

JULY 8, 2022

RULES COMMITTEE PRINT 117–55

**TEXT OF THE TRANSPORTATION, HOUSING AND
URBAN DEVELOPMENT, AGRICULTURE,
RURAL DEVELOPMENT, ENERGY AND WATER
DEVELOPMENT, FINANCIAL SERVICES AND
GENERAL GOVERNMENT, INTERIOR, ENVI-
RONMENT, MILITARY CONSTRUCTION, AND
VETERANS AFFAIRS APPROPRIATIONS ACT,
2023**

[Showing the text of H.R. 8294, H.R. 8239, H.R. 8255, H.R.
8254, H.R. 8262, and H.R. 8238, as reported, with modifica-
tions.]

1 **SECTION 1. SHORT TITLE.**

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

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

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

1 **SEC. 3. REFERENCES TO REPORT.**

2 (a) TRANSPORTATION, HOUSING AND URBAN DE-
3 VELOPMENT, AND RELATED AGENCIES APPROPRIATIONS
4 ACT, 2023.—Any reference to a “report accompanying
5 this Act” contained in division A of this Act shall be treat-
6 ed as a reference to House Report 117–402. The effect
7 of such Report shall be limited to division A and shall
8 apply for purposes of determining the allocation of funds
9 provided by, and the implementation of, division A.

10 (b) AGRICULTURE, RURAL DEVELOPMENT, FOOD
11 AND DRUG ADMINISTRATION, AND RELATED AGENCIES
12 APPROPRIATIONS ACT, 2023.—Any reference to a “report
13 accompanying this Act” contained in division B of this Act
14 shall be treated as a reference to House Report 117–392.
15 The effect of such Report shall be limited to division B
16 and shall apply for purposes of determining the allocation
17 of funds provided by, and the implementation of, division
18 B.

19 (c) ENERGY AND WATER DEVELOPMENT AND RE-
20 LATED AGENCIES APPROPRIATIONS ACT, 2023.—Any ref-
21 erence to a “report accompanying this Act” contained in
22 division C of this Act shall be treated as a reference to
23 House Report 117–394. The effect of such Report shall
24 be limited to division C and shall apply for purposes of
25 determining the allocation of funds provided by, and the
26 implementation of, division C.

1 (d) FINANCIAL SERVICES AND GENERAL GOVERN-
2 MENT APPROPRIATIONS ACT, 2023.—Any reference to a
3 “report accompanying this Act” contained in division D
4 of this Act shall be treated as a reference to House Report
5 117–393. The effect of such Report shall be limited to
6 division D and shall apply for purposes of determining the
7 allocation of funds provided by, and the implementation
8 of, division D.

9 (e) DEPARTMENT OF THE INTERIOR, ENVIRONMENT,
10 AND RELATED AGENCIES APPROPRIATIONS ACT, 2023.—
11 Any reference to a “report accompanying this Act” con-
12 tained in division E of this Act shall be treated as a ref-
13 erence to House Report 117–400. The effect of such Re-
14 port shall be limited to division E and shall apply for pur-
15 poses of determining the allocation of funds provided by,
16 and the implementation of, division E.

17 (f) MILITARY CONSTRUCTION, VETERANS AFFAIRS,
18 AND RELATED AGENCIES APPROPRIATIONS ACT, 2023.—
19 Any reference to a “report accompanying this Act” con-
20 tained in division F of this Act shall be treated as a ref-
21 erence to House Report 117–391. The effect of such Re-
22 port shall be limited to division F and shall apply for pur-
23 poses of determining the allocation of funds provided by,
24 and the implementation of, division F.

1 **SEC. 4. STATEMENT OF APPROPRIATIONS.**

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

1 **DIVISION A—TRANSPORTATION, HOUSING**
2 **AND URBAN DEVELOPMENT, AND RE-**
3 **LATED AGENCIES APPROPRIATIONS**
4 **ACT, 2023**

5 TITLE I

6 DEPARTMENT OF TRANSPORTATION

7 OFFICE OF THE SECRETARY

8 SALARIES AND EXPENSES

9 For necessary expenses of the Office of the Secretary,
10 \$176,000,000: *Provided*, That of the sums appropriated
11 under this heading—

12 (1) \$3,569,000 shall be available for the imme-
13 diate Office of the Secretary;

14 (2) \$1,277,000 shall be available for the imme-
15 diate Office of the Deputy Secretary;

16 (3) \$27,089,000 shall be available for the Office
17 of the General Counsel;

18 (4) \$17,400,000 shall be available for the Office
19 of the Under Secretary of Transportation for Policy;

20 (5) \$21,026,000 shall be available for the Office
21 of the Assistant Secretary for Budget and Pro-
22 grams;

23 (6) \$3,968,000 shall be available for the Office
24 of the Assistant Secretary for Governmental Affairs;

1 (7) \$42,402,000 shall be available for the Office
2 of the Assistant Secretary for Administration;

3 (8) \$5,727,000 shall be available for the Office
4 of Public Affairs and Public Engagement;

5 (9) \$2,312,000 shall be available for the Office
6 of the Executive Secretariat;

7 (10) \$18,533,000 shall be available for the Of-
8 fice of Intelligence, Security, and Emergency Re-
9 sponse;

10 (11) \$29,195,000 shall be available for the Of-
11 fice of the Chief Information Officer; and

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

14 (13) \$2,000,000 shall be available for the Office
15 of Multimodal Freight Infrastructure and Policy:

16 *Provided further*, That the Secretary of Transportation
17 (referred to in this title as the “Secretary”) is authorized
18 to transfer funds appropriated for any office of the Office
19 of the Secretary to any other office of the Office of the
20 Secretary: *Provided further*, That no appropriation for any
21 office shall be increased or decreased by more than 7 per-
22 cent by all such transfers: *Provided further*, That any
23 change in funding greater than 7 percent shall be subject
24 to the requirements of section 405 of this Act: *Provided*
25 *further*, That not to exceed \$70,000 shall be for allocation

1 within the Department for official reception and represen-
2 tation expenses as the Secretary may determine: *Provided*
3 *further*, That notwithstanding any other provision of law,
4 there may be credited to this appropriation up to
5 \$2,500,000 in funds received in user fees.

6 RESEARCH AND TECHNOLOGY

7 For necessary expenses related to the Office of the
8 Assistant Secretary for Research and Technology,
9 \$66,963,000, of which \$52,780,000 shall remain available
10 until expended: *Provided*, That there may be credited to
11 this appropriation, to be available until expended, funds
12 received from States, counties, municipalities, other public
13 authorities, and private sources for expenses incurred for
14 training: *Provided further*, That any reference in law, reg-
15 ulation, judicial proceedings, or elsewhere to the Research
16 and Innovative Technology Administration shall continue
17 to be deemed to be a reference to the Office of the Assist-
18 ant Secretary for Research and Technology of the Depart-
19 ment of Transportation.

20 NATIONAL INFRASTRUCTURE INVESTMENTS

21 (INCLUDING TRANSFER OF FUNDS)

22 For necessary expenses to carry out section 6702 of
23 title 49, United States Code, \$775,000,000, to remain
24 available until expended: *Provided*, That section
25 6702(f)(2) of title 49, United States Code, shall not apply

1 to amounts made available under this heading in this Act:
2 *Provided further*, That of amounts made available under
3 this heading in this Act, not less than \$30,000,000 shall
4 be awarded to projects in historically disadvantaged com-
5 munities or areas of persistent poverty as such term is
6 defined under section 6702(a)(1) of title 49, United States
7 Code: *Provided further*, That section 6702(g) of title 49,
8 United States Code, shall not apply to amounts made
9 available under this heading in this Act: *Provided further*,
10 That of the amounts made available under this heading
11 in this Act not less than 5 percent shall be made available
12 for the planning, preparation, or design of eligible projects
13 and shall prioritize transit, transit oriented development,
14 multimodal, intercity passenger rail, and pedestrian
15 projects: *Provided further*, That grants awarded under this
16 heading in this Act for eligible projects for planning, prep-
17 aration, or design shall not be subject to a minimum grant
18 size: *Provided further*, That in distributing amounts made
19 available under this heading in this Act, the Secretary
20 shall take such measures so as to ensure an equitable geo-
21 graphic distribution of funds, an appropriate balance in
22 addressing the needs of urban and rural areas, including
23 Tribal areas, and the investment in a variety of transpor-
24 tation modes: *Provided further*, That section
25 6702(c)(2)(C) of title 49, United States Code, shall not

1 apply to amounts made available under this heading in
2 this Act: *Provided further*, That a grant award under this
3 heading in this Act shall be not greater than \$50,000,000:
4 *Provided further*, That section 6702(c)(3) of title 49,
5 United States Code, shall not apply to amounts made
6 available under this heading in this Act: *Provided further*,
7 That not more than 15 percent of the amounts made avail-
8 able under this heading in this Act may be awarded to
9 projects in a single state: *Provided further*, That for
10 amounts made available under this heading in this Act,
11 the Secretary shall give priority to projects that require
12 a contribution of Federal funds in order to complete an
13 overall financing package: *Provided further*, That section
14 6702(f)(1) of title 49, United States Code, shall not apply
15 to amounts made available under this heading in this Act:
16 *Provided further*, That of the amounts awarded under this
17 heading in this Act, not more than 50 percent shall be
18 allocated for eligible projects located in rural areas and
19 not more than 50 percent shall be allocated for eligible
20 projects located in urbanized areas: *Provided further*, That
21 for the purpose of determining if an award for planning,
22 preparation, or design under this heading in this Act is
23 an urban award, the project location is the location of the
24 project being planned, prepared, or designed: *Provided fur-*
25 *ther*, That the Secretary shall apply to projects under this

1 heading the Federal requirements that the Secretary de-
2 termines are appropriate based on the purpose of the Na-
3 tional Infrastructure Investments program, the require-
4 ments expressly stated under this heading, the require-
5 ments expressly stated in chapter 67 of title 49, United
6 States Code, and the Federal requirements applicable to
7 comparable projects supported by other Department of
8 Transportation financial assistance programs, including
9 domestic preference requirements, contracting opportuni-
10 ties for small and disadvantaged businesses, and labor
11 practices: *Provided further*, That the Secretary may retain
12 up to 2 percent of the amounts made available under this
13 heading in this Act, and may transfer portions of such
14 amounts to the Administrators of the Federal Aviation
15 Administration, the Federal Highway Administration, the
16 Federal Transit Administration, the Federal Railroad Ad-
17 ministration and the Maritime Administration to fund the
18 award and oversight of grants and credit assistance made
19 under the program authorized under section 6702 of title
20 49, United States Code: *Provided further*, That for
21 amounts made available under this heading in this Act,
22 the Secretary shall consider and award projects based sole-
23 ly on the selection criteria as identified under paragraphs
24 (3) and (4) of section 6702(d) of title 49, United States
25 Code.

1 THRIVING COMMUNITIES INITIATIVE
2 (INCLUDING TRANSFER OF FUNDS)

3 For necessary expenses for a thriving communities
4 program, \$100,000,000, to remain available until Sep-
5 tember 30, 2025: *Provided*, That the Secretary of Trans-
6 portation shall make such amounts available for technical
7 assistance and cooperative agreements to develop and im-
8 plement technical assistance, planning, and capacity build-
9 ing to improve and foster thriving communities through
10 transportation improvements: *Provided further*, That the
11 Secretary may enter into cooperative agreements with
12 philanthropic entities, non-profit organizations, other Fed-
13 eral agencies, state or local governments and their agen-
14 cies, Indian Tribes, or other technical assistance providers,
15 to provide such technical assistance, planning, and capac-
16 ity building to state, local, or Tribal governments, United
17 States territories, metropolitan planning organizations,
18 transit agencies, or other political subdivisions of state or
19 local governments: *Provided further*, That to be eligible for
20 a cooperative agreement under this heading, a recipient
21 shall provide assistance to entities described in the pre-
22 ceding proviso on engaging in public planning processes
23 with residents, local businesses, non-profit organizations,
24 and to the extent practicable, philanthropic organizations,
25 educational institutions, or other community stakeholders:

1 *Provided further*, That such cooperative agreements shall
2 facilitate the planning and development of transportation
3 and community revitalization activities supported by the
4 Department of Transportation under titles 23, 46, and 49,
5 United States Code, that increase mobility, reduce pollu-
6 tion from transportation sources, expand affordable trans-
7 portation options, facilitate efficient land use, preserve or
8 expand jobs, improve housing conditions, enhance connec-
9 tions to health care, education, and food security, or im-
10 prove health outcomes: *Provided further*, That the Sec-
11 retary may prioritize assistance provided with amounts
12 made available under this heading to communities that
13 have disproportionate rates of pollution and poor air qual-
14 ity, communities experiencing disproportionate effects (as
15 defined by Executive Order No. 12898), areas of per-
16 sistent poverty as defined in section 6702(a)(1) of title
17 49, United States Code, or historically disadvantaged com-
18 munities: *Provided further*, That the preceding proviso
19 shall not prevent the Secretary from providing assistance
20 with amounts made available under this heading to enti-
21 ties described in the second proviso under this heading
22 that request assistance through the thriving communities
23 program: *Provided further*, That planning and technical
24 assistance made available under this heading may include
25 pre-application assistance for capital projects eligible

1 under titles 23, 46, and 49, United States Code: *Provided*
2 *further*, That the Secretary may retain amounts made
3 available under this heading for the necessary administra-
4 tive expenses of (1) developing and disseminating best
5 practices, modeling, and cost-benefit analysis methodolo-
6 gies to assist entities described in the second proviso under
7 this heading with applications for financial assistance pro-
8 grams under titles 23, 46, and 49, United States Code,
9 and (2) award, administration, and oversight of coopera-
10 tive agreements to carry out the provisions under this
11 heading: *Provided further*, That such amounts and pay-
12 ments as may be necessary to carry out the thriving com-
13 munities program may be transferred to appropriate ac-
14 counts of other operating administrations within the De-
15 partment of Transportation: *Provided further*, That the
16 Secretary shall notify the House and Senate Committees
17 on Appropriations not later than 3 business days prior to
18 a transfer carried out under the preceding proviso.

19 NATIONAL SURFACE TRANSPORTATION AND INNOVATIVE
20 FINANCE BUREAU

21 For necessary expenses of the National Surface
22 Transportation and Innovative Finance Bureau as author-
23 ized by 49 U.S.C. 116, \$3,800,000, to remain available
24 until expended: *Provided*, That the Secretary may collect
25 and spend fees, as authorized by title 23, United States

1 Code, to cover the costs of services of expert firms, includ-
2 ing counsel, in the field of municipal and project finance
3 to assist in the underwriting and servicing of Federal cred-
4 it instruments and all or a portion of the costs to the Fed-
5 eral Government of servicing such credit instruments: *Pro-*
6 *vided further*, That such fees are available until expended
7 to pay for such costs: *Provided further*, That such amounts
8 are in addition to other amounts made available for such
9 purposes and are not subject to any obligation limitation
10 or the limitation on administrative expenses under section
11 608 of title 23, United States Code.

12 RAILROAD REHABILITATION AND IMPROVEMENT
13 FINANCING PROGRAM

14 The Secretary is authorized to issue direct loans and
15 loan guarantees pursuant to chapter 224 of title 49,
16 United States Code, and such authority shall exist so long
17 as any such direct loan or loan guarantee is outstanding.

18 FINANCIAL MANAGEMENT CAPITAL

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

23 CYBER SECURITY INITIATIVES

24 For necessary expenses for cyber security initiatives,
25 including necessary upgrades to network and information

1 technology infrastructure, improvement of identity man-
2 agement and authentication capabilities, securing and pro-
3 tecting data, implementation of Federal cyber security ini-
4 tiatives, and implementation of enhanced security controls
5 on agency computers and mobile devices, \$48,100,000, to
6 remain available until September 30, 2024.

7 OFFICE OF CIVIL RIGHTS

8 For necessary expenses of the Office of Civil Rights,
9 \$15,000,000.

10 TRANSPORTATION PLANNING, RESEARCH, AND
11 DEVELOPMENT

12 (INCLUDING TRANSFER OF FUNDS)

13 For necessary expenses for conducting transportation
14 planning, research, systems development, development ac-
15 tivities, and making grants, \$19,648,000, to remain avail-
16 able until expended: *Provided*, That of such amount,
17 \$7,136,000 shall be for necessary expenses of the Inter-
18 agency Infrastructure Permitting Improvement Center
19 (IIPIC): *Provided further*, That there may be transferred
20 to this appropriation, to remain available until expended,
21 amounts transferred from other Federal agencies for ex-
22 penses incurred under this heading for IIPIC activities not
23 related to transportation infrastructure: *Provided further*,
24 That the tools and analysis developed by the IIPIC shall
25 be available to other Federal agencies for the permitting

1 and review of major infrastructure projects not related to
2 transportation only to the extent that other Federal agen-
3 cies provide funding to the Department in accordance with
4 the preceding proviso.

5 WORKING CAPITAL FUND
6 (INCLUDING TRANSFER OF FUNDS)

7 For necessary expenses for operating costs and cap-
8 ital outlays of the Working Capital Fund, not to exceed
9 \$505,285,000, shall be paid from appropriations made
10 available to the Department of Transportation: *Provided*,
11 That such services shall be provided on a competitive basis
12 to entities within the Department of Transportation: *Pro-*
13 *vided further*, That the limitation in the preceding proviso
14 on operating expenses shall not apply to entities external
15 to the Department of Transportation or for funds pro-
16 vided in Public Law 117–58: *Provided further*, That no
17 funds made available by this Act to an agency of the De-
18 partment shall be transferred to the Working Capital
19 Fund without majority approval of the Working Capital
20 Fund Steering Committee and approval of the Secretary:
21 *Provided further*, That no assessments may be levied
22 against any program, budget activity, subactivity, or
23 project funded by this Act unless notice of such assess-
24 ments and the basis therefor are presented to the House

1 and Senate Committees on Appropriations and are ap-
2 proved by such Committees.

3 SMALL AND DISADVANTAGED BUSINESS UTILIZATION AND
4 OUTREACH

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

16 PAYMENTS TO AIR CARRIERS
17 (AIRPORT AND AIRWAY TRUST FUND)

18 In addition to funds made available from any other
19 source to carry out the essential air service program under
20 sections 41731 through 41742 of title 49, United States
21 Code, \$354,827,000, to be derived from the Airport and
22 Airway Trust Fund, to remain available until expended:
23 *Provided*, That in determining between or among carriers
24 competing to provide service to a community, the Sec-
25 retary may consider the relative subsidy requirements of

1 the carriers: *Provided further*, That basic essential air
2 service minimum requirements shall not include the 15-
3 passenger capacity requirement under section 41732(b)(3)
4 of title 49, United States Code: *Provided further*, That
5 amounts authorized to be distributed for the essential air
6 service program under section 41742(b) of title 49, United
7 States Code, shall be made available immediately from
8 amounts otherwise provided to the Administrator of the
9 Federal Aviation Administration: *Provided further*, That
10 the Administrator may reimburse such amounts from fees
11 credited to the account established under section 45303
12 of title 49, United States Code.

13 ELECTRIC VEHICLE FLEET

14 (INCLUDING TRANSFER OF FUNDS)

15 For necessary expenses for the Department's transi-
16 tion to the General Services Administration's leased vehi-
17 cle fleet, and for the purchase of zero emission passenger
18 motor vehicles and supporting charging or fueling infra-
19 structure, \$11,000,000, to remain available until Sep-
20 tember 30, 2025: *Provided*, That such amounts are in ad-
21 dition to amounts otherwise available for such purposes:
22 *Provided further*, That amounts made available under this
23 heading may be transferred to other accounts of the De-
24 partment of Transportation for the purposes specified
25 under this heading: *Provided further*, That the Secretary

1 shall notify the House and Senate Committees on Appro-
2 priations not later than 3 business days prior to a transfer
3 carried out under the preceding proviso.

4 ADMINISTRATIVE PROVISIONS—OFFICE OF THE
5 SECRETARY OF TRANSPORTATION

6 SEC. 101. None of the funds made available by this
7 Act to the Department of Transportation may be obligated
8 for the Office of the Secretary of Transportation to ap-
9 prove assessments or reimbursable agreements pertaining
10 to funds appropriated to the operating administrations in
11 this Act, except for activities underway on the date of en-
12 actment of this Act, unless such assessments or agree-
13 ments have completed the normal reprogramming process
14 for congressional notification.

15 SEC. 102. The Secretary shall post on the web site
16 of the Department of Transportation a schedule of all
17 meetings of the Council on Credit and Finance, including
18 the agenda for each meeting, and require the Council on
19 Credit and Finance to record the decisions and actions
20 of each meeting.

21 SEC. 103. In addition to authority provided by section
22 327 of title 49, United States Code, the Department's
23 Working Capital Fund is authorized to provide partial or
24 full payments in advance and accept subsequent reim-
25 bursements from all Federal agencies from available funds

1 for transit benefit distribution services that are necessary
2 to carry out the Federal transit pass transportation fringe
3 benefit program under Executive Order No. 13150 and
4 section 3049 of SAFETEA-LU (5 U.S.C. 7905 note):
5 *Provided*, That the Department shall maintain a reason-
6 able operating reserve in the Working Capital Fund, to
7 be expended in advance to provide uninterrupted transit
8 benefits to Government employees: *Provided further*, That
9 such reserve shall not exceed 1 month of benefits payable
10 and may be used only for the purpose of providing for
11 the continuation of transit benefits: *Provided further*, That
12 the Working Capital Fund shall be fully reimbursed by
13 each customer agency from available funds for the actual
14 cost of the transit benefit.

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

24 SEC. 105. None of the funds in this title may be obli-
25 gated or expended for retention or senior executive bo-

1 nuses for an employee of the Department of Transpor-
2 tation without the prior written approval of the Assistant
3 Secretary for Administration.

4 SEC. 106. In addition to authority provided by section
5 327 of title 49, United States Code, the Department's Ad-
6 ministrative Working Capital Fund is hereby authorized
7 to transfer information technology equipment, software,
8 and systems from Departmental sources or other entities
9 and collect and maintain a reserve at rates which will re-
10 turn full cost of transferred assets.

11 SEC. 107. None of the funds provided in this Act to
12 the Department of Transportation may be used to provide
13 credit assistance unless not less than 3 days before any
14 application approval to provide credit assistance under
15 sections 603 and 604 of title 23, United States Code, the
16 Secretary provides notification in writing to the following
17 committees: the House and Senate Committees on Appro-
18 priations; the Committee on Environment and Public
19 Works and the Committee on Banking, Housing and
20 Urban Affairs of the Senate; and the Committee on Trans-
21 portation and Infrastructure of the House of Representa-
22 tives: *Provided*, That such notification shall include, but
23 not be limited to, the name of the project sponsor; a de-
24 scription of the project; whether credit assistance will be

1 provided as a direct loan, loan guarantee, or line of credit;
2 and the amount of credit assistance.

3 FEDERAL AVIATION ADMINISTRATION
4 OPERATIONS
5 (AIRPORT AND AIRWAY TRUST FUND)

6 For necessary expenses of the Federal Aviation Ad-
7 ministration, not otherwise provided for, including oper-
8 ations and research activities related to commercial space
9 transportation, administrative expenses for research and
10 development, establishment of air navigation facilities, the
11 operation (including leasing) and maintenance of aircraft,
12 subsidizing the cost of aeronautical charts and maps sold
13 to the public, the lease or purchase of passenger motor
14 vehicles for replacement only, \$11,870,000,000, to remain
15 available until September 30, 2024, of which
16 \$9,993,821,000 to be derived from the Airport and Airway
17 Trust Fund: *Provided*, That of the amounts made avail-
18 able under this heading—

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

21 (2) \$8,760,044,000 shall be available for air
22 traffic organization activities;

23 (3) \$33,675,000 shall be available for commer-
24 cial space transportation activities;

1 (4) \$915,049,000 shall be available for finance
2 and management activities;

3 (5) \$65,581,000 shall be available for NextGen
4 and operations planning activities;

5 (6) \$153,447,000 shall be available for security
6 and hazardous materials safety; and

7 (7) \$297,186,000 shall be available for staff of-
8 fices:

9 *Provided further*, That not to exceed 5 percent of any
10 budget activity, except for aviation safety budget activity,
11 may be transferred to any budget activity under this head-
12 ing: *Provided further*, That no transfer may increase or
13 decrease any appropriation under this heading by more
14 than 5 percent: *Provided further*, That any transfer in ex-
15 cess of 5 percent shall be treated as a reprogramming of
16 funds under section 405 of this Act and shall not be avail-
17 able for obligation or expenditure except in compliance
18 with the procedures set forth in that section: *Provided fur-*
19 *ther*, That not later than 60 days after the submission of
20 the budget request, the Administrator of the Federal Avia-
21 tion Administration shall transmit to Congress an annual
22 update to the report submitted to Congress in December
23 2004 pursuant to section 221 of the Vision 100-Century
24 of Aviation Reauthorization Act (49 U.S.C. 40101 note):
25 *Provided further*, That the amounts made available under

1 this heading shall be reduced by \$100,000 for each day
2 after 60 days after the submission of the budget request
3 that such report has not been transmitted to Congress:
4 *Provided further*, That not later than 60 days after the
5 submission of the budget request, the Administrator shall
6 transmit to Congress a companion report that describes
7 a comprehensive strategy for staffing, hiring, and training
8 flight standards and aircraft certification staff in a format
9 similar to the one utilized for the controller staffing plan,
10 including stated attrition estimates and numerical hiring
11 goals by fiscal year: *Provided further*, That the amounts
12 made available under this heading shall be reduced by
13 \$100,000 for each day after the date that is 60 days after
14 the submission of the budget request that such report has
15 not been submitted to Congress: *Provided further*, That
16 funds may be used to enter into a grant agreement with
17 a nonprofit standard-setting organization to assist in the
18 development of aviation safety standards: *Provided fur-*
19 *ther*, That none of the funds made available by this Act
20 shall be available for new applicants for the second career
21 training program: *Provided further*, That none of the
22 funds made available by this Act shall be available for the
23 Federal Aviation Administration to finalize or implement
24 any regulation that would promulgate new aviation user
25 fees not specifically authorized by law after the date of

1 the enactment of this Act: *Provided further*, That there
2 may be credited to this appropriation, as offsetting collec-
3 tions, funds received from States, counties, municipalities,
4 foreign authorities, other public authorities, and private
5 sources for expenses incurred in the provision of agency
6 services, including receipts for the maintenance and oper-
7 ation of air navigation facilities, and for issuance, renewal
8 or modification of certificates, including airman, aircraft,
9 and repair station certificates, or for tests related thereto,
10 or for processing major repair or alteration forms: *Pro-*
11 *vided further*, That of the amounts made available under
12 this heading, not less than \$187,800,000 shall be used to
13 fund direct operations of the current air traffic control
14 towers in the contract tower program, including the con-
15 tract tower cost share program, and any airport that is
16 currently qualified or that will qualify for the program
17 during the fiscal year: *Provided further*, That none of the
18 funds made available by this Act for aeronautical charting
19 and cartography are available for activities conducted by,
20 or coordinated through, the Working Capital Fund: *Pro-*
21 *vided further*, That none of the funds appropriated or oth-
22 erwise made available by this Act or any other Act may
23 be used to eliminate the Contract Weather Observers pro-
24 gram at any airport.

1 FACILITIES AND EQUIPMENT

2 (AIRPORT AND AIRWAY TRUST FUND)

3 For necessary expenses, not otherwise provided for,
4 for acquisition, establishment, technical support services,
5 improvement by contract or purchase, and hire of national
6 airspace systems and experimental facilities and equip-
7 ment, as authorized under part A of subtitle VII of title
8 49, United States Code, including initial acquisition of
9 necessary sites by lease or grant; engineering and service
10 testing, including construction of test facilities and acqui-
11 sition of necessary sites by lease or grant; construction
12 and furnishing of quarters and related accommodations
13 for officers and employees of the Federal Aviation Admin-
14 istration stationed at remote localities where such accom-
15 modations are not available; and the purchase, lease, or
16 transfer of aircraft from funds made available under this
17 heading, including aircraft for aviation regulation and cer-
18 tification; to be derived from the Airport and Airway Trust
19 Fund, \$2,900,000,000, of which \$570,000,000 is for per-
20 sonnel and related expenses and shall remain available
21 until September 30, 2024, \$1,803,600,000 is for equip-
22 ment and shall remain available until September 30, 2025,
23 and \$526,400,000 is for facilities and shall remain avail-
24 able until September 30, 2027: *Provided*, That there may
25 be credited to this appropriation funds received from

1 States, counties, municipalities, other public authorities,
2 and private sources, for expenses incurred in the establish-
3 ment, improvement, and modernization of national air-
4 space systems: *Provided further*, That not later than 60
5 days after submission of the budget request, the Secretary
6 of Transportation shall transmit to the Congress an in-
7 vestment plan for the Federal Aviation Administration
8 which includes funding for each budget line item for fiscal
9 years 2024 through 2028, with total funding for each year
10 of the plan constrained to the funding targets for those
11 years as estimated and approved by the Office of Manage-
12 ment and Budget: *Provided further*, That section 405 of
13 this Act shall apply to amounts made available under this
14 heading in title VIII of the Infrastructure Investments and
15 Jobs Appropriations Act (division J of Public Law 117–
16 58): *Provided further*, That the amounts specified for each
17 Budget Line Item in the table included in the “Facilities
18 and Equipment Spend Plan for Fiscal Year 2023 Infra-
19 structure Investment and Jobs Act Funding” section of
20 the Federal Aviation Administration FY 2023 President’s
21 Budget, as submitted to the House and Senate Commit-
22 tees on Appropriations, shall be the baseline for applica-
23 tion of reprogramming and transfer authorities for the
24 current fiscal year pursuant to paragraph (7) of such sec-
25 tion 405 for amounts referred to in the preceding proviso:

1 *Provided further*, That, notwithstanding paragraphs (5)
2 and (6) of such section 405, unless prior approval is re-
3 ceived from the House and Senate Committees on Appro-
4 priations, not to exceed 10 percent of any funding level
5 specified for projects and activities in the table referred
6 to in the preceding proviso may be transferred to any
7 other funding level specified for projects and activities in
8 such table and no transfer of such funding levels may in-
9 crease or decrease any funding level in such table by more
10 than 10 percent.

11 RESEARCH, ENGINEERING, AND DEVELOPMENT

12 (AIRPORT AND AIRWAY TRUST FUND)

13 For necessary expenses, not otherwise provided for,
14 for research, engineering, and development, as authorized
15 under part A of subtitle VII of title 49, United States
16 Code, including construction of experimental facilities and
17 acquisition of necessary sites by lease or grant,
18 \$260,500,000, to be derived from the Airport and Airway
19 Trust Fund and to remain available until September 30,
20 2025: *Provided*, That there may be credited to this appro-
21 priation as offsetting collections, funds received from
22 States, counties, municipalities, other public authorities,
23 and private sources, which shall be available for expenses
24 incurred for research, engineering, and development: *Pro-*
25 *vided further*, That amounts made available under this

1 heading shall be used in accordance with the report accom-
2 panying this Act: *Provided further*, That not to exceed 10
3 percent of any funding level specified under this heading
4 in the report accompanying this Act may be transferred
5 to any other funding level specified under this heading in
6 the report accompanying this Act: *Provided further*, That
7 no transfer may increase or decrease any funding level by
8 more than 10 percent: *Provided further*, That any transfer
9 in excess of 10 percent shall be treated as a reprogram-
10 ming of funds under section 405 of this Act and shall not
11 be available for obligation or expenditure except in compli-
12 ance with the procedures set forth in that section.

13 GRANTS-IN-AID FOR AIRPORTS
14 (LIQUIDATION OF CONTRACT AUTHORIZATION)
15 (LIMITATION ON OBLIGATIONS)
16 (AIRPORT AND AIRWAY TRUST FUND)
17 (INCLUDING TRANSFER OF FUNDS)

18 For liquidation of obligations incurred for grants-in-
19 aid for airport planning and development, and noise com-
20 patibility planning and programs as authorized under sub-
21 chapter I of chapter 471 and subchapter I of chapter 475
22 of title 49, United States Code, and under other law au-
23 thorizing such obligations; for procurement, installation,
24 and commissioning of runway incursion prevention devices
25 and systems at airports of such title; for grants authorized

1 under section 41743 of title 49, United States Code; and
2 for inspection activities and administration of airport safe-
3 ty programs, including those related to airport operating
4 certificates under section 44706 of title 49, United States
5 Code, \$3,350,000,000, to be derived from the Airport and
6 Airway Trust Fund and to remain available until ex-
7 pended: *Provided*, That none of the amounts made avail-
8 able under this heading shall be available for the planning
9 or execution of programs the obligations for which are in
10 excess of \$3,350,000,000, in fiscal year 2023, notwith-
11 standing section 47117(g) of title 49, United States Code:
12 *Provided further*, That none of the amounts made available
13 under this heading shall be available for the replacement
14 of baggage conveyor systems, reconfiguration of terminal
15 baggage areas, or other airport improvements that are
16 necessary to install bulk explosive detection systems: *Pro-*
17 *vided further*, That notwithstanding section 47109(a) of
18 title 49, United States Code, the Government's share of
19 allowable project costs under paragraph (2) of such sec-
20 tion for subgrants or paragraph (3) of such section shall
21 be 95 percent for a project at other than a large or me-
22 dium hub airport that is a successive phase of a multi-
23 phased construction project for which the project sponsor
24 received a grant in fiscal year 2011 for the construction
25 project: *Provided further*, That notwithstanding any other

1 provision of law, of amounts limited under this heading,
2 not less than \$137,372,000 shall be available for adminis-
3 tration, \$15,000,000 shall be available for the Airport Co-
4 operative Research Program, \$40,828,000 shall be avail-
5 able for Airport Technology Research, and \$10,000,000,
6 to remain available until expended, shall be available and
7 transferred to “Office of the Secretary, Salaries and Ex-
8 penses” to carry out the Small Community Air Service De-
9 velopment Program: *Provided further*, That in addition to
10 airports eligible under section 41743 of title 49, United
11 States Code, such program may include the participation
12 of an airport that serves a community or consortium that
13 is not larger than a small hub airport, according to FAA
14 hub classifications effective at the time the Office of the
15 Secretary issues a request for proposals.

16 GRANTS-IN-AID FOR AIRPORTS

17 For an additional amount for “Grants-In-Aid for Air-
18 ports”, to enable the Secretary of Transportation to make
19 grants for projects as authorized by subchapter 1 of chap-
20 ter 471 and subchapter 1 of chapter 475 of title 49,
21 United States Code, \$272,604,000, to remain available
22 through September 30, 2025: *Provided*, That amounts
23 made available under this heading shall be derived from
24 the general fund, and such funds shall not be subject to
25 apportionment formulas, special apportionment categories,

1 or minimum percentages under chapter 471 of title 49,
2 United States Code: *Provided further*, That of the amounts
3 made available under this heading, \$172,604,000 is for
4 Community Project Funding for the purposes, and in the
5 amounts, specified for this account in the table titled
6 “Transportation, Housing and Urban Development Incor-
7 poration of Community Project Funding Items” included
8 in the report accompanying this Act: *Provided further*,
9 That any funds made available under this heading in this
10 Act that remain available after the distribution of funds
11 under the preceding proviso shall be available to the Sec-
12 retary to distribute as discretionary grants to airports:
13 *Provided further*, That the amounts made available under
14 this heading shall not be subject to any limitation on obli-
15 gations for the Grants-in-Aid for Airports program set
16 forth in any Act: *Provided further*, That the Administrator
17 of the Federal Aviation Administration may retain up to
18 0.5 percent of the amounts made available under this
19 heading to fund the award and oversight by the Adminis-
20 trator of grants made under this heading.

21 ADMINISTRATIVE PROVISIONS—FEDERAL AVIATION

22 ADMINISTRATION

23 SEC. 110. None of the funds made available by this
24 Act may be used to compensate in excess of 600 technical
25 staff-years under the federally funded research and devel-

1 opment center contract between the Federal Aviation Ad-
2 ministration and the Center for Advanced Aviation Sys-
3 tems Development during fiscal year 2023.

4 SEC. 111. None of the funds made available by this
5 Act shall be used to pursue or adopt guidelines or regula-
6 tions requiring airport sponsors to provide to the Federal
7 Aviation Administration without cost building construc-
8 tion, maintenance, utilities and expenses, or space in air-
9 port sponsor-owned buildings for services relating to air
10 traffic control, air navigation, or weather reporting: *Pro-*
11 *vided*, That the prohibition on the use of funds in this
12 section does not apply to negotiations between the agency
13 and airport sponsors to achieve agreement on “below-mar-
14 ket” rates for these items or to grant assurances that re-
15 quire airport sponsors to provide land without cost to the
16 Federal Aviation Administration for air traffic control fa-
17 cilities.

18 SEC. 112. The Administrator of the Federal Aviation
19 Administration may reimburse amounts made available to
20 satisfy section 41742(a)(1) of title 49, United States
21 Code, from fees credited under section 45303 of title 49,
22 United States Code, and any amount remaining in such
23 account at the close of any fiscal year may be made avail-
24 able to satisfy section 41742(a)(1) of title 49, United
25 States Code, for the subsequent fiscal year.

1 SEC. 113. Amounts collected under section 40113(e)
2 of title 49, United States Code, shall be credited to the
3 appropriation current at the time of collection, to be
4 merged with and available for the same purposes as such
5 appropriation.

6 SEC. 114. None of the funds made available by this
7 Act shall be available for paying premium pay under sec-
8 tion 5546(a) of title 5, United States Code, to any Federal
9 Aviation Administration employee unless such employee
10 actually performed work during the time corresponding to
11 such premium pay.

12 SEC. 115. None of the funds made available by this
13 Act may be obligated or expended for an employee of the
14 Federal Aviation Administration to purchase a store gift
15 card or gift certificate through use of a Government-issued
16 credit card.

17 SEC. 116. Notwithstanding any other provision of
18 law, none of the funds made available under this Act or
19 any prior Act may be used to implement or to continue
20 to implement any limitation on the ability of any owner
21 or operator of a private aircraft to obtain, upon a request
22 to the Administrator of the Federal Aviation Administra-
23 tion, a blocking of that owner's or operator's aircraft reg-
24 istration number, Mode S transponder code, flight identi-
25 fication, call sign, or similar identifying information from

1 any ground based display to the public that would allow
2 the real-time or near real-time flight tracking of that air-
3 craft's movements, except data made available to a Gov-
4 ernment agency, for the noncommercial flights of that
5 owner or operator.

6 SEC. 117. None of the funds made available by this
7 Act shall be available for salaries and expenses of more
8 than nine political and Presidential appointees in the Fed-
9 eral Aviation Administration.

10 SEC. 118. None of the funds made available by this
11 Act may be used to increase fees pursuant to section
12 44721 of title 49, United States Code, until the Federal
13 Aviation Administration provides to the House and Senate
14 Committees on Appropriations a report that justifies all
15 fees related to aeronautical navigation products and ex-
16 plains how such fees are consistent with Executive Order
17 No. 13642.

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

24 SEC. 119A. None of the funds made available by or
25 limited by this Act may be used to change weight restric-

1 tions or prior permission rules at Teterboro airport in
2 Teterboro, New Jersey.

3 SEC. 119B. None of the funds made available by this
4 Act may be used by the Administrator of the Federal Avia-
5 tion Administration to withhold from consideration and
6 approval any new application for participation in the Con-
7 tract Tower Program, or for reevaluation of Cost-share
8 Program participants so long as the Federal Aviation Ad-
9 ministration has received an application from the airport,
10 and so long as the Administrator determines such tower
11 is eligible using the factors set forth in Federal Aviation
12 Administration published establishment criteria.

13 SEC. 119C. None of the funds made available by this
14 Act may be used to open, close, redesignate as a lesser
15 office, or reorganize a regional office, the aeronautical cen-
16 ter, or the technical center unless the Administrator sub-
17 mits a request for the reprogramming of funds under sec-
18 tion 405 of this Act.

19 SEC. 119D. The Federal Aviation Administration Ad-
20 ministrative Services Franchise Fund may be reimbursed
21 after performance or paid in advance from funds available
22 to the Federal Aviation Administration and other Federal
23 agencies for which the Fund performs services.

24 SEC. 119E. None of the funds appropriated or other-
25 wise made available to the FAA may be used to carry out

1 the FAA’s obligations under section 44502(e) of title 49,
2 United States Code, unless the eligible air traffic system
3 or equipment to be transferred to the FAA under section
4 44502(e) of title 49, United States Code, was purchased
5 by the transferor airport—

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

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

10 SEC. 119F. Of the funds provided under the heading
11 “Grants-in-aid for Airports”, up to \$3,500,000 shall be
12 for necessary expenses, including an independent
13 verification regime, to provide reimbursement to airport
14 sponsors that do not provide gateway operations and pro-
15 viders of general aviation ground support services, or other
16 aviation tenants, located at those airports closed during
17 a temporary flight restriction (TFR) for any residence of
18 the President that is designated or identified to be secured
19 by the United States Secret Service, and for direct and
20 incremental financial losses incurred while such airports
21 are closed solely due to the actions of the Federal Govern-
22 ment: *Provided*, That no funds shall be obligated or dis-
23 tributed to airport sponsors that do not provide gateway
24 operations and providers of general aviation ground sup-
25 port services until an independent audit is completed: *Pro-*

1 *vided further*, That losses incurred as a result of violations
2 of law, or through fault or negligence, of such operators
3 and service providers or of third parties (including air-
4 ports) are not eligible for reimbursements: *Provided fur-*
5 *ther*, That obligation and expenditure of funds are condi-
6 tional upon full release of the United States Government
7 for all claims for financial losses resulting from such ac-
8 tions.

9 FEDERAL HIGHWAY ADMINISTRATION
10 LIMITATION ON ADMINISTRATIVE EXPENSES
11 (HIGHWAY TRUST FUND)
12 (INCLUDING TRANSFER OF FUNDS)
13 Not to exceed \$476,783,991 together with advances
14 and reimbursements received by the Federal Highway Ad-
15 ministration, shall be obligated for necessary expenses for
16 administration and operation of the Federal Highway Ad-
17 ministration or transferred to the Appalachian Regional
18 Commission for administrative activities associated with
19 the Appalachian Development Highway System.

20 FEDERAL-AID HIGHWAYS
21 (LIMITATION ON OBLIGATIONS)
22 (HIGHWAY TRUST FUND)
23 Funds available for the implementation or execution
24 of authorized Federal-aid highway and highway safety
25 construction programs shall not exceed total obligations

1 of \$58,764,510,674 for fiscal year 2023: *Provided*, That
2 the limitation on obligations under this heading shall only
3 apply to contract authority authorized from the Highway
4 Trust Fund (other than the Mass Transit Account), un-
5 less otherwise specified in law.

6 (LIQUIDATION OF CONTRACT AUTHORIZATION)

7 (HIGHWAY TRUST FUND)

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

13 HIGHWAY INFRASTRUCTURE PROGRAMS

14 (INCLUDING TRANSFER OF FUNDS)

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

1 made available under this heading: *Provided further*, That
2 unless otherwise specified, amounts made available under
3 this heading shall be available until September 30, 2026,
4 and shall not be subject to any limitation on obligations
5 for Federal-aid highways or highway safety construction
6 programs set forth in any Act making annual appropria-
7 tions: *Provided further*, That of the funds made available
8 under this heading, the Federal Highway Administration
9 may retain an amount of \$3,000,000, to remain available
10 until expended, to fund the oversight of projects carried
11 out with funds made available under this heading: *Pro-*
12 *vided further*, That of the funds made available under this
13 heading—

14 (1) \$1,275,060,641 shall be made available for
15 Community Project Funding for the purposes, and
16 in the amounts, specified for this account in the
17 table titled “Transportation, Housing and Urban
18 Development Incorporation of Community Project
19 Funding Items” included in the report accom-
20 panying this Act: *Provided*, That, except as other-
21 wise provided under this heading, the funds made
22 available under this paragraph shall be administered
23 as if apportioned under chapter 1 of title 23, United
24 States Code: *Provided further*, That funds made
25 available under this paragraph that are used for

1 Tribal projects shall be administered as if allocated
2 under chapter 2 of title 23, United States Code, ex-
3 cept that the set-asides described in subparagraph
4 (C) of section 202(b)(3) of title 23, United States
5 Code, and subsections (a)(6), (c), and (e) of section
6 202 of such title, and section 1123(h)(1) of MAP-
7 21 (as amended by Public Law 117–58), shall not
8 apply to such funds;

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

1 if apportioned under chapter 1 of title 23, United
2 States Code: *Provided further*, That a project carried
3 out with funds made available under this heading for
4 construction of the Appalachian Development High-
5 way System shall be carried out in the same manner
6 as a project under section 14501 of title 40, United
7 States Code: *Provided further*, That subject to the
8 following proviso, funds made available under this
9 heading for construction of the Appalachian Devel-
10 opment Highway System shall be apportioned to the
11 Appalachian States according to the percentages de-
12 rived from the 2021 Appalachian Development
13 Highway System Cost-to-Complete Estimate, adopt-
14 ed in Appalachian Regional Commission Resolution
15 Number 788, and confirmed as each Appalachian
16 State's relative share of the estimated remaining
17 need to complete the Appalachian Development
18 Highway System, adjusted to exclude those corridors
19 that such States have no current plans to complete,
20 as reported in the 2013 Appalachian Development
21 Highway System Completion Report, unless those
22 States have modified and assigned a higher priority
23 for completion of an Appalachian Development
24 Highway System corridor, as reported in the 2021
25 Appalachian Development Highway System Future

1 Outlook: *Provided further*, That the Secretary shall
2 adjust apportionments made under the preceding
3 proviso so that no Appalachian State shall be appor-
4 tioned an amount in excess of 30 percent of the
5 amount made available for construction of the Appa-
6 lachian Development Highway System under this
7 heading: *Provided further*, That the Secretary shall
8 consult with the Appalachian Regional Commission
9 in making adjustments under the preceding two pro-
10 visos: *Provided further*, That the Federal share of
11 the costs for which an expenditure is made for con-
12 struction of the Appalachian Development Highway
13 System under this heading shall be up to 100 per-
14 cent;

15 (3) \$75,000,000 shall be for the nationally sig-
16 nificant Federal lands and Tribal projects program
17 under section 1123 of the FAST Act (23 U.S.C. 201
18 note), of which not less than \$37,500,000 shall be
19 for competitive grants to tribal governments;

20 (4) \$12,000,000 shall be for the regional infra-
21 structure accelerator demonstration program author-
22 ized under section 1441 of the FAST Act (23
23 U.S.C. 601 note): *Provided*, That for funds made
24 available under this paragraph, the Federal share of

1 the costs shall be, at the option of the recipient, up
2 to 100 percent;

3 (5) \$30,000,000 shall be for the national scenic
4 byways program under section 162 of title 23,
5 United States Code: *Provided*, That, except as other-
6 wise provided under this heading, the funds made
7 available under this paragraph shall be administered
8 as if apportioned under chapter 1 of title 23, United
9 States Code;

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

24 (7) \$100,000,000 shall be for the active trans-
25 portation infrastructure investment program under

1 section 11529 of the Infrastructure Investment and
2 Jobs Act (23 U.S.C. 217 note), to remain available
3 until expended: *Provided*, That, except as otherwise
4 provided under such section or this heading, the
5 funds made available under this paragraph shall be
6 administered as if apportioned under chapter 1 of
7 title 23, United States Code;

8 (8) \$55,000,000 shall be for the healthy streets
9 program under section 11406 of the Infrastructure
10 Investment and Jobs Act (23 U.S.C. 149 note): *Pro-*
11 *vided*, That, except as otherwise provided under such
12 section or this heading, the funds made available
13 under this paragraph shall be administered as if ap-
14 portioned under chapter 1 of title 23, United States
15 Code; and

16 (9) \$5,000,000 shall be for a cooperative series
17 of agreements to examine the impacts of culverts,
18 roads, and bridges on threatened or endangered
19 salmon populations.

20 ADMINISTRATIVE PROVISIONS—FEDERAL HIGHWAY

21 ADMINISTRATION

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

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

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

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

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

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

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

19 (3) determine the proportion that—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

13 FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

14 MOTOR CARRIER SAFETY OPERATIONS AND PROGRAMS

15 (LIQUIDATION OF CONTRACT AUTHORIZATION)

16 (LIMITATION ON OBLIGATIONS)

17 (HIGHWAY TRUST FUND)

18 For payment of obligations incurred in the implemen-
19 tation, execution, and administration of motor carrier
20 safety operations and programs pursuant to section 31110
21 of title 49, United States Code, \$367,500,000, to be de-
22 rived from the Highway Trust Fund (other than the Mass
23 Transit Account), together with advances and reimburse-
24 ments received by the Federal Motor Carrier Safety Ad-
25 ministration, the sum of which shall remain available until

1 expended: *Provided*, That funds available for implementa-
2 tion, execution, or administration of motor carrier safety
3 operations and programs authorized under title 49, United
4 States Code, shall not exceed total obligations of
5 \$367,500,000, for “Motor Carrier Safety Operations and
6 Programs” for fiscal year 2023, of which \$14,073,000, to
7 remain available for obligation until September 30, 2025,
8 is for the research and technology program, and of which
9 not less than \$63,098,000, to remain available for obliga-
10 tion until September 30, 2025, is for development, mod-
11 ernization, enhancement, and continued operation and
12 maintenance of information technology and information
13 management.

14 MOTOR CARRIER SAFETY GRANTS

15 (LIQUIDATION OF CONTRACT AUTHORIZATION)

16 (LIMITATION ON OBLIGATIONS)

17 (HIGHWAY TRUST FUND)

18 For payment of obligations incurred in carrying out
19 sections 31102, 31103, 31104, and 31313 of title 49,
20 United States Code, \$506,150,000, to be derived from the
21 Highway Trust Fund (other than the Mass Transit Ac-
22 count) and to remain available until expended: *Provided*,
23 That funds available for the implementation or execution
24 of motor carrier safety programs shall not exceed total ob-
25 ligations of \$506,150,000 in fiscal year 2023 for “Motor

1 Carrier Safety Grants’’: *Provided further*, That of the
2 amounts made available under this heading—

3 (1) \$398,500,000, to remain available for obli-
4 gation until September 30, 2024, shall be for the
5 motor carrier safety assistance program;

6 (2) \$42,650,000, to remain available for obliga-
7 tion until September 30, 2024, shall be for the com-
8 mercial driver’s license program implementation pro-
9 gram;

10 (3) \$58,800,000, to remain available for obliga-
11 tion until September 30, 2024, shall be for the high
12 priority program;

13 (4) \$1,200,000, to remain available for obliga-
14 tion until September 30, 2024, shall be for the com-
15 mercial motor vehicle operators grant program; and

16 (5) \$5,000,000, to remain available for obliga-
17 tion until September 30, 2024, shall be for the com-
18 mercial motor vehicle enforcement training and sup-
19 port grant program.

20 ADMINISTRATIVE PROVISIONS—FEDERAL MOTOR

21 CARRIER SAFETY ADMINISTRATION

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

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

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

15 NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION
16 OPERATIONS AND RESEARCH

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

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

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

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

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

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

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

14 HIGHWAY TRAFFIC SAFETY GRANTS

15 (LIQUIDATION OF CONTRACT AUTHORIZATION)

16 (LIMITATION ON OBLIGATIONS)

17 (HIGHWAY TRUST FUND)

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

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

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

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

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

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

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

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

13 ADMINISTRATIVE PROVISIONS—NATIONAL HIGHWAY

14 TRAFFIC SAFETY ADMINISTRATION

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

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

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

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

6 FEDERAL RAILROAD ADMINISTRATION

7 SAFETY AND OPERATIONS

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

11 RAILROAD RESEARCH AND DEVELOPMENT

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

20 FEDERAL-STATE PARTNERSHIP FOR INTERCITY

21 PASSENGER RAIL

22 For necessary expenses related to Federal-State
23 Partnership for Intercity Passenger Rail grants as author-
24 ized by section 24911 of title 49, United States Code,
25 \$555,000,000, to remain available until expended: *Pro-*

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

18 CONSOLIDATED RAIL INFRASTRUCTURE AND SAFETY

19 IMPROVEMENTS

20 For necessary expenses related to Consolidated Rail
21 Infrastructure and Safety Improvements grants, as au-
22 thorized by section 22907 of title 49, United States Code,
23 \$630,000,000, to remain available until expended: *Pro-*
24 *vided*, That of the amounts made available under this
25 heading in this Act—

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

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

13 (3) \$5,000,000 shall be for preconstruction
14 planning activities and capital costs related to the
15 deployment of magnetic levitation transportation
16 projects:

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

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

17 NORTHEAST CORRIDOR GRANTS TO THE NATIONAL
18 RAILROAD PASSENGER CORPORATION

19 To enable the Secretary of Transportation to make
20 grants to the National Railroad Passenger Corporation for
21 activities associated with the Northeast Corridor as au-
22 thorized by section 22101(a) of the Infrastructure Invest-
23 ment and Jobs Act (Public Law 117–58), \$882,000,000,
24 to remain available until expended: *Provided*, That the
25 Secretary may retain up to one-half of 1 percent of the

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

20 NATIONAL NETWORK GRANTS TO THE NATIONAL
21 RAILROAD PASSENGER CORPORATION

22 To enable the Secretary of Transportation to make
23 grants to the National Railroad Passenger Corporation for
24 activities associated with the National Network as author-
25 ized by section 22101(b) of the Infrastructure Investment

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

1 frequency of, suspend, or substantially alter the route of
2 rail service on any portion of such route operated in fiscal
3 year 2018, including implementation of service permitted
4 by section 24305(a)(3)(A) of title 49, United States Code,
5 in lieu of rail service.

6 ADMINISTRATIVE PROVISIONS—FEDERAL RAILROAD

7 ADMINISTRATION

8 (INCLUDING RESCISSION)

9 (INCLUDING TRANSFER OF FUNDS)

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

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

1 this section shall not apply to amounts that were pre-
2 viously designated by the Congress as an emergency re-
3 quirement pursuant to a concurrent resolution on the
4 budget or the Balanced Budget and Emergency Deficit
5 Control Act of 1985.

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

16 SEC. 153. Amounts transferred to a “Financial As-
17 sistance Oversight and Technical Assistance” account pur-
18 suant to section 802 of title VIII of the Infrastructure
19 Investment and Jobs Appropriations Act (division J of
20 Public Law 117–58), as amended by section 156 of this
21 title, from amounts appropriated for fiscal year 2023 may
22 also be used by the Federal Railroad Administration for
23 the Northeast Corridor Commission established under sec-
24 tion 24905 of title 49, United States Code, and for the
25 State-Supported Route Committee established under sec-

tion 24712(a) of title 49, United States Code, including to assist the Federal Railroad Administration with the delivery of projects carried out with amounts made available under the headings “Department of Transportation—Federal Railroad Administration—Northeast Corridor Grants to the National Railroad Passenger Corporation”, “Department of Transportation—Federal Railroad Administration—National Network Grants to the National Railroad Passenger Corporation”, and “Department of Transportation—Federal Railroad Administration—Federal-State Partnership for Intercity Passenger Rail Grants” in such title: *Provided*, That the Federal Railroad Administration shall notify the House and Senate Committees on Appropriations not less than 15 days prior to making any amounts available to the Northeast Corridor Commission or State-Supported Route Committee pursuant to this section: *Provided further*, That amounts repurposed by 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 as an emergency requirement pursuant to section 4001(a)(1) of S. Con. Res. 14 (117th Congress), the concurrent resolution on the budget for fiscal year 2022, and section 1(e)

1 of H. Res. 1151 (117th Congress) as engrossed in the
2 House of Representatives on June 8, 2022.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 TRANSIT INFRASTRUCTURE GRANTS

2 For an additional amount for buses and bus facilities
3 competitive grants under section 5339(b) of title 49,
4 United States Code, low or no emission grants under sec-
5 tion 5339(c) of such title, passenger ferry grants under
6 section 5307(h) of such title, bus testing facilities under
7 section 5318 of such title, Community Project Funding
8 for projects and activities eligible under chapter 53 of such
9 title, administrative expenses and ongoing program man-
10 agement oversight as authorized under sections 5334 and
11 5338(c)(2) of such title, ferry service for rural commu-
12 nities under section 71103 of the Infrastructure Invest-
13 ment and Jobs Act (Public Law 117–58), and competitive
14 integrated smart mobility grants, \$646,428,324, to re-
15 main available until expended: *Provided*, That of the
16 amounts made available under this heading in this Act—

17 (1) \$200,000,000 shall be for buses and bus fa-
18 cilities competitive grants as authorized under sec-
19 tion 5339(b) of such title;

20 (2) \$75,000,000 shall be for low or no emission
21 grants as authorized under section 5339(c) of such
22 title: *Provided*, That for amounts made available in
23 this paragraph, the minimum grant award shall be
24 not less than \$750,000;

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

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

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

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

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

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

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

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

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

15 TECHNICAL ASSISTANCE AND TRAINING

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

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

3 CAPITAL INVESTMENT GRANTS

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

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

15 GRANTS TO THE WASHINGTON METROPOLITAN AREA

16 TRANSIT AUTHORITY

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

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

6 ADMINISTRATIVE PROVISIONS—FEDERAL TRANSIT

7 ADMINISTRATION

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

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

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

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

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

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

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

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

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

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

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

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

5 GREAT LAKES ST. LAWRENCE SEAWAY DEVELOPMENT
6 CORPORATION

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

16 OPERATIONS AND MAINTENANCE
17 (HARBOR MAINTENANCE TRUST FUND)

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

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

10 MARITIME ADMINISTRATION

11 MARITIME SECURITY PROGRAM

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

17 CABLE SECURITY FLEET

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

21 TANKER SECURITY PROGRAM

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

1 OPERATIONS AND TRAINING

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

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

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

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

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

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

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

10 STATE MARITIME ACADEMY OPERATIONS

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

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

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

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

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

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

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

21 ASSISTANCE TO SMALL SHIPYARDS

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

1 SHIP DISPOSAL

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

6 MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM

7 ACCOUNT

8 (INCLUDING TRANSFER OF FUNDS)

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

13 PORT INFRASTRUCTURE DEVELOPMENT PROGRAM

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

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

15 ADMINISTRATIVE PROVISION—MARITIME

16 ADMINISTRATION

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

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

5 PIPELINE AND HAZARDOUS MATERIALS SAFETY

6 ADMINISTRATION

7 OPERATIONAL EXPENSES

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

12 HAZARDOUS MATERIALS SAFETY

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

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

4 PIPELINE SAFETY

5 (PIPELINE SAFETY FUND)

6 (OIL SPILL LIABILITY TRUST FUND)

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

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

1 EMERGENCY PREPAREDNESS GRANTS

2 (LIMITATION ON OBLIGATIONS)

3 (EMERGENCY PREPAREDNESS FUND)

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

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

4 OFFICE OF INSPECTOR GENERAL

5 SALARIES AND EXPENSES

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

16 GENERAL PROVISIONS—DEPARTMENT OF

17 TRANSPORTATION

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

19 ADMINISTRATIVE SUPPORT OFFICES

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

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

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

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

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

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

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

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

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

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

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

12 PROGRAM OFFICES

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

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

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

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

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

1 (5) \$105,800,000 shall be available for the Of-
2 fice of Fair Housing and Equal Opportunity; and

3 (6) \$11,300,000 shall be available for the Office
4 of Lead Hazard Control and Healthy Homes.

5 WORKING CAPITAL FUND

6 (INCLUDING TRANSFER OF FUNDS)

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

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

9 PUBLIC AND INDIAN HOUSING

10 TENANT-BASED RENTAL ASSISTANCE

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

23 (1) \$26,184,000,000 shall be available for re-
24 newals of expiring section 8 tenant-based annual
25 contributions contracts (including renewals of en-

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

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

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

1 held programmatic reserves (in accordance with
2 VMS data in calendar year 2022 that is verifiable
3 and complete), as determined by the Secretary: *Pro-*
4 *vided further*, That public housing agencies partici-
5 pating in the MTW demonstration shall also be sub-
6 ject to the offset, as determined by the Secretary,
7 excluding amounts subject to the single fund budget
8 authority provisions of their MTW agreements, from
9 the agencies' calendar year 2023 MTW funding allo-
10 cation: *Provided further*, That the Secretary shall
11 use any offset referred to in the preceding two pro-
12 visos throughout the calendar year to prevent the
13 termination of rental assistance for families as the
14 result of insufficient funding, as determined by the
15 Secretary, and to avoid or reduce the proration of
16 renewal funding allocations: *Provided further*, That
17 up to \$100,000,000 shall be available only: (1) for
18 adjustments in the allocations for public housing
19 agencies, after application for an adjustment by a
20 public housing agency that experienced a significant
21 increase, as determined by the Secretary, in renewal
22 costs of vouchers resulting from unforeseen cir-
23 cumstances or from portability under section 8(r) of
24 the Act; (2) for vouchers that were not in use during
25 the previous 12-month period in order to be avail-

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

1 months in the previous calendar year that were sub-
2 sequently paid by the public housing agency after
3 the agency's actual costs were validated; and (7) for
4 public housing agencies that have experienced in-
5 creased costs or loss of units in an area for which
6 the President declared a disaster under title IV of
7 the Robert T. Stafford Disaster Relief and Emer-
8 gency Assistance Act (42 U.S.C. 5170 et seq.);

9 (2) \$230,000,000 shall be for section 8 rental
10 assistance for relocation and replacement of housing
11 units that are demolished or disposed of pursuant to
12 section 18 of the Act, conversion of section 23
13 projects to assistance under section 8, the family
14 unification program under section 8(x) of the Act,
15 relocation of witnesses (including victims of violent
16 crimes) in connection with efforts to combat crime
17 in public and assisted housing pursuant to a request
18 from a law enforcement or prosecution agency, en-
19 hanced vouchers under any provision of law author-
20 izing such assistance under section 8(t) of the Act,
21 Choice Neighborhood vouchers, mandatory and vol-
22 untary conversions, and tenant protection assistance
23 including replacement and relocation assistance or
24 for project-based assistance to prevent the displace-
25 ment of unassisted elderly tenants currently residing

1 in section 202 properties financed between 1959 and
2 1974 that are refinanced pursuant to Public Law
3 106–569, as amended, or under the authority as
4 provided under this Act: *Provided*, That of the
5 amounts made available under this paragraph, up to
6 \$10,000,000 shall be available to provide public
7 housing agencies with enhanced vouchers for fami-
8 lies residing in State-assisted projects financed be-
9 tween 1970 and 1979 that were subject to a use
10 agreement under the Low-Income Housing Preserva-
11 tion and Resident Homeownership Act of 1990 (title
12 VI of Public Law 101–625; LIHPRHA) or the
13 Emergency Low Income Housing Preservation Act
14 of 1987 (title II of Public Law 100–242; ELIHPA)
15 on the date the affordability protections at such
16 projects expire or terminate during calendar years
17 2022 and 2023: *Provided further*, That that the
18 State housing finance agency shall submit the re-
19 quest to the Secretary for enhanced vouchers for
20 families residing in such eligible State-assisted
21 projects no later than the latter of 120 days prior
22 to the expiration or termination of affordability pro-
23 tections at such projects or 120 days after enact-
24 ment of this Act: *Provided further*, That such en-
25 hanced vouchers shall not be considered replacement

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

1 available under this paragraph, no less than
2 \$5,000,000 may be available to provide tenant pro-
3 tection assistance, not otherwise provided under this
4 paragraph, to residents residing in low vacancy
5 areas and who may have to pay rents greater than
6 30 percent of household income, as the result of: (A)
7 the maturity of a HUD-insured, HUD-held or sec-
8 tion 202 loan that requires the permission of the
9 Secretary prior to loan prepayment; (B) the expira-
10 tion of a rental assistance contract for which the
11 tenants are not eligible for enhanced voucher or ten-
12 ant protection assistance under existing law; or (C)
13 the expiration of affordability restrictions accom-
14 panying a mortgage or preservation program admin-
15 istered by the Secretary: *Provided further*, That such
16 tenant protection assistance made available under
17 the preceding proviso may be provided under the au-
18 thority of section 8(t) or section 8(o)(13) of the
19 United States Housing Act of 1937 (42 U.S.C.
20 1437f(t)): *Provided further*, That the Secretary shall
21 issue guidance to implement the previous two pro-
22 visos, including, but not limited to, requirements for
23 defining eligible at-risk households not later than 60
24 days after the date of enactment of this Act: *Pro-*
25 *vided further*, That any tenant protection voucher

1 made available from amounts under this paragraph
2 shall not be reissued by any public housing agency,
3 except the replacement vouchers as defined by the
4 Secretary by notice, when the initial family that re-
5 ceived any such voucher no longer receives such
6 voucher, and the authority for any public housing
7 agency to issue any such voucher shall cease to exist:
8 *Provided further*, That the Secretary may only pro-
9 vide replacement vouchers for units that were occu-
10 pied within the previous 24 months that cease to be
11 available as assisted housing, subject only to the
12 availability of funds;

13 (3) \$2,756,932,000 shall be for administrative
14 and other expenses of public housing agencies in ad-
15 ministering the section 8 tenant-based rental assist-
16 ance program, of which up to \$10,000,000 shall be
17 available to the Secretary to allocate to public hous-
18 ing agencies that need additional funds to admin-
19 ister their section 8 programs, including fees associ-
20 ated with section 8 tenant protection rental assist-
21 ance, the administration of disaster related vouchers,
22 HUD-VASH vouchers, and other special purpose in-
23 cremental vouchers: *Provided*, That no less than
24 \$2,746,932,000 of the amount provided in this para-
25 graph shall be allocated to public housing agencies

1 for the calendar year 2023 funding cycle based on
2 section 8(q) of the Act (and related Appropriation
3 Act provisions) as in effect immediately before the
4 enactment of the Quality Housing and Work Re-
5 sponsibility Act of 1998 (Public Law 105–276): *Pro-*
6 *vided further*, That if the amounts made available
7 under this paragraph are insufficient to pay the
8 amounts determined under the preceding proviso,
9 the Secretary may decrease the amounts allocated to
10 agencies by a uniform percentage applicable to all
11 agencies receiving funding under this paragraph or
12 may, to the extent necessary to provide full payment
13 of amounts determined under the preceding proviso,
14 utilize unobligated balances, including recaptures
15 and carryover, remaining from funds appropriated to
16 the Department of Housing and Urban Development
17 under this heading from prior fiscal years, excluding
18 special purpose vouchers, notwithstanding the pur-
19 poses for which such amounts were appropriated:
20 *Provided further*, That all public housing agencies
21 participating in the MTW demonstration shall be
22 funded in accordance with the requirements of the
23 MTW demonstration program or their MTW agree-
24 ments, if any, and shall be subject to the same uni-
25 form percentage decrease as under the preceding

1 proviso: *Provided further*, That amounts provided
2 under this paragraph shall be only for activities re-
3 lated to the provision of tenant-based rental assist-
4 ance authorized under section 8, including related
5 development activities;

6 (4) \$667,000,000 for the renewal of tenant-
7 based assistance contracts under section 811 of the
8 Cranston-Gonzalez National Affordable Housing Act
9 (42 U.S.C. 8013), including necessary administra-
10 tive expenses: *Provided*, That administrative and
11 other expenses of public housing agencies in admin-
12 istering the special purpose vouchers in this para-
13 graph shall be funded under the same terms and be
14 subject to the same pro rata reduction as the per-
15 cent decrease for administrative and other expenses
16 to public housing agencies under paragraph (3) of
17 this heading: *Provided further*, That up to
18 \$10,000,000 shall be available only (1) for adjust-
19 ments in the allocation for public housing agencies,
20 after applications for an adjustment by a public
21 housing agency that experienced a significant in-
22 crease, as determined by the Secretary, in Main-
23 stream renewal costs resulting from unforeseen cir-
24 cumstances, and (2) for public housing agencies that
25 despite taking reasonable cost savings measures, as

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

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

18 (5) Of the amounts provided under paragraph
19 (1) up to \$5,000,000 shall be for rental assistance
20 and associated administrative fees for Tribal HUD-
21 VASH to serve Native American veterans that are
22 homeless or at-risk of homelessness living on or near
23 a reservation or other Indian areas: *Provided*, That
24 such amount shall be made available for renewal
25 grants to recipients that received assistance under

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

1 awards under the Tribal HUD–VASH program
2 under prior Acts to existing recipients under the
3 Tribal HUD–VASH program;

4 (6) \$50,000,000 for incremental rental voucher
5 assistance for use through a supported housing pro-
6 gram administered in conjunction with the Depart-
7 ment of Veterans Affairs as authorized under section
8 8(o)(19) of the United States Housing Act of 1937:
9 *Provided*, That the Secretary of Housing and Urban
10 Development shall make such funding available, not-
11 withstanding section 203 (competition provision) of
12 this title, to public housing agencies that partner
13 with eligible VA Medical Centers or other entities as
14 designated by the Secretary of the Department of
15 Veterans Affairs, based on geographical need for
16 such assistance as identified by the Secretary of the
17 Department of Veterans Affairs, public housing
18 agency administrative performance, and other fac-
19 tors as specified by the Secretary of Housing and
20 Urban Development in consultation with the Sec-
21 retary of the Department of Veterans Affairs: *Pro-*
22 *vided further*, That of the amounts made available
23 under this paragraph, up to \$5,000,000 may be allo-
24 cated to public housing agencies administering tem-
25 porary case management and supportive services to

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

20 (7) \$30,000,000 shall be made available for the
21 family unification program as authorized under sec-
22 tion 8(x) of the Act: *Provided*, That the amounts
23 made available under this paragraph are provided as
24 follows:

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

6 (B) \$25,000,000 shall be for new incre-
7 mental voucher assistance to assist eligible
8 youth as defined by such section 8(x)(2)(B):
9 *Provided*, That assistance made available under
10 this subparagraph shall continue to remain
11 available for such eligible youth upon turnover:
12 *Provided further*, That of the total amount
13 made available under this subparagraph, up to
14 \$15,000,000 shall be available on a noncompeti-
15 tive basis to public housing agencies that part-
16 ner with public child welfare agencies to iden-
17 tify such eligible youth, that request such as-
18 sistance to timely assist such eligible youth, and
19 that meet any other criteria as specified by the
20 Secretary: *Provided further*, That the Secretary
21 shall review utilization of the assistance made
22 available under the preceding proviso, at an in-
23 terval to be determined by the Secretary, and
24 unutilized voucher assistance that is no longer

1 needed shall be recaptured by the Secretary and
2 reallocated pursuant to the preceding proviso:

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

15 (8) \$1,100,000,000 shall be made available for
16 new incremental voucher assistance under section
17 8(o) of the United States Housing Act of 1937 to
18 be allocated pursuant to a method, as determined by
19 the Secretary, which may include a formula that
20 may include such factors as severe cost burden, over-
21 crowding, substandard housing for very low-income
22 renters, homelessness, and administrative capacity,
23 where such allocation method shall include both
24 rural and urban areas: *Provided*, That the Secretary
25 may specify additional terms and conditions to en-

1 sure that public housing agencies provide vouchers
2 for use by survivors of domestic violence, or individ-
3 uals and families who are homeless, as defined in
4 section 103(a) of the McKinney-Vento Homeless As-
5 sistance Act (42 U.S.C. 11302(a)), or at risk of
6 homelessness, as defined in section 401(1) of such
7 Act (42 U.S.C. 11360(1));

8 (9) \$25,000,000 shall be for mobility-related
9 services, as defined by the Secretary, for voucher
10 families with children modeled after services pro-
11 vided in connection with the mobility demonstration
12 authorized under section 235 of division G of the
13 Consolidated Appropriations Act, 2019 (42 U.S.C.
14 1437f note; Public Law 116–6): *Provided*, That the
15 Secretary shall make funding available to public
16 housing agencies on a competitive basis and shall
17 give preference to public housing agencies with high-
18 er concentrations of housing choice voucher families
19 with children residing in high-poverty neighborhoods:
20 *Provided further*, That the Secretary may recapture
21 from the public housing agencies unused balances
22 based on utilization of such awards and reallocate
23 such amounts to any other public housing agency or
24 agencies based on need for such mobility-related
25 services as identified under such competition; and

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

19 HOUSING CERTIFICATE FUND

20 (INCLUDING RESCISSIONS)

21 Unobligated balances, including recaptures and car-
22 ryover, remaining from funds appropriated to the Depart-
23 ment of Housing and Urban Development under this
24 heading, the heading “Annual Contributions for Assisted
25 Housing” and the heading “Project-Based Rental Assist-

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

16 PUBLIC HOUSING FUND

17 For 2023 payments to public housing agencies for the
18 operation and management of public housing, as author-
19 ized by section 9(e) of the United States Housing Act of
20 1937 (42 U.S.C. 1437g(e)) (the “Act”), and to carry out
21 capital and management activities for public housing
22 agencies, as authorized under section 9(d) of the Act (42
23 U.S.C. 1437g(d)), \$8,733,500,000, to remain available
24 until September 30, 2026: *Provided*, That the amounts
25 made available under this heading are provided as follows:

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

12 (2) \$25,000,000 shall be available to the Sec-
13 retary to allocate pursuant to a need-based applica-
14 tion process notwithstanding section 203 of this title
15 and not subject to such Operating Fund formula to
16 public housing agencies that experience, or are at
17 risk of, financial shortfalls, as determined by the
18 Secretary: *Provided*, That after all such shortfall
19 needs are met, the Secretary may distribute any re-
20 maining funds to all public housing agencies on a
21 pro-rata basis pursuant to such Operating Fund for-
22 mula;

23 (3) \$3,400,000,000 shall be available to the
24 Secretary to allocate pursuant to the Capital Fund
25 formula at section 905.400 of title 24, Code of Fed-

1 eral Regulations: *Provided*, That for funds provided
2 under this paragraph, the limitation in section
3 9(g)(1) of the Act shall be 25 percent: *Provided fur-*
4 *ther*, That the Secretary may waive the limitation in
5 the preceding proviso to allow public housing agen-
6 cies to fund activities authorized under section
7 9(e)(1)(C) of the Act: *Provided further*, That the
8 Secretary shall notify public housing agencies re-
9 questing waivers under the preceding proviso if the
10 request is approved or denied within 14 days of sub-
11 mitting the request: *Provided further*, That from the
12 funds made available under this paragraph, the Sec-
13 retary shall provide bonus awards in fiscal year
14 2023 to public housing agencies that are designated
15 high performers: *Provided further*, That the Depart-
16 ment shall notify public housing agencies of their
17 formula allocation within 60 days of enactment of
18 this Act;

19 (4) \$65,000,000 shall be available for the Sec-
20 retary to make grants, notwithstanding section 203
21 of this title, to public housing agencies for emer-
22 gency capital needs, including safety and security
23 measures necessary to address crime and drug-re-
24 lated activity, as well as needs resulting from unfore-
25 seen or unpreventable emergencies and natural dis-

1 asters excluding Presidentially declared emergencies
2 and natural disasters under the Robert T. Stafford
3 Disaster Relief and Emergency Act (42 U.S.C. 5121
4 et seq.) occurring in fiscal year 2023, of which
5 \$45,000,000 shall be available for public housing
6 agencies under administrative and judicial receiver-
7 ships or under the control of a Federal monitor:
8 *Provided*, That of the amount made available under
9 this paragraph, not less than \$10,000,000 shall be
10 for safety and security measures: *Provided further*,
11 That in addition to the amount in the preceding pro-
12 viso for such safety and security measures, any
13 amounts that remain available, after all applications
14 received on or before September 30, 2024, for emer-
15 gency capital needs have been processed, shall be al-
16 located to public housing agencies for such safety
17 and security measures;

18 (5) \$65,000,000 shall be for competitive grants
19 to public housing agencies to evaluate and reduce
20 residential health hazards in public housing, includ-
21 ing lead-based paint (by carrying out the activities
22 of risk assessments, abatement, and interim con-
23 trols, as those terms are defined in section 1004 of
24 the Residential Lead-Based Paint Hazard Reduction
25 Act of 1992 (42 U.S.C. 4851b)), carbon monoxide,

1 mold, radon, and fire safety: *Provided*, That not less
2 than \$25,000,000 of the amounts provided under
3 this paragraph shall be awarded for evaluating and
4 reducing lead-based paint hazards: *Provided further*,
5 That for purposes of environmental review, a grant
6 under this paragraph shall be considered funds for
7 projects or activities under title I of the United
8 States Housing Act of 1937 (42 U.S.C. 1437 et
9 seq.) for purposes of section 26 of such Act (42
10 U.S.C. 1437x) and shall be subject to the regula-
11 tions implementing such section: *Provided further*,
12 That amounts made available under this paragraph
13 shall be combined with amounts made available
14 under the sixth paragraph under this heading in the
15 Consolidated Appropriations Act, 2021 (Public Law
16 116–260) and shall be used in accordance with the
17 purposes and requirements under this paragraph:
18 *Provided further*, That amounts made available
19 under this paragraph may be used for competitive
20 grants to public housing agencies that improve water
21 and energy efficiency, or reduce the risk of harm to
22 occupants or property from natural hazards;
23 (6) \$15,000,000 shall be to support the costs of
24 administrative and judicial receiverships and for
25 competitive grants to PHAs in receivership, des-

1 ignated troubled or substandard, or otherwise at
2 risk, as determined by the Secretary, for costs asso-
3 ciated with public housing asset improvement, in ad-
4 dition to other amounts for that purpose provided
5 under any heading under this title;

6 (7) \$50,000,000 shall be to support ongoing
7 public housing financial and physical assessment ac-
8 tivities;

9 (8) \$75,000,000 shall be available to improve
10 the energy or water efficiency or climate resilience of
11 public housing, including for competitive grants to
12 public housing agencies for capital improvements to
13 achieve such purposes: *Provided*, That of the
14 amounts made available under this paragraph, up to
15 \$20,000,000, shall be available for utility
16 benchmarking, including research and evaluations,
17 technical assistance, to develop systems and tools
18 necessary to collect and analyze PHA utility
19 benchmarking data, to remain available until Sep-
20 tember 30, 2026: *Provided further*, That for pur-
21 poses of environmental review, grants under this
22 paragraph shall be considered funds for projects or
23 activities under title I of the United States Housing
24 Act of 1937 (42 U.S.C. 1437 et seq.) for purposes
25 of section 26 of such Act (42 U.S.C. 1437x) and

1 shall be subject to the regulations implementing
2 such section:

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

15 CHOICE NEIGHBORHOODS INITIATIVE

16 For competitive grants under the Choice Neighbor-
17 hoods Initiative (subject to section 24 of the United States
18 Housing Act of 1937 (42 U.S.C. 1437v) unless otherwise
19 specified under this heading), for transformation, rehabili-
20 tation, and replacement housing needs of public and
21 HUD-assisted housing and to transform neighborhoods of
22 poverty into functioning, sustainable, mixed-income neigh-
23 borhoods with appropriate services, schools, public assets,
24 transportation, and access to jobs, \$450,000,000, to re-
25 main available until September 30, 2027: *Provided*, That

1 grant funds may be used for resident and community serv-
2 ices, community development, and affordable housing
3 needs in the community, and for conversion of vacant or
4 foreclosed properties to affordable housing: *Provided fur-*
5 *ther*, That not more than 20 percent of the amount of any
6 grant made with amounts made available under this head-
7 ing may be used for necessary supportive services notwith-
8 standing subsection (d)(1)(L) of such section 24: *Provided*
9 *further*, That the use of amounts made available under
10 this heading shall not be deemed to be for public housing,
11 notwithstanding section 3(b)(1) of such Act: *Provided fur-*
12 *ther*, That grantees shall commit to an additional period
13 of affordability determined by the Secretary of not fewer
14 than 20 years: *Provided further*, That the Secretary may
15 specify a period of affordability that is less than 20 years
16 with respect to owner-occupied homeownership units de-
17 veloped with grants from amounts made available under
18 this heading: *Provided further*, That grantees shall provide
19 a match in State, local, other Federal, or private funds:
20 *Provided further*, That grantees may include local govern-
21 ments, Tribal entities, public housing agencies, and non-
22 profit organizations: *Provided further*, That for-profit de-
23 velopers may apply jointly with a public entity: *Provided*
24 *further*, That for purposes of environmental review, a
25 grantee shall be treated as a public housing agency under

1 section 26 of the United States Housing Act of 1937 (42
2 U.S.C. 1437x), and grants made with amounts available
3 under this heading shall be subject to the regulations
4 issued by the Secretary to implement such section: *Pro-*
5 *vided further*, That of the amounts made available under
6 this heading, not less than \$225,000,000 shall be awarded
7 to public housing agencies: *Provided further*, That such
8 grantees shall create partnerships with other local organi-
9 zations, including assisted housing owners, service agen-
10 cies, and resident organizations: *Provided further*, That
11 the Secretary shall consult with the Secretaries of Edu-
12 cation, Labor, Transportation, Health and Human Serv-
13 ices, Agriculture, and Commerce, the Attorney General,
14 and the Administrator of the Environmental Protection
15 Agency to coordinate and leverage other appropriate Fed-
16 eral resources: *Provided further*, That not more than
17 \$10,000,000 of the amounts made available under this
18 heading may be provided as grants to undertake com-
19 prehensive local planning with input from residents and
20 the community: *Provided further*, That unobligated bal-
21 ances, including recaptures, remaining from amounts
22 made available under the heading “Revitalization of Se-
23 verely Distressed Public Housing (HOPE VI)” in fiscal
24 year 2011 and prior fiscal years may be used for purposes
25 under this heading, notwithstanding the purposes for

1 which such amounts were appropriated: *Provided further*,
2 That the Secretary shall make grant awards not later than
3 1 year after the date of enactment of this Act in such
4 amounts that the Secretary determines: *Provided further*,
5 That notwithstanding section 24(o) of the United States
6 Housing Act of 1937 (42 U.S.C. 1437v(o)), the Secretary
7 may, until September 30, 2023, obligate any available un-
8 obligated balances made available under this heading in
9 this or any prior Act.

10 SELF-SUFFICIENCY PROGRAMS

11 For activities and assistance related to Self-Suffi-
12 ciency Programs, to remain available until September 30,
13 2026, \$175,000,000: *Provided*, That the amounts made
14 available under this heading are provided as follows:

15 (1) \$125,000,000 shall be for the Family Self-
16 Sufficiency program to support family self-suffi-
17 ciency coordinators under section 23 of the United
18 States Housing Act of 1937 (42 U.S.C. 1437u), to
19 promote the development of local strategies to co-
20 ordinate the use of assistance under sections 8 and
21 9 of such Act with public and private resources, and
22 enable eligible families to achieve economic inde-
23 pendence and self-sufficiency: *Provided*, That the
24 Secretary may, by Federal Register notice, waive or
25 specify alternative requirements under subsections

1 (b)(3), (b)(4), (b)(5), or (c)(1) of section 23 of such
2 Act in order to facilitate the operation of a unified
3 self-sufficiency program for individuals receiving as-
4 sistance under different provisions of such Act, as
5 determined by the Secretary: *Provided further*, That
6 an owner or sponsor of a multifamily property re-
7 ceiving project-based rental assistance under section
8 8 of such Act shall be eligible to receive awards from
9 the Secretary under this paragraph in this and prior
10 Acts to support family self-sufficiency coordinators
11 as established in the final rule “Streamlining and
12 Implementation of Economic Growth, Regulatory
13 Relief, and Consumer Protection Act Changes to
14 Family Self-Sufficiency (FSS) Program” published
15 in the Federal Register on May 17, 2022 (87 Fed.
16 Reg. 30020): *Provided further*, That owners or spon-
17 sors of a multifamily property receiving project-
18 based rental assistance under section 8 of such Act
19 may voluntarily make a Family Self-Sufficiency pro-
20 gram available to the assisted tenants of such prop-
21 erty in accordance with procedures established by
22 the Secretary: *Provided further*, That such proce-
23 dures established pursuant to the preceding proviso
24 shall permit participating tenants to accrue escrow
25 funds in accordance with section 23(d)(2) of such

1 Act and shall allow owners to use funding from re-
2 sidual receipt accounts to hire coordinators for their
3 own Family Self-Sufficiency program;

4 (2) \$35,000,000 shall be for the Resident Op-
5 portunity and Self-Sufficiency program to provide
6 for supportive services, service coordinators, and
7 congregate services as authorized by section 34 of
8 the United States Housing Act of 1937 (42 U.S.C.
9 1437z-6) and the Native American Housing Assist-
10 ance and Self-Determination Act of 1996 (25 U.S.C.
11 4101 et seq.): *Provided*, That amounts made avail-
12 able under this paragraph may be made available for
13 grant renewal for the Resident Opportunity and
14 Self-Sufficiency program for any public housing
15 agency or owner of a multifamily property receiving
16 project-based rental assistance under section 8 of
17 the United States Housing Act of 1937 (42 U.S.C.
18 1437f) that lost any amount of funding for the Resi-
19 dent Opportunity and Self-Sufficiency program as a
20 result of participation in the program created under
21 the heading “Rental Assistance Demonstration” in
22 the Department of Housing and Urban Development
23 Appropriations Act, 2012 (Public Law 112-55), as
24 amended (42 U.S.C. 1437f note); and

1 (3) \$15,000,000 shall be for a Jobs-Plus initia-
2 tive, modeled after the Jobs-Plus demonstration:
3 *Provided*, That funding provided under this para-
4 graph shall be available for competitive grants to
5 partnerships between public housing authorities or
6 owners or sponsors of multifamily properties receiv-
7 ing project-based rental assistance under section 8,
8 that, in partnership with local workforce investment
9 boards established under section 107 of the Work-
10 force Innovation and Opportunity Act of 2014 (29
11 U.S.C. 3122), and other agencies and organizations
12 provide support to help public housing residents, or
13 tenants residing in units assisted under a project-
14 based section 8 contract (including section 8(o)(13)
15 of the United States Housing Act of 1937), obtain
16 employment or increase earnings, or both: *Provided*
17 *further*, That applicants must demonstrate the abil-
18 ity to provide services to residents, partner with
19 workforce investment boards, and leverage service
20 dollars: *Provided further*, That the Secretary may
21 allow public housing agencies to request exemptions
22 from rent and income limitation requirements under
23 sections 3 and 6 of the United States Housing Act
24 of 1937 (42 U.S.C. 1437a, 1437d), as necessary to
25 implement the Jobs-Plus program, on such terms

1 and conditions as the Secretary may approve upon
2 a finding by the Secretary that any such waivers or
3 alternative requirements are necessary for the effective
4 implementation of the Jobs-Plus initiative as a
5 voluntary program for residents: *Provided further*,
6 That the Secretary shall publish by notice in the
7 Federal Register any waivers or alternative requirements
8 pursuant to the preceding proviso no later
9 than 10 days before the effective date of such notice:
10 *Provided further*, That the costs of any rent incentives
11 as authorized pursuant to such waivers or alternative
12 requirements shall not be charged against
13 the competitive grant amounts made available under
14 this paragraph.

15 NATIVE AMERICAN PROGRAMS

16 For activities and assistance authorized under title
17 I of the Native American Housing Assistance and Self-
18 Determination Act of 1996 (in this heading
19 “NAHASDA”) (25 U.S.C. 4111 et seq.), title I of the
20 Housing and Community Development Act of 1974 (42
21 U.S.C. 5301 et seq.) with respect to Indian tribes, and
22 related training and technical assistance, \$1,000,000,000,
23 to remain available until September 30, 2027: *Provided*,
24 That the amounts made available under this heading are
25 provided as follows:

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

16 (2) \$150,000,000 shall be for competitive
17 grants under the Native American Housing Block
18 Grants program, as authorized under title I of
19 NAHASDA: *Provided*, That the Secretary shall obli-
20 gate such amount for competitive grants to eligible
21 recipients authorized under NAHASDA that apply
22 for funds: *Provided further*, That in awarding
23 amounts made available in this paragraph, the Sec-
24 retary shall consider need and administrative capac-
25 ity, and shall give priority to projects that will spur

1 construction and rehabilitation of housing: *Provided*
2 *further*, That a grant funded pursuant to this para-
3 graph shall be in an amount not greater than
4 \$7,500,000: *Provided further*, That any amounts
5 transferred for the necessary costs of administering
6 and overseeing the obligation and expenditure of
7 such amounts in prior Acts may also be used for the
8 necessary costs of administering and overseeing such
9 amounts;

10 (3) \$1,000,000 shall be for the cost of guaran-
11 teed notes and other obligations, as authorized by
12 title VI of NAHASDA: *Provided*, That such costs,
13 including the cost of modifying such notes and other
14 obligations, shall be as defined in section 502 of the
15 Congressional Budget Act of 1974 (2 U.S.C. 661a):
16 *Provided further*, That amounts made available in
17 this and prior Acts for the cost of such guaranteed
18 notes and other obligations, that are unobligated, in-
19 cluding recaptures and carryover, shall be available
20 to subsidize the total principal amount of any notes
21 and other obligations, any part of which is to be
22 guaranteed, not to exceed \$50,000,000, to remain
23 available until September 30, 2024;

24 (4) \$70,000,000 shall be for grants to Indian
25 tribes for carrying out the Indian Community Devel-

1 opment Block Grant program under title I of the
2 Housing and Community Development Act of 1974,
3 notwithstanding section 106(a)(1) of such Act, of
4 which, notwithstanding any other provision of law
5 (including section 203 of this Act), not more than
6 \$5,000,000 may be used for emergencies that con-
7 stitute imminent threats to health and safety: *Pro-*
8 *vided*, That not to exceed 20 percent of any grant
9 made with amounts made available in this para-
10 graph shall be expended for planning and manage-
11 ment development and administration; and

12 (5) \$7,000,000, in addition to amounts other-
13 wise available for such purposes, shall be for pro-
14 viding training and technical assistance to Indian
15 tribes, Indian housing authorities, and tribally des-
16 ignated housing entities, to support the inspection of
17 Indian housing units, for contract expertise, and for
18 training and technical assistance related to amounts
19 made available under this heading and other head-
20 ings in this Act for the needs of Native American
21 families and Indian country: *Provided*, That of the
22 amounts made available in this paragraph, not less
23 than \$2,000,000 shall be for a national organization
24 as authorized under section 703 of NAHASDA (25
25 U.S.C. 4212): *Provided further*, That amounts made

1 available in this paragraph may be used, contracted,
2 or competed as determined by the Secretary: *Pro-*
3 *vided further*, That notwithstanding chapter 63 of
4 title 31, United States Code (commonly known as
5 the Federal Grant and Cooperative Agreements Act
6 of 1977), the amounts made available in this para-
7 graph may be used by the Secretary to enter into co-
8 operative agreements with public and private organi-
9 zations, agencies, institutions, and other technical
10 assistance providers to support the administration of
11 negotiated rulemaking under section 106 of
12 NAHASDA (25 U.S.C. 4116), the administration of
13 the allocation formula under section 302 of
14 NAHASDA (25 U.S.C. 4152), and the administra-
15 tion of performance tracking and reporting under
16 section 407 of NAHASDA (25 U.S.C. 4167).

17 INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM
18 ACCOUNT

19 For the cost of guaranteed loans, as authorized by
20 section 184 of the Housing and Community Development
21 Act of 1992 (12 U.S.C. 1715z-13a), \$5,521,000, to re-
22 main available until expended: *Provided*, That such costs,
23 including the costs of modifying such loans, shall be as
24 defined in section 502 of the Congressional Budget Act
25 of 1974 (2 U.S.C. 661a): *Provided further*, That amounts

1 made available in this and prior Acts for the cost of guar-
2 anteed loans, as authorized by section 184 of the Housing
3 and Community Development Act of 1992 (12 U.S.C.
4 1715z–13a), that are unobligated, including recaptures
5 and carryover, shall be available to subsidize total loan
6 principal, any part of which is to be guaranteed, not to
7 exceed \$1,400,000,000, to remain available until Sep-
8 tember 30, 2024.

9 NATIVE HAWAIIAN HOUSING BLOCK GRANT

10 For the Native Hawaiian Housing Block Grant pro-
11 gram, as authorized under title VIII of the Native Amer-
12 ican Housing Assistance and Self-Determination Act of
13 1996 (25 U.S.C. 4221 et seq.), \$10,000,000, to remain
14 available until September 30, 2027: *Provided*, That not-
15 withstanding section 812(b) of such Act, the Department
16 of Hawaiian Home Lands may not invest grant amounts
17 made available under this heading in investment securities
18 and other obligations: *Provided further*, That amounts
19 made available under this heading in this and prior fiscal
20 years may be used to provide rental assistance to eligible
21 Native Hawaiian families both on and off the Hawaiian
22 Home Lands, notwithstanding any other provision of law.

1 NATIVE HAWAIIAN HOUSING LOAN GUARANTEE FUND

2 PROGRAM ACCOUNT

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

10 COMMUNITY PLANNING AND DEVELOPMENT

11 HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

For carrying out the Housing Opportunities for Persons with AIDS program, as authorized by the AIDS Housing Opportunity Act (42 U.S.C. 12901 et seq.), \$600,000,000, to remain available until September 30, 2024, except that amounts allocated pursuant to section 854(c)(5) of such Act shall remain available until September 30, 2025: *Provided*, That the Department shall notify grantees of their formula allocation within 60 days of enactment of this Act.

21 COMMUNITY DEVELOPMENT FUND

For assistance to States and units of general local government, and other entities, for economic and community development activities, and other purposes, \$5,299,157,664, to remain available until September 30,

1 2026, unless otherwise specified: *Provided*, That of the
2 total amount provided under this heading, \$3,300,000,000
3 is for carrying out the community development block grant
4 program under title I of the Housing and Community De-
5 velopment Act of 1974, as amended (42 U.S.C. 5301 et
6 seq.) (in this heading “the Act”): *Provided further*, That
7 unless explicitly provided for under this heading, not to
8 exceed 20 percent of any grant made with funds made
9 available under this heading shall be expended for plan-
10 ning and management development and administration:
11 *Provided further*, That a metropolitan city, urban county,
12 unit of general local government, or insular area that di-
13 rectly or indirectly receives funds under this heading may
14 not sell, trade, or otherwise transfer all or any portion of
15 such funds to another such entity in exchange for any
16 other funds, credits, or non-Federal considerations, but
17 shall use such funds for activities eligible under title I of
18 the Act: *Provided further*, That notwithstanding section
19 105(e)(1) of the Act, no funds made available under this
20 heading may be provided to a for-profit entity for an eco-
21 nomic development project under section 105(a)(17) un-
22 less such project has been evaluated and selected in ac-
23 cordance with guidelines required under subsection (e)(2)
24 of section 105: *Provided further*, That of the total amount
25 provided under this heading, \$25,000,000 shall be for ac-

1 tivities authorized under section 8071 of the SUPPORT
2 for Patients and Communities Act (Public Law 115–271):
3 *Provided further*, That the funds allocated pursuant to the
4 preceding proviso shall not adversely affect the amount of
5 any formula assistance received by a State under the first
6 proviso: *Provided further*, That the Secretary shall allocate
7 the funds for such activities based on the notice estab-
8 lishing the funding formula published in 84 FR 16027
9 (April 17, 2019) except that the formula shall use age-
10 adjusted rates of drug overdose deaths for 2019 based on
11 data from the Centers for Disease Control and Prevention:
12 *Provided further*, That of the total amount made available
13 under this heading, \$1,974,157,664 shall be available for
14 grants for the Economic Development Initiative (EDI) for
15 the purposes, and in amounts, specified for Community
16 Project Funding in the table titled “Transportation,
17 Housing and Urban Development Incorporation of Com-
18 munity Project Funding Items” included in the report ac-
19 companying this Act: *Provided further*, That none of the
20 amounts made available in the preceding proviso shall be
21 used for reimbursement of expenses incurred prior to the
22 obligation of funds: *Provided further*, That the Depart-
23 ment of Housing and Urban Development shall notify
24 grantees of their formula allocation within 60 days of en-
25 actment of this Act: *Provided further*, That for fiscal year

1 2023 section 105(a)(8) of the Act (42 U.S.C. 5305(a)(8))
2 and section 570.201(e) of title 24, Code of Federal Regu-
3 lations, shall not apply for public services activities to pre-
4 vent, prepare for, and respond to homelessness and emer-
5 gency rental assistance needs.

6 COMMUNITY DEVELOPMENT LOAN GUARANTEES

7 PROGRAM ACCOUNT

8 Subject to section 502 of the Congressional Budget
9 Act of 1974 (2 U.S.C. 661a), during fiscal year 2023,
10 commitments to guarantee loans under section 108 of the
11 Housing and Community Development Act of 1974 (42
12 U.S.C. 5308), any part of which is guaranteed, shall not
13 exceed a total principal amount of \$300,000,000, notwith-
14 standing any aggregate limitation on outstanding obliga-
15 tions guaranteed in subsection (k) of such section 108:
16 *Provided*, That the Secretary shall collect fees from bor-
17 rowers, notwithstanding subsection (m) of such section
18 108, to result in a credit subsidy cost of zero for guaran-
19 teeing such loans, and any such fees shall be collected in
20 accordance with section 502(7) of the Congressional
21 Budget Act of 1974: *Provided further*, That such commit-
22 ment authority funded by fees may be used to guarantee,
23 or make commitments to guarantee, notes or other obliga-
24 tions issued by any State on behalf of non-entitlement
25 communities in the State in accordance with the require-

1 ments of such section 108: *Provided further*, That any
2 State receiving such a guarantee or commitment under the
3 preceding proviso shall distribute all funds subject to such
4 guarantee to the units of general local government in non-
5 entitlement areas that received the commitment: *Provided*
6 *further*, That \$60,000,000, to remain available until Sep-
7 tember 30, 2025, shall be for competitive economic devel-
8 opment grants, as authorized by section 108(q) of the
9 Housing and Community Development Act of 1974, as
10 amended, for projects that improve community resilience
11 by supporting distributed clean energy plus storage, flood-
12 control infrastructure, or redevelopment of brownfields or
13 grayfields, such as foreclosed, vacant, contaminated, aban-
14 doned, or blighted properties, obsolete manufactured hous-
15 ing, vacant shopping malls, landfills, or otherwise under-
16 utilized commercial or industrial properties: *Provided fur-*
17 *ther*, That no funds made available under this heading
18 may be used to establish loan loss reserves for the section
19 108 Community Development Loan Guarantee program:
20 *Provided further*, That amounts made available under this
21 heading may be used for the payment of costs associated
22 with private sector financing of debt obligations and fees
23 collected in connection with the section 108 Community
24 Development Loan Guarantee program.

1 HOME INVESTMENT PARTNERSHIPS PROGRAM

2 For the HOME Investment Partnerships program, as
3 authorized under title II of the Cranston-Gonzalez Na-
4 tional Affordable Housing Act, as amended (42 U.S.C.
5 12721 et seq.), \$1,675,000,000, to remain available until
6 September 30, 2026: *Provided*, That of the amount made
7 available under this heading, up to \$50,000,000 shall be
8 for awards to States and insular areas for assistance to
9 homebuyers as authorized under section 212(a)(1) of such
10 Act (42 U.S.C. 12742(a)(1)), in addition to amounts made
11 otherwise available for such purpose: *Provided further*,
12 That amounts made available under the preceding proviso
13 shall be allocated in the same manner as other amounts
14 made available under this heading, except that amounts
15 that would have been reserved and allocated to units of
16 general local government within the State pursuant to sec-
17 tion 217 of such Act (42 U.S.C. 12747) shall be provided
18 to the State: *Provided further*, That the Secretary may
19 waive or specify alternative requirements for any provision
20 of such Act in connection with the use of amounts made
21 available under the preceding two provisos (except for re-
22 quirements related to fair housing, nondiscrimination,
23 labor standards, and the environment) upon a finding that
24 any such waivers or alternative requirements are nec-
25 essary to expedite or facilitate the use of amounts awarded

1 pursuant to the preceding provisos: *Provided further*, That
2 notwithstanding section 231(b) of such Act (24 U.S.C.
3 12771(b)), all unobligated balances remaining from
4 amounts recaptured pursuant to such section that remain
5 available until expended shall be combined with amounts
6 made available under this heading and allocated in accord-
7 ance with the formula under section 217(b)(1)(A) of such
8 Act (42 U.S.C. 12747(b)(1)(A)): *Provided further*, That
9 the Department shall notify grantees of their formula allo-
10 cations not later than 60 days after enactment of this Act:
11 *Provided further*, That section 218(g) of such Act (42
12 U.S.C. 12748(g)) shall not apply with respect to the right
13 of a jurisdiction to draw funds from its HOME Investment
14 Trust Fund that otherwise expired or would expire in any
15 calendar year from 2016 through 2025 under that section:
16 *Provided further*, That section 231(b) of such Act (42
17 U.S.C. 12771(b)) shall not apply to any uninvested funds
18 that otherwise were deducted or would be deducted from
19 the line of credit in the participating jurisdiction's HOME
20 Investment Trust Fund in any calendar year from 2018
21 through 2025 under that section.

22 PRESERVATION AND REINVESTMENT INITIATIVE FOR
23 COMMUNITY ENHANCEMENT

24 For competitive grants to preserve and revitalize
25 manufactured housing and eligible manufactured housing

1 communities (including pre-1976 mobile homes) under
2 title I of the Housing and Community Development Act
3 of 1974, as amended (42 U.S.C. 5301 et seq.),
4 \$500,000,000, to remain available until September 30,
5 2027: *Provided*, That recipients of grants provided with
6 amounts made available under this heading shall be
7 States, units of general local government, resident-owned
8 manufactured housing communities, cooperatives, non-
9 profit entities including consortia of nonprofit entities,
10 community development financial institutions, Indian
11 Tribes and Tribally designated housing entities, or other
12 entities approved by the Secretary: *Provided further*, That
13 the Secretary may approve entities for selection that part-
14 ner with one or several residents of such eligible commu-
15 nities or that propose to implement a grant program that
16 would assist residents of such eligible communities: *Pro-*
17 *vided further*, That eligible uses of such grants may in-
18 clude infrastructure, planning, resident and community
19 services (including relocation assistance and eviction pre-
20 vention), resiliency activities, and providing other assist-
21 ance to residents or owners of manufactured homes, which
22 may include providing assistance for manufactured hous-
23 ing land and site acquisition: *Provided further*, That, ex-
24 cept as determined by the Secretary, participation in this
25 program shall not encumber the future transfer of title

1 or use of property by the residents, owners, or commu-
2 nities: *Provided further*, That when selecting recipients,
3 the Secretary shall prioritize applications that primarily
4 benefit low- or moderately low-income residents and pre-
5 serve long-term housing affordability for residents of man-
6 ufactured housing or a manufactured housing community:
7 *Provided further*, That eligible manufactured housing com-
8 munities may include those that are—

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

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

15 *Provided further*, That, of the amounts made available
16 under this heading, \$50,000,000 shall be for a pilot pro-
17 gram for the Secretary to provide grants to assist in the
18 redevelopment of manufactured housing communities (in-
19 cluding pre-1976 mobile homes) as replacement housing
20 that is affordable, as defined by the Secretary: *Provided*
21 *further*, That each such redevelopment project shall pro-
22 vide, for each unit of single-family manufactured housing
23 (including pre-1976 mobile homes) replaced under the
24 project, up to 4 dwelling units of such affordable housing:
25 *Provided further*, That the Secretary shall define eligible

1 activities for grant assistance under the pilot program,
2 which may include relocation assistance or buy-outs for
3 residents of a manufactured housing community or down-
4 payment assistance for such residents: *Provided further,*
5 That the Secretary shall require each grantee under the
6 pilot program to supplement the amount of the grant with
7 non-Federal amounts exceeding 50 percent of the grant:
8 *Provided further,* That resiliency activities means the re-
9 construction, repair, or replacement of manufactured
10 housing and manufactured housing communities to pro-
11 tect the health and safety of manufactured housing resi-
12 dents and to address weatherization and energy efficiency
13 needs, except that for pre-1976 mobile homes, funds made
14 available under this heading may be used only for replace-
15 ment: *Provided further,* That the Secretary may waive or
16 specify alternative requirements for any provision of any
17 statute or regulation that the Secretary administers in
18 connection with the use of amounts made available under
19 this heading (except for requirements related to fair hous-
20 ing, nondiscrimination, labor standards, and the environ-
21 ment), upon a finding that such waiver or alternative re-
22 quirement is necessary to facilitate the use of such
23 amounts.

1 SELF-HELP AND ASSISTED HOMEOWNERSHIP
2 OPPORTUNITY PROGRAM

3 For the Self-Help and Assisted Homeownership Op-
4 portunity Program, as authorized under section 11 of the
5 Housing Opportunity Program Extension Act of 1996 (42
6 U.S.C. 12805 note), and for related activities and assist-
7 ance, \$62,500,000, to remain available until September
8 30, 2025: *Provided*, That the amounts made available
9 under this heading are provided as follows:

10 (1) \$12,500,000 shall be for the Self-Help
11 Homeownership Opportunity Program as authorized
12 under such section 11;

13 (2) \$45,000,000 shall be for the second, third,
14 and fourth capacity building entities specified in sec-
15 tion 4(a) of the HUD Demonstration Act of 1993
16 (42 U.S.C. 9816 note), of which not less than
17 \$5,000,000 shall be for rural capacity building ac-
18 tivities: *Provided*, That for purposes of awarding
19 grants from amounts made available in this para-
20 graph, the Secretary may enter into multiyear agree-
21 ments, as appropriate, subject to the availability of
22 annual appropriations; and

23 (3) \$5,000,000 shall be for capacity building by
24 national rural housing organizations having experi-
25 ence assessing national rural conditions and pro-

1 viding financing, training, technical assistance, infor-
2 mation, and research to local nonprofit organiza-
3 tions, local governments, and Indian Tribes serving
4 high need rural communities.

5 HOMELESS ASSISTANCE GRANTS

6 For assistance under title IV of the McKinney-Vento
7 Homeless Assistance Act (42 U.S.C. 11360 et seq.),
8 \$3,604,000,000, to remain available until September 30,
9 2025: *Provided*, That of the amounts made available
10 under this heading—

11 (1) \$290,000,000 shall be for the Emergency
12 Solutions Grants program authorized under subtitle
13 B of such title IV (42 U.S.C. 11371 et seq.): *Pro-*
14 *vided*, That the Department shall notify grantees of
15 their formula allocation from amounts allocated
16 (which may represent initial or final amounts allo-
17 cated) for the Emergency Solutions Grant program
18 not later than 60 days after enactment of this Act;

19 (2) \$3,200,000,000 shall be for the Continuum
20 of Care program authorized under subtitle C of such
21 title IV (42 U.S.C. 11381 et seq.) and the Rural
22 Housing Stability Assistance programs authorized
23 under subtitle D of such title IV (42 U.S.C. 11408):
24 *Provided*, That the Secretary shall prioritize funding
25 under the Continuum of Care program to contin-

1 uums of care that have demonstrated a capacity to
2 reallocate funding from lower performing projects to
3 higher performing projects: *Provided further*, That
4 the Secretary shall provide incentives to create
5 projects that coordinate with housing providers and
6 healthcare organizations to provide permanent sup-
7 portive housing and rapid re-housing services: *Pro-*
8 *vided further*, That for fiscal year 2023 the Sec-
9 retary may establish by notice an alternative max-
10 imum amount for administrative costs related to the
11 requirements described in paragraphs (1) and (2) of
12 section 402(f) of subtitle A of such title IV of no
13 more than 5 percent or \$50,000, whichever is great-
14 er, notwithstanding the 3 percent limitation in sec-
15 tion 423(a)(10) of such subtitle C: *Provided further*,
16 That of the amounts made available for the Con-
17 tinuum of Care program under this paragraph, not
18 less than \$75,000,000 shall be for grants for new
19 rapid re-housing projects and supportive service
20 projects providing coordinated entry, and for eligible
21 activities that the Secretary determines to be critical
22 in order to assist survivors of domestic violence, dat-
23 ing violence, sexual assault, or stalking: *Provided*
24 *further*, That amounts made available for the Con-
25 tinuum of Care program under this heading in this

1 Act and any remaining unobligated balances from
2 prior Acts may be used to competitively or non-com-
3 petitively renew or replace grants for youth homeless
4 demonstration projects under the Continuum of
5 Care program, notwithstanding any conflict with the
6 requirements of the Continuum of Care program;

7 (3) \$7,000,000 shall be for the national home-
8 less data analysis project: *Provided*, That notwith-
9 standing the provisions of the Federal Grant and
10 Cooperative Agreements Act of 1977 (31 U.S.C.
11 6301–6308), the amounts made available under this
12 paragraph and any remaining unobligated balances
13 under this heading for such purposes in prior Acts
14 may be used by the Secretary to enter into coopera-
15 tive agreements with such entities as may be deter-
16 mined by the Secretary, including public and private
17 organizations, agencies, and institutions; and

18 (4) \$107,000,000 shall be to implement
19 projects to demonstrate how a comprehensive ap-
20 proach to serving homeless youth, age 24 and under,
21 in up to 25 communities with a priority for commu-
22 nities with substantial rural populations in up to
23 eight locations, can dramatically reduce youth home-
24 lessness: *Provided*, That of the amount made avail-
25 able under this paragraph, not less than

1 \$25,000,000 shall be for youth homelessness system
2 improvement grants to support communities, includ-
3 ing but not limited to the communities assisted
4 under the matter preceding this proviso, in estab-
5 lishing and implementing a response system for
6 youth homelessness, or for improving their existing
7 system: *Provided further*, That of the amount made
8 available under this paragraph, up to \$10,000,000
9 shall be to provide technical assistance to commu-
10 nities, including but not limited to the communities
11 assisted in the preceding proviso and the matter pre-
12 ceding such proviso, on improving system responses
13 to youth homelessness, and collection, analysis, use,
14 and reporting of data and performance measures
15 under the comprehensive approaches to serve home-
16 less youth, in addition to and in coordination with
17 other technical assistance funds provided under this
18 title: *Provided further*, That the Secretary may use
19 up to 10 percent of the amount made available
20 under the preceding proviso to build the capacity of
21 current technical assistance providers or to train
22 new technical assistance providers with verifiable
23 prior experience with systems and programs for
24 youth experiencing homelessness:

1 *Provided further*, That youth aged 24 and under seeking
2 assistance under this heading shall not be required to pro-
3 vide third party documentation to establish their eligibility
4 under subsection (a) or (b) of section 103 of the McKin-
5 ney-Vento Homeless Assistance Act (42 U.S.C. 11302) to
6 receive services: *Provided further*, That unaccompanied
7 youth aged 24 and under or families headed by youth aged
8 24 and under who are living in unsafe situations may be
9 served by youth-serving providers funded under this head-
10 ing: *Provided further*, That persons eligible under section
11 103(a)(5) of the McKinney-Vento Homeless Assistance
12 Act may be served by any project funded under this head-
13 ing to provide both transitional housing and rapid re-hous-
14 ing: *Provided further*, That for all matching funds require-
15 ments applicable to funds made available under this head-
16 ing for this fiscal year and prior fiscal years, a grantee
17 may use (or could have used) as a source of match funds
18 other funds administered by the Secretary and other Fed-
19 eral agencies unless there is (or was) a specific statutory
20 prohibition on any such use of any such funds: *Provided*
21 *further*, That none of the funds made available under this
22 heading shall be available to provide funding for new
23 projects, except for projects created through reallocation,
24 unless the Secretary determines that the continuum of
25 care has demonstrated that projects are evaluated and

1 ranked based on the degree to which they improve the con-
2 tinuum of care's system performance: *Provided further*,
3 That any unobligated amounts remaining from funds
4 made available under this heading in fiscal year 2012 and
5 prior years for project-based rental assistance for rehabili-
6 tation projects with 10-year grant terms may be used for
7 purposes under this heading, notwithstanding the pur-
8 poses for which such funds were appropriated: *Provided*
9 *further*, That unobligated balances, including recaptures
10 and carryover, remaining from funds transferred to or ap-
11 propriated under this heading in fiscal year 2019 or prior
12 years, except for rental assistance amounts that were re-
13 captured and made available until expended, shall be avail-
14 able for the current purposes authorized under this head-
15 ing in addition to the purposes for which such funds origi-
16 nally were appropriated.

17 HOUSING PROGRAMS

18 PROJECT-BASED RENTAL ASSISTANCE

19 For activities and assistance for the provision of
20 project-based subsidy contracts under the United States
21 Housing Act of 1937 (42 U.S.C. 1437 et seq.) (in this
22 heading "the Act"), not otherwise provided for,
23 \$14,540,000,000, to remain available until expended, shall
24 be available on October 1, 2022 (in addition to the
25 \$400,000,000 previously appropriated under this heading

1 that became available October 1, 2022), and
2 \$400,000,000, to remain available until expended, shall be
3 available on October 1, 2023: *Provided*, That the amounts
4 made available under this heading shall be for expiring
5 or terminating section 8 project-based subsidy contracts
6 (including section 8 moderate rehabilitation contracts), for
7 amendments to section 8 project-based subsidy contracts
8 (including section 8 moderate rehabilitation contracts), for
9 contracts entered into pursuant to section 441 of the
10 McKinney-Vento Homeless Assistance Act (42 U.S.C.
11 11401), for renewal of section 8 contracts for units in
12 projects that are subject to approved plans of action under
13 the Emergency Low Income Housing Preservation Act of
14 1987 or the Low-Income Housing Preservation and Resi-
15 dent Homeownership Act of 1990, and for administrative
16 and other expenses associated with project-based activities
17 and assistance funded under this heading: *Provided fur-*
18 *ther*, That the amount of any forgone increases in tenant
19 rent payments due to the implementation of rent incen-
20 tives as authorized pursuant to waivers or alternative re-
21 quirements of the Jobs-Plus initiative as described under
22 the heading “Self-Sufficiency Programs” shall be factored
23 into housing assistance payments under project-based sub-
24 sidy contracts: *Provided further*, That of the total amounts
25 made available under this heading, not to exceed

1 \$375,000,000 shall be for performance-based contract ad-
2 ministrators or contractors for section 8 project-based as-
3 sistance, for carrying out 42 U.S.C. 1437(f): *Provided fur-*
4 *ther*, That the Secretary may also use such amounts in
5 the preceding proviso for performance-based contract ad-
6 ministrators or contractors for the administration of: in-
7 terest reduction payments pursuant to section 236(a) of
8 the National Housing Act (12 U.S.C. 1715z–1(a)); rent
9 supplement payments pursuant to section 101 of the
10 Housing and Urban Development Act of 1965 (12 U.S.C.
11 1701s); section 236(f)(2) rental assistance payments (12
12 U.S.C. 1715z–1(f)(2)); project rental assistance contracts
13 for the elderly under section 202(c)(2) of the Housing Act
14 of 1959 (12 U.S.C. 1701q); project rental assistance con-
15 tracts for supportive housing for persons with disabilities
16 under section 811(d)(2) of the Cranston-Gonzalez Na-
17 tional Affordable Housing Act (42 U.S.C. 8013(d)(2));
18 project assistance contracts pursuant to section 202(h) of
19 the Housing Act of 1959 (Public Law 86–372; 73 Stat.
20 667); and loans under section 202 of the Housing Act of
21 1959 (Public Law 86–372; 73 Stat. 667): *Provided fur-*
22 *ther*, That amounts recaptured under this heading, the
23 heading “Annual Contributions for Assisted Housing”, or
24 the heading “Housing Certificate Fund”, may be used for
25 renewals of or amendments to section 8 project-based con-

1 tracts or for performance-based contract administrators or
2 contractors, notwithstanding the purposes for which such
3 amounts were appropriated: *Provided further*, That, not-
4 withstanding any other provision of law, upon the request
5 of the Secretary, project funds that are held in residual
6 receipts accounts for any project subject to a section 8
7 project-based Housing Assistance Payments contract that
8 authorizes the Department or a housing finance agency
9 to require that surplus project funds be deposited in an
10 interest-bearing residual receipts account and that are in
11 excess of an amount to be determined by the Secretary,
12 shall be remitted to the Department and deposited in this
13 account, to be available until expended: *Provided further*,
14 That amounts deposited pursuant to the preceding proviso
15 shall be available in addition to the amount otherwise pro-
16 vided under this heading for uses authorized under this
17 heading: *Provided further*, That of the total amounts made
18 available under this heading, not to exceed \$250,000,000
19 shall be available for rent adjustments authorized under
20 section 515(d) of the Multifamily Assisted Housing Re-
21 form and Affordability Act of 1997 (as added by section
22 234(a) of this Act): *Provided further*, That of the total
23 amounts made available under this heading, not to exceed
24 \$25,000,000 shall be available for adjustments under sec-
25 tion 524(h) of the Multifamily Assisted Housing Reform

1 and Affordability Act of 1997 (as added by section 234(b)
2 of this Act) necessary to address health and safety defi-
3 ciencies: *Provided further*, That up to 2 percent of the
4 total amounts made available in the preceding two pro-
5 visos shall be for administrative contract costs, including
6 for carrying out due diligence and underwriting functions
7 for evaluating owners' requests and for technical assist-
8 ance activities: *Provided further*, That of the total amounts
9 made available under this heading, not to exceed
10 \$31,000,000 shall be available for budget based adjust-
11 ments for service coordinators for the elderly: *Provided*
12 *further*, That any additional amounts for rent adjustments
13 or supplemental contract funding authorized under the
14 preceding four provisos shall be combined with other
15 amounts obligated to such contracts and the combined
16 total amount shall be available for all purposes under such
17 contracts.

18 HOUSING FOR THE ELDERLY

19 For capital advances, including amendments to cap-
20 ital advance contracts, for housing for the elderly, as au-
21 thorized by section 202 of the Housing Act of 1959 (12
22 U.S.C. 1701q), for project rental assistance for the elderly
23 under section 202(c)(2) of such Act, including amend-
24 ments to contracts for such assistance and renewal of ex-
25 piring contracts for such assistance for up to a 5-year

1 term, for senior preservation rental assistance contracts,
2 including renewals, as authorized by section 811(e) of the
3 American Homeownership and Economic Opportunity Act
4 of 2000 (12 U.S.C. 1701q note), and for supportive serv-
5 ices associated with the housing, \$1,200,000,000 to re-
6 main available until September 30, 2026: *Provided*, That
7 of the amount made available under this heading, up to
8 \$125,000,000 shall be for service coordinators and the
9 continuation of existing congregate service grants for resi-
10 dents of assisted housing projects: *Provided further*, That
11 any funding for existing service coordinators under the
12 preceding proviso shall be provided within 120 days of en-
13 actment of this Act: *Provided further*, That amounts made
14 available under this heading shall be available for Real Es-
15 tate Assessment Center inspections and inspection-related
16 activities associated with section 202 projects: *Provided*
17 *further*, That the Secretary may waive the provisions of
18 section 202 governing the terms and conditions of project
19 rental assistance, except that the initial contract term for
20 such assistance shall not exceed 5 years in duration: *Pro-*
21 *vided further*, That upon request of the Secretary, project
22 funds that are held in residual receipts accounts for any
23 project subject to a section 202 project rental assistance
24 contract, and that upon termination of such contract are
25 in excess of an amount to be determined by the Secretary,

1 shall be remitted to the Department and deposited in this
2 account, to remain available until September 30, 2026:
3 *Provided further*, That amounts deposited in this account
4 pursuant to the preceding proviso shall be available, in ad-
5 dition to the amounts otherwise provided by this heading,
6 for the purposes authorized under this heading: *Provided*
7 *further*, That unobligated balances, including recaptures
8 and carryover, remaining from funds transferred to or ap-
9 propriated under this heading shall be available for the
10 current purposes authorized under this heading in addi-
11 tion to the purposes for which such funds originally were
12 appropriated: *Provided further*, That of the total amount
13 made available under this heading, up to \$25,000,000
14 shall be used to expand the supply of intergenerational
15 dwelling units (as such term is defined in section 202 of
16 the Legacy Act of 2003 (12 U.S.C. 1701q note)) for elder-
17 ly caregivers raising children: *Provided further*, That for
18 the purposes of the preceding proviso the Secretary may
19 waive, or specify alternative requirements for, any provi-
20 sion of section 202 of the Housing Act of 1959 (12 U.S.C.
21 1701q) in order to facilitate the development of such
22 units, except for requirements related to fair housing, non-
23 discrimination, labor standards, and the environment: *Pro-*
24 *vided further*, That of the total amount made available
25 under this heading, up to \$6,000,000 shall be used by the

1 Secretary to support preservation transactions of housing
2 for the elderly originally developed with a capital advance
3 and assisted by a project rental assistance contract under
4 the provisions of section 202(c) of the Housing Act of
5 1959.

6 HOUSING FOR PERSONS WITH DISABILITIES

7 For capital advances, including amendments to cap-
8 ital advance contracts, for supportive housing for persons
9 with disabilities, as authorized by section 811 of the Cran-
10 ston-Gonzalez National Affordable Housing Act (42
11 U.S.C. 8013), for project rental assistance for supportive
12 housing for persons with disabilities under section
13 811(d)(2) of such Act, for project assistance contracts
14 pursuant to subsection (h) of section 202 of the Housing
15 Act of 1959, as added by section 205(a) of the Housing
16 and Community Development Amendments of 1978 (Pub-
17 lic Law 95–557: 92 Stat. 2090), including amendments
18 to contracts for such assistance and renewal of expiring
19 contracts for such assistance for up to a 5-year term, for
20 project rental assistance to State housing finance agencies
21 and other appropriate entities as authorized under section
22 811(b)(3) of the Cranston-Gonzalez National Affordable
23 Housing Act, and for supportive services associated with
24 the housing for persons with disabilities as authorized by
25 section 811(b)(1) of such Act, \$400,000,000, to remain

1 available until September 30, 2026: *Provided*, That
2 amounts made available under this heading shall be avail-
3 able for Real Estate Assessment Center inspections and
4 inspection-related activities associated with section 811
5 projects: *Provided further*, That, upon the request of the
6 Secretary, project funds that are held in residual receipts
7 accounts for any project subject to a section 811 project
8 rental assistance contract, and that upon termination of
9 such contract are in excess of an amount to be determined
10 by the Secretary, shall be remitted to the Department and
11 deposited in this account, to remain available until Sep-
12 tember 30, 2026: *Provided further*, That amounts depos-
13 ited in this account pursuant to the preceding proviso shall
14 be available in addition to the amounts otherwise provided
15 by this heading for the purposes authorized under this
16 heading: *Provided further*, That unobligated balances, in-
17 cluding recaptures and carryover, remaining from funds
18 transferred to or appropriated under this heading shall be
19 used for the current purposes authorized under this head-
20 ing in addition to the purposes for which such funds origi-
21 nally were appropriated.

22 HOUSING COUNSELING ASSISTANCE

23 For contracts, grants, and other assistance excluding
24 loans, as authorized under section 106 of the Housing and
25 Urban Development Act of 1968, as amended,

1 \$70,000,000, to remain available until September 30,
2 2024, including up to \$4,500,000 for administrative con-
3 tract services: *Provided*, That funds shall be used for pro-
4 viding counseling and advice to tenants and homeowners,
5 both current and prospective, with respect to property
6 maintenance, financial management or literacy, and such
7 other matters as may be appropriate to assist them in im-
8 proving their housing conditions, meeting their financial
9 needs, and fulfilling the responsibilities of tenancy or
10 homeownership; for program administration; and for hous-
11 ing counselor training: *Provided further*, That for purposes
12 of awarding grants from amounts provided under this
13 heading, the Secretary may enter into multiyear agree-
14 ments, as appropriate, subject to the availability of annual
15 appropriations.

16 PAYMENT TO MANUFACTURED HOUSING FEES TRUST
17 FUND

18 For necessary expenses as authorized by the National
19 Manufactured Housing Construction and Safety Stand-
20 ards Act of 1974 (42 U.S.C. 5401 et seq.), up to
21 \$14,000,000, to remain available until expended, of which
22 \$14,000,000 shall be derived from the Manufactured
23 Housing Fees Trust Fund (established under section
24 620(e) of such Act (42 U.S.C. 5419(e)): *Provided*, That
25 not to exceed the total amount appropriated under this

1 heading shall be available from the general fund of the
2 Treasury to the extent necessary to incur obligations and
3 make expenditures pending the receipt of collections to the
4 Fund pursuant to section 620 of such Act: *Provided fur-*
5 *ther*, That the amount made available under this heading
6 from the general fund shall be reduced as such collections
7 are received during fiscal year 2023 so as to result in a
8 final fiscal year 2023 appropriation from the general fund
9 estimated at zero, and fees pursuant to such section 620
10 shall be modified as necessary to ensure such a final fiscal
11 year 2023 appropriation: *Provided further*, That for the
12 dispute resolution and installation programs, the Sec-
13 retary may assess and collect fees from any program par-
14 ticipant: *Provided further*, That such collections shall be
15 deposited into the Trust Fund, and the Secretary, as pro-
16 vided herein, may use such collections, as well as fees col-
17 lected under section 620 of such Act, for necessary ex-
18 penses of such Act: *Provided further*, That, notwith-
19 standing the requirements of section 620 of such Act, the
20 Secretary may carry out responsibilities of the Secretary
21 under such Act through the use of approved service pro-
22 viders that are paid directly by the recipients of their serv-
23 ices.

1 FEDERAL HOUSING ADMINISTRATION

2 MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

3 New commitments to guarantee single family loans
4 insured under the Mutual Mortgage Insurance Fund shall
5 not exceed \$400,000,000,000, to remain available until
6 September 30, 2024: *Provided*, That during fiscal year
7 2023, obligations to make direct loans to carry out the
8 purposes of section 204(g) of the National Housing Act,
9 as amended, shall not exceed \$1,000,000: *Provided fur-*
10 *ther*, That the foregoing amount in the preceding proviso
11 shall be for loans to nonprofit and governmental entities
12 in connection with sales of single family real properties
13 owned by the Secretary and formerly insured under the
14 Mutual Mortgage Insurance Fund: *Provided further*, That
15 for administrative contract expenses of the Federal Hous-
16 ing Administration, \$150,000,000, to remain available
17 until September 30, 2024: *Provided further*, That notwith-
18 standing the limitation in the first sentence of section
19 255(g) of the National Housing Act (12 U.S.C. 1715z–
20 20(g)), during fiscal year 2023 the Secretary may insure
21 and enter into new commitments to insure mortgages
22 under section 255 of the National Housing Act only to
23 the extent that the net credit subsidy cost for such insur-
24 ance does not exceed zero.

1 GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

2 New commitments to guarantee loans insured under
3 the General and Special Risk Insurance Funds, as author-
4 ized by sections 238 and 519 of the National Housing Act
5 (12 U.S.C. 1715z-3 and 1735c), shall not exceed
6 \$35,000,000,000 in total loan principal, any part of which
7 is to be guaranteed, to remain available until September
8 30, 2024: *Provided*, That during fiscal year 2023, gross
9 obligations for the principal amount of direct loans, as au-
10 thorized by sections 204(g), 207(l), 238, and 519(a) of
11 the National Housing Act, shall not exceed \$1,000,000,
12 which shall be for loans to nonprofit and governmental en-
13 tities in connection with the sale of single family real prop-
14 erties owned by the Secretary and formerly insured under
15 such Act.

16 GOVERNMENT NATIONAL MORTGAGE ASSOCIATION

17 GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN

18 GUARANTEE PROGRAM ACCOUNT

19 New commitments to issue guarantees to carry out
20 the purposes of section 306 of the National Housing Act,
21 as amended (12 U.S.C. 1721(g)), shall not exceed
22 \$900,000,000,000, to remain available until September
23 30, 2024: *Provided*, That \$33,500,000, to remain avail-
24 able until September 30, 2024, shall be for necessary sala-
25 ries and expenses of the Government National Mortgage

1 Association: *Provided further*, That to the extent that
2 guaranteed loan commitments exceed \$155,000,000,000
3 on or before April 1, 2023 an additional \$100 for nec-
4 essary salaries and expenses shall be available until ex-
5 pended for each \$1,000,000 in additional guaranteed loan
6 commitments (including a pro rata amount for any
7 amount below \$1,000,000), but in no case shall funds
8 made available by this proviso exceed \$3,000,000: *Pro-*
9 *vided further*, That receipts from Commitment and
10 Multiclass fees collected pursuant to title III of the Na-
11 tional Housing Act (12 U.S.C. 1716 et seq.) shall be cred-
12 ited as offsetting collections to this account.

13 POLICY DEVELOPMENT AND RESEARCH

14 RESEARCH AND TECHNOLOGY

15 For contracts, grants, and necessary expenses of pro-
16 grams of research and studies relating to housing and
17 urban problems, not otherwise provided for, as authorized
18 by title V of the Housing and Urban Development Act
19 of 1970 (12 U.S.C. 1701z–1 et seq.), including carrying
20 out the functions of the Secretary of Housing and Urban
21 Development under section 1(a)(1)(i) of Reorganization
22 Plan No. 2 of 1968, and for technical assistance,
23 \$160,000,000, to remain available until September 30,
24 2024: *Provided*, That with respect to amounts made avail-
25 able under this heading, notwithstanding section 203 of

1 this title, the Secretary may enter into cooperative agree-
2 ments with philanthropic entities, other Federal agencies,
3 State or local governments and their agencies, Indian
4 Tribes, tribally designated housing entities, or colleges or
5 universities for research projects: *Provided further*, That
6 with respect to the preceding proviso, such partners to the
7 cooperative agreements shall contribute at least a 50 per-
8 cent match toward the cost of the project: *Provided fur-*
9 *ther*, That for non-competitive agreements entered into in
10 accordance with the preceding two provisos, the Secretary
11 shall comply with section 2(b) of the Federal Funding Ac-
12 countability and Transparency Act of 2006 (Public Law
13 109–282, 31 U.S.C. note) in lieu of compliance with sec-
14 tion 102(a)(4)(C) of the Department of Housing and
15 Urban Development Reform Act of 1989 (42 U.S.C.
16 3545(a)(4)(C)) with respect to documentation of award
17 decisions: *Provided further*, That prior to obligation of
18 technical assistance funding, the Secretary shall submit a
19 plan to the House and Senate Committees on Appropria-
20 tions on how the Secretary will allocate funding for this
21 activity at least 30 days prior to obligation: *Provided fur-*
22 *ther*, That none of the funds provided under this heading
23 may be available for the doctoral dissertation research
24 grant program: *Provided further*, That an additional
25 \$20,000,000, to remain available until September 30,

1 2025, shall be for competitive grants to nonprofit or gov-
2 ernmental entities to provide legal assistance (including
3 assistance related to pretrial activities, trial activities,
4 post-trial activities and alternative dispute resolution) at
5 no cost to eligible low-income tenants at risk of or subject
6 to eviction: *Provided further*, That in awarding grants
7 under the preceding proviso, the Secretary shall give pref-
8 erence to applicants that include a marketing strategy for
9 residents of areas with high rates of eviction, have experi-
10 ence providing no-cost legal assistance to low-income indi-
11 viduals, including those with limited English proficiency
12 or disabilities, and have sufficient capacity to administer
13 such assistance, and may select unfunded or partially
14 funded eligible applicants identified in the previous com-
15 petition: *Provided further*, That the Secretary shall ensure,
16 to the extent practicable, that the proportion of eligible
17 tenants living in rural areas who will receive legal assist-
18 ance with grant funds made available under this heading
19 is not less than the overall proportion of eligible tenants
20 who live in rural areas.

21 FAIR HOUSING AND EQUAL OPPORTUNITY

22 FAIR HOUSING ACTIVITIES

23 For contracts, grants, and other assistance, not oth-
24 erwise provided for, as authorized by title VIII of the Civil
25 Rights Act of 1968 (42 U.S.C. 3601 et seq.), and section

1 561 of the Housing and Community Development Act of
2 1987 (42 U.S.C. 3616a), \$86,000,000, to remain available
3 until September 30, 2024: *Provided*, That notwithstanding
4 section 3302 of title 31, United States Code, the Secretary
5 may assess and collect fees to cover the costs of the Fair
6 Housing Training Academy, and may use such funds to
7 develop on-line courses and provide such training: *Pro-*
8 *vided further*, That none of the funds made available under
9 this heading may be used to lobby the executive or legisla-
10 tive branches of the Federal Government in connection
11 with a specific contract, grant, or loan: *Provided further*,
12 That of the funds made available under this heading,
13 \$1,000,000 shall be available to the Secretary for the cre-
14 ation and promotion of translated materials and other pro-
15 grams that support the assistance of persons with limited
16 English proficiency in utilizing the services provided by
17 the Department of Housing and Urban Development.

18 OFFICE OF LEAD HAZARD CONTROL AND HEALTHY

19 HOMES

20 LEAD HAZARD REDUCTION

21 (INCLUDING TRANSFER OF FUNDS)

22 For the Lead Hazard Reduction Program, as author-
23 ized by section 1011 of the Residential Lead-Based Paint
24 Hazard Reduction Act of 1992 (42 U.S.C. 4852), the
25 Healthy Homes Initiative, pursuant to sections 501 and

1 502 of the Housing and Urban Development Act of 1970
2 (12 U.S.C. 1701z-1 and 1701z-2), and for related activi-
3 ties and assistance, \$415,000,000, to remain available
4 until September 30, 2025: *Provided*, That the amounts
5 made available under this heading are provided as follows:

6 (1) \$290,000,000 shall be for the award of
7 grants pursuant to such section 1011, of which not
8 less than \$95,000,000 shall be provided to areas
9 with the highest lead-based paint abatement needs;

10 (2) \$85,000,000 shall be for the Healthy
11 Homes Initiative, pursuant to sections 501 and 502
12 of the Housing and Urban Development Act of
13 1970, which shall include research, studies, testing,
14 and demonstration efforts, including education and
15 outreach concerning lead-based paint poisoning and
16 other housing-related diseases and hazards, and
17 mitigating housing-related health and safety hazards
18 in housing of low-income families, of which—

19 (A) \$5,000,000 shall be for the implemen-
20 tation of projects in up to five communities that
21 are served by both the Healthy Homes Initia-
22 tive and the Department of Energy weatheriza-
23 tion programs to demonstrate whether the co-
24 ordination of Healthy Homes remediation ac-
25 tivities with weatherization activities achieves

1 cost savings and better outcomes in improving
2 the safety and quality of homes; and

3 (B) \$10,000,000 shall be for grants to ex-
4 perience non-profit organizations, States, local
5 governments, or public housing agencies for
6 safety and functional home modification repairs
7 and renovations to meet the needs of low-in-
8 come elderly homeowners to enable them to re-
9 main in their primary residence: *Provided*, That
10 of the total amount made available under this
11 subparagraph no less than \$3,000,000 shall be
12 available to meet such needs in communities
13 with substantial rural populations;

14 (3) \$5,000,000 shall be for the award of grants
15 and contracts for research pursuant to sections 1051
16 and 1052 of the Residential Lead-Based Paint Haz-
17 ard Reduction Act of 1992 (42 U.S.C. 4854,
18 4854a);

19 (4) Up to \$2,000,000 in total of the amounts
20 made available under paragraphs (2) and (3) may be
21 transferred to the heading “Research and Tech-
22 nology” for the purposes of conducting research and
23 studies and for use in accordance with the provisos
24 under that heading for non-competitive agreements;

1 (5) \$30,000,000 shall be for a lead-risk assess-
2 ment demonstration for public housing agencies to
3 conduct lead hazard screenings or lead-risk assess-
4 ments during housing quality standards inspections
5 of units in which a family receiving assistance under
6 section 8(o) of the U.S. Housing Act of 1937 (42
7 U.S.C. 1437f(o)) resides or expects to reside, and
8 has or expects to have a child under age 6 residing
9 in the unit, while preserving rental housing avail-
10 ability and affordability; and

11 (6) \$5,000,000 shall be for grants for a radon
12 testing and mitigation safety demonstration program
13 (the radon demonstration) in public housing: *Pro-*
14 *vided*, That the testing method, mitigation method,
15 or action level used under the radon demonstration
16 shall be as specified by applicable state or local law,
17 if such law is more protective of human health or
18 the environment than the method or level specified
19 by the Secretary:

20 *Provided further*, That for purposes of environmental re-
21 view, pursuant to the National Environmental Policy Act
22 of 1969 (42 U.S.C. 4321 et seq.) and other provisions of
23 law that further the purposes of such Act, a grant under
24 the Healthy Homes Initiative, or the Lead Technical Stud-
25 ies program, or other demonstrations or programs under

1 this heading or under prior appropriations Acts for such
2 purposes under this heading, or under the heading “Hous-
3 ing for the Elderly” under prior Appropriations Acts, shall
4 be considered to be funds for a special project for purposes
5 of section 305(c) of the Multifamily Housing Property
6 Disposition Reform Act of 1994: *Provided further*, That
7 each applicant for a grant or cooperative agreement under
8 this heading shall certify adequate capacity that is accept-
9 able to the Secretary to carry out the proposed use of
10 funds pursuant to a notice of funding opportunity: *Pro-*
11 *vided further*, That amounts made available under this
12 heading, except for amounts in paragraphs (2)(B) for
13 home modification repairs and renovations, in this or prior
14 appropriations Acts, still remaining available, may be used
15 for any purpose under this heading notwithstanding the
16 purpose for which such amounts were appropriated if a
17 program competition is undersubscribed and there are
18 other program competitions under this heading that are
19 oversubscribed.

20 INFORMATION TECHNOLOGY FUND

21 For Department-wide and program-specific informa-
22 tion technology systems and infrastructure, \$382,000,000,
23 to remain available until September 30, 2025, of which
24 up to \$16,746,000 shall be for development, moderniza-
25 tion, and enhancement projects, including planning for

1 such projects: *Provided*, That not more than 10 percent
2 of the funds made available under this heading for devel-
3 opment, modernization, and enhancement may be obli-
4 gated until the Secretary submits and the House and Sen-
5 ate Committees on Appropriations approve a plan that—

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

9 (A) plain language summaries of the
10 project scope;

11 (B) the estimated total project cost; and

12 (C) key milestones to be met; and

13 (2) identifies for each major modernization
14 project—

15 (A) the functional and performance capa-
16 bilities to be delivered and the mission benefits
17 to be realized;

18 (B) the estimated life-cycle cost;

19 (C) key milestones to be met through the
20 project end date, including any identified sys-
21 tem decommissioning;

22 (D) a description of the procurement strat-
23 egy and governance structure for the project
24 and the number of HUD staff and contractors
25 supporting the project; and

1 (E) certification from the Chief Informa-
2 tion Officer that each project is compliant with
3 the Department's enterprise architecture, life-
4 cycle management and capital planning and in-
5 vestment control requirements:

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

14 (1) results and actual expenditures of the prior
15 quarter;

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

20 (3) risks and mitigation strategies associated
21 with ongoing work.

22 OFFICE OF INSPECTOR GENERAL

23 For necessary salaries and expenses of the Office of
24 Inspector General in carrying out the Inspector General
25 Act of 1978, as amended, \$140,000,000: *Provided*, That

1 the Inspector General shall have independent authority
2 over all personnel and acquisition issues within this office.

3 GENERAL PROVISIONS—DEPARTMENT OF HOUSING AND
4 URBAN DEVELOPMENT
5 (INCLUDING TRANSFER OF FUNDS)
6 (INCLUDING RESCISSION)

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

1 SEC. 202. None of the funds made available by this
2 Act may be used to investigate or prosecute under the Fair
3 Housing Act any otherwise lawful activity engaged in by
4 one or more persons, including the filing or maintaining
5 of a nonfrivolous legal action, that is engaged in solely
6 for the purpose of achieving or preventing action by a Gov-
7 ernment official or entity, or a court of competent jurisdic-
8 tion.

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

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

18 “(u)(1) Funds of the Department of Housing and
19 Urban Development subject to the Government Corpora-
20 tion Control Act shall be available, without regard to the
21 limitations on administrative expenses, for legal services
22 on a contract or fee basis, and for utilizing and making
23 payment for services and facilities of the Federal National
24 Mortgage Association, Government National Mortgage As-
25 sociation, Federal Home Loan Mortgage Corporation,

1 Federal Financing Bank, Federal Reserve banks or any
2 member thereof, Federal Home Loan banks, and any in-
3 sured bank within the meaning of the Federal Deposit In-
4 surance Corporation Act, as amended (12 U.S.C. 1811–
5 1).

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

1 SEC. 205. Unless otherwise provided for in this Act
2 or through a reprogramming of funds, no part of any ap-
3 propriation for the Department of Housing and Urban
4 Development shall be available for any program, project
5 or activity in excess of amounts set forth in the budget
6 estimates submitted to Congress.

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

14 SEC. 207. None of the funds made available by this
15 title may be used for an audit of the Government National
16 Mortgage Association that makes applicable requirements
17 under the Federal Credit Reform Act of 1990 (2 U.S.C.
18 661 et seq.).

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

1 or more multifamily housing project or projects to another
2 multifamily housing project or projects.

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

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

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

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

22 (B) For unoccupied units in the transfer-
23 ring project: The Secretary may authorize a re-
24 duction in the number of dwelling units in the
25 receiving project or projects to allow for a re-

1 configuration of bedroom sizes to meet current
2 market demands, as determined by the Sec-
3 retary and provided there is no increase in the
4 project-based assistance budget authority.

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

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

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

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

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

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

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

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

1 are provided in advance for the amount of any such
2 increased cost.

3 (d) For purposes of this section—

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

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

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

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

18 (C) housing that is assisted under section
19 202 of the Housing Act of 1959 (12 U.S.C.
20 1701q);

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

11 (2) is under 24 years of age;

12 (3) is not a veteran;

13 (4) is unmarried;

14 (5) does not have a dependent child;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

24 “(1) demonstrates that—

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

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

16 “(2) agrees to—

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

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

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

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

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

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

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

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

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

17 SEC. 235. Of the amounts made available under the
18 heading “Project-Based Rental Assistance” in prior Acts,
19 up to \$1,300,000 may be transferred to Treasury Account
20 86-X-0148 for the liquidation of obligations incurred in
21 fiscal year 2018 in connection with the continued provision
22 of interest reduction payments authorized under section
23 236 of the National Housing Act (12 U.S.C. 1715z–1).

24 SEC. 236. (a) Funds previously made available in
25 chapter 9 of title X of the Disaster Relief Appropriations

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

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

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

22 (c) Notwithstanding any other provision of law, any
23 grantee of funds referred to in subsection (a) of this sec-
24 tion may request a waiver from the Secretary of Housing
25 and Urban Development of any recoupment by the Sec-

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

18 (d) Amounts repurposed pursuant to this section that
19 were previously designated by the Congress as an emer-
20 gency requirement pursuant to the Balanced Budget and
21 Emergency Deficit Control Act of 1985 or a concurrent
22 resolution on the budget are designated as an emergency
23 requirement pursuant to section 4001(a)(1) of S. Con.
24 Res. 14 (117th Congress), the concurrent resolution on
25 the budget for fiscal year 2022, and section 1(e) of H.

1 Res. 1151 (117th Congress) as engrossed in the House
2 of Representatives on June 8, 2022.

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

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

14 TITLE III

15 RELATED AGENCIES

16 ACCESS BOARD

17 SALARIES AND EXPENSES

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

1 FEDERAL MARITIME COMMISSION

2 SALARIES AND EXPENSES

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

15 NATIONAL RAILROAD PASSENGER CORPORATION

16 OFFICE OF INSPECTOR GENERAL

17 SALARIES AND EXPENSES

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

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

22 NATIONAL TRANSPORTATION SAFETY BOARD

23 SALARIES AND EXPENSES

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

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

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

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

19 SURFACE TRANSPORTATION BOARD
20 SALARIES AND EXPENSES

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

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

16 UNITED STATES INTERAGENCY COUNCIL ON
17 HOMELESSNESS
18 OPERATING EXPENSES

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

1 title II of the McKinney-Vento Homeless Assistance Act,
2 as amended, \$4,580,000.

3 TITLE IV

4 GENERAL PROVISIONS—THIS ACT

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

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

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

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

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

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

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

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

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

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

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

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

5 (1) creates a new program;

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

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

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

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

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

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

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

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

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

1 and to all programs for which new budget
2 (obligational) authority is provided, as well as
3 to discretionary grants and discretionary grant
4 allocations; and
5 (C) an identification of items of special
6 congressional interest.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

17 SEC. 419. (a) None of the funds made available by
18 this Act may be used to approve a new foreign air carrier
19 permit under sections 41301 through 41305 of title 49,
20 United States Code, or exemption application under sec-
21 tion 40109 of that title of an air carrier already holding
22 an air operators certificate issued by a country that is
23 party to the U.S.-E.U.-Iceland-Norway Air Transport
24 Agreement where such approval would contravene United

1 States law or Article 17 bis of the U.S.-E.U.-Iceland-Nor-
2 way Air Transport Agreement.

3 (b) Nothing in this section shall prohibit, restrict or
4 otherwise preclude the Secretary of Transportation from
5 granting a foreign air carrier permit or an exemption to
6 such an air carrier where such authorization is consistent
7 with the U.S.-E.U.-Iceland-Norway Air Transport Agree-
8 ment and United States law.

9 This division may be cited as the “Transportation,
10 Housing and Urban Development, and Related Agencies
11 Appropriations Act, 2023”.

1 DIVISION B—AGRICULTURE, RURAL DE-
2 VELOPMENT, FOOD AND DRUG ADMIN-
3 ISTRATION, AND RELATED AGENCIES
4 APPROPRIATIONS ACT, 2023

5 TITLE I

6 AGRICULTURAL PROGRAMS

7 PROCESSING, RESEARCH, AND MARKETING

8 OFFICE OF THE SECRETARY

9 (INCLUDING TRANSFERS OF FUNDS)

10 For necessary expenses of the Office of the Secretary,
11 \$69,845,000, of which not to exceed \$8,432,000 shall be
12 available for the immediate Office of the Secretary; not
13 to exceed \$1,396,000 shall be available for the Office of
14 Homeland Security; not to exceed \$5,190,000 shall be
15 available for the Office of Tribal Relations; not to exceed
16 \$11,287,000 shall be available for the Office of Partner-
17 ships and Public Engagement, of which \$1,500,000 shall
18 be for 7 U.S.C. 2279(c)(5); not to exceed \$28,822,000
19 shall be available for the Office of the Assistant Secretary
20 for Administration, of which \$27,116,000 shall be avail-
21 able for Departmental Administration to provide for nec-
22 essary expenses for management support services to of-
23 fices of the Department and for general administration,
24 security, repairs and alterations, and other miscellaneous
25 supplies and expenses not otherwise provided for and nec-

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

1 as required by 5 U.S.C. 551–558: *Provided further*, That
2 funds made available under this heading for the Office of
3 the Assistant Secretary for Congressional Relations and
4 Intergovernmental Affairs shall be transferred to agencies
5 of the Department of Agriculture funded by this Act to
6 maintain personnel at the agency level: *Provided further*,
7 That no funds made available under this heading for the
8 Office of Assistant Secretary for Congressional Relations
9 may be obligated after 30 days from the date of enactment
10 of this Act, unless the Secretary has notified the Commit-
11 tees on Appropriations of both Houses of Congress on the
12 allocation of these funds by USDA agency: *Provided fur-*
13 *ther*, That during any 30 day notification period ref-
14 erenced in section 716 of this Act, the Secretary of Agri-
15 culture shall take no action to begin implementation of
16 the action that is subject to section 716 of this Act or
17 make any public announcement of such action in any
18 form.

19 EXECUTIVE OPERATIONS

20 OFFICE OF THE CHIEF ECONOMIST

21 For necessary expenses of the Office of the Chief
22 Economist, \$30,181,000, of which \$8,000,000 shall be for
23 grants or cooperative agreements for policy research under
24 7 U.S.C. 3155: *Provided*, That of the amounts made avail-
25 able under this heading, \$500,000 shall be available to

1 carry out section 224 of subtitle A of the Department of
2 Agriculture Reorganization Act of 1994 (7 U.S.C. 6924),
3 as amended by section 12504 of Public Law 115–334.

4 OFFICE OF HEARINGS AND APPEALS

5 For necessary expenses of the Office of Hearings and
6 Appeals, \$16,703,000.

7 OFFICE OF BUDGET AND PROGRAM ANALYSIS

8 For necessary expenses of the Office of Budget and
9 Program Analysis, \$16,967,000.

10 OFFICE OF THE CHIEF INFORMATION OFFICER

11 For necessary expenses of the Office of the Chief In-
12 formation Officer, \$93,284,000, of which not less than
13 \$77,428,000 is for cybersecurity requirements of the de-
14 partment.

15 OFFICE OF THE CHIEF FINANCIAL OFFICER

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

18 OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL

19 RIGHTS

20 For necessary expenses of the Office of the Assistant
21 Secretary for Civil Rights, \$1,466,000: *Provided*, That
22 funds made available by this Act to an agency in the Civil
23 Rights mission area for salaries and expenses are available
24 to fund up to one administrative support staff for the Of-
25 fice.

1 OFFICE OF CIVIL RIGHTS

2 For necessary expenses of the Office of Civil Rights,
3 \$37,595,000.

4 AGRICULTURE BUILDINGS AND FACILITIES

5 (INCLUDING TRANSFERS OF FUNDS)

6 For payment of space rental and related costs pursu-
7 ant to Public Law 92–313, including authorities pursuant
8 to the 1984 delegation of authority from the Adminis-
9 trator of General Services to the Department of Agri-
10 culture under 40 U.S.C. 121, for programs and activities
11 of the Department which are included in this Act, and for
12 alterations and other actions needed for the Department
13 and its agencies to consolidate unneeded space into con-
14 figurations suitable for release to the Administrator of
15 General Services, and for the operation, maintenance, im-
16 provement, and repair of Agriculture buildings and facili-
17 ties, and for related costs, \$68,858,000, to remain avail-
18 able until expended.

19 HAZARDOUS MATERIALS MANAGEMENT

20 (INCLUDING TRANSFERS OF FUNDS)

21 For necessary expenses of the Department of Agri-
22 culture, to comply with the Comprehensive Environmental
23 Response, Compensation, and Liability Act (42 U.S.C.
24 9601 et seq.) and the Solid Waste Disposal Act (42 U.S.C.
25 6901 et seq.), \$8,581,000, to remain available until ex-

1 pending: *Provided*, That appropriations and funds available
2 herein to the Department for Hazardous Materials Man-
3 agement may be transferred to any agency of the Depart-
4 ment for its use in meeting all requirements pursuant to
5 the above Acts on Federal and non-Federal lands.

6 OFFICE OF SAFETY, SECURITY, AND PROTECTION

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

9 OFFICE OF INSPECTOR GENERAL

10 For necessary expenses of the Office of Inspector
11 General, including employment pursuant to the Inspector
12 General Act of 1978 (Public Law 95–452; 5 U.S.C. App.),
13 \$111,061,000, including such sums as may be necessary
14 for contracting and other arrangements with public agen-
15 cies and private persons pursuant to section 6(a)(9) of the
16 Inspector General Act of 1978 (Public Law 95–452; 5
17 U.S.C. App.), and including not to exceed \$125,000 for
18 certain confidential operational expenses, including the
19 payment of informants, to be expended under the direction
20 of the Inspector General pursuant to the Inspector Gen-
21 eral Act of 1978 (Public Law 95–452; 5 U.S.C. App.) and
22 section 1337 of the Agriculture and Food Act of 1981
23 (Public Law 97–98).

1 OFFICE OF THE GENERAL COUNSEL

2 For necessary expenses of the Office of the General
3 Counsel, \$62,137,000.

4 OFFICE OF ETHICS

5 For necessary expenses of the Office of Ethics,
6 \$5,556,000.

7 OFFICE OF THE UNDER SECRETARY FOR RESEARCH,
8 EDUCATION, AND ECONOMICS

9 For necessary expenses of the Office of the Under
10 Secretary for Research, Education, and Economics,
11 \$3,384,000: *Provided*, That funds made available by this
12 Act to an agency in the Research, Education, and Eco-
13 nomics mission area for salaries and expenses are avail-
14 able to fund up to one administrative support staff for
15 the Office: *Provided further*, That of the amounts made
16 available under this heading, \$2,000,000 shall be made
17 available for the Office of the Chief Scientist.

18 ECONOMIC RESEARCH SERVICE

19 For necessary expenses of the Economic Research
20 Service, \$90,612,000.

21 NATIONAL AGRICULTURAL STATISTICS SERVICE

22 For necessary expenses of the National Agricultural
23 Statistics Service, \$211,023,000, of which up to
24 \$66,361,000 shall be available until expended for the Cen-
25 sus of Agriculture: *Provided*, That amounts made available

1 for the Census of Agriculture may be used to conduct Cur-
2 rent Industrial Report surveys subject to 7 U.S.C.
3 2204g(d) and (f).

4 AGRICULTURAL RESEARCH SERVICE

5 SALARIES AND EXPENSES

6 For necessary expenses of the Agricultural Research
7 Service and for acquisition of lands by donation, exchange,
8 or purchase at a nominal cost not to exceed \$100, and
9 for land exchanges where the lands exchanged shall be of
10 equal value or shall be equalized by a payment of money
11 to the grantor which shall not exceed 25 percent of the
12 total value of the land or interests transferred out of Fed-
13 eral ownership, \$1,737,629,000: *Provided*, That appro-
14 priations hereunder shall be available for the operation
15 and maintenance of aircraft and the purchase of not to
16 exceed one for replacement only: *Provided further*, That
17 appropriations hereunder shall be available pursuant to 7
18 U.S.C. 2250 for the construction, alteration, and repair
19 of buildings and improvements, but unless otherwise pro-
20 vided, the cost of constructing any one building shall not
21 exceed \$500,000, except for headhouses or greenhouses
22 which shall each be limited to \$1,800,000, except for 10
23 buildings to be constructed or improved at a cost not to
24 exceed \$1,100,000 each, and except for four buildings to
25 be constructed at a cost not to exceed \$5,000,000 each,

1 and the cost of altering any one building during the fiscal
2 year shall not exceed 10 percent of the current replace-
3 ment value of the building or \$500,000, whichever is
4 greater: *Provided further*, That appropriations hereunder
5 shall be available for entering into lease agreements at any
6 Agricultural Research Service location for the construction
7 of a research facility by a non-Federal entity for use by
8 the Agricultural Research Service and a condition of the
9 lease shall be that any facility shall be owned, operated,
10 and maintained by the non-Federal entity and shall be re-
11 moved upon the expiration or termination of the lease
12 agreement: *Provided further*, That the limitations on alter-
13 ations contained in this Act shall not apply to moderniza-
14 tion or replacement of existing facilities at Beltsville,
15 Maryland: *Provided further*, That appropriations here-
16 under shall be available for granting easements at the
17 Beltsville Agricultural Research Center: *Provided further*,
18 That the foregoing limitations shall not apply to replace-
19 ment of buildings needed to carry out the Act of April
20 24, 1948 (21 U.S.C. 113a): *Provided further*, That appro-
21 priations hereunder shall be available for granting ease-
22 ments at any Agricultural Research Service location for
23 the construction of a research facility by a non-Federal
24 entity for use by, and acceptable to, the Agricultural Re-
25 search Service and a condition of the easements shall be

1 that upon completion the facility shall be accepted by the
2 Secretary, subject to the availability of funds herein, if the
3 Secretary finds that acceptance of the facility is in the
4 interest of the United States: *Provided further*, That funds
5 may be received from any State, other political subdivi-
6 sion, organization, or individual for the purpose of estab-
7 lishing or operating any research facility or research
8 project of the Agricultural Research Service, as authorized
9 by law.

10 BUILDINGS AND FACILITIES

11 For the acquisition of land, construction, repair, im-
12 provement, extension, alteration, and purchase of fixed
13 equipment or facilities as necessary to carry out the agri-
14 cultural research programs of the Department of Agri-
15 culture, where not otherwise provided, \$57,305,000 to re-
16 main available until expended, of which \$25,900,000 shall
17 be for the purposes, and in the amounts, specified for this
18 account in the table titled “Community Project Funding”
19 in the report accompanying this Act.

20 NATIONAL INSTITUTE OF FOOD AND AGRICULTURE

21 RESEARCH AND EDUCATION ACTIVITIES

22 For payments to agricultural experiment stations, for
23 cooperative forestry and other research, for facilities, and
24 for other expenses, \$1,142,021,000, which shall be for the
25 purposes, and in the amounts, specified in the table titled

1 “National Institute of Food and Agriculture, Research
2 and Education Activities” in the report accompanying this
3 Act: *Provided*, That funds for research grants for 1994
4 institutions, education grants for 1890 institutions, His-
5 panic serving institutions education grants, capacity build-
6 ing for non-land-grant colleges of agriculture, the agri-
7 culture and food research initiative, veterinary medicine
8 loan repayment, multicultural scholars, graduate fellow-
9 ship and institution challenge grants, grants management
10 systems, tribal colleges education equity grants, and schol-
11 arships at 1890 institutions shall remain available until
12 expended: *Provided further*, That each institution eligible
13 to receive funds under the Evans-Allen program receives
14 no less than \$1,000,000: *Provided further*, That funds for
15 education grants for Alaska Native and Native Hawaiian-
16 serving institutions be made available to individual eligible
17 institutions or consortia of eligible institutions with funds
18 awarded equally to each of the States of Alaska and Ha-
19 waii: *Provided further*, That funds for providing grants for
20 food and agricultural sciences for Alaska Native and Na-
21 tive Hawaiian-Serving institutions and for Insular Areas
22 shall remain available until September 30, 2024: *Provided*
23 *further*, That funds for education grants for 1890 institu-
24 tions shall be made available to institutions eligible to re-
25 ceive funds under 7 U.S.C. 3221 and 3222: *Provided fur-*

1 *ther*, That not more than 5 percent of the amounts made
2 available by this or any other Act to carry out the Agri-
3 culture and Food Research Initiative under 7 U.S.C. 3157
4 may be retained by the Secretary of Agriculture to pay
5 administrative costs incurred by the Secretary in carrying
6 out that authority.

7 NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

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

11 EXTENSION ACTIVITIES

12 For payments to States, the District of Columbia,
13 Puerto Rico, Guam, the Virgin Islands, Micronesia, the
14 Northern Marianas, and American Samoa, \$586,502,000,
15 which shall be for the purposes, and in the amounts, speci-
16 fied in the table titled “National Institute of Food and
17 Agriculture, Extension Activities” in the report accom-
18 panying this Act: *Provided*, That funds for extension serv-
19 ices at 1994 institutions and for facility improvements at
20 1890 institutions shall remain available until expended:
21 *Provided further*, That institutions eligible to receive funds
22 under 7 U.S.C. 3221 for cooperative extension receive no
23 less than \$1,000,000: *Provided further*, That funds for co-
24 operative extension under sections 3(b) and (c) of the
25 Smith-Lever Act (7 U.S.C. 343(b) and (c)) and section

1 208(c) of Public Law 93–471 shall be available for retire-
2 ment and employees’ compensation costs for extension
3 agents.

4 INTEGRATED ACTIVITIES

5 For the integrated research, education, and extension
6 grants programs, including necessary administrative ex-
7 penses, \$39,500,000, which shall be for the purposes, and
8 in the amounts, specified in the table titled “National In-
9 stitute of Food and Agriculture, Integrated Activities” in
10 the report accompanying this Act: *Provided*, That funds
11 for the Food and Agriculture Defense Initiative shall re-
12 main available until September 30, 2024: *Provided further*,
13 That notwithstanding any other provision of law, indirect
14 costs shall not be charged against any Extension Imple-
15 mentation Program Area grant awarded under the Crop
16 Protection/Pest Management Program (7 U.S.C. 7626).

17 OFFICE OF THE UNDER SECRETARY FOR MARKETING
18 AND REGULATORY PROGRAMS

19 For necessary expenses of the Office of the Under
20 Secretary for Marketing and Regulatory Programs,
21 \$1,617,000: *Provided*, That funds made available by this
22 Act to an agency in the Marketing and Regulatory Pro-
23 grams mission area for salaries and expenses are available
24 to fund up to one administrative support staff for the Of-
25 fice.

1 ANIMAL AND PLANT HEALTH INSPECTION SERVICE

2 SALARIES AND EXPENSES

3 (INCLUDING TRANSFERS OF FUNDS)

4 For necessary expenses of the Animal and Plant
5 Health Inspection Service, including up to \$30,000 for
6 representation allowances and for expenses pursuant to
7 the Foreign Service Act of 1980 (22 U.S.C. 4085),
8 \$1,164,209,000, of which \$530,000, to remain available
9 until expended, shall be available for the control of out-
10 breaks of insects, plant diseases, animal diseases and for
11 control of pest animals and birds (“contingency fund”) to
12 the extent necessary to meet emergency conditions; of
13 which \$15,950,000, to remain available until expended,
14 shall be used for the cotton pests program, including for
15 cost share purposes or for debt retirement for active eradi-
16 cation zones; of which \$39,183,000, to remain available
17 until expended, shall be for Animal Health Technical Serv-
18 ices; of which \$4,096,000 shall be for activities under the
19 authority of the Horse Protection Act of 1970, as amend-
20 ed (15 U.S.C. 1831); of which \$64,930,000, to remain
21 available until expended, shall be used to support avian
22 health; of which \$4,251,000, to remain available until ex-
23 pended, shall be for information technology infrastructure;
24 of which \$219,698,000, to remain available until ex-
25 pended, shall be for specialty crop pests; of which,

1 \$14,986,000, to remain available until expended, shall be
2 for field crop and rangeland ecosystem pests; of which
3 \$24,067,000, to remain available until expended, shall be
4 for zoonotic disease management; of which \$44,117,000,
5 to remain available until expended, shall be for emergency
6 preparedness and response; of which \$62,562,000, to re-
7 main available until expended, shall be for tree and wood
8 pests; of which \$6,528,000, to remain available until ex-
9 pended, shall be for the National Veterinary Stockpile; of
10 which up to \$1,500,000, to remain available until ex-
11 pended, shall be for the scrapie program for indemnities;
12 of which \$2,500,000, to remain available until expended,
13 shall be for the wildlife damage management program for
14 aviation safety: *Provided*, That of amounts available under
15 this heading for wildlife services methods development,
16 \$1,000,000 shall remain available until expended: *Pro-*
17 *vided further*, That of amounts available under this head-
18 ing for the screwworm program, \$4,990,000 shall remain
19 available until expended; of which \$24,527,000, to remain
20 available until expended, shall be used to carry out the
21 science program and transition activities for the National
22 Bio and Agro-defense Facility located in Manhattan, Kan-
23 sas: *Provided further*, That no funds shall be used to for-
24 mulate or administer a brucellosis eradication program for
25 the current fiscal year that does not require minimum

1 matching by the States of at least 40 percent: *Provided*
2 *further*, That this appropriation shall be available for the
3 purchase, replacement, operation, and maintenance of air-
4 craft: *Provided further*, That in addition, in emergencies
5 which threaten any segment of the agricultural production
6 industry of the United States, the Secretary may transfer
7 from other appropriations or funds available to the agen-
8 cies or corporations of the Department such sums as may
9 be deemed necessary, to be available only in such emer-
10 gencies for the arrest and eradication of contagious or in-
11 fectious disease or pests of animals, poultry, or plants, and
12 for expenses in accordance with sections 10411 and 10417
13 of the Animal Health Protection Act (7 U.S.C. 8310 and
14 8316) and sections 431 and 442 of the Plant Protection
15 Act (7 U.S.C. 7751 and 7772), and any unexpended bal-
16 ances of funds transferred for such emergency purposes
17 in the preceding fiscal year shall be merged with such
18 transferred amounts: *Provided further*, That appropria-
19 tions hereunder shall be available pursuant to law (7
20 U.S.C. 2250) for the repair and alteration of leased build-
21 ings and improvements, but unless otherwise provided the
22 cost of altering any one building during the fiscal year
23 shall not exceed 10 percent of the current replacement
24 value of the building.

1 In fiscal year 2023, the agency is authorized to collect
2 fees to cover the total costs of providing technical assist-
3 ance, goods, or services requested by States, other political
4 subdivisions, domestic and international organizations,
5 foreign governments, or individuals, provided that such
6 fees are structured such that any entity's liability for such
7 fees is reasonably based on the technical assistance, goods,
8 or services provided to the entity by the agency, and such
9 fees shall be reimbursed to this account, to remain avail-
10 able until expended, without further appropriation, for
11 providing such assistance, goods, or services.

12 BUILDINGS AND FACILITIES

13 For plans, construction, repair, preventive mainte-
14 nance, environmental support, improvement, extension, al-
15 teration, and purchase of fixed equipment or facilities, as
16 authorized by 7 U.S.C. 2250, and acquisition of land as
17 authorized by 7 U.S.C. 2268a, \$3,175,000, to remain
18 available until expended.

19 AGRICULTURAL MARKETING SERVICE

20 MARKETING SERVICES

21 For necessary expenses of the Agricultural Marketing
22 Service, \$242,913,000, of which \$7,504,000 shall be avail-
23 able for the purposes of section 12306 of Public Law 113–
24 79: *Provided*, That of the amounts made available under
25 this heading, \$25,000,000, to remain available until ex-

1 pending, shall be to carry out section 12513 of Public Law
2 115–334: *Provided further*, That this appropriation shall
3 be available pursuant to law (7 U.S.C. 2250) for the alter-
4 ation and repair of buildings and improvements, but the
5 cost of altering any one building during the fiscal year
6 shall not exceed 10 percent of the current replacement
7 value of the building.

8 Fees may be collected for the cost of standardization
9 activities, as established by regulation pursuant to law (31
10 U.S.C. 9701), except for the cost of activities relating to
11 the development or maintenance of grain standards under
12 the United States Grain Standards Act, 7 U.S.C. 71 et
13 seq.

14 LIMITATION ON ADMINISTRATIVE EXPENSES

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

1 FUNDS FOR STRENGTHENING MARKETS, INCOME, AND
2 SUPPLY (SECTION 32)
3 (INCLUDING TRANSFERS OF FUNDS)

4 Funds available under section 32 of the Act of Au-
5 gust 24, 1935 (7 U.S.C. 612c), shall be used only for com-
6 modity program expenses as authorized therein, and other
7 related operating expenses, except for: (1) transfers to the
8 Department of Commerce as authorized by the Fish and
9 Wildlife Act of 1956 (16 U.S.C. 742a et seq.); (2) trans-
10 fers otherwise provided in this Act; and (3) not more than
11 \$21,501,000 for formulation and administration of mar-
12 keting agreements and orders pursuant to the Agricultural
13 Marketing Agreement Act of 1937 and the Agricultural
14 Act of 1961 (Public Law 87–128).

15 PAYMENTS TO STATES AND POSSESSIONS

16 For payments to departments of agriculture, bureaus
17 and departments of markets, and similar agencies for
18 marketing activities under section 204(b) of the Agricul-
19 tural Marketing Act of 1946 (7 U.S.C. 1623(b)),
20 \$1,235,000.

21 LIMITATION ON INSPECTION AND WEIGHING SERVICES

22 EXPENSES

23 Not to exceed \$55,000,000 (from fees collected) shall
24 be obligated during the current fiscal year for inspection
25 and weighing services: *Provided*, That if grain export ac-

1 tivities require additional supervision and oversight, or
2 other uncontrollable factors occur, this limitation may be
3 exceeded by up to 10 percent with notification to the Com-
4 mittees on Appropriations of both Houses of Congress.

5 OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY

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

12 FOOD SAFETY AND INSPECTION SERVICE

13 For necessary expenses to carry out services author-
14 ized by the Federal Meat Inspection Act, the Poultry
15 Products Inspection Act, and the Egg Products Inspection
16 Act, including not to exceed \$10,000 for representation
17 allowances and for expenses pursuant to section 8 of the
18 Act approved August 3, 1956 (7 U.S.C. 1766),
19 \$1,180,364,000; and in addition, \$1,000,000 may be cred-
20 ited to this account from fees collected for the cost of lab-
21 oratory accreditation as authorized by section 1327 of the
22 Food, Agriculture, Conservation and Trade Act of 1990
23 (7 U.S.C. 138f): *Provided*, That funds provided for the
24 Public Health Data Communication Infrastructure system
25 shall remain available until expended: *Provided further*,

1 That no fewer than 148 full-time equivalent positions shall
2 be employed during fiscal year 2023 for purposes dedi-
3 cated solely to inspections and enforcement related to the
4 Humane Methods of Slaughter Act (7 U.S.C. 1901 et
5 seq.): *Provided further*, That this appropriation shall be
6 available pursuant to law (7 U.S.C. 2250) for the alter-
7 ation and repair of buildings and improvements, but the
8 cost of altering any one building during the fiscal year
9 shall not exceed 10 percent of the current replacement
10 value of the building.

11 TITLE II
12 FARM PRODUCTION AND CONSERVATION
13 PROGRAMS
14 OFFICE OF THE UNDER SECRETARY FOR FARM
15 PRODUCTION AND CONSERVATION

16 For necessary expenses of the Office of the Under
17 Secretary for Farm Production and Conservation,
18 \$1,727,000: *Provided*, That funds made available by this
19 Act to an agency in the Farm Production and Conserva-
20 tion mission area for salaries and expenses are available
21 to fund up to one administrative support staff for the Of-
22 fice.

1 FARM PRODUCTION AND CONSERVATION BUSINESS
2 CENTER

3 SALARIES AND EXPENSES
4 (INCLUDING TRANSFERS OF FUNDS)

5 For necessary expenses of the Farm Production and
6 Conservation Business Center, \$257,684,000: *Provided*,
7 That \$60,228,000 of amounts appropriated for the cur-
8 rent fiscal year pursuant to section 1241(a) of the Farm
9 Security and Rural Investment Act of 1985 (16 U.S.C.
10 3841(a)) shall be transferred to and merged with this ac-
11 count.

12 FARM SERVICE AGENCY
13 SALARIES AND EXPENSES
14 (INCLUDING TRANSFERS OF FUNDS)

15 For necessary expenses of the Farm Service Agency,
16 \$1,229,396,000: *Provided*, That not more than 50 percent
17 of the funding made available under this heading for infor-
18 mation technology related to farm program delivery may
19 be obligated until the Secretary submits to the Committees
20 on Appropriations of both Houses of Congress, and re-
21 ceives written or electronic notification of receipt from
22 such Committees of, a plan for expenditure that (1) identi-
23 fies for each project/investment over \$25,000 (a) the func-
24 tional and performance capabilities to be delivered and the
25 mission benefits to be realized, (b) the estimated lifecycle

1 cost for the entirety of the project/investment, including
2 estimates for development as well as maintenance and op-
3 erations, and (c) key milestones to be met; (2) dem-
4 onstrates that each project/investment is, (a) consistent
5 with the Farm Service Agency Information Technology
6 Roadmap, (b) being managed in accordance with applica-
7 ble lifecycle management policies and guidance, and (c)
8 subject to the applicable Department's capital planning
9 and investment control requirements; and (3) has been re-
10 viewed by the Government Accountability Office and ap-
11 proved by the Committees on Appropriations of both
12 Houses of Congress: *Provided further*, That the agency
13 shall submit a report by the end of the fourth quarter of
14 fiscal year 2023 to the Committees on Appropriations of
15 both Houses of Congress and the Government Account-
16 ability Office, that identifies for each project/investment
17 that is operational (a) current performance against key
18 indicators of customer satisfaction, (b) current perform-
19 ance of service level agreements or other technical metrics,
20 (c) current performance against a pre-established cost
21 baseline, (d) a detailed breakdown of current and planned
22 spending on operational enhancements or upgrades, and
23 (e) an assessment of whether the investment continues to
24 meet business needs as intended as well as alternatives
25 to the investment: *Provided further*, That the Secretary

1 is authorized to use the services, facilities, and authorities
2 (but not the funds) of the Commodity Credit Corporation
3 to make program payments for all programs administered
4 by the Agency: *Provided further*, That other funds made
5 available to the Agency for authorized activities may be
6 advanced to and merged with this account: *Provided fur-*
7 *ther*, That of the amount appropriated under this heading,
8 \$696,594,000 shall be made available to county commit-
9 tees, to remain available until expended: *Provided further*,
10 That, notwithstanding the preceding proviso, any funds
11 made available to county committees in the current fiscal
12 year that the Administrator of the Farm Service Agency
13 deems to exceed or not meet the amount needed for the
14 county committees may be transferred to or from the
15 Farm Service Agency for necessary expenses: *Provided*
16 *further*, That none of the funds available to the Farm
17 Service Agency shall be used to close Farm Service Agency
18 county offices: *Provided further*, That none of the funds
19 available to the Farm Service Agency shall be used to per-
20 manently relocate county based employees that would re-
21 sult in an office with two or fewer employees without prior
22 notification and approval of the Committees on Appropria-
23 tions of both Houses of Congress.

1 STATE MEDIATION GRANTS

2 For grants pursuant to section 502(b) of the Agricul-
3 tural Credit Act of 1987, as amended (7 U.S.C. 5101–
4 5106), \$7,000,000.

5 GRASSROOTS SOURCE WATER PROTECTION PROGRAM

6 For necessary expenses to carry out wellhead or
7 groundwater protection activities under section 1240O of
8 the Food Security Act of 1985 (16 U.S.C. 3839bb–2),
9 \$6,500,000, to remain available until expended.

10 DAIRY INDEMNITY PROGRAM

11 (INCLUDING TRANSFER OF FUNDS)

12 For necessary expenses involved in making indemnity
13 payments to dairy farmers and manufacturers of dairy
14 products under a dairy indemnity program, such sums as
15 may be necessary, to remain available until expended: *Pro-*
16 *vided*, That such program is carried out by the Secretary
17 in the same manner as the dairy indemnity program de-
18 scribed in the Agriculture, Rural Development, Food and
19 Drug Administration, and Related Agencies Appropria-
20 tions Act, 2001 (Public Law 106–387, 114 Stat. 1549A–
21 12).

22 GEOGRAPHICALLY DISADVANTAGED FARMERS AND
23 RANCHERS

24 For necessary expenses to carry out direct reimburse-
25 ment payments to geographically disadvantaged farmers

1 and ranchers under section 1621 of the Food Conserva-
2 tion, and Energy Act of 2008 (7 U.S.C. 8792),
3 \$3,000,000, to remain available until expended.

4 AGRICULTURAL CREDIT INSURANCE FUND PROGRAM
5 ACCOUNT
6 (INCLUDING TRANSFERS OF FUNDS)

7 For gross obligations for the principal amount of di-
8 rect and guaranteed farm ownership (7 U.S.C. 1922 et
9 seq.) and operating (7 U.S.C. 1941 et seq.) loans, emer-
10 gency loans (7 U.S.C. 1961 et seq.), Indian tribe land ac-
11 quisition loans (25 U.S.C. 5136), boll weevil loans (7
12 U.S.C. 1989), guaranteed conservation loans (7 U.S.C.
13 1924 et seq.), relending program (7 U.S.C. 1936c), and
14 Indian highly fractionated land loans (25 U.S.C. 5136)
15 to be available from funds in the Agricultural Credit In-
16 surance Fund, as follows: \$3,500,000,000 for guaranteed
17 farm ownership loans and \$3,100,000,000 for farm owner-
18 ship direct loans; \$2,118,491,000 for unsubsidized guar-
19 anteed operating loans and \$1,633,333,000 for direct op-
20 erating loans; emergency loans, \$4,062,000; Indian tribe
21 land acquisition loans, \$20,000,000; guaranteed conserva-
22 tion loans, \$150,000,000; relending program,
23 \$61,426,000; Indian highly fractionated land loans,
24 \$5,000,000; and for boll weevil eradication program loans,
25 \$60,000,000: *Provided*, That the Secretary shall deem the

1 pink bollworm to be a boll weevil for the purpose of boll
2 weevil eradication program loans.

3 For the cost of direct and guaranteed loans and
4 grants, including the cost of modifying loans as defined
5 in section 502 of the Congressional Budget Act of 1974,
6 as follows: \$249,000 for emergency loans, to remain avail-
7 able until expended; and \$23,520,000 for direct farm op-
8 erating loans, \$11,228,000 for unsubsidized guaranteed
9 farm operating loans, \$10,983,000 for the relending pro-
10 gram, and \$894,000 for Indian highly fractionated land
11 loans.

12 In addition, for administrative expenses necessary to
13 carry out the direct and guaranteed loan programs,
14 \$326,461,000: *Provided*, That of this amount,
15 \$305,803,000 shall be transferred to and merged with the
16 appropriation for “Farm Service Agency, Salaries and Ex-
17 penses”.

18 Funds appropriated by this Act to the Agricultural
19 Credit Insurance Program Account for farm ownership,
20 operating and conservation direct loans and guaranteed
21 loans may be transferred among these programs: *Pro-*
22 *vided*, That the Committees on Appropriations of both
23 Houses of Congress are notified at least 15 days in ad-
24 vance of any transfer.

1 RISK MANAGEMENT AGENCY

2 SALARIES AND EXPENSES

3 For necessary expenses of the Risk Management
4 Agency, \$75,443,000; of which \$4,500,000 shall be avail-
5 able to conduct research and development and carry out
6 contracting and partnerships as described under sub-
7 sections 522(c) and (d) of the Federal Crop Insurance
8 Act, as amended (7 U.S.C. 1522(c) and (d)), in addition
9 to amounts otherwise provided for such purposes: *Pro-*
10 *vided*, That \$1,000,000 of the amount appropriated under
11 this heading in this Act shall be available for compliance
12 and integrity activities required under section
13 516(b)(2)(C) of the Federal Crop Insurance Act of 1938
14 (7 U.S.C. 1516(b)(2)(C)), and shall be in addition to
15 amounts otherwise provided for such purpose: *Provided*
16 *further*, That not to exceed \$1,000 shall be available for
17 official reception and representation expenses, as author-
18 ized by 7 U.S.C. 1506(i).

19 NATURAL RESOURCES CONSERVATION SERVICE

20 CONSERVATION OPERATIONS

21 For necessary expenses for carrying out the provi-
22 sions of the Act of April 27, 1935 (16 U.S.C. 590a–f),
23 including preparation of conservation plans and establish-
24 ment of measures to conserve soil and water (including
25 farm irrigation and land drainage and such special meas-

1 ures for soil and water management as may be necessary
2 to prevent floods and the siltation of reservoirs and to con-
3 trol agricultural related pollutants); operation of conserva-
4 tion plant materials centers; classification and mapping of
5 soil; dissemination of information; acquisition of lands,
6 water, and interests therein for use in the plant materials
7 program by donation, exchange, or purchase at a nominal
8 cost not to exceed \$100 pursuant to the Act of August
9 3, 1956 (7 U.S.C. 2268a); purchase and erection or alter-
10 ation or improvement of permanent and temporary build-
11 ings; and operation and maintenance of aircraft,
12 \$1,023,777,000, to remain available until September 30,
13 2024, of which up to \$22,973,000 shall be for the pur-
14 poses, and in the amounts, specified for this account in
15 the table titled “Community Project Funding” in the re-
16 port accompanying this Act: *Provided further*, That appro-
17 priations hereunder shall be available pursuant to 7
18 U.S.C. 2250 for construction and improvement of build-
19 ings and public improvements at plant materials centers,
20 except that the cost of alterations and improvements to
21 other buildings and other public improvements shall not
22 exceed \$250,000: *Provided further*, That when buildings
23 or other structures are erected on non-Federal land, that
24 the right to use such land is obtained as provided in 7
25 U.S.C. 2250a.

1 WATERSHED AND FLOOD PREVENTION OPERATIONS

2 For necessary expenses to carry out preventive meas-
3 ures, including but not limited to surveys and investiga-
4 tions, engineering operations, works of improvement, and
5 changes in use of land, in accordance with the Watershed
6 Protection and Flood Prevention Act (16 U.S.C. 1001–
7 1005 and 1007–1009) and in accordance with the provi-
8 sions of laws relating to the activities of the Department,
9 \$95,000,000, to remain available until expended: *Pro-*
10 *vided*, That for funds provided by this Act or any other
11 prior Act, the limitation regarding the size of the water-
12 shed or subwatershed exceeding two hundred and fifty
13 thousand acres in which such activities can be undertaken
14 shall only apply for activities undertaken for the primary
15 purpose of flood prevention (including structural and land
16 treatment measures): *Provided further*, That of the
17 amounts made available under this heading, \$10,000,000
18 shall be allocated to projects and activities that can com-
19 mence promptly following enactment; that address re-
20 gional priorities for flood prevention, agricultural water
21 management, inefficient irrigation systems, fish and wild-
22 life habitat, or watershed protection; or that address au-
23 thorized ongoing projects under the authorities of section
24 13 of the Flood Control Act of December 22, 1944 (Public
25 Law 78–534) with a primary purpose of watershed protec-

1 tion by preventing floodwater damage and stabilizing
2 stream channels, tributaries, and banks to reduce erosion
3 and sediment transport.

4 WATERSHED REHABILITATION PROGRAM

5 Under the authorities of section 14 of the Watershed
6 Protection and Flood Prevention Act, \$5,000,000 is pro-
7 vided.

8 HEALTHY FORESTS RESERVE PROGRAM

9 For necessary expenses to carry out the Healthy For-
10 ests Reserve Program under the Healthy Forests Restora-
11 tion Act of 2003 (16 U.S.C. 6571-6578), \$10,000,000, to
12 remain available until expended.

13 URBAN AGRICULTURE AND INNOVATIVE PRODUCTION

14 For necessary expenses to carry out the Urban Agri-
15 culture and Innovative Production Program under section
16 222 of subtitle A of the Department of Agriculture Reor-
17 ganization Act of 1994 (7 U.S.C. 6923), as added by sec-
18 tion 12302 of Public Law 115–334, \$13,500,000.

19 CORPORATIONS

20 The following corporations and agencies are hereby
21 authorized to make expenditures, within the limits of
22 funds and borrowing authority available to each such cor-
23 poration or agency and in accord with law, and to make
24 contracts and commitments without regard to fiscal year
25 limitations as provided by section 104 of the Government

1 Corporation Control Act as may be necessary in carrying
2 out the programs set forth in the budget for the current
3 fiscal year for such corporation or agency, except as here-
4 inafter provided.

5 FEDERAL CROP INSURANCE CORPORATION FUND

6 For payments as authorized by section 516 of the
7 Federal Crop Insurance Act (7 U.S.C. 1516), such sums
8 as may be necessary, to remain available until expended.

9 COMMODITY CREDIT CORPORATION FUND

10 REIMBURSEMENT FOR NET REALIZED LOSSES

11 (INCLUDING TRANSFERS OF FUNDS)

12 For the current fiscal year, such sums as may be nec-
13 essary to reimburse the Commodity Credit Corporation for
14 net realized losses sustained, but not previously reim-
15 bursed, pursuant to section 2 of the Act of August 17,
16 1961 (15 U.S.C. 713a–11): *Provided*, That of the funds
17 available to the Commodity Credit Corporation under sec-
18 tion 11 of the Commodity Credit Corporation Charter Act
19 (15 U.S.C. 714i) for the conduct of its business with the
20 Foreign Agricultural Service, up to \$5,000,000 may be
21 transferred to and used by the Foreign Agricultural Serv-
22 ice for information resource management activities of the
23 Foreign Agricultural Service that are not related to Com-
24 modity Credit Corporation business.

1 HAZARDOUS WASTE MANAGEMENT

2 (LIMITATION ON EXPENSES)

3 For the current fiscal year, the Commodity Credit
4 Corporation shall not expend more than \$15,000,000 for
5 site investigation and cleanup expenses, and operations
6 and maintenance expenses to comply with the requirement
7 of section 107(g) of the Comprehensive Environmental
8 Response, Compensation, and Liability Act (42 U.S.C.
9 9607(g)), and section 6001 of the Solid Waste Disposal
10 Act (42 U.S.C. 6961).

11 TITLE III

12 RURAL DEVELOPMENT PROGRAMS

13 OFFICE OF THE UNDER SECRETARY FOR RURAL

14 DEVELOPMENT

15 For necessary expenses of the Office of the Under
16 Secretary for Rural Development, \$1,620,000: *Provided*,
17 That funds made available by this Act to an agency in
18 the Rural Development mission area for salaries and ex-
19 penses are available to fund up to one administrative sup-
20 port staff for the Office.

21 RURAL DEVELOPMENT

22 SALARIES AND EXPENSES

23 (INCLUDING TRANSFERS OF FUNDS)

24 For necessary expenses for carrying out the adminis-
25 tration and implementation of Rural Development pro-

1 grams, including activities with institutions concerning the
2 development and operation of agricultural cooperatives;
3 and for cooperative agreements; \$401,976,000: *Provided*,
4 That of the amount made available under this heading,
5 up to \$5,000,000, to remain available until September 30,
6 2024, shall be for the Rural Partners Network activities
7 of the Department of Agriculture, and may be transferred
8 to other agencies of the Department for such purpose, con-
9 sistent with the missions and authorities of such agencies:
10 *Provided further*, That notwithstanding any other provi-
11 sion of law, funds appropriated under this heading may
12 be used for advertising and promotional activities that
13 support Rural Development programs: *Provided further*,
14 That in addition to any other funds appropriated for pur-
15 poses authorized by section 502(i) of the Housing Act of
16 1949 (42 U.S.C. 1472(i)), any amounts collected under
17 such section, as amended by this Act, will immediately be
18 credited to this account and will remain available until ex-
19 pended for such purposes.

20 RURAL HOUSING SERVICE

21 RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

22 (INCLUDING TRANSFERS OF FUNDS)

23 For gross obligations for the principal amount of di-
24 rect and guaranteed loans as authorized by title V of the
25 Housing Act of 1949, to be available from funds in the

1 rural housing insurance fund, as follows: \$1,500,000,000
2 shall be for direct loans, \$12,000,000 shall be for a single
3 family housing relending demonstration program for Na-
4 tive American Tribes, and \$30,000,000,000 shall be for
5 unsubsidized guaranteed loans; \$28,000,000 for section
6 504 housing repair loans; \$150,000,000 for section 515
7 rental housing; \$300,000,000 for section 538 guaranteed
8 multi-family housing loans; \$10,000,000 for credit sales
9 of single family housing acquired property; \$5,000,000 for
10 section 523 self-help housing land development loans; and
11 \$5,000,000 for section 524 site development loans.

12 For the cost of direct and guaranteed loans, including
13 the cost of modifying loans, as defined in section 502 of
14 the Congressional Budget Act of 1974, as follows: section
15 502 loans, \$55,650,000 shall be for direct loans;
16 \$3,948,000 shall be for a single family housing relending
17 demonstration program for Native American Tribes; sec-
18 tion 504 housing repair loans, \$2,324,000; section 523
19 self-help housing land development loans, \$267,000; sec-
20 tion 524 site development loans, \$208,000; and repair, re-
21 habilitation, and new construction of section 515 rental
22 housing, \$28,665,000: *Provided*, That to support the loan
23 program level for section 538 guaranteed loans made
24 available under this heading the Secretary may charge or
25 adjust any fees to cover the projected cost of such loan

1 guarantees pursuant to the provisions of the Credit Re-
2 form Act of 1990 (2 U.S.C. 661 et seq.), and the interest
3 on such loans may not be subsidized: *Provided further*,
4 That applicants in communities that have a current rural
5 area waiver under section 541 of the Housing Act of 1949
6 (42 U.S.C. 1490q) shall be treated as living in a rural
7 area for purposes of section 502 guaranteed loans pro-
8 vided under this heading: *Provided further*, That of the
9 amounts available under this paragraph for section 502
10 direct loans, no less than \$5,000,000 shall be available for
11 direct loans for individuals whose homes will be built pur-
12 suant to a program funded with a mutual and self-help
13 housing grant authorized by section 523 of the Housing
14 Act of 1949 until June 1, 2023: *Provided further*, That
15 the Secretary shall implement provisions to provide incen-
16 tives to nonprofit organizations and public housing au-
17 thorities to facilitate the acquisition of Rural Housing
18 Service (RHS) multifamily housing properties by such
19 nonprofit organizations and public housing authorities
20 that commit to keep such properties in the RHS multi-
21 family housing program for a period of time as determined
22 by the Secretary, with such incentives to include, but not
23 be limited to, the following: allow such nonprofit entities
24 and public housing authorities to earn a Return on Invest-
25 ment on their own resources to include proceeds from low

1 income housing tax credit syndication, own contributions,
2 grants, and developer loans at favorable rates and terms,
3 invested in a deal; and allow reimbursement of organiza-
4 tional costs associated with owner's oversight of asset re-
5 ferred to as "Asset Management Fee" of up to \$7,500
6 per property.

7 In addition, for the cost of direct loans and grants,
8 including the cost of modifying loans, as defined in section
9 502 of the Congressional Budget Act of 1974,
10 \$40,000,000, to remain available until expended, for a
11 demonstration program for the preservation and revital-
12 ization of the sections 514, 515, and 516 multi-family
13 rental housing properties to restructure existing USDA
14 multi-family housing loans, as the Secretary deems appro-
15 priate, expressly for the purposes of ensuring the project
16 has sufficient resources to preserve the project for the pur-
17 pose of providing safe and affordable housing for low-in-
18 come residents and farm laborers including reducing or
19 eliminating interest; deferring loan payments, subordi-
20 nating, reducing or re-amortizing loan debt; and other fi-
21 nancial assistance including advances, payments and in-
22 centives (including the ability of owners to obtain reason-
23 able returns on investment) required by the Secretary:
24 *Provided*, That the Secretary shall, as part of the preser-
25 vation and revitalization agreement, obtain a restrictive

1 use agreement consistent with the terms of the restruc-
2 turing: *Provided further*, That any balances, including ob-
3 ligated balances, available for all demonstration programs
4 for the preservation and revitalization of sections 514,
5 515, and 516 multi-family rental housing properties in the
6 “Multi-Family Housing Revitalization Program Account”
7 shall be transferred to and merged with this account, and
8 shall also be available for the preservation and revitaliza-
9 tion of sections 514, 515, and 516 multi-family rental
10 housing properties, including the restructuring of existing
11 USDA multi-family housing loans: *Provided further*, That
12 following the transfer of balances described in the pre-
13 ceding proviso, any adjustments to obligations for dem-
14 onstration programs for the preservation and revitaliza-
15 tion of sections 514, 515, and 516 multi-family rental
16 housing properties that would otherwise be incurred in the
17 “Multi-Family Housing Revitalization Program Account”
18 shall be made in this account from amounts transferred
19 to this account under the preceding proviso.

20 In addition, for the cost of direct loans, grants, and
21 contracts, as authorized by sections 514 and 516 of the
22 Housing Act of 1949 (42 U.S.C. 1484, 1486),
23 \$18,126,000, to remain available until expended, for direct
24 farm labor housing loans and domestic farm labor housing
25 grants and contracts: *Provided*, That any balances avail-

1 able for the Farm Labor Program Account shall be trans-
2 ferred to and merged with this account.

3 In addition, for administrative expenses necessary to
4 carry out the direct and guaranteed loan programs,
5 \$412,254,000 shall be transferred to and merged with the
6 appropriation for “Rural Development, Salaries and Ex-
7 penses”.

8 RENTAL ASSISTANCE PROGRAM

9 For rental assistance agreements entered into or re-
10 newed pursuant to the authority under section 521(a)(2)
11 of the Housing Act of 1949 or agreements entered into
12 in lieu of debt forgiveness or payments for eligible house-
13 holds as authorized by section 502(c)(5)(D) of the Hous-
14 ing Act of 1949, \$1,493,926,000, of which \$40,000,000
15 shall be available until September 30, 2024; and in addi-
16 tion such sums as may be necessary, as authorized by sec-
17 tion 521(c) of the Act, to liquidate debt incurred prior to
18 fiscal year 1992 to carry out the rental assistance program
19 under section 521(a)(2) of the Act: *Provided*, That rental
20 assistance agreements entered into or renewed during the
21 current fiscal year shall be funded for a one-year period:
22 *Provided further*, That of the amounts made available
23 under this heading, not less than \$8,000,000 shall be
24 available for newly constructed units financed under sec-
25 tion 514 and 516 of the Housing Act of 1949: *Provided*

1 *further*, That upon request by an owner of a project fi-
2 nanced by an existing loan under section 514 or 515 of
3 the Act, the Secretary may renew the rental assistance
4 agreement for a period of 20 years or until the term of
5 such loan has expired, subject to annual appropriations:
6 *Provided further*, That any unexpended balances remain-
7 ing at the end of such one-year agreements may be trans-
8 ferred and used for purposes of any debt reduction, main-
9 tenance, repair, or rehabilitation of any existing projects;
10 preservation; and rental assistance activities authorized
11 under title V of the Act: *Provided further*, That rental as-
12 sistance provided under agreements entered into prior to
13 fiscal year 2023 for a farm labor multi-family housing
14 project financed under section 514 or 516 of the Act may
15 not be recaptured for use in another project until such
16 assistance has remained unused for a period of 12 con-
17 secutive months, if such project has a waiting list of ten-
18 ants seeking such assistance or the project has rental as-
19 sistance eligible tenants who are not receiving such assist-
20 ance: *Provided further*, That such recaptured rental assist-
21 ance shall, to the extent practicable, be applied to another
22 farm labor multi-family housing project financed under
23 section 514 or 516 of the Act: *Provided further*, That ex-
24 cept as provided in the fifth proviso under this heading
25 and notwithstanding any other provision of the Act, the

1 Secretary may recapture rental assistance provided under
2 agreements entered into prior to fiscal year 2023 for a
3 project that the Secretary determines no longer needs
4 rental assistance and use such recaptured funds for cur-
5 rent needs.

6 RURAL HOUSING VOUCHER ACCOUNT

7 For the rural housing voucher program as authorized
8 under section 542 of the Housing Act of 1949, but not-
9 withstanding subsection (b) of such section, \$38,000,000,
10 to remain available until expended: *Provided*, That the
11 funds made available under this heading shall be available
12 for rural housing vouchers to any low-income household
13 (including those not receiving rental assistance) residing
14 in a property financed with a section 515 loan which has
15 been prepaid or otherwise paid off after September 30,
16 2005: *Provided further*, That the amount of such voucher
17 shall be the difference between comparable market rent
18 for the section 515 unit and the tenant paid rent for such
19 unit: *Provided further*, That funds made available for such
20 vouchers shall be subject to the availability of annual ap-
21 propriations: *Provided further*, That the Secretary shall,
22 to the maximum extent practicable, administer such
23 vouchers with current regulations and administrative guid-
24 ance applicable to section 8 housing vouchers administered
25 by the Secretary of the Department of Housing and Urban

1 Development: *Provided further*, That in addition to any
2 other available funds, the Secretary may expend not more
3 than \$1,000,000 total, from the program funds made
4 available under this heading, for administrative expenses
5 for activities funded under this heading.

6 MUTUAL AND SELF-HELP HOUSING GRANTS

7 For grants and contracts pursuant to section
8 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C.
9 1490c), \$33,000,000, to remain available until expended.

10 RURAL HOUSING ASSISTANCE GRANTS

11 For grants for very low-income housing repair and
12 rural housing preservation made by the Rural Housing
13 Service, as authorized by 42 U.S.C. 1474, and 1490m,
14 \$48,000,000, to remain available until expended.

15 RURAL COMMUNITY FACILITIES PROGRAM ACCOUNT

16 (INCLUDING TRANSFERS OF FUNDS)

17 For gross obligations for the principal amount of di-
18 rect and guaranteed loans as authorized by section 306
19 and described in section 381E(d)(1) of the Consolidated
20 Farm and Rural Development Act, \$2,800,000,000 for di-
21 rect loans and \$650,000,000 for guaranteed loans.

22 For the cost of direct loans, loan guarantees and
23 grants, including the cost of modifying loans, as defined
24 in section 502 of the Congressional Budget Act of 1974,
25 for rural community facilities programs as authorized by

1 section 306 and described in section 381E(d)(1) of the
2 Consolidated Farm and Rural Development Act,
3 \$194,865,000, to remain available until expended, of
4 which up to \$126,865,000 shall be for the purposes, and
5 in the amounts, specified for this account in the table ti-
6 tled “Community Project Funding” in the report accom-
7 panying this Act: *Provided*, That \$8,000,000 of the
8 amount appropriated under this heading shall be available
9 for a Rural Community Development Initiative: *Provided*
10 *further*, That such funds shall be used solely to develop
11 the capacity and ability of private, nonprofit community-
12 based housing and community development organizations,
13 low-income rural communities, and Federally Recognized
14 Native American Tribes to undertake projects to improve
15 housing, community facilities, community and economic
16 development projects in rural areas: *Provided further*,
17 That such funds shall be made available to qualified pri-
18 vate, nonprofit and public intermediary organizations pro-
19 posing to carry out a program of financial and technical
20 assistance: *Provided further*, That such intermediary orga-
21 nizations shall provide matching funds from other sources,
22 including Federal funds for related activities, in an
23 amount not less than funds provided: *Provided further*,
24 That any unobligated balances from prior year appropria-
25 tions under this heading for the cost of direct loans, loan

1 guarantees and grants, including amounts deobligated or
2 cancelled, may be made available to cover the subsidy costs
3 for direct loans and or loan guarantees under this heading
4 in this fiscal year: *Provided further*, That no amounts may
5 be made available pursuant to the preceding proviso from
6 amounts that were designated by the Congress as an
7 emergency requirement pursuant to a Concurrent Resolu-
8 tion on the Budget or the Balanced Budget and Emer-
9 gency Deficit Control Act of 1985, or that were specified
10 in the table titled “Community Project Funding/Congres-
11 sionally Directed Spending” in the explanatory statement
12 for Division A of Public Law 117–103 described in section
13 4 in the matter preceding such division A: *Provided fur-*
14 *ther*, That \$10,000,000 of the amount appropriated under
15 this heading shall be available for community facilities
16 grants to tribal colleges, as authorized by section
17 306(a)(19) of such Act: *Provided further*, That sections
18 381E–H and 381N of the Consolidated Farm and Rural
19 Development Act are not applicable to the funds made
20 available under this heading.

21 RURAL BUSINESS—COOPERATIVE SERVICE

22 RURAL BUSINESS PROGRAM ACCOUNT

23 (INCLUDING TRANSFERS OF FUNDS)

24 For the cost of loan guarantees and grants, for the
25 rural business development programs authorized by sec-

tion 310B and described in subsections (a), (c), (f) and (g) of section 310B of the Consolidated Farm and Rural Development Act, \$88,800,000, to remain available until expended: *Provided*, That of the amount appropriated under this heading, not to exceed \$500,000 shall be made available for one grant to a qualified national organization to provide technical assistance for rural transportation in order to promote economic development and \$9,000,000 shall be for grants to the Delta Regional Authority (7 U.S.C. 2009aa et seq.), the Northern Border Regional Commission (40 U.S.C. 15101 et seq.), and the Appalachian Regional Commission (40 U.S.C. 14101 et seq.) for any Rural Community Advancement Program purpose as described in section 381E(d) of the Consolidated Farm and Rural Development Act, of which not more than 5 percent may be used for administrative expenses: *Provided further*, That \$4,000,000 of the amount appropriated under this heading shall be for business grants to benefit Federally Recognized Native American Tribes, including \$250,000 for a grant to a qualified national organization to provide technical assistance for rural transportation in order to promote economic development: *Provided further*, That sections 381E–H and 381N of the Consolidated Farm and Rural Development Act are not applicable to funds made available under this heading.

1 INTERMEDIARY RELENDING PROGRAM FUND ACCOUNT
2 (INCLUDING TRANSFER OF FUNDS)

3 For the principal amount of direct loans, as author-
4 ized by the Intermediary Relending Program Fund Ac-
5 count (7 U.S.C. 1936b), \$18,889,000.

6 For the cost of direct loans, \$3,313,000, as author-
7 ized by the Intermediary Relending Program Fund Ac-
8 count (7 U.S.C. 1936b), of which \$331,000 shall be avail-
9 able through June 30, 2023, for Federally Recognized Na-
10 tive American Tribes; and of which \$663,000 shall be
11 available through June 30, 2023, for Mississippi Delta Re-
12 gion counties (as determined in accordance with Public
13 Law 100–460): *Provided*, That such costs, including the
14 cost of modifying such loans, shall be as defined in section
15 502 of the Congressional Budget Act of 1974.

16 In addition, for administrative expenses to carry out
17 the direct loan programs, \$4,468,000 shall be transferred
18 to and merged with the appropriation for “Rural Develop-
19 ment, Salaries and Expenses”.

20 RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM
21 ACCOUNT

22 For the principal amount of direct loans, as author-
23 ized under section 313B(a) of the Rural Electrification
24 Act, for the purpose of promoting rural economic develop-
25 ment and job creation projects, \$50,000,000.

1 The cost of grants authorized under section 313B(a)
2 of the Rural Electrification Act, for the purpose of pro-
3 moting rural economic development and job creation
4 projects shall not exceed \$10,000,000.

5 RURAL COOPERATIVE DEVELOPMENT GRANTS

6 For rural cooperative development grants authorized
7 under section 310B(e) of the Consolidated Farm and
8 Rural Development Act (7 U.S.C. 1932), \$27,600,000, of
9 which \$2,800,000 shall be for cooperative agreements for
10 the appropriate technology transfer for rural areas pro-
11 gram: *Provided*, That not to exceed \$3,000,000 shall be
12 for grants for cooperative development centers, individual
13 cooperatives, or groups of cooperatives that serve socially
14 disadvantaged groups and a majority of the boards of di-
15 rectors or governing boards of which are comprised of in-
16 dividuals who are members of socially disadvantaged
17 groups; and of which \$16,000,000, to remain available
18 until expended, shall be for value-added agricultural prod-
19 uct market development grants, as authorized by section
20 210A of the Agricultural Marketing Act of 1946, of which
21 \$3,000,000, to remain available until expended, shall be
22 for Agriculture Innovation Centers authorized pursuant to
23 section 6402 of Public Law 107–171.

1 RURAL MICROENTREPRENEUR ASSISTANCE PROGRAM

2 For the principal amount of direct loans authorized
3 by section 379E of the Consolidated Farm and Rural De-
4 velopment Act (U.S.C. 2008s), \$25,000,000.

5 For the cost of loans and grants, \$6,000,000 under
6 the same terms and conditions as authorized by section
7 379E of the Consolidated Farm and Rural Development
8 Act (7 U.S.C. 2008s).

9 RURAL ENERGY FOR AMERICA PROGRAM

10 For the cost of a program of loan guarantees and
11 grants, under the same terms and conditions as authorized
12 by section 9007 of the Farm Security and Rural Invest-
13 ment Act of 2002 (7 U.S.C. 8107), \$10,045,000: *Pro-*
14 *vided*, That the cost of loan guarantees, including the cost
15 of modifying such loans, shall be as defined in section 502
16 of the Congressional Budget Act of 1974.

17 HEALTHY FOOD FINANCING INITIATIVE

18 For the cost of loans and grants that is consistent
19 with section 243 of subtitle D of title II of the Department
20 of Agriculture Reorganization Act of 1994 (7 U.S.C.
21 6953), as added by section 4206 of the Agricultural Act
22 of 2014, for necessary expenses of the Secretary to sup-
23 port projects that provide access to healthy food in under-
24 served areas, to create and preserve quality jobs, and to
25 revitalize low-income communities, \$5,000,000, to remain

1 available until expended: *Provided*, That such costs of
2 loans, including the cost of modifying such loans, shall be
3 as defined in section 502 of the Congressional Budget Act
4 of 1974.

5 RURAL UTILITIES SERVICE

6 RURAL WATER AND WASTE DISPOSAL PROGRAM ACCOUNT
7 (INCLUDING TRANSFERS OF FUNDS)

8 For gross obligations for the principal amount of di-
9 rect and guaranteed loans as authorized by section 306
10 and described in section 381E(d)(2) of the Consolidated
11 Farm and Rural Development Act, as follows:
12 \$1,450,000,000 for direct loans; and \$50,000,000 for
13 guaranteed loans.

14 For the cost of loan guarantees and grants, including
15 the cost of modifying loans, as defined in section 502 of
16 the Congressional Budget Act of 1974, for rural water,
17 waste water, waste disposal, and solid waste management
18 programs authorized by sections 306, 306A, 306C, 306D,
19 306E, and 310B and described in sections 306C(a)(2),
20 306D, 306E, and 381E(d)(2) of the Consolidated Farm
21 and Rural Development Act, \$685,072,000, to remain
22 available until expended, of which not to exceed
23 \$1,000,000 shall be available for the rural utilities pro-
24 gram described in section 306(a)(2)(B) of such Act, and
25 of which not to exceed \$5,000,000 shall be available for

1 the rural utilities program described in section 306E of
2 such Act: *Provided*, That not to exceed \$15,000,000 of
3 the amount appropriated under this heading shall be for
4 grants authorized by section 306A(i)(2) of the Consoli-
5 dated Farm and Rural Development Act in addition to
6 funding authorized by section 306A(i)(1) of such Act: *Pro-*
7 *vided further*, That \$70,000,000 of the amount appro-
8 priated under this heading shall be for loans and grants
9 including water and waste disposal systems grants author-
10 ized by section 306C(a)(2)(B) and section 306D of the
11 Consolidated Farm and Rural Development Act, and Fed-
12 erally Recognized Native American Tribes authorized by
13 306C(a)(1) of such Act: *Provided further*, That funding
14 provided for section 306D of the Consolidated Farm and
15 Rural Development Act may be provided to a consortium
16 formed pursuant to section 325 of Public Law 105–83:
17 *Provided further*, That not more than 2 percent of the
18 funding provided for section 306D of the Consolidated
19 Farm and Rural Development Act may be used by the
20 State of Alaska for training and technical assistance pro-
21 grams and not more than 2 percent of the funding pro-
22 vided for section 306D of the Consolidated Farm and
23 Rural Development Act may be used by a consortium
24 formed pursuant to section 325 of Public Law 105–83 for
25 training and technical assistance programs: *Provided fur-*

1 *ther*, That not to exceed \$37,500,000 of the amount ap-
2 propriated under this heading shall be for technical assist-
3 ance grants for rural water and waste systems pursuant
4 to section 306(a)(14) of such Act, unless the Secretary
5 makes a determination of extreme need, of which
6 \$8,500,000 shall be made available for a grant to a quali-
7 fied nonprofit multi-State regional technical assistance or-
8 ganization, with experience in working with small commu-
9 nities on water and waste water problems, the principal
10 purpose of such grant shall be to assist rural communities
11 with populations of 3,300 or less, in improving the plan-
12 ning, financing, development, operation, and management
13 of water and waste water systems, and of which not less
14 than \$800,000 shall be for a qualified national Native
15 American organization to provide technical assistance for
16 rural water systems for tribal communities: *Provided fur-*
17 *ther*, That not to exceed \$20,762,000 of the amount ap-
18 propriated under this heading shall be for contracting with
19 qualified national organizations for a circuit rider program
20 to provide technical assistance for rural water systems:
21 *Provided further*, That not to exceed \$4,000,000 of the
22 amounts made available under this heading shall be for
23 solid waste management grants: *Provided further*, That
24 \$10,000,000 of the amount appropriated under this head-
25 ing shall be transferred to, and merged with, the Rural

1 Utilities Service, High Energy Cost Grants Account to
2 provide grants authorized under section 19 of the Rural
3 Electrification Act of 1936 (7 U.S.C. 918a): *Provided fur-*
4 *ther*, That any prior year balances for high-energy cost
5 grants authorized by section 19 of the Rural Electrifica-
6 tion Act of 1936 (7 U.S.C. 918a) shall be transferred to
7 and merged with the Rural Utilities Service, High Energy
8 Cost Grants Account: *Provided further*, That not to exceed
9 \$6,810,000 of the amounts appropriated under this head-
10 ing shall be available as the Secretary deems appropriate
11 for water and waste direct one percent loans for distressed
12 communities: *Provided further*, That if the Secretary de-
13 termines that any portion of the amount made available
14 for one percent loans is not needed for such loans, the
15 Secretary may use such amounts, for grants authorized
16 by section 306(a)(2) of the Consolidated Farm and Rural
17 Development Act: *Provided further*, That if any funds
18 made available for the direct loan subsidy costs remain
19 unobligated after July 31, 2024, such unobligated bal-
20 ances may be used for grant programs funded under this
21 heading: *Provided further*, That sections 381E–H and
22 381N of the Consolidated Farm and Rural Development
23 Act are not applicable to the funds made available under
24 this heading.

1 RURAL ELECTRIFICATION AND TELECOMMUNICATIONS
2 LOANS PROGRAM ACCOUNT
3 (INCLUDING TRANSFER OF FUNDS)

4 The principal amount of direct and guaranteed loans
5 as authorized by sections 4, 305, 306, and 317 of the
6 Rural Electrification Act of 1936 (7 U.S.C. 904, 935, 936,
7 and 940g) shall be made as follows: loans made pursuant
8 to section 306, guaranteed electric loans, \$2,167,000,000;
9 loans made pursuant to sections 4, notwithstanding
10 4(c)(2), of that Act, and 317, notwithstanding 317(c), of
11 that Act, cost-of-money direct loans, \$4,333,000,000;
12 loans made pursuant to section 313A of that Act, guaran-
13 teed underwriting loans, \$800,000,000; and for loans
14 made pursuant to section 305(d)(2) of that Act, cost of
15 money telecommunications loans, \$690,000,000.

16 For the cost of direct loans as authorized by section
17 305(d)(2) of the Rural Electrification Act of 1936 (7
18 U.S.C. 935(d)(2)), including the cost of modifying loans,
19 as defined in section 502 of the Congressional Budget Act
20 of 1974, cost of money rural telecommunications loans,
21 \$3,726,000.

22 In addition, \$11,500,000 to remain available until ex-
23 pended, to carry out section 6407 of the Farm Security
24 and Rural Investment Act of 2002 (7 U.S.C. 8107a): *Pro-*
25 *vided*, That the energy efficiency measures supported by

1 the funding in this paragraph shall contribute in a demon-
2 strable way to the reduction of greenhouse gases.

3 In addition, for administrative expenses necessary to
4 carry out the direct and guaranteed loan programs,
5 \$33,270,000, which shall be transferred to and merged
6 with the appropriation for “Rural Development, Salaries
7 and Expenses”.

8 DISTANCE LEARNING, TELEMEDICINE, AND BROADBAND
9 PROGRAM

10 For grants for telemedicine and distance learning
11 services in rural areas, as authorized by 7 U.S.C. 950aaa
12 et seq., \$60,000,000, to remain available until expended:
13 *Provided*, That \$3,000,000 shall be made available for
14 grants authorized by section 379G of the Consolidated
15 Farm and Rural Development Act: *Provided further*, That
16 funding provided under this heading for grants under sec-
17 tion 379G of the Consolidated Farm and Rural Develop-
18 ment Act may only be provided to entities that meet all
19 of the eligibility criteria for a consortium as established
20 by this section.

21 For the cost of broadband loans, as authorized by
22 sections 601 and 602 of the Rural Electrification Act,
23 \$2,000,000, to remain available until expended: *Provided*,
24 That the cost of direct loans shall be as defined in section
25 502 of the Congressional Budget Act of 1974.

1 For the broadband loan and grant pilot program es-
2 tablished by section 779 of division A of the Consolidated
3 Appropriations Act, 2018 (Public Law 115–141) under
4 the Rural Electrification Act of 1936, as amended (7
5 U.S.C. 901 et seq.), \$465,513,000, to remain available
6 until expended, of which up to \$15,513,000 shall be for
7 the purposes, and in the amounts, specified for this ac-
8 count in the table titled “Community Project Funding”
9 in the report accompanying this Act: *Provided*, That the
10 Secretary may award grants described in section 601(a)
11 of the Rural Electrification Act of 1936, as amended (7
12 U.S.C. 950bb(a)) for the purposes of carrying out such
13 pilot program: *Provided further*, That the cost of direct
14 loans shall be defined in section 502 of the Congressional
15 Budget Act of 1974: *Provided further*, That at least 90
16 percent of the households to be served by a project receiv-
17 ing a loan or grant under the pilot program shall be in
18 a rural area without sufficient access to broadband: *Pro-*
19 *vided further*, That for purposes of such pilot program,
20 a rural area without sufficient access to broadband shall
21 be defined as twenty-five megabytes per second down-
22 stream and three megabytes per second upstream: *Pro-*
23 *vided further*, That to the extent possible, projects receiv-
24 ing funds provided under the pilot program must build
25 out service to at least one hundred megabytes per second

1 downstream, and twenty megabytes per second upstream:
2 *Provided further*, That an entity to which a loan or grant
3 is made under the pilot program shall not use the loan
4 or grant to overbuild or duplicate broadband service in a
5 service area by any entity that has received a broadband
6 loan from the Rural Utilities Service unless such service
7 is not provided sufficient access to broadband at the min-
8 imum service threshold: *Provided further*, That not more
9 than four percent of the funds made available in this para-
10 graph can be used for administrative costs to carry out
11 the pilot program and up to three percent of funds made
12 available in this paragraph may be available for technical
13 assistance and pre-development planning activities to sup-
14 port the most rural communities: *Provided further*, That
15 the Rural Utilities Service is directed to expedite program
16 delivery methods that would implement this paragraph:
17 *Provided further*, That for purposes of this paragraph, the
18 Secretary shall adhere to the notice, reporting and service
19 area assessment requirements set forth in section 701 of
20 the Rural Electrification Act (7 U.S.C. 950cc).

21 In addition, \$35,000,000, to remain available until
22 expended, for the Community Connect Grant Program au-
23 thorized by 7 U.S.C. 950bb-3.

1 TITLE IV

2 DOMESTIC FOOD PROGRAMS

3 OFFICE OF THE UNDER SECRETARY FOR FOOD,
4 NUTRITION, AND CONSUMER SERVICES

5 For necessary expenses of the Office of the Under
6 Secretary for Food, Nutrition, and Consumer Services,
7 \$1,376,000: *Provided*, That funds made available by this
8 Act to an agency in the Food, Nutrition and Consumer
9 Services mission area for salaries and expenses are avail-
10 able to fund up to one administrative support staff for
11 the Office.

12 FOOD AND NUTRITION SERVICE

13 CHILD NUTRITION PROGRAMS

14 (INCLUDING TRANSFERS OF FUNDS)

15 For necessary expenses to carry out the Richard B.
16 Russell National School Lunch Act (42 U.S.C. 1751 et
17 seq.), except section 21, and the Child Nutrition Act of
18 1966 (42 U.S.C. 1771 et seq.), except sections 17 and
19 21; \$28,619,957,000 to remain available through Sep-
20 tember 30, 2024, of which such sums as are made avail-
21 able under section 14222(b)(1) of the Food, Conservation,
22 and Energy Act of 2008 (Public Law 110–246), as
23 amended by this Act, shall be merged with and available
24 for the same time period and purposes as provided herein:
25 *Provided*, That of the total amount available, \$20,162,000

1 shall be available to carry out section 19 of the Child Nu-
2 trition Act of 1966 (42 U.S.C. 1771 et seq.): *Provided*
3 *further*, That of the total amount available, \$21,005,000
4 shall be available to carry out studies and evaluations and
5 shall remain available until expended: *Provided further*,
6 That of the total amount available, \$12,000,000 shall re-
7 main available until expended to carry out section 18(g)
8 of the Richard B. Russell National School Lunch Act (42
9 U.S.C. 1769(g)): *Provided further*, That notwithstanding
10 section 18(g)(3)(C) of the Richard B. Russell National
11 School Lunch Act (42 U.S.C. 1769(g)(3)(c)), the total
12 grant amount provided to a farm to school grant recipient
13 in fiscal year 2023 shall not exceed \$500,000: *Provided*
14 *further*, That of the total amount available, \$40,000,000
15 shall be available to provide competitive grants to State
16 agencies for subgrants to local educational agencies and
17 schools to purchase the equipment, with a value of greater
18 than \$1,000, needed to serve healthier meals, improve food
19 safety, and to help support the establishment, mainte-
20 nance, or expansion of the school breakfast program: *Pro-*
21 *vided further*, That of the total amount available,
22 \$50,000,000 shall remain available until expended to carry
23 out section 749(g) of the Agriculture Appropriations Act
24 of 2010 (Public Law 111–80): *Provided further*, That of
25 the total amount available, \$10,000,000 shall be available

1 until September 30, 2024 to carry out section 23 of the
2 Child Nutrition Act of 1966 (42 U.S.C. 1793), of which
3 \$2,000,000 shall be for grants under such section to the
4 Commonwealth of Puerto Rico, the Commonwealth of the
5 Northern Mariana Islands, the United States Virgin Is-
6 lands, Guam, and American Samoa: *Provided further*,
7 That section 26(d) of the Richard B. Russell National
8 School Lunch Act (42 U.S.C. 1769g(d)) is amended in
9 the first sentence by striking “2010 through 2023” and
10 inserting “2010 through 2024”: *Provided further*, That
11 section 9(h)(3) of the Richard B. Russell National School
12 Lunch Act (42 U.S.C. 1758(h)(3)) is amended in the first
13 sentence by striking “For fiscal year 2022” and inserting
14 “For fiscal year 2023”: *Provided further*, That section
15 9(h)(4) of the Richard B. Russell National School Lunch
16 Act (42 U.S.C. 1758(h)(4)) is amended in the first sen-
17 tence by striking “For fiscal year 2022” and inserting
18 “For fiscal year 2023”.

19 SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR
20 WOMEN, INFANTS, AND CHILDREN (WIC)

21 For necessary expenses to carry out the special sup-
22 plemental nutrition program as authorized by section 17
23 of the Child Nutrition Act of 1966 (42 U.S.C. 1786),
24 \$6,000,000,000, to remain available through September
25 30, 2024: *Provided*, That notwithstanding section

1 17(h)(10) of the Child Nutrition Act of 1966 (42 U.S.C.
2 1786(h)(10)), not less than \$90,000,000 shall be used for
3 breastfeeding peer counselors and other related activities,
4 and \$14,000,000 shall be used for infrastructure: *Pro-*
5 *vided further*, That the Secretary shall use funds made
6 available under this heading to increase the amount of a
7 cash-value voucher for women and children participants
8 to an amount recommended by the National Academies
9 of Science, Engineering and Medicine and adjusted for in-
10 flation: *Provided further*, That none of the funds provided
11 in this account shall be available for the purchase of infant
12 formula except in accordance with the cost containment
13 and competitive bidding requirements specified in section
14 17 of such Act: *Provided further*, That none of the funds
15 provided shall be available for activities that are not fully
16 reimbursed by other Federal Government departments or
17 agencies unless authorized by section 17 of such Act: *Pro-*
18 *vided further*, That upon termination of a federally man-
19 dated vendor moratorium and subject to terms and condi-
20 tions established by the Secretary, the Secretary may
21 waive the requirement at 7 CFR 246.12(g)(6) at the re-
22 quest of a State agency.

23 SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

24 For necessary expenses to carry out the Food and
25 Nutrition Act of 2008 (7 U.S.C. 2011 et seq.),

1 \$111,180,895,000, of which \$3,000,000,000, to remain
2 available through September 30, 2025, shall be placed in
3 reserve for use only in such amounts and at such times
4 as may become necessary to carry out program operations:
5 *Provided*, That funds provided herein shall be expended
6 in accordance with section 16 of the Food and Nutrition
7 Act of 2008: *Provided further*, That of the funds made
8 available under this heading, \$998,000 may be used to
9 provide nutrition education services to State agencies and
10 Federally Recognized Tribes participating in the Food
11 Distribution Program on Indian Reservations: *Provided*
12 *further*, That of the funds made available under this head-
13 ing, \$3,000,000, to remain available until September 30,
14 2024, shall be used to carry out section 4003(b) of Public
15 Law 115–334 relating to demonstration projects for tribal
16 organizations: *Provided further*, That this appropriation
17 shall be subject to any work registration or workfare re-
18 quirements as may be required by law: *Provided further*,
19 That funds made available for Employment and Training
20 under this heading shall remain available through Sep-
21 tember 30, 2024: *Provided further*, That funds made avail-
22 able under this heading for section 28(d)(1), section 4(b),
23 and section 27(a) of the Food and Nutrition Act of 2008
24 shall remain available through September 30, 2024: *Pro-*
25 *vided further*, That none of the funds made available under

1 this heading may be obligated or expended in contraven-
2 tion of section 213A of the Immigration and Nationality
3 Act (8 U.S.C. 1183A): *Provided further*, That funds made
4 available under this heading may be used to enter into
5 contracts and employ staff to conduct studies, evaluations,
6 or to conduct activities related to program integrity pro-
7 vided that such activities are authorized by the Food and
8 Nutrition Act of 2008.

9 For making, after June 30 of the current fiscal year,
10 benefit payments to individuals, and payments to States
11 or other non-Federal entities, pursuant to the Food and
12 Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), for unan-
13 ticipated costs incurred for the last three months of the
14 fiscal year, such sums as may be necessary.

15 COMMODITY ASSISTANCE PROGRAM

16 For necessary expenses to carry out disaster assist-
17 ance and the Commodity Supplemental Food Program as
18 authorized by section 4(a) of the Agriculture and Con-
19 sumer Protection Act of 1973 (7 U.S.C. 612c note); the
20 Emergency Food Assistance Act of 1983; special assist-
21 ance for the nuclear affected islands, as authorized by sec-
22 tion 103(f)(2) of the Compact of Free Association Amend-
23 ments Act of 2003 (Public Law 108–188); and the Farm-
24 ers’ Market Nutrition Program, as authorized by section
25 17(m) of the Child Nutrition Act of 1966, \$469,710,000,

1 to remain available through September 30, 2024: *Pro-*
2 *vided*, That none of these funds shall be available to reim-
3 burse the Commodity Credit Corporation for commodities
4 donated to the program: *Provided further*, That notwith-
5 standing any other provision of law, effective with funds
6 made available in fiscal year 2023 to support the Seniors
7 Farmers' Market Nutrition Program, as authorized by
8 section 4402 of the Farm Security and Rural Investment
9 Act of 2002, such funds shall remain available through
10 September 30, 2024: *Provided further*, That of the funds
11 made available under section 27(a) of the Food and Nutri-
12 tion Act of 2008 (7 U.S.C. 2036(a)), the Secretary may
13 use up to 20 percent for costs associated with the distribu-
14 tion of commodities.

15 NUTRITION PROGRAMS ADMINISTRATION

16 For necessary administrative expenses of the Food
17 and Nutrition Service for carrying out any domestic nutri-
18 tion assistance program, \$231,378,000: *Provided*, That of
19 the funds provided herein, \$2,000,000 shall be used for
20 the purposes of section 4404 of Public Law 107–171, as
21 amended by section 4401 of Public Law 110–246.

1 TITLE V
2 FOREIGN ASSISTANCE AND RELATED
3 PROGRAMS

4 OFFICE OF THE UNDER SECRETARY FOR TRADE AND
5 FOREIGN AGRICULTURAL AFFAIRS

6 For necessary expenses of the Office of the Under
7 Secretary for Trade and Foreign Agricultural Affairs,
8 \$932,000: *Provided*, That funds made available by this
9 Act to any agency in the Trade and Foreign Agricultural
10 Affairs mission area for salaries and expenses are avail-
11 able to fund up to one administrative support staff for
12 the Office.

13 OFFICE OF CODEX ALIMENTARIUS

14 For necessary expenses of the Office of Codex
15 Alimentarius, \$4,922,000, including not to exceed
16 \$40,000 for official reception and representation expenses.

17 FOREIGN AGRICULTURAL SERVICE

18 SALARIES AND EXPENSES

19 (INCLUDING TRANSFERS OF FUNDS)

20 For necessary expenses of the Foreign Agricultural
21 Service, including not to exceed \$250,000 for representa-
22 tion allowances and for expenses pursuant to section 8 of
23 the Act approved August 3, 1956 (7 U.S.C. 1766),
24 \$234,913,000, of which no more than 6 percent shall re-
25 main available until September 30, 2024, for overseas op-

1 erations to include the payment of locally employed staff:
2 *Provided*, That the Service may utilize advances of funds,
3 or reimburse this appropriation for expenditures made on
4 behalf of Federal agencies, public and private organiza-
5 tions and institutions under agreements executed pursu-
6 ant to the agricultural food production assistance pro-
7 grams (7 U.S.C. 1737) and the foreign assistance pro-
8 grams of the United States Agency for International De-
9 velopment: *Provided further*, That funds made available
10 for middle-income country training programs, funds made
11 available for the Borlaug International Agricultural
12 Science and Technology Fellowship program, and up to
13 \$2,000,000 of the Foreign Agricultural Service appropria-
14 tion solely for the purpose of offsetting fluctuations in
15 international currency exchange rates, subject to docu-
16 mentation by the Foreign Agricultural Service, shall re-
17 main available until expended.

18 FOOD FOR PEACE TITLE II GRANTS

19 For expenses during the current fiscal year, not oth-
20 erwise recoverable, and unrecovered prior years' costs, in-
21 cluding interest thereon, under the Food for Peace Act
22 (Public Law 83-480), for commodities supplied in connec-
23 tion with dispositions abroad under title II of said Act,
24 \$1,800,000,000, to remain available until expended.

1 MCGOVERN-DOLE INTERNATIONAL FOOD FOR EDUCATION
2 AND CHILD NUTRITION PROGRAM GRANTS

3 For necessary expenses to carry out the provisions
4 of section 3107 of the Farm Security and Rural Invest-
5 ment Act of 2002 (7 U.S.C. 1736o–1), \$265,000,000, to
6 remain available until expended: *Provided*, That the Com-
7 modity Credit Corporation is authorized to provide the
8 services, facilities, and authorities for the purpose of im-
9 plementing such section, subject to reimbursement from
10 amounts provided herein: *Provided further*, That of the
11 amount made available under this heading, not more than
12 10 percent, but not less than \$26,500,000, shall remain
13 available until expended to purchase agricultural commod-
14 ities as described in subsection 3107(a)(2) of the Farm
15 Security and Rural Investment Act of 2002 (7 U.S.C.
16 1736o–1(a)(2)).

17 COMMODITY CREDIT CORPORATION EXPORT (LOANS)

18 CREDIT GUARANTEE PROGRAM ACCOUNT

19 (INCLUDING TRANSFERS OF FUNDS)

20 For administrative expenses to carry out the Com-
21 modity Credit Corporation’s Export Guarantee Program,
22 GSM 102 and GSM 103, \$6,063,000, to cover common
23 overhead expenses as permitted by section 11 of the Com-
24 modity Credit Corporation Charter Act and in conformity
25 with the Federal Credit Reform Act of 1990, which shall

1 be transferred to and merged with the appropriation for
2 “Foreign Agricultural Service, Salaries and Expenses”.

3 TITLE VI
4 RELATED AGENCIES AND FOOD AND DRUG
5 ADMINISTRATION
6 DEPARTMENT OF HEALTH AND HUMAN SERVICES
7 FOOD AND DRUG ADMINISTRATION
8 SALARIES AND EXPENSES
9 (INCLUDING TRANSFERS OF FUNDS)

10 For necessary expenses of the Food and Drug Ad-
11 ministration, including hire and purchase of passenger
12 motor vehicles; for payment of space rental and related
13 costs pursuant to Public Law 92–313 for programs and
14 activities of the Food and Drug Administration which are
15 included in this Act; for rental of special purpose space
16 in the District of Columbia or elsewhere; in addition to
17 amounts appropriated to the FDA Innovation Account, for
18 carrying out the activities described in section 1002(b)(4)
19 of the 21st Century Cures Act (Public Law 114–255); for
20 miscellaneous and emergency expenses of enforcement ac-
21 tivities, authorized and approved by the Secretary and to
22 be accounted for solely on the Secretary’s certificate, not
23 to exceed \$25,000; and notwithstanding section 521 of
24 Public Law 107–188; \$6,484,171,000: *Provided*, That of
25 the amount provided under this heading, \$1,224,132,000

1 shall be derived from prescription drug user fees author-
2 ized by 21 U.S.C. 379h, and shall be credited to this ac-
3 count and remain available until expended; \$248,342,000
4 shall be derived from medical device user fees authorized
5 by 21 U.S.C. 379j, and shall be credited to this account
6 and remain available until expended; \$550,449,000 shall
7 be derived from human generic drug user fees authorized
8 by 21 U.S.C. 379j–42, and shall be credited to this ac-
9 count and remain available until expended; \$40,841,000
10 shall be derived from biosimilar biological product user
11 fees authorized by 21 U.S.C. 379j–52, and shall be cred-
12 ited to this account and remain available until expended;
13 \$32,238,000 shall be derived from animal drug user fees
14 authorized by 21 U.S.C. 379j–12, and shall be credited
15 to this account and remain available until expended;
16 \$29,459,000 shall be derived from generic new animal
17 drug user fees authorized by 21 U.S.C. 379j–21, and shall
18 be credited to this account and remain available until ex-
19 pended; \$712,000,000 shall be derived from tobacco prod-
20 uct user fees authorized by 21 U.S.C. 387s, and shall be
21 credited to this account and remain available until ex-
22 pended: *Provided further*, That in addition to and notwith-
23 standing any other provision under this heading, amounts
24 collected for prescription drug user fees, medical device
25 user fees, human generic drug user fees, biosimilar biologi-

1 cal product user fees, animal drug user fees, and generic
2 new animal drug user fees that exceed the respective fiscal
3 year 2023 limitations are appropriated and shall be cred-
4 ited to this account and remain available until expended:
5 *Provided further*, That fees derived from prescription drug,
6 medical device, human generic drug, biosimilar biological
7 product, animal drug, and generic new animal drug as-
8 sessments for fiscal year 2023, including any such fees
9 collected prior to fiscal year 2023 but credited for fiscal
10 year 2023, shall be subject to the fiscal year 2023 limita-
11 tions: *Provided further*, That the Secretary may accept
12 payment during fiscal year 2023 of user fees specified
13 under this heading and authorized for fiscal year 2024,
14 prior to the due date for such fees, and that amounts of
15 such fees assessed for fiscal year 2024 for which the Sec-
16 retary accepts payment in fiscal year 2023 shall not be
17 included in amounts under this heading: *Provided further*,
18 That none of these funds shall be used to develop, estab-
19 lish, or operate any program of user fees authorized by
20 31 U.S.C. 9701: *Provided further*, That of the total
21 amount appropriated: (1) \$1,244,007,000 shall be for the
22 Center for Food Safety and Applied Nutrition and related
23 field activities in the Office of Regulatory Affairs, of which
24 no less than \$15,000,000 shall be used for inspections of
25 foreign seafood manufacturers and field examinations of

1 imported seafood; (2) \$2,225,209,000 shall be for the
2 Center for Drug Evaluation and Research and related
3 field activities in the Office of Regulatory Affairs, of which
4 no less than \$10,000,000 shall be for pilots to increase
5 unannounced foreign inspections and shall remain avail-
6 able until expended, and \$15,000,000 shall be for coordi-
7 nating programs and activities of the Food and Drug Ad-
8 ministration with those of the Drug Enforcement Admin-
9 istration and U.S. Customs and Border Protection to com-
10 bat the illicit importation of opioids, including fentanyl,
11 through international mail facilities and land ports-of
12 entry; (3) \$477,782,000 shall be for the Center for Bio-
13 logics Evaluation and Research and for related field activi-
14 ties in the Office of Regulatory Affairs; (4) \$295,999,000
15 shall be for the Center for Veterinary Medicine and for
16 related field activities in the Office of Regulatory Affairs;
17 (5) \$682,221,000 shall be for the Center for Devices and
18 Radiological Health and for related field activities in the
19 Office of Regulatory Affairs; (6) \$77,893,000 shall be for
20 the National Center for Toxicological Research; (7)
21 \$677,165,000 shall be for the Center for Tobacco Prod-
22 ucts and for related field activities in the Office of Regu-
23 latory Affairs; (8) \$216,603,000 shall be for Rