEISCHMANN. Mr. Chair, similar to my colleague's previous amendment, this program enjoys broad bipartisan support and enables robust hydropower production that provides electricity to benefit the entire region.

Mr. Chair, I support the gentleman's amendment, and I yield back the balance of my time.

Mr. NEGUSE. Mr. Chairman, I thank the subcommittee chairman, again, for his indulgence and support on this particular amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mr. NEGUSE).

The amendment was agreed to.

□ 1845

AMENDMENT NO. 14 OFFERED BY MR. WESTERMAN

The Acting CHAIR. It is now in order to consider amendment No. 14 printed in part B of House Report 118-242.

Mr. WESTERMAN. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 21, line 6, after the dollar amount insert “(decreased by \$5,000,000)”.

The Acting CHAIR. Pursuant to House Resolution 756, the gentleman from Arkansas (Mr. WESTERMAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arkansas.

Mr. WESTERMAN. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, I commend Chairman FLEISCHMANN for the hard work in the Appropriations Committee and this particular subcommittee and the good product that they put out.

I do have a slight adjustment I would like to make to it, even though the subcommittee was very generous in working with the Natural Resources Committee and other committees in getting the base text.

I rise in support of Westerman amendment No. 14. It is an amendment that I would describe as an intentionally punitive amendment, but with a just cause: to protect the integrity of the legislative branch and, more specifically, the House of Representatives.

My amendment reduces funding for the Bureau of Reclamation's policy and administration account to fiscal year 2022 levels. At the Bureau of Reclamation, the policy and administration account finances the agency's centralized management and administrative functions that are not chargeable directly to a specific project or program. This includes the Office of the Commissioner, the administration's political leadership of the agency.

You may be asking why the chairman of the Committee on Natural Resources is here asking for an administrative funding cut to an agency under our jurisdiction. One of Congress' most vital responsibilities is oversight of the executive branch, making sure they are accountable to the American people. Congressional hearings are an important tool that we use to engage directly with administration officials and to conduct oversight on policy objectives, openly debate legislation, and spotlight waste, fraud, and abuse occurring in agencies.

These officials have an obligation to be responsive to Congress, engage in the oversight process, and be accountable to the American people. However, this administration, like many others from the past, on both sides of the aisle, chose to blatantly disregard this responsibility when they specifically

refused to participate in a congressional hearing earlier this year.

There, we considered H.R. 215, Congressman VALADAO's WATER for California Act. This legislation addresses the operation of the Central Valley Project, which is a Federal water project owned and operated by the Bureau of Reclamation. This legislation is critical not only to the Central Valley but to our entire country's food supply. The legislation was important enough that it was included in the base text of this bill.

However, even with ample notification with an invitation sent 2 weeks prior to the hearing, the Bureau of Reclamation failed to appear at the hearing. The Bureau of Reclamation employs roughly 5,000 employees, so they clearly have the ability to send a representative. While written testimony was submitted the day before the hearing, this was a poor substitute for engaging with the committee members.

Non-Federal witnesses who appeared at the hearing repeatedly mentioned the Bureau of Reclamation, which daylighted the missed opportunities for dialogue between the agency and the people they serve.

Mr. Chair, I urge my colleagues to support this amendment, and I reserve the balance of my time.

Ms. KAPTUR. Mr. Chair, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Ohio is recognized for 5 minutes.

Ms. KAPTUR. Mr. Chair, first of all, I have great respect for the gentleman who offers this amendment, but I do find myself in the position of opposing it.

In step with the myriad amendments offered by Republicans to reduce leadership salaries, this amendment seeks to reduce funding for the Bureau of Reclamation's policy and administration account by \$5 million, ostensibly to fund it at the fiscal year 2022 enacted level. However, in fiscal year 2022, \$64.4 million was appropriated for policy and administration, so this amendment reduces this funding by \$4.321 million below the fiscal year 2022 enacted level.

The Bureau of Reclamation brings water to 31 million people and is the second largest producer of hydroelectric power in the United States, producing enough electricity to serve 3.5 million homes. This account funds day-to-day Bureau of Reclamation management, administrative, and policy functions that are necessary to ensure effective and efficient implementation of all Bureau of Reclamation programs from which 31 million people receive water and 3.5 million homes receive electricity. That is a big job.

This account also funds the Office of the Commissioner and regional offices. This leadership is critical for ensuring that one in five Western farmers has irrigation water for 10 million acres of farmland that produce 60 percent of our Nation's vegetables and 25 percent of its fruits and nuts.

According to the United States Census Bureau, my colleague comes from a district of approximately 751,000 people, of which approximately 1.5 percent are in occupations related to farming, fishing, and forestry. I don't think the gentleman's amendment benefits his district.

With the West reeling from the historic megadrought, the worst in 1,200 years, where we have just had to divert the Colorado River for the first time in American history, why would any of my colleagues want to hamstring the Bureau of Reclamation's management and the direction and guidance necessary to achieve Reclamation-wide program and mission accomplishment? This is a moment in American history when we need to help them.

Mr. Chair, I urge my colleagues to reject this amendment, and I yield back the balance of my time.

Mr. WESTERMAN. Mr. Chair, I will again point out that this funding is for the administrative part of the Bureau of Reclamation. It has nothing to do with functions that are chargeable directly to a specific project or program.

The Bureau of Reclamation does oversee many important programs. We want to see those programs function properly, and we also want accountability from the executive branch. The executive branch's clear pattern of disregard for congressional oversight indicates an entitled leadership that lacks accountability to the American taxpayer.

It is not my goal to have to come to the floor and cut the budget of an agency because they refuse to respond to Congress, but what tools do we have when they will not even come to a hearing that is directly related to the work that they do and when they just act like congressional oversight is an annoyance to them and is nothing serious?

My amendment will send a clear message to the executive branch that blatant disregard for congressional oversight is unacceptable.

Mr. Chair, I hope this is a bipartisan sentiment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arkansas (Mr. WESTERMAN).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Ms. KAPTUR. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arkansas will be postponed.

AMENDMENT NO. 15 OFFERED BY MR. GRIFFITH

The Acting CHAIR. It is now in order to consider amendment No. 15 printed in part B of House Report 118-242.

Mr. GRIFFITH. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 25, line 24, after the dollar amount, insert "(reduced by \$1,100,000,000)".

Page 28, line 10, after the dollar amount, insert "(increased by \$600,000,000)".

The Acting CHAIR. Pursuant to House Resolution 756, the gentleman from Virginia (Mr. GRIFFITH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. GRIFFITH. Mr. Chair, my amendment is just plain common sense. It addresses the importance of all types of research and development funding at the Department of Energy, specifically the energy research conducted at the Office of Fossil Energy and Carbon Management at the Office of Energy Efficiency and Renewable Energy.

I believe we need a plan that is closer to parity between renewable energy and fossil fuels and research on ways to reduce the environmental and climate impact of the use of fossil fuels.

In the underlying bill, \$2.994 billion is appropriated for energy efficiency and renewable energy, while only \$857.9 million is appropriated for fossil energy and carbon mitigation. I am advocating with this amendment that we should be closer to parity between the amount of money appropriated for fossil energy and carbon mitigation research and DOE's Office of Energy Efficiency and Renewable Energy. My amendment increases the fossil energy and carbon mitigation account by \$600 million, along with a reduction of \$1.1 billion from the renewables account.

This year alone, we have seen that these concepts that we are going to get rid of fossil fuels are just not realistic, Mr. Chairman. We saw a plant open up, or at least the plans for it, a Panasonic plant in Kansas, that was going to do electric vehicle batteries. The problem was, in order to get the plant, they needed more electricity. The electric utility in Kansas, Evergy, decided that one of the coal-fired power plants that they thought they were going to do away with, close down, they needed to keep it open because they couldn't build electric vehicle batteries without the fossil fuel, coal-powered plant.

This is not the only place that we see that. In India, there are about 300 million people who don't have electricity, a little bit less than the population of the United States. They don't have a steady source of electricity. If you are a leader in India, Mr. Chairman, I would submit, and you have coal, which they do, you are probably going to build some coal-fired power plants because their people deserve and want the same kind of electricity that we have in our country, at least for now, so they are going to build coal-fired power plants.

China has been building coal-fired power plants left and right. Some of the numbers indicate that the energy production of those plants is equal to

about two new plants every week last year. They are also funding more coal-fired power plants in sub-Saharan Africa.

Here is what we have. While we want to clean up the environment, the world is going to continue to use fossil fuels, particularly coal, not just in the United States. People say we can be completely pure, but that is myopic. We can't be because when we look at the air supply in the world, according to a NASA study a few years back, it takes about 10 days for air to travel from the middle of the Gobi Desert in China to the eastern shore of Virginia.

When all of these other places are using fossil fuels, isn't it smart on our part, if we want a clean environment, Mr. Chairman, that we find better ways to use that coal-fired power, that we find better ways to use gas power? We are going to continue to use it whether we think we are or not, and the rest of the world is going to continue to use it.

With the money we spend here, we can export that research and get some of the money back maybe, but more importantly, we can clean up the air for the entire world instead of thinking that we are living in some kind of bubble in the United States and that if we get rid of coal-fired power plants and fossil fuel plants, everything is going to be hunky-dory.

Mr. Chair, I reserve the balance of my time.

□ 1900

Mr. FLEISCHMANN. Mr. Chairman, I rise to oppose the amendment.

The Acting CHAIR. The gentleman from Tennessee is recognized for 5 minutes.

Mr. FLEISCHMANN. Mr. Chairman, I share some of my colleagues' concerns about the excess spending at EERE, particularly in light of the billions in increased spending provided in past appropriations bills, the Inflation Reduction Act, and the Infrastructure Investment and Jobs Act.

EERE still has billions in unobligated funds, and that is exactly why this bill, the bill that we have before the House, includes a large reduction to this account.

However, in my view, respectfully, my colleague's amendment would go too far to practically eliminate the EERE account. This would impact the important work performed by the national labs and universities to implement the research and development goals of EERE. These goals include advancing energy efficiency solutions for the manufacturing of cement, steel, and iron; creating and improving battery technologies; and developing critical mineral alternatives.

While I am a supporter of EERE, I also recognize fossil fuels are going to be an important resource for many years to come. However, I don't believe these two accounts need to be at odds with each other.

I personally favor an all-of-the-above approach to meet the Nation's future

energy needs. That approach includes strategic reductions to EERE that prioritize research activities like the goals I mentioned earlier.

My distinguished colleague's amendment, in my view, upends that strategy and goes too far, respectfully. For these reasons, I must oppose the amendment and urge my colleagues to do the same.

Mr. Chairman, I reserve the balance of my time.

Mr. GRIFFITH. Mr. Chairman, I say to my distinguished colleague and my friend that we disagree, and here is why. We have to get to a point where we are at parity. Every time we look at it, the money for renewables is huge, and the money for fossil fuel research, where we can make things better for the whole world, is minuscule in comparison. I am trying to level it out, and I would hope that that would be the long-term goal of our appropriators, to level it out. That is why I brought this amendment.

I, too, am for all of the above. That is why I didn't zero out the account. However, I think we have to pay attention to what is happening in the world and not be myopic when it comes to recognizing that if we are going to continue to use fossil fuels, we ought to do it cleaner and do it better. We ought to put more money into U.S. research on fossil fuels, everything from using fossil fuels to come up with rare earth to making it cleaner when we burn it for electricity to build electric vehicle battery plants.

Mr. Chair, I yield back the balance of my time.

Mr. FLEISCHMANN. Mr. Chairman, I yield to the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. Mr. Chairman, I thank the gentleman for yielding me time. I rise in opposition to the gentleman's amendment.

I hear what he is saying, but I think that we have to work harder together to embrace the future and not just depend on the past.

I agree with him on fossil fuels and rare earths. We visited the fossil fuel energy center in southwest Pennsylvania. I was fascinated by some of the work going on there. I think we need to fund it, and we are.

This amendment reduces funding for the Department of Energy's energy efficiency and renewable energy account by \$1.2 billion, and I don't think that that places America in the position I want her to be in, which is number one in the world.

Now, that proposal is also on top of another \$466 million reduction in the underlying bill itself and the \$1 billion reduction incorporated by the manager's amendment.

This funding provides for clean, affordable, and secure energy and ensures American leadership in the transition to a global clean energy economy.

I will tell you, this past year in my region of the United States—and it came here to Washington, ultimately—

a very strange haze began floating down from Canada into the United States due to the forest fires up there and the changing nature of the environment. I have lived in the same place my whole life, and I never saw anything like that before. It ruined my rhododendron plant. All that gunk got all over it.

I was talking to a friend who came up from Florida, and he goes: Marcy, the winds took that all the way down to near the panhandle in Florida.

I said: Are you kidding me? It got down that far? The Earth's ecosystem is changing, and we have to catch up to Mother Nature.

The account being targeted funds the Office of Energy Efficiency and Renewable Energy, the Office of State and Community Energy Programs that supports important services like the Weatherization Assistance Program to save energy, the Office of Manufacturing and Energy Supply Chains, and the Federal Energy Management Program itself.

Those programs focus on energy technology ranging from biofuels—the first biofueled F-16 flew out of the 180th Fighter Wing in my district. That was a great moment. That was almost 15 years ago.

Biofuels have now become such an important part of our economy, as well as hydrogen, solar, wind, and a whole broad range of energy technologies to make America energy independent in perpetuity—geothermal, what we are learning on that; advanced manufacturing; building efficiency and weatherization; and the list goes on.

Without these programs, we are jeopardizing U.S. leadership across a range of possibilities. The world is set to invest a record \$1.8 trillion in clean energy in 2023, and that is expected to climb to \$4.5 trillion by the year 2030. We want to be a leader. With \$4.5 trillion per year on the line, we have the choice to embrace American leadership and invention.

Let me just mention that if the Department of Energy's goals are achieved, the hydrogen industry will produce \$140 billion in revenue and over 700,000 jobs by 2030.

Mr. Chair, I strongly urge my colleagues to vote against this harmful amendment, but I am very happy to continue to work with the gentleman to find ways that we can reach accommodation.

Mr. FLEISCHMANN. Mr. Chair, I yield back the balance of my time.

The Acting CHAIR (Mr. MURPHY). The question is on the amendment offered by the gentleman from Virginia (Mr. GRIFFITH).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. GRIFFITH. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Virginia will be postponed.

AMENDMENT NO. 16 OFFERED BY MR. ROY

The Acting CHAIR. It is now in order to consider amendment No. 16 printed in part B of House Report 118-242.

Mr. ROY. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 25, line 24, after the dollar amount, insert "(reduced to \$0)".

The Acting CHAIR. Pursuant to House Resolution 756, the gentleman from Texas (Mr. ROY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. ROY. Mr. Chairman, the amendment that I have here fully defunds the Department of Energy's Office of Energy Efficiency and Renewable Energy.

The FY23 omnibus gave this office \$3.5 billion, and while the underlying bill and rule cut funding down to \$2 billion, we believe we ought to defund it entirely.

That is particularly true coming on the heels of the \$1.2 trillion, if you believe the media accounting and reports on the impact of the so-called Inflation Reduction Act. We believe this is additional spending that the American people do not need.

Let the market do what the market is going to do. If people want to go out and get electronic vehicles, and people want to go out and spend their money on something, good for them, great.

This office continues to be funded to continue to perpetuate this when the office's mission is "to equitably transition America to net-zero greenhouse gas emissions economy-wide by no later than 2050," which is a fool's errand.

We are undermining our own national security and undermining our own economy in the process, making us beholden to China and undermining our ability to actually have a serious policy in the Middle East, by the way. Right now, we don't even have sanctions in place. We are allowing Iran to make billions of dollars, upward of \$30 billion to \$60 billion, depending on what reports you look at, on exporting oil to China. We have totally blown it with Saudi Arabia, which has created the environment that we are now dealing with in the Middle East, all while this administration, by the way, dumped the Strategic Petroleum Reserve, all of this while pursuing this foolish energy policy, which is undermining our own national security and economy.

Now, we are going to go ahead and say, sure, let's appropriate another, in this case, \$2 billion for the Office of Energy Efficiency and Renewable Energy. We don't need to be doing this. Let the American people go sort this out.

We say that we are going to subsidize wind and solar because it is supposedly enhanced reliability. Tell that to the people of Texas. Texas has more wind than any other State in the country.

Thumbs up. That is great. Say that to all the people who are wondering whether they are going to have power because the grid in Texas is getting dangerously close to not having the ability to sustain. The only reason we are able to sustain it is because Texas is trying to push and hold up the coal and the gas-fired plants that actually provide reliable energy.

We are subsidizing the unreliable energy at the expense of the reliable energy. Instead of building nuclear power, instead of making sure a gas-fired plant is sitting there ready to roll—there is no investment in any of the projects going on into Texas' gas-fired plants. American, Texas gas that we should, by the way, be exporting around the world, including to Europe. Instead, we are undermining our very grid, our own reliable energy, and we are undermining our ability to compete in the world.

I suggest that this money would be better spent, especially when, I don't know, the last time I checked we had \$2 trillion in deficits.

What are we spending our money on? Seriously, how are we actually going to balance our budget and eliminate deficits when we keep spending money on projects like this?

Mr. Chairman, I reserve the balance of my time.

Mr. FLEISCHMANN. Mr. Chairman, I rise in opposition to this amendment.

The Acting CHAIR. The gentleman from Tennessee is recognized for 5 minutes.

Mr. FLEISCHMANN. Mr. Chair, I thank the distinguished gentleman from Texas (Mr. ROY) for filing this amendment, but I respectfully oppose the same.

I do share some of my colleague's concerns about the excess spending at EERE. I would also like to emphasize that EERE received over \$16 billion from the Infrastructure Investment and Jobs Act, and many of these dollars are still unobligated.

These reasons are exactly why the original bill reduced EERE by \$466 million below the fiscal year 2023 level and why I offered further reductions in this bill of \$1 billion.

In total, these reductions would bring EERE below the fiscal year 2016 level. However, my colleague's amendment goes too far in eliminating EERE.

I am a supporter of the EERE program and the work they do to advance research and development on renewable technologies, advanced manufacturing, and battery improvements. That includes essential work on critical minerals that will help lay the groundwork for technologies that will reduce our reliance on foreign supplies.

I think this is an issue that we all can support. I support strategic reduction to EERE, but I am not in favor of eliminating the account and walking away from its ongoing work.

For these reasons, I must respectfully oppose the amendment, and I urge my colleagues to do the same.

Mr. Chair, I reserve the balance of my time.

□ 1915

Mr. ROY. Mr. Chair, while I thank my friend and colleague and I appreciate the fact that through his work and the work of Republicans, we did reduce it by \$1.5 billion, but there remains another \$2 billion of funding.

I say to my colleagues on both sides of the aisle: How are we going to ever balance the budget when we continue to fund things like this?

That is my question. Why don't we pay for this, then? Can we at least pay for this out of something? Why don't we pay for this out of the Inflation Reduction Act? Why don't we pay for it by eliminating some of the IRS agents that got expanded?

Tell me. Go to the American people and say, what would you like to give up to pay for that? That is what I would like to know. I would like to know for the American people: What would you give up in order to pay for \$2 billion of more of this kind of subsidy?

By the way, in the Inflation Reduction Act, 90 percent of the subsidies go to corporations making over a billion dollars.

Mr. Chair, 78 percent of electric vehicle tax credits are claimed by Americans making over \$100,000. Couples making up to \$300,000 are still eligible.

These subsidies could make wind and solar account for nearly 60 percent of U.S. electricity generation by 2050, which might sound fine in unicorn land, but for the people who need reliable energy on a cloudy, windless day, we might actually want to have gas or coal or nuclear.

By the way, all of this subsidizes the heck out of China. We are talking about making us not reliant on foreign energy sources.

Well, what about China? China is the one producing most of these solar panels and a lot of the battery elements. Why are we continuing to do that?

I suggest that that is a waste of taxpayer money, it is unpaid for, and we shouldn't continue to perpetuate it.

Mr. Chair, I yield back the balance of my time.

Mr. FLEISCHMANN. Mr. Chairman, I yield to the gentlewoman from Ohio (Ms. KAPTUR), the ranking member.

Ms. KAPTUR. Mr. Chair, I thank the gentleman for yielding and rise in strong opposition to this amendment.

The Acting CHAIR. The gentlewoman from Ohio is recognized for 5 minutes.

Ms. KAPTUR. The underlying bill already cuts the energy efficiency and renewable energy program by \$1.5 billion or 42 percent below last year.

Now, there are a lot of people that are complaining about that, and I would be the first one to say that our country should not cede any new markets or capitulate to global competitors in the field of energy.

I think that we have to keep our foot on the accelerator in many energy sectors. The gentleman is right. Texas has

been a leader in so many ways; certainly in wind energy, but not just that.

In terms of the solar industry and how do we pay down the debts that prior Congresses and administrations racked up? We grow our economy.

By growing our economy, more revenues come in, and they are. They are coming into the private sector. They are coming into the government.

A whole lot more people who aren't paying their fair share of taxes should be, and that would help. The way we balance budgets is not to kill economic growth.

One of the areas we grow in is energy. These are jobs that are good jobs, and they create wealth for the Nation.

We have to keep up our dominance in this country. For the solar industry, which is something I am terribly interested in, I represent the most important domestic manufacturer of solar in our country.

Overall, the whole industry across our Nation supports 333,000 jobs now. Mr. Chair, 20 years ago, they were in a very different position, and 40 years ago, they almost didn't exist.

America is now creating utility scale solar, and the invention of the American people is unstoppable. We can't give a signal that we are going to capitulate to anybody, but we have got to develop these new energy sectors.

The gentleman is right about the grid. The grid is worn out all over this country. Ask anybody in Ohio about that. It has been underinvested.

We will find a way by growing the economy, and some of the new bills we have passed for infrastructure have allowed us to modernize the grid.

Well, let's connect the dots. We can choose to give up American leadership in these technologies, or we can actually put our foot on the accelerator.

I really think that the gentleman's amendment, though he believes it is well intentioned, does move America backward, and I cannot support it, and therefore, I oppose it.

Mr. FLEISCHMANN. Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. ROY).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. ROY. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

AMENDMENT NO. 19 OFFERED BY MR. PERRY

The Acting CHAIR. It is now in order to consider amendment No. 19 printed in part B of House Report 118-242.

Mr. PERRY. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 31, line 21, after the dollar amount, insert “(reduced by \$35,000,000)”.

Page 101, line 20, after the dollar amount, insert “(increased by \$35,000,000)”.

The Acting CHAIR. Pursuant to House Resolution 756, the gentleman from Pennsylvania (Mr. PERRY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. PERRY. Mr. Chairman, this amendment strikes \$35 million in funding for the Office of Clean Energy Demonstrations.

For those unfamiliar with this office, according to its website, it accelerates the market adoption of clean energy technologies and fills a critical innovation gap on the path to 100 percent clean energy by 2035 and net zero emissions by 2050.

I am going to characterize it a different way. Since the real market, the private market won't do it, you are going to pay for it under force by your taxes so that you can have less reliable energy as soon as possible, and we can be less energy independent. That is what it does, courtesy of your Federal Government.

It funds projects like long-duration energy storage and distributed energy systems to support the electric grid for electric vehicles, which are also being subsidized by your Federal Government under force of penalty of you not paying your taxes. It is astounding.

The Democrats continue to push this technology when the drawbacks of this so-called clean energy technology are clear.

The actual grid is being powered by solar and wind energy sources that are inherently unreliable and don't work when the Sun is not shining and the wind is not blowing.

Battery technology storage is not there, and of course, all that stuff that I just talked about comes from China, and oh, by the way, built with slave labor, whether that is in Turkistan or whether that is in the Congo.

Your tax dollars are supporting it under penalty of law. Try not paying your taxes and see what happens then.

Vehicles powered by this grid are built largely using slave labor like I just talked about and our reliance on the Communist Party of China since they control all the necessary components in the mineral supply chains.

Not that we don't have them in America. They say they are rare earth minerals. Mr. Chairman, they are not rare.

We just can't mine them in America because the left doesn't allow that, so now we have got to buy them from China. That is another story.

Vehicles powered by this grid are built largely, like I said, using slave labor and the supply chains that go with them.

These vehicles have limited range. Their lithium batteries often catch fire. Those fires are more difficult to extinguish than traditional fires.

This office that I am talking about is also managing \$2.5 billion for carbon capture facilities and greenhouse gas monitoring technology.

Mr. Chair, if these technologies were so great, why isn't the market already adopting and innovating without taxpayer-funded handouts?

My friends on the other side of the aisle will tell you these are critical investments, and they are not going to happen if the Federal Government doesn't do them. If we don't take your tax dollars and spend it on this, it ain't going to happen.

My goodness. Thank goodness that this country didn't become the greatest country on the planet without the Federal Government subsidizing all this stuff.

I don't know how Thomas Edison would have made it. I don't know how Ford Motor Company would have made it without the Federal Government. Somehow they did it, Mr. Chair.

I appreciate that the chairman did not approve additional funds for these clean demonstration projects, but my amendment strikes all the funds for this office.

Mr. Chairman, I urge support of my amendment, and I reserve the balance of my time.

Mr. FLEISCHMANN. Mr. Chairman, I rise in opposition to this amendment.

The Acting CHAIR. The gentleman from Tennessee is recognized for 5 minutes.

Mr. FLEISCHMANN. Mr. Chair, I thank my good friend from Pennsylvania (Mr. PERRY) for filing this, but I must respectfully oppose the amendment.

The Office of Clean Energy Demonstrations is primarily responsible for implementing and managing over \$21 billion provided by the Infrastructure Investment and Jobs Act.

I am keenly aware of the scale of that sum of money and the importance of our oversight responsibility to ensure taxpayer funds are correctly administered.

That is exactly why the House bill includes no funding—and I repeat no funding—for the office to conduct new demonstrations and instead, only includes funding for program direction for staff to provide project management oversight.

My colleague's amendment would eliminate that function, preventing the office from ensuring that our taxpayer dollars are being used effectively and efficiently.

That would directly impact the success of important programs within the office's jurisdiction like the Advanced Reactor Demonstration Program.

The Advanced Reactor Demonstration Program enjoys strong bipartisan support. The program is essential to the deployment of advanced reactors, ensuring our Nation's energy security and regaining U.S. leadership in nuclear energy.

We can't abandon our oversight responsibilities and risk the success of

programs like these. For these reasons, I must respectfully oppose the amendment, and I urge my colleagues to do the same.

Mr. Chair, I reserve the balance of my time.

Mr. PERRY. Mr. Chair, I certainly respect the good gentleman from Tennessee, and I thank him for the time.

I don't know. It seems like a lot of money still remaining for project management oversight. That doesn't seem to be billions of dollars' worth of spending to me; maybe millions, but not billions.

As far as advanced reactor research, I am proud to say that in the district that I represent, some of the fusion reactor research that is being done in France is being produced in the district I represent, which is awesome, but we don't need to be paying for it. France is paying for it, and we are providing some expertise and some material.

Oh, by the way, the good gentleman from Tennessee, much of the home of nuclear fission and nuclear energy is in the United States of America. God bless America. I think it is awesome. When have we built a nuclear reactor in the United States of America? I know the district that I represent just shut one down.

We are paying for all this research. Tell me where it is. What does it provide? What does it produce? It doesn't produce anything.

If it was building nuclear reactors, maybe I could see it, but it seems to me we are paying for it and putting the research on the shelf, or worse yet, giving it to France.

Mr. Chairman, I don't care what it costs. It ought to end. I urge adoption of my amendment, and I yield back the balance of my time.

Mr. FLEISCHMANN. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. PERRY).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. PERRY. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Pennsylvania will be postponed.

AMENDMENT NO. 20 OFFERED BY MR. NORMAN

The Acting CHAIR. It is now in order to consider amendment No. 20 printed in part B of House Report 118–242.

Mr. NORMAN. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 32, line 2, after the dollar amount, insert “(reduced by \$470,000,000)”.

Page 32, line 3, after the dollar amount, insert “(reduced by \$37,000,000)”.

The Acting CHAIR. Pursuant to House Resolution 756, the gentleman

from South Carolina (Mr. NORMAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from South Carolina.

Mr. NORMAN. Mr. Chair, what my amendment does is it eliminates funding to the tune of \$470 million for ARPA-E, Advanced Research Projects Agency-Energy; \$470 million.

What this Advanced Research Projects Agency-Energy is designed to fund are high-risk, high-reward projects in which the private sector would never invest in.

Since it is taxpayers' money, what this proposed amendment does is to cut funding because it doesn't do the job that the dollars that they expended it to.

The problem is that ARPA-E does not always seem to follow its own guidelines. The Federal Government has awarded several ARPA-E grants to companies and projects that are neither high risk nor something that private industry cannot support. In other words, they don't need the crutch.

These problems with ARPA-E were identified by the GAO, the Department of Energy Office of Inspector General, and the House Science, Space, and Technology Committee.

Of the 44 small- and medium-sized companies that received an ARPA award, the GAO found that 18 had previously received private-sector investments for similar technology. It is a duplicate.

The GAO found that 12 of those 18 companies plan to use ARPA-E funding to either advance or accelerate prior funded projects.

I am in the real estate business. That is like paying me double to build you a house or a shopping center. How much sense does that make? It doesn't.

Mr. Chair, in your world, it pays double to do one surgery. How does that work out? It is taxpayers' money. It should never have been funded in the first place.

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High-risk, high-reward programs are not necessary, especially when there is a bias to fund technologies that have already received funding to make the program appear on the surface successful. Congress should restructure the DOE to conduct the basic research that the private sector would never undertake and create a system that allows the private sector, using private funds, to tap into that research and commercialize it. Federal labs should allow basic research to reach the market organically.

Until that happens, we should defund ARPA-E, just as the Trump administration did. The market is the best place to determine the merit of an investment and whether it is a good or a bad investment. If a project cannot find private support, it is a good indicator of its prospects for success. Certainly, a lack of private investors alone does not justify using taxpayers' money to support a project.

Indeed, technologies that lose private financing as they move closer to commercialization are likely the worst bets for taxpayers' money, since professional investors have already determined them to be losers.

What you find out on grants such as this, if you really analyze the line items, it goes to overhead. What is overhead?

That is paying salaries of people with jobs that you can't have an outcome for. I have seen these. That is why a lot of the grants that are written are vague; they can use the money wherever. This isn't like it is a \$50,000 investment, it is \$470 million.

At the time when our growing national debt has surpassed \$33 trillion, we cannot continue to use taxpayers' dollars to fund this useless research.

I think the last figure I heard one of my colleagues mention, that we are paying \$20,400 per second in interest on the \$33 trillion. That is just the interest, not counting the principal.

As I mentioned, ARPA-E does not follow its guidelines. It is loosely interpreted. They can use the money wherever they want. My question is: Why ARPA-E funding and not private capital?

If it is that good of a project, let the private sector invest in it. You have sharp investors that know what they are doing, they could determine whether they want to risk their capital.

In short, this project should be defunded. It is at a time we can't afford it. I would urge the cut of this \$470 million project, for something that yields no benefit to the taxpayers, and I urge adoption.

Mr. Chair, I yield back the balance of my time.

Mr. FLEISCHMANN. Mr. Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Tennessee is recognized for 5 minutes.

Mr. FLEISCHMANN. Mr. Chair, I thank my dear friend and colleague from South Carolina (Mr. NORMAN) for filing this, but I must respectfully rise in strong opposition to the amendment.

My colleague's amendment would eliminate the Advanced Research Projects Agency, or ARPA-E. ARPA-E's mission is to fund projects that are not yet addressed in the private sector but can bring about transformational shifts in current energy technologies.

Nearly 75 percent of ARPA-E awards go to small businesses and academia. ARPA-E projects have led to over 1,000 patents being issued and have attracted more than \$11.5 billion in follow-on funding from the private sector.

These projects push the envelope on what is possible in the energy sector and will continue to play an important role in maintaining U.S. leadership to develop the next generation of energy technologies. I believe these are goals that all of us can support.

I, therefore, must respectfully oppose the amendment and urge my colleagues to do the same.

Mr. Chair, I reserve the balance of my time.

The Acting CHAIR. The gentleman has the only time remaining.

Mr. FLEISCHMANN. Mr. Chair, I yield to the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. Mr. Chairman, I thank the gentleman for yielding. I rise in opposition to this amendment. I am sure the gentleman offering it is well-intentioned.

I will say, in many of the energy technologies that I have observed, unlike the real estate industry, they always say real property, you can tangibly touch it, you can see that it is there, you can measure it. ARPA-E really focuses on that which is not yet measurable.

If you see the movie "Oppenheimer" and you look back at the history of our country and how we began to actually move into atomic energy, it was very experimental and very dangerous. The government got involved, and at that point in history we had to win a war. We learned a whole lot about nuclear energy at that point, but part of it was uncontrollable.

I was at an event yesterday with companies that are working on unbelievable technologies, which aren't quite solved yet, but where we can take metals like titanium and nickel and do things with them to carry current that we never were able to do before. They are working with research labs because it is so utterly complicated.

I would say to the gentleman, you know, sometimes private enterprise doesn't invest because the research has to occur through a longer period of time, and you need programs like ARPA-E who do the most amazing work. Our fracking technologies, our drilling technologies for natural gas, those came through not the private sector initially, they came through the Government of the United States because there wasn't any private sector company willing to invest.

I know in my own district, where we are known for the glass industry, some of the research that has been necessary to thinly layer different types of material in order to produce more efficient solar panels actually had to be assisted with government help because there were no angel investors in my part of the country. So the Department of Energy, through photovoltaic research, discovered inventors who were doing great things in America, and helped them to move their technology forward. Now we have the greatest domestic producer of solar in the middle part of the country—not California, not the East Coast, not the South, but in the Great Lakes region.

What I have seen out of ARPA-E is high-level basic research that most companies, frankly, aren't dedicated to. It is very different than the real estate industry, it is over a longer time horizon.

Mr. Chair, I strongly urge my colleagues to vote against this amendment.



Mr. FLEISCHMANN. Mr. Speaker, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from South Carolina (Mr. NORMAN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. NORMAN. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from South Carolina will be postponed.

The Acting CHAIR. The Chair understands that amendment No. 22 will not be offered.

The Chair understands that amendment No. 24 will not be offered.

AMENDMENT NO. 25 OFFERED BY MR. PERRY

The Acting CHAIR. It is now in order to consider amendment No. 25 printed in part B of House Report 118-242.

Mr. PERRY. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 58, line 11, after the dollar amount, insert, “(reduced by \$35,000,000)”.

Page 101, line 20, after the dollar amount, insert, “(increased by \$35,000,000)”.

The Acting CHAIR. Pursuant to House Resolution 756, the gentleman from Pennsylvania (Mr. PERRY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. PERRY. Mr. Chairman, this amendment cuts \$35 million from this bill for the Appalachian Regional Commission, lowering the funding level in this bill to \$165 million.

The IJA provided the Appalachian Regional Commission with an advanced appropriation of \$200 million a year—the entirety of its authorization level for fiscal year 2022 through 2026, meaning every dollar provided under this bill is more than the authorization level. We authorize things here and then we pay for them. It is authorized at a lower level, and we are paying much more.

In other words, under this amendment the ARC would receive \$365 million for the fiscal year rather than \$400 million provided by this underlying bill. Even with this minimal cut under this amendment, the program funding is still extremely bloated, and its effectiveness remains unclear, as do all the regional commissions.

Moreover, this Commission’s programs are duplicative of other Federal economic development programs and better addressed by State and local levels. In fact, the fiscal year 2018 budget justification identified that the Appalachian Regional Commission failed to show a strong link between grants and a positive impact on the communities they serve.

Worse, this year, the Commission’s inspector general identified the mas-

sive increase in the Commission’s funding over recent years as a threat to its variability to evaluate grant proposals, measure program performance, and conduct appropriate oversight.

When we were talking about the last one, we needed the money for oversight. This one, we have got so much money that they can’t oversee it. This is your Federal Government at work here. The spike in funding threatens to worsen an already tenuous link between funding and success.

We simply must bring the funding level for the ARC, the Appalachian Regional Commission, down to ensure that it has the capacity to ensure it meets its mission.

Mr. Chairman, I reserve the balance of my time.

Mr. FLEISCHMANN. Mr. Speaker, I rise to oppose the amendment.

The Acting CHAIR. The gentleman from Tennessee is recognized for 5 minutes.

Mr. FLEISCHMANN. Mr. Chairman, I thank my distinguished friend from Pennsylvania (Mr. PERRY) for filing the amendment.

My great State of Tennessee, which I represent the Third District of Tennessee, our State and other States greatly benefit from the Appalachian Regional Commission.

This amendment would eliminate the Appalachian Regional Commission which provides funding for hundreds of cost-shared projects, partnering with private industry to bring needed jobs to this depressed region.

The energy and water bill maintains funding for the ARC at the fiscal year 2023 level of \$200 million. These communities, and many of which I represent, cannot afford to lose millions of dollars in private investment this Commission leverages.

Mr. Chair, I respectfully urge a “no” vote on this amendment, and I reserve the balance of my time.

Mr. PERRY. Mr. Chairman, I reserve the balance of my time.

Mr. FLEISCHMANN. Mr. Chairman, I yield to the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. Mr. Chair, I rise in strong opposition to this amendment and in support of the Appalachian Regional Commission.

Let me say that the Commission itself is a partnership between the Federal Government and 13 State governments, focusing on 423 counties across the Appalachian region.

Residents in part of Pennsylvania—evidently the gentleman’s area is not covered—are served by this Commission. Since 1965, the Appalachian region has been struggling, and they have made progress. They have made significant progress.

The number of high-poverty counties in Appalachia has been cut by 60 percent since 1960. It is a long road. The regional poverty rate has been cut by more than half. God bless them.

However, the region still lags behind the Nation and continues to encounter

challenges such as the severe substance abuse crisis, as well as a downturn in the coal economy. This is the part of America that we have to lift up.

I have been very impressed with the work they are doing in terms of restoration of the natural environment and expanded tourism. They are working together collaboratively.

Mr. Chairman, I strongly urge my colleagues to vote against this amendment. Let’s help the American people who need it.

Mr. FLEISCHMANN. Mr. Chairman, I yield back the balance of my time.

Mr. PERRY. Mr. Chairman, it just so happens that I had a hearing about a week ago on the Appalachian Regional Commission and all the other commissions. It is interesting that this has been around since the 1960s. There was a map of the Appalachian region, of which the home that I reside in looks on the south mountain of the Appalachian mountain range. I live right in the center of this thing.

What was interesting to me of the map that I looked at provided by the Commission since the 1960s, showed counties that had reached attainment. Well, none of them had reached attainment. It has been around since the 1960s. All the ones that hadn’t reached attainment in the 1960s still haven’t reached attainment in 2023. We are spending all this money, and we are not getting anything for it. Well, we are getting some things for it. You might be able to get a theater in your community, reconstructed with the help of the Federal Government, or a trail, which is awesome. These are great programs, and I am not here to argue that they are not.

What I am arguing is two things. It is not the job of the Federal Government, number one. These are things done by local communities and States.

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Two, this is above the authorization. This commission was authorized funding. I don’t dispute that. However, we are spending money above the authorization, and I do dispute that because we are \$30-some trillion in debt with nothing in sight except more debt.

People say that we can’t cut anything, that there is nowhere to cut. Well, we authorized this. This body authorized this at a lower level, and then we appropriated at a higher level.

When you don’t have any more money, when you are borrowing money to pay your bills, it seems to me that it would be easy to say that we will just pull back a little here, just a little, and we will go to what is authorized, which is still a lot, hundreds of millions of dollars. I guess that is going to be a problem here, though.

This has no Federal nexus whatsoever. I will tell you, there are nice people working here. They want to do great things for their community. However, this is a boondoggle. This is spending money where other money can be spent and is being spent. This is a duplication of services.

Sooner or later, this town is going to have to realize the taxpayer doesn't have any more money to be bled out of their pockets to spend on things that are spent elsewhere for the same projects, local, State, et cetera.

Mr. Chair, I urge adoption of this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. PERRY).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. PERRY. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Pennsylvania will be postponed.

AMENDMENT NO. 26 OFFERED BY MR. PERRY

The Acting CHAIR. It is now in order to consider amendment No. 26 printed in part B of House Report 118-242.

Mr. PERRY. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 59, line 3, after the dollar amount, insert, "(reduced by \$6,100,000)".

Page 101, line 20, after the dollar amount, insert, "(increased by \$6,100,000)".

The Acting CHAIR. Pursuant to House Resolution 756, the gentleman from Pennsylvania (Mr. PERRY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. PERRY. Mr. Chairman, this amendment cuts the funding to the Delta Regional Authority by \$6.1 million, back to the FY19 level.

In FY17, the Obama administration sought to cut funding for the Delta Regional Authority by \$3 million. The FY18, FY19, FY20, and FY21 budgets all sought to eliminate funding for the Delta Regional Authority, identifying it as duplicative of other Federal economic development programs.

Mr. Chair, just like I said before on the last one, it is the same thing here. I just had a hearing on it. These folks sat in front of me and made the same arguments.

The FY21 budget pointed out that the Delta Regional Authority, like others, is set aside for special geographic designations rather than applied across the country based on objective criteria indicating local areas and levels of distress that, again, don't seem to ever be addressed even though we spend millions of dollars.

We are \$33 trillion in the hole. I don't know if you looked at the economics and the financials of just the last couple of months, how much more we have gone into debt in just the last couple of months. Something has to shock the conscience of this Congress because it is shocking the conscience of the

American people who can't afford groceries, gasoline, car payments, or credit card payments. Heaven forbid you have to buy a new car. Heaven forbid you try to buy a new home.

We simply can't continue to allow for the rapid growth of parochial commissions that duplicate, literally just duplicate, other Federal programs undeterred. Regardless of the duplication of the Federal programs, most of the stuff looks like it is local programs or State programs—again, worthy things. The question is, is there a Federal nexus here? There is not in many cases. There is poor oversight, and we don't have the money to do it.

Finally, this is not a partisan issue. Democratic Presidents and Republican Presidents have all called for either the abolishment or the reduction of these commissions. Both have done it. It is not a partisan issue. It is a fiscal issue. It is a responsibility issue.

These things need to be dealt with. State and locals should do it if that is what they are. We don't have the money at the Federal level anymore for that.

Mr. Chair, I reserve the balance of my time.

Mr. FLEISCHMANN. Mr. Chairman, I rise to oppose the amendment.

The Acting CHAIR. The gentleman from Tennessee is recognized for 5 minutes.

Mr. FLEISCHMANN. Mr. Chair, once again, I thank the gentleman from Pennsylvania for filing this amendment, but I must strongly oppose it.

This bill provides \$31.1 million for the Delta Regional Authority. This small investment targets hundreds of depressed communities in the Mississippi River Delta region. These communities cannot afford to lose the millions of dollars in private investments this commission leverages.

Mr. Chair, I respectfully urge a "no" vote on this amendment, and I reserve the balance of my time.

Mr. PERRY. Mr. Chair, I reserve the balance of my time.

Mr. FLEISCHMANN. Mr. Chairman, I yield 2 minutes to the gentlewoman from Louisiana (Ms. LETLOW). I congratulate the great State of Louisiana on the election of our Speaker. They also have our great majority leader, as well.

Ms. LETLOW has been just a wonderful member of the Appropriations Committee, and it has been great to have her on the committee representing Louisiana.

Ms. LETLOW. Mr. Chairman, I rise in opposition to amendment No. 26, which would slash funding for the Delta Regional Authority by \$6.1 million.

This Federal-State partnership is a critical lifeline to my district and State by providing dedicated funding to address vital infrastructure, workforce, and healthcare needs for rural towns. These towns have little to no tax base to be able to raise the funds themselves to replace expensive and aging infrastructure systems.

Rural communities do not have the financial resources to hire grant writers to help them through a complex Federal grant process, and because of this, these towns miss out on national grant competitions.

DRA's funding supports a pilot program that would help these communities identify opportunities, provide assistance to write the applications, and help with implementation.

While cutting \$6.1 million may not seem like a lot, I have seen firsthand what a simple \$200,000 can do to help grow a rural town.

Finally, the DRA has had minimal increases over the last 5 years. A cut in funding this deep would be a step in the wrong direction.

On behalf of rural towns across the delta region, I urge my colleagues to oppose this amendment.

Mr. FLEISCHMANN. Mr. Chair, I yield back the balance of my time.

Mr. PERRY. Mr. Chairman, in closing, certainly, I congratulate the gentlewoman and her great State for the success of all the House of Representatives today and their contribution.

On this occasion, though, I must disagree. As I said, I just had a hearing with the Delta Regional Authority present, and she is right, it targets hundreds of communities, as do all of these commissions. They target hundreds of communities.

One of the things that was fascinating to me was I asked for the metrics by which anything is measured. What measure of success does anyone have? Is there some standard? Is there some way to know whether all of these millions of dollars that are being spent actually get us anywhere, actually fix anything, actually do anything other than: We made sure the grants all got out, and we helped with the grant writing. We fixed up the sidewalk. We fixed up the theater. We provided some healthcare.

Those are all awesome things that are all being provided by someone else, by the way.

What was the metric by which they measured their success? Close your eyes. What do you see? That is what I got back. Nothing. There is no measure of success here.

Mr. Chair, this is well intended. It is well meaning. However, it is unaffordable and unnecessary.

Mr. Chair, I urge adoption of my amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. PERRY).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. PERRY. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Pennsylvania will be postponed.

AMENDMENT NO. 27 OFFERED BY MR. PERRY

The Acting CHAIR. It is now in order to consider amendment No. 27 printed in part B of House Report 118-242.

Mr. PERRY. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 59, line 8, after the dollar amount, insert “(reduced by \$2,000,000)”.

Page 101, line 20, after the dollar amount, insert “(increased by \$2,000,000)”.

The Acting CHAIR. Pursuant to House Resolution 756, the gentleman from Pennsylvania (Mr. PERRY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. PERRY. Mr. Chairman, this amendment reduces funding for the Denali Commission by \$2 million to the FY19 level.

The Denali Commission’s mission for providing job training and other economic development services in rural Alaska can be better served by the 29 other Federal programs in which it duplicates the very same efforts.

The Obama administration sought to eliminate funding for the commission in FY12 because it was duplicative back then and did not select projects based on competition or merit. Say it ain’t so, but it is so.

In 2013, the inspector general for the Denali Commission called for the elimination of the program. Some people say: PERRY, you are just mean. You just don’t understand. You just don’t want to help poor people or rural people.

I came from a house with no running water, no electricity, and no plumbing. We had an outhouse out back. There was no insulation. There was no heat in it. The roads weren’t paved. Somehow, I made it to Congress. It wasn’t the Federal Government’s job to fix my mom’s house or get me to work.

In 2013, the inspector general for the commission called for the elimination of the program, like I said, stating that he recommended that Congress put its money elsewhere. I am happy to take his recommendation.

The Trump administration, likewise, sought to eliminate the commission in FY18, FY19, FY20, and FY21. It seems imprudent to continually fund yet another parochial commission in the face of two administrations—one Democratic, one Republican—and the inspector general’s recommendation that we cease funding.

At a bare minimum, we should pass this amendment to keep the Denali Commission’s funding flat at its pre-COVID-19 level and not allow for its continued growth. I am not asking to eliminate it. I am saying, oh my goodness, two administrations said it ought to be eliminated. The inspector general said it should be gone. I am not even taking their advice on that. I am just saying, let’s save a little money here

because we have this debt we can’t afford.

Mr. Chairman, I have been to places where the country could no longer afford the debt that it had. You walk through shells of buildings just abandoned, walked away from by the workers who were there, that were once funded by their government. I have watched that in this town, right across the river at St. Elizabeth’s, where they just shut the doors, couldn’t afford it anymore, and walked away.

It is a tragic sight, but if we are going to keep going, it is not going to be just this place that does it. It is going to be all across the country. If we are going to be able to afford the things that we want, we are going to have to make some difficult choices.

We are taking in \$5 trillion this year. We are spending \$7.2 trillion. I am not a mathematician, but somehow that is not adding up to me.

Mr. Chair, I reserve the balance of my time.

Mr. FLEISCHMANN. Mr. Chairman, I rise to oppose the amendment.

The Acting CHAIR. The gentleman from Tennessee is recognized for 5 minutes.

Mr. FLEISCHMANN. Mr. Chairman, once again, my distinguished friend and colleague from Pennsylvania has been consistent in his opposition to these regional commissions, and I do appreciate the gentleman’s positions on this. However, I respectfully disagree.

The amendment would reduce funding for the Denali Commission, which is funded at \$17 million in this bill, the same as fiscal 2023. The regional commission helps distressed communities across Alaska with basic infrastructure, like water and sewage systems and power generation.

Mr. Chair, I respectfully urge a “no” vote on this amendment, and I yield back the balance of my time.

Mr. PERRY. Mr. Chairman, I will close quickly here. I sure appreciate the good gentleman from Tennessee. He has a lot to work with, and he has a lot of competing interests here. It is not easy. We certainly can appreciate that.

I want to point out that this is a regional commission, a regional commission like the other ones, like the Appalachian Regional Commission, like the Delta Regional Authority. Only this one exists in only one place, in Alaska. It is a wonderful place. Alaska is a great place, part of the United States of America, but tax dollars from across the country, including Pennsylvania, Tennessee, or Ohio, shouldn’t go to pay for local projects that can be handled by State and local governments, especially when you are borrowing money to do it. We are out of money. We are out.

Mr. Chair, I urge adoption of this amendment, and I yield back the balance of my time.

□ 2000

The Acting CHAIR. The question is on the amendment offered by the gen-

tleman from Pennsylvania (Mr. PERRY).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. PERRY. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Pennsylvania will be postponed.

AMENDMENT NO. 28 OFFERED BY MR. PERRY

The Acting CHAIR. It is now in order to consider amendment No. 28 printed in part B of House Report 118-242.

Mr. PERRY. Mr. Chair, as the designee of Mr. NORMAN, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 59, line 8, after the dollar amount, insert “(reduced by \$17,000,000)”.

The Acting CHAIR. Pursuant to House Resolution 756, the gentleman from Pennsylvania (Mr. PERRY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. PERRY. Mr. Chair, apparently, I was the reasonable one in the room because this amendment offered by Mr. NORMAN would eliminate funding for the Denali Commission, and I can support that as well.

The Denali Commission is one of seven regional commissions that help direct Federal funds to State and local projects. However, unlike other commissions, the Denali Commission serves only one State—Alaska.

This has led some, including the Office of the Inspector General for the Denali Commission, to question the need for the commission since the Federal funds handled by the commission could easily be distributed to the State of Alaska and other local entities without going through the step of yet one more bureaucracy.

After all, State and local governments are more knowledgeable and better equipped than the Federal Government to address the needs of local communities. I think we all would recognize that.

Both the Government Accountability Office and Congressional Budget Office have raised concerns about the need for the Denali Commission, as have I.

Eliminating funding for the Denali Commission was also suggested, as you know, by the Obama administration and the Trump administration. At a time when our growing national debt has surpassed \$33 trillion, we cannot continue to use taxpayer dollars to fund wasteful, unnecessary, and duplicative programs. With the Denali Commission’s own OIG, Office of Inspector General, highlighting how wasteful the agency is, why don’t we just listen and eliminate this unnecessary Federal agency.

Mr. Chair, I reserve the balance of my time.

Mr. FLEISCHMANN. Mr. Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Tennessee is recognized for 5 minutes.

Mr. FLEISCHMANN. Mr. Chair, again, I thank the gentleman from Pennsylvania for bringing this motion on behalf of my distinguished friend from South Carolina.

Like the previous amendment, although this one is a bit more draconian, I respectfully rise in opposition to it for the reasons I alluded to earlier, and I urge a “no” vote.

Mr. Chair, I yield back the balance of my time.

Mr. PERRY. Mr. Chair, I thank the kind gentleman from Tennessee for averring or implying that I am the reasonable one in the debate here, and I would, on behalf of the gentleman from South Carolina, urge adoption.

Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. PERRY).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. PERRY. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Pennsylvania will be postponed.

AMENDMENT NO. 29 OFFERED BY MR. PERRY

The Acting CHAIR. It is now in order to consider amendment No. 29 printed in part B of House Report 118-242.

Mr. PERRY. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 60, line 6, after the dollar amount, insert “(reduced by \$20,000,000)”.

Page 101, line 20, after the dollar amount, insert “(increased by \$20,000,000)”.

The Acting CHAIR. Pursuant to House Resolution 756, the gentleman from Pennsylvania (Mr. PERRY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. PERRY. Mr. Chair, I rise to offer this amendment to reduce funding for the Northern Border Regional Commission, or the NBRC, to fiscal year 2019 levels.

Like other regional commissions, the NBRC provides economic development assistance to projects in various States, in this case, Maine, New Hampshire, New York, and Vermont.

These commissions simply serve as a slush fund, though, for parochial and regional projects with little to no national nexus as described in the other ones.

Let’s take a look at some of the funded programs taken from the 2022 annual report, which is the latest report

available: 304,000 to purchase the sound system for an auditorium in New Hampshire; over 350,000 to expand rail yard capacity in upstate New York; and another \$350,000 for a sailing center on Lake Champlain.

I am sure they are awesome projects. I am sure their communities love them. I just don’t understand why people in Ohio, Tennessee, Pennsylvania, Texas, California, Georgia—you name it—are paying for this, especially when they can’t afford the bills they already have as evidenced by a \$33 trillion debt and a \$2.2 trillion deficit this year.

Furthermore, the Biden administration’s aim to inject their misguided diversity, equity, inclusion and accessibility, and climate-related goals into these projects are not only unaffordable, they are just completely unnecessary.

Instead of pandering to special interest groups, we must pare back these wasteful programs that only serve as a boondoggle for a limited slice of America. This amendment does not zero out the commission’s funding; it simply reduces the funding to pre-COVID, pre-Biden spending levels, which everybody on this side of the aisle voted against last December.

If you were against them last December, we are getting pretty close to this December, but I don’t think a whole lot has changed. If you were against them then, you should be against them now.

Mr. Chair, I reserve the balance of my time.

Mr. FLEISCHMANN. Mr. Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Tennessee is recognized for 5 minutes.

Mr. FLEISCHMANN. Mr. Chair, this bill provides \$40 million for the Northern Border Regional Commission, the same as last year.

This commission seeks to create jobs in distressed communities of the four-State northern region.

While the impact to overall spending in this bill would be small, the impact felt by these communities would be large.

Mr. Chair, I respectfully urge a “no” vote on this amendment, and I yield back the balance of my time.

Mr. PERRY. Mr. Chair, I agree with my good friend from Tennessee. I agree with the gentlewoman, my friend from Ohio. It does seek to create jobs. That is awesome.

It is not the role of the Federal Government, number one. Number two, it is unaffordable. Number three, we have no way to measure the success.

Do you know how I know? Because I asked the folks that run these things. I asked them. What metric do you use to measure the success by which you use this money and what do we get out of it?

I received blank stares, unfortunately.

Mr. Chair, I urge adoption. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gen-

tleman from Pennsylvania (Mr. PERRY).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. PERRY. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Pennsylvania will be postponed.

AMENDMENT NO. 30 OFFERED BY MR. PERRY

The Acting CHAIR. It is now in order to consider amendment No. 30 printed in part B of House Report 118-242.

Mr. PERRY. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 60, line 14, after the dollar amount, insert “(reduced by \$19,750,000)”.

Page 101, line 20, after the dollar amount, insert “(increased by \$19,750,000)”.

The Acting CHAIR. Pursuant to House Resolution 756, the gentleman from Pennsylvania (Mr. PERRY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. PERRY. Mr. Chair, I rise to offer this amendment to reduce funding for the Southeast Crescent Regional Commission, the SCRC, to fiscal year 2019.

I don’t want to leave anybody out here. I listened to them all. Yet again, this commission serves as a duplicative slush fund for parochial interests for projects in Alabama, Florida, Georgia, Mississippi, North Carolina, South Carolina, and Virginia.

Literally, by the way, in counties bordering Washington, D.C. We are talking about distressed counties, right? Some of the richest counties in the country right here are included in this regional commission.

From FY 2010 to FY 2020, the SCRC received \$250,000 annually, all without having an appointed Federal co-chair. Did anybody get that?

Nobody was in charge but to get money. It is awesome. I guess that only happens in the Federal Government.

Now, after a co-chair was appointed in December 2021—unfortunately, whether you like it or not, just conveniently related to an influential politician in this body—that number is now a whopping \$20 million in this bill.

Now, I am sure there is no coincidence. I just want to rely on everybody’s integrity here, but there is absolutely no reason for the dramatic increase in funding, especially when these projects fund both projects with no national nexus like electric vehicle charging stations.

If you want to have them in your community, God bless you. That is awesome. Go pay for them. It is not the Federal Government’s job to pay for that any more than it is the Federal Government’s job to pay for your local gas station.

How about stormwater management? It is an important issue. I come from Pennsylvania, we have got a lot of stormwater. I am not asking the Federal Government to deal with it. We should deal with that at home, as well as green infrastructure, according to the SCRC's 2023 through 2027 strategic plan.

Our constituents do not have money for these projects that have no impact on their lives and, in many cases, drive up inflationary spending.

Oh, sure, they have an impact where you live if you live in one of these places, but if you don't, you get to pay anyhow. This is why we have State governments. This is why we have local governments.

The Federal Government is supposed to be there, obviously, but it is not the job of the Federal Government. Again, I ask my colleagues to consider reducing, not ending, the funding for this regional commission.

Mr. Chair, I reserve the balance of my time.

Mr. FLEISCHMANN. Mr. Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Tennessee is recognized for 5 minutes.

Mr. FLEISCHMANN. Mr. Chair, once again, I thank my distinguished colleague and friend from Pennsylvania for being consistent and very thorough in all of his investigations, and I do really appreciate this.

This has been insightful, but once again, I must respectfully rise to oppose the amendment. The energy and water bill includes flat funding for the Southeast Crescent Regional Commission.

The amendment would reduce this amount by 99 percent, leaving only \$250,000, not even enough to cover all administrative costs. This commission seeks to create jobs in some of the most poverty stricken areas of our Nation, and funding should not be decimated.

Mr. Chair, I respectfully urge a "no" vote on this amendment, and I yield back the balance of my time.

Mr. PERRY. Mr. Chair, I, again, say this commission includes Alabama, Florida, Georgia, Mississippi, North Carolina, South Carolina, and Virginia. I have been to every one of them. Many of the residents of Pennsylvania are moving to those States because they are doing pretty well.

We lose population compared to these States every 10 years, which is why we lose a seat in Congress every 10 years. We are spending money in Pennsylvania on these States. We are not spending in Pennsylvania; we are spending in these States, so our residents then move to these States for all the great things.

When I asked the regional commissioner how much money has been spent in the counties surrounding Washington, D.C.—because, as you recall, Virginia is included—how much money is spent on the counties right around

Washington, D.C., some of the most wealthy counties in the country? I couldn't get the answer to that either. I don't know if they don't have the answer or they don't want to give me the answer, but that is unacceptable. That is unacceptable. The counties around Washington, D.C., can afford the amenities they have and they don't have to ask all these other States to pay for them.

Mr. Chair, I urge adoption, and I yield back the balance of my time.

□ 2015

The Acting CHAIR (Mr. MORAN). The question is on the amendment offered by the gentleman from Pennsylvania (Mr. PERRY).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. PERRY. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Pennsylvania will be postponed.

AMENDMENT NO. 31 OFFERED BY MR. PERRY

The Acting CHAIR. It is now in order to consider amendment No. 31 printed in part B of House Report 118–242.

Mr. PERRY. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 60, line 19, after the dollar amount, insert "(reduced by \$2,500,000)".

Page 101, line 20, after the dollar amount, insert "(increased by \$2,500,000)".

The Acting CHAIR. Pursuant to House Resolution 756, the gentleman from Pennsylvania (Mr. PERRY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. PERRY. Mr. Chairman, I don't want to leave anybody out. We are getting to the end here. This amendment would be to have the funding for the Southwest Border Regional Commission.

Now, this Commission, which only had its first chairman confirmed in 2022 and only was funded starting in fiscal year 2021, funds projects in the southern border regions of Arizona, California, New Mexico, and Texas.

Incidentally, the first chairman was previously the Director of Economic Development and Special Initiatives for Senator MARTIN HEINRICH, who continues a theme of politically connected chairman of these regional commissions, just to let you know.

I know that folks on both sides of the aisle care about the border. I believe that. However, the answer to solving border problems is to actually enforce our Nation's immigration laws, not to give \$5 million to a commission that has not published a strategic plan and does not even appear to have a website.

I would think they could afford to have a website with \$5 million.

The Commission received \$250,000 in FY21 but is now being funded at \$5 million in this bill for FY24 for literally no results.

Now \$250,000 is a lot of money where I come from, and \$5 million is even more. I can see inflation; I could see the cost of living going up. The people that I represent, their grocery costs are 20 percent up; fuel costs, electricity costs, everything they pay for is up, but not \$250,000 to \$5 million. That is a little bit more of a jump than everybody is used to.

Again, this amendment simply strikes this figure in half to a still exorbitant \$2.5 million.

Mr. Chair, I urge support of this amendment, and I reserve the balance of my time.

Mr. FLEISCHMANN. Mr. Chairman, I rise to oppose this amendment.

The Acting CHAIR. The gentleman from Tennessee is recognized for 5 minutes.

Mr. FLEISCHMANN. Mr. Chairman, my friend and colleague from Pennsylvania once again has been consistent in his opposition to these regional commissions.

This amendment seeks to cut funding for the Southwest Border Regional Commission in half. This Commission seeks to create jobs in some of the most poverty-stricken areas of our Nation. This bill provides \$5 million equal to fiscal year 2023. This amount ensures this Commission can continue its work and cutting it in half would virtually do nothing compared to the overall spending in the bill.

Mr. Chair, I respectfully urge a "no" vote on this amendment, and I reserve the balance of my time.

Mr. PERRY. Mr. Chairman, I reserve the balance of my time.

Mr. FLEISCHMANN. Mr. Chairman, I yield such time as he may consume to the gentleman from Arizona (Mr. CISCOMANI), my dear friend and also a fellow member of the Committee on Appropriations.

Mr. CISCOMANI. Mr. Chairman, I thank the gentleman for yielding me time.

Mr. Chairman, I rise today in respectful opposition to this amendment by my good friend from Pennsylvania.

The Southwest Border Regional Commission encompasses all five of the counties that I represent in Arizona's Sixth Congressional District, in addition to 88 other counties in Arizona, Texas, New Mexico, and California.

While I appreciate the sentiment of this amendment to rein in Federal funding that I think we can all agree on, cutting funding from the Commission is not the way to do so. Of the approximately 35 million people the Commission serves, nearly 5 million live in poverty.

Additionally, of all the regional commissions, the Southwest Border Regional Commission has the largest population, about 2.4 million people living in the most severely economically distressed counties.

These are communities that are dealing with drought, economic downfall, and overstretched resources as we see record-high levels of illegal immigration along the southwest border. Many of the people live in designated health professional shortage areas and lack access to clean water and also other necessities.

The Southwest Border Regional Commission finally received its first Federal co-chair just last December. That means that it was just recently allowed to begin convening and to begin activities. It would be a shame to reduce funding that is so desperately needed to promote economic development in our counties along the southwest border.

Mr. Chairman, I urge my colleagues to vote “no” on this amendment.

Mr. FLEISCHMANN. Mr. Chairman, I yield back the balance of my time.

Mr. PERRY. Mr. Chairman, I certainly appreciate my good friend from Arizona. We are sure happy to have him here, as well as the gentleman from Tennessee, and the work that they have done in collaboration with my friends across the aisle. None of this is easy, but only in Washington can you go from \$250,000 to \$2.5 million and still call it a cut because you didn't go to \$5 million, which is what we are talking about.

I am not saying \$250,000 is too much, but I am saying \$5 million is too much, and saying we should spend \$2.5 million, which quite honestly for me is too much, but I get it.

To the gentleman from Arizona's point, he is absolutely right, their States are being ravaged and destroyed by the Federal Government's refusal and obstinance to follow the law and allowing people to flow across the border illegally into their communities and destroy their communities.

This cannot be afforded. It can't be afforded by them and it can't be afforded by anybody else. The solution is not to spend more money there, to provide more services and encourage more people to come in illegally while this administration refuses to enforce the law.

I think the gentleman would probably agree with at least that sentiment at some point. I understand he is trying to do right by his citizens, and he should. The best way to do right by his citizens, and he has no control of this, neither does anybody in this body at this moment, is to actually enforce the law. The President can do that and clear up this whole disagreement on this side of the aisle and on that side of the aisle, but that is not going to happen any time soon.

You know what else is not going to happen any time soon, Mr. Chairman? We are not going to quit putting our country in debt and bankrupting it. We are taking in \$5 trillion in revenue this year but we are going to spend \$7.2.

While my good friend says this will have no impact on the overall cost of the bill, where I come from, \$250,000 is

a lot of money, \$2.5 million is a huge amount of money, and \$5 million is an obscene amount of money that most people don't have. While it might have a little impact in this town, it has a huge impact in my town.

Mr. Chairman, I urge adoption of this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. PERRY).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. PERRY. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Pennsylvania will be postponed.

AMENDMENT NO. 32 OFFERED BY MR. PERRY

The Acting CHAIR. It is now in order to consider amendment No. 32 printed in part B of House Report 118-242.

Mr. PERRY. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 60, line 24, after the dollar amount, insert “(reduced by \$2,500,000)”.

Page 101, line 20, after the dollar amount, insert “(increased by \$2,500,000)”.

The Acting CHAIR. Pursuant to House Resolution 756, the gentleman from Pennsylvania (Mr. PERRY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. PERRY. Mr. Chairman, I don't want to leave anybody out here on the abuse and the waste, and I know I am going to sound like a broken record so I will try and keep it short.

First, the Great Lakes Authority has only been authorized since 2022. It still does not have a Federal co-chair, it has no website, it has no programs funded. Yet strangely, it is still receiving Federal dollars to the tune of \$5 million for projects supposedly in the watershed regions of Illinois, Indiana, Michigan, Minnesota, New York, Ohio, Pennsylvania, and Wisconsin. Yes, I said Pennsylvania, and I am from Pennsylvania, but when you can't afford things and you are wasting money, I don't care where you are from, you have to say something about it.

Mr. Chair, we have seen how the other commissions have gone. President Trump urged the elimination of three of them, and President Obama recommended cuts and elimination for the Denali Commission. With that level of bipartisan criticism of the existing commissions, I don't see why we need to dig ourselves even deeper with yet another one. I mean, there is not a lot we agree on in this town, but apparently there is some agreement on this. We ought to try and forge ahead with that agreement.

I know people in this building will scoff at the difference between \$2.5 million and \$5 million, but like I said, where I come from, \$2.5 million or \$5 million is a lot of money. It might not be to the President who buys beach homes with cash and all that stuff, but where I come from, that is a lot of money. That \$2.5 million should not be going toward a commission that cannot even begin operations without a Senate-confirmed Federal co-chair. It shouldn't be going for that. There is nobody there to administer it.

Furthermore, all of us here know it is not going to stop at \$5 million. This is just the beginning, Mr. Chairman. This Commission, like the rest, will balloon up to tens of millions of dollars if Congress, using the power of its purse, does not put its foot down. This won't be the only commission. I have been through them all tonight. Every other State and region is going to say, well, shoot, they have one. They have one over there. They have one down there. Why don't we have one? It is going to go.

Again, I would just remind everybody that we are just a little bit in debt—just a little bit—\$2.2 trillion this year, \$33 trillion overall.

Mr. Chair, somebody has to say no. Somebody has to say no.

Mr. Chair, I urge adoption of my amendment, and I reserve the balance of my time.

Mr. FLEISCHMANN. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Tennessee is recognized for 5 minutes.

Mr. FLEISCHMANN. Mr. Chairman, once again, I thank my distinguished friend from Pennsylvania and colleague for his very thoughtful work on this entire project. He has covered all of these regions.

Mr. Chair, this amendment seeks to cut funding for the Great Lakes Authority in half, and I strongly oppose it. This is a newly authorized regional commission intended to create jobs in communities that need it most.

As we crafted this bill, Mr. Chairman, we actually listened to Members and got Members' requests. This Commission received a tremendous amount of bipartisan support for it. It is newly created, and that is one of the reasons that it has not had its funding. It has never had funding because it is brand-new.

Mr. Chair, in that regard, especially in terms of the strong bipartisan support for this bill and for this Commission, I urge a “no” vote on this amendment, and I yield back the balance of my time.

Mr. PERRY. Mr. Chairman, I understand and recognize the good, intended efforts, the heartfelt efforts of the committee members and on both sides of the aisle, certainly the Members representing the States involved. I understand and I recognize that, and I think they mean to do well.



There is nobody there to administer this. There is nobody present, but we are going to give them the money anyhow. We don't have any money to give, Mr. Chairman. We are borrowing money to give to a program with nobody there to administer it on projects that we haven't even seen yet. I don't know about you, but that seems like, to borrow an old phrase, putting the cart before the horse, or something like that.

People are going to say, well, we have to have the money so we can set it up. Okay, fair enough. The problem is we don't have the money.

Again, I don't mean to be a broken record here—I know I sound like one—we don't have any money, number one.

Number two, these are State and local projects. If you are showing me one that crosses State lines, and building a highway between Pennsylvania and Ohio or something like that, then we have a conversation going.

Now, there are already agencies and administrations to do that—we talked about that before—multiple agencies doing the same things, not just a couple, a couple dozen, but if that is not enough for you, just go with the fact that your constituents, your bosses, my bosses, can't afford this.

Mr. Chair, I urge adoption of my amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. PERRY).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. PERRY. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Pennsylvania will be postponed.

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AMENDMENT NO. 34 OFFERED BY MRS. CAMMACK

The Acting CHAIR. It is now in order to consider amendment No. 34 printed in part B of House Report 118-242.

Mrs. CAMMACK. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_\_. None of the funds appropriated or otherwise made available by this Act may be made available to finalize any rule or regulation that meets the definition of section 804(2)(A) of title 5, United States Code.

The Acting CHAIR. Pursuant to House Resolution 756, the gentlewoman from Florida (Mrs. CAMMACK) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Florida.

Mrs. CAMMACK. Mr. Chair, I rise today in support of my amendment,

which would restrict funds at the Department of Energy and related agencies from being used to finalize any rule or regulation that has an annual effect on the economy of \$100 million or more.

Under this administration, the regulatory environment, or regime, as I like to call it, has never been worse. For too long, the ever-increasing regulatory costs have harmed consumers and businesses across the country. Since President Biden took office, the regulatory landscape has deteriorated by numerous new rules and regulations that impact all aspects of our economy and, quite frankly, consumers' bottom line. These are the regulations that have added hundreds of billions of dollars more in new regulatory costs that are ultimately passed down to our consumers, who are our constituents.

Recently, we have seen new, outlandish regulatory proposals from agencies, including the Department of Energy's new regulations that were implemented under the guise of efficiency standards. In reality, these efforts are part of the administration's efforts to use every opportunity to implement the Green New Deal. Just look at the efficiency standards that take aim at banning gas stoves and furnaces. These regulations are absurd, unnecessary, and make these appliances unattainable or simply unaffordable, particularly in this economy, or Biden economics, as we have been told this is.

My amendment would rein in the actions of the Department of Energy and related agencies covered by this bill and restore accountability. Congress, not the executive branch, is the sole legislative body in this country. It is time that we restore the accountability and transparency to our constituents by reasserting our Article I authority. Congress makes the law, not the White House.

This amendment would limit the overreach of these agencies and prevent costly regulations from going into effect that ultimately impact our constituents negatively. It is time that we stand up for our constituents and rein in this overgrown, bureaucratic government.

Mr. Chair, I encourage all of my colleagues to support this amendment, and I reserve the balance of my time.

Ms. KAPTUR. Mr. Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Ohio is recognized for 5 minutes.

Ms. KAPTUR. Mr. Chair, this amendment is one more controversial poison pill policy rider that sadly shows extremist Republicans are not interested in bills that can gain bipartisan support and become law.

Now, let's have a little math. In 2012, before the Bush tax cuts, the Congressional Budget Office showed revenues exceeding primary spending for the next 65 years and that debt as a percentage of GDP, our gross domestic product, everything that we make in a year, would decline indefinitely. How about that. That was 2012.

Since then, tax cut extensions and the Trump tax cuts have added \$10 trillion to the debt to date, and their cost will increase enough over time to account for the entire long-term growth in debt ratio. The Trump tax cuts are costing us \$2 trillion per year. Just look at it. It is unbelievable. Remember, those benefits are disproportionately enjoyed by the most wealthy.

If we truly want to protect the American taxpayer, we should be marking up bills at levels agreed to between the President, Speaker MCCARTHY, and signed into law in the Fiscal Responsibility Act rather than bringing the government to the verge of a shutdown and now marking up bills that don't just break the deal but obliterate it by cutting critical domestic investments.

I can't wait for the Debt Commission to actually get the facts out there for the American people, because I have been listening to this all evening. It is very much off the mark. Let's get serious about passing bills that can gain bipartisan support and become law.

Mr. Chair, I strongly urge my colleagues to vote against this harmful amendment, and I yield back the balance of my time.

Mrs. CAMMACK. Mr. Chair, I am confused. My colleague across the aisle said that this is a controversial poison pill. Just this year, this exact same language was passed off of this floor in this Chamber not just with Republican support, but Democrat support. This is not a partisan issue.

Reasserting the will of the people, empowering the people that hired us to do this job, that is not a controversial issue, nor is it a poison pill. None of our constituents sent us to Washington to cede power to an unelected nameless, faceless bureaucrat somewhere in a basement in Washington.

I disagree tremendously that this piece of legislation, this amendment specifically, would be a poison pill to the very thing that we are trying to accomplish here, one of our critical appropriation bills.

I would also say that today, because of the Biden administration's overreach and aggressive regulatory environment, we now spend more than \$2 trillion a year in our economy on compliance and additional costs.

Families are paying more than \$14,860 a year in additional regulatory costs and burdens on them. I don't know many families, certainly not in my district, that can afford an additional \$14,860 a year in additional costs.

I agree with my colleague, however. It is time to get serious. When I say serious, it means reasserting our authority as Representatives of the people. This amendment does just that.

Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Florida (Mrs. CAMMACK).

The amendment was agreed to.

AMENDMENT NO. 35 OFFERED BY MR. FALLON

The Acting CHAIR. It is now in order to consider amendment No. 35 printed in part B of House Report 118-242.

Mr. FALLON. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_ None of the funds made available by this Act may be used to implement, administer, or enforce the final rule of the Department of Energy entitled "Energy Conservation Program: Energy Conservation Standards for Consumer Furnaces" signed on September 28, 2023 (Docket ID: EERE-2014-BT-STD-0031; RIN 1904-AD20).

The Acting CHAIR. Pursuant to House Resolution 756, the gentleman from Texas (Mr. FALLON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. FALLON. Mr. Chair, I rise today to offer an amendment that prohibits funding for the Department of Energy's new rule on gas furnaces. It is a regulation that would drastically impact consumers in a negative way, unfortunately.

Under this rule, manufacturers would only be allowed to sell furnaces that convert at least 95 percent of fuel into heat, within 6 years. The Department of Energy is forcing consumers to choose between an electric heat pump or expensive home renovations.

Once again, unelected bureaucrats are gaslighting—yes, pun intended—Congress and the American people about what they can do under the law. Under the guise of improving energy efficiency, as prescribed by the Environmental Policy and Conservation Act, or EPCA, this administration has attacked every single affordable appliance on the market. This gas furnace rule is just the latest salvo. We have been having hearings in the Oversight Committee about just this kind of thing: Are we going to have gas stoves, things like that.

EPCA states that any standard must result in significant energy conservation and be "technologically feasible" and "economically justifiable."

We have the authority to question the extent of these proposed standards to determine whether they can be construed as both technologically feasible and economically justifiable.

Like many of the home appliances standards rammed through by this administration, this rule falls short of these criteria. The National Propane Gas Association estimates that this rule would impact at least 40 percent of gas-furnaced homes and would remove up to 60 percent of current residential furnaces off the market. Additionally, the Department of Energy estimates affected homes will have to pay \$2,300 for renovations plus thousands of additional dollars for actual furnaces.

Propane customers in Texas have already faced a 37 percent increase over

the last 3 years, and this administration, quite frankly, should focus on lowering costs and not increasing them.

Agency actions that remove consumer choice operate on the assumption that the Federal Government knows what is best for its citizens, even more so than the citizens themselves. That is why I have always been a big, limited-government person. I trust you, Mr. Chair, more so than I would trust the Federal Government to know what kind of stove or gas furnace you want to heat your home. News flash: You know and the bureaucrats don't.

If we want to have something that severe, it should be legislated. There are 435 of us here for a reason. When we come here, if we want to change the law or create laws, there is a process for that. It shouldn't be unelected, nameless, faceless bureaucrats with that kind of power.

This amendment is a check on arrogant bureaucrats who think that they know best for you, Mr. Chair, many of our constituents, and everyday Americans across the country.

Mr. Chair, I reserve the balance of my time.

Ms. KAPTUR. Mr. Chair, I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentlewoman from Ohio is recognized for 5 minutes.

Ms. KAPTUR. Mr. Chair, the Department of Energy is charged with implementing congressionally directed energy efficiency standards. When the gentleman blithely says he doesn't like unelected bureaucrats, the people who work in these departments are trained and actually help consumers.

Frankly, I think it is helpful for consumers to know, when they are going to buy a blouse, let's say, whether it is cotton or rayon. It is sort of nice to have the label on there. If you are driving a car, it is nice to know how many miles per gallon the car is going to get. You sort of get a sense of if you are going to buy this one or another one. With refrigerators, I think it is really great that you see how much energy it uses so you can buy a more efficient refrigerator, so you have your electricity bill go down.

I don't know why the gentleman is objecting to helping the American consumer make better choices. In accordance with the statutes that we have passed, the Department of Energy has published regulations in the Code of Federal Regulations—in other words, it is not by some whim—for more than 60 categories of appliance and equipment types. That helps consumers make good choices.

The Department of Energy drafts the energy efficiency regulations with the full participation of equipment manufacturers and the public at large. The process includes thorough consideration of all comments and concerns.

In following the law, the Department of Energy has issued proposed or final

standards for 24 product categories so far this year. Again, these actions are by congressional direction. They just don't pick them out of the air. Actually, it is a process of law. These actions result in direct energy savings while also improving the reliability and performance across household appliances and commercial and industrial equipment.

There is a quote from DANIEL WEBSTER in this House that tells us in our time and our generation, may we perform something worthy to be remembered. That is a really good quote to think about.

I think it is safe to assume that virtually all Americans, let alone all of the people in this room, have benefited from some of these types of efficiency standards over the course of their lifetimes.

The benefits are real. As a result of the Department of Energy's efficiency actions, cost savings for American families and businesses are projected to reach nearly \$2 trillion by 2030. The Department of Energy estimates that this specific rule would slash household utility costs by \$1.5 billion annually, which is something the American people want to do, and save consumers \$24.8 billion on their energy bills over 30 years. That is a big deal.

Further, if Congress does not like these standards, that should be addressed by new laws through the Energy and Commerce Committee, not by funding prohibitions. I would suggest to the gentleman, he might want to go before that committee.

Stopping the Department of Energy from finalizing, implementing, or enforcing energy efficiency standards will only create uncertainty for manufacturers and consumers.

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With respect to the energy efficiency standards for consumer furnaces, if my Republican colleagues are concerned about the rule's potential to increase costs for homeowners, then I would suggest that they should not be seeking in this bill to rescind the Inflation Reduction Act funding for home energy efficiency rebates, which will help many hardworking Americans afford energy efficient heating units that will actually save them money on their utility bills in the long term.

Mr. Chair, I urge my colleagues to reject this amendment, and I yield back the balance of my time.

Mr. FALLON. Mr. Chair, may I inquire how much time I have remaining.

The Acting CHAIR. The gentleman from Texas has 1½ minutes remaining.

Mr. FALLON. Mr. Chair, I will not be able to say everything I want to, but I do want to thank my colleague for correcting me. It is not unelected bureaucrats. They are trained unelected bureaucrats. I wanted to thank her for that.

The Department of Energy relies upon modeling techniques within the technical support document, or TSD,

that overstate the calculated climate benefits of reduced emissions in order to justify more stringent energy efficiency standards. They did the same thing, the same rule, with the gas stoves.

The gentlewoman said it is not on some whim, Mr. Chairman. In the rule-making, the Department of Energy uses random assignment modeling—that sounds like close to a whim to me—to guess consumer decisions and ignores economic considerations consumers use to make decisions.

The rule states that EPCA is not fuel neutral. This isn't the case.

I have a lot more to say, Mr. Chairman, but we are on a 5-minute limit time, and it is late at night.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. FALLON).

The amendment was agreed to.

Mr. FLEISCHMANN. Mr. Chair, I move that the Committee do now rise. The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. FALLON) having assumed the chair, Mr. MORAN, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 4394) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2024, and for other purposes, had come to no resolution thereon.

#### HOURLY MEETING ON TOMORROW

Mr. MORAN. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 10 a.m. tomorrow.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

#### ADJOURNMENT

Mr. MORAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 49 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, October 26, 2023, at 10 a.m.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

*[Submitted October 11, 2023]*

EC-2113. A letter from the Associate Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule—Toxic Substances Control Act Reporting and Recordkeeping Requirements for Perfluoroalkyl and Polyfluoroalkyl Substances [EPA-HQ-OPPT-2020-0549; FRL-7902-02-OCSPP] (RIN:

2070-AK67) received October 4, 2023, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

EC-2114. A letter from the Associate Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule—Ledprona Double-Stranded RNA; Exemption From the Requirement of a Tolerance [EPA-HQ-OPP-2021-0269; FRL-10944-01-OCSPP] received October 4, 2023, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

EC-2115. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's issuance of regulatory guide—Weather-Related Administrative Controls at Independent Spent Fuel Storage Installations [Regulatory Guide 3.77, Revision 0] received October 4, 2023, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

EC-2116. A letter from the Associate Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule—Air Plan Approval; MO; Control of Emissions From Volatile Organic Liquid Storage [EPA-R07-OAR-2023-0403; FRL-11259-02-R7] received October 4, 2023, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

*[Submitted October 12, 2023]*

EC-2117. A communication from the President of the United States, transmitting notification that the national emergency declared with respect to the situation in and in relation to Syria in Executive Order 13894 of October 14, 2019, is to continue in effect beyond October 14, 2023, pursuant to 50 U.S.C. 1622(d); Public Law 94-412, Sec. 202(d); (90 Stat. 1257) (H. Doc. No. 118-68); to the Committee on Foreign Affairs.

EC-2118. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 25-217, "Law Enforcement Vehicular Pursuit Clarification Temporary Amendment Act of 2023", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Accountability.

EC-2119. A letter from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 23-041 Certification of Proposed Issuance of an Export License Pursuant to Sec 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

EC-2120. A letter from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 23-042 Certification of Proposed Issuance of an Export License Pursuant to Sec 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

EC-2121. A letter from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 23-051 Certification of Proposed Issuance of an Export License Pursuant to Sec 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

EC-2122. A letter from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 23-040 Certification of Proposed Issuance of an Export License Pursuant to Sec 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

EC-2123. A letter from the Federal Register Liaison, Office of Regulations, Bureau of Ocean Energy Management, Department of the Interior, transmitting the Department's direct final rule—Conformity With the Infla-

tion Reduction Act for Renewable Energy on the Outer Continental Shelf [Docket No: BOEM-2023-0035] (RIN: 1010-AE20) received October 5, 2023, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

EC-2124. A letter from the Program Analyst, Consumer and Governmental Affairs Bureau, Federal Communications Commission, transmitting the Commission's Major final rule—Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities [CG Docket No. 03-123]; Structure and Practices of the Video Relay Services [CG Docket No. 10-51] received October 5, 2023, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

EC-2125. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Part 73 of the Commission's Rules to Update Television and Class A Television Broadcast Station Rules, and Rules Applicable to All Broadcast Stations [MB Docket No. 22-227] received October 5, 2023, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

EC-2126. A letter from the Director, Office of National Marine Sanctuaries, National Oceanic and Atmospheric Administration, transmitting the Administration's final temporary rule—Florida Keys National Marine Sanctuary: Establishment of Temporary Special Use Area for Coral Nursery [Docket No.: 230829-0205] (RIN: 0648-BM58) received October 5, 2023, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

*[Submitted October 13, 2023]*

EC-2127. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to specified harmful foreign activities of the Government of the Russian Federation that was declared in Executive Order 14024 of April 15, 2021, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec 204(c); (91 Stat. 1627); to the Committee on Foreign Affairs.

EC-2128. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to Somalia that was declared in Executive Order 13536 on April 12, 2010, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec 204(c); (91 Stat. 1627); to the Committee on Foreign Affairs.

EC-2129. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to significant malicious cyber-enabled activities that was declared in Executive Order 13694 of April 1, 2015, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec 204(c); (91 Stat. 1627); to the Committee on Foreign Affairs.

EC-2130. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to Iran that was declared in Executive Order 12170 of November 14, 1979, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec 204(c); (91 Stat. 1627); to the Committee on Foreign Affairs.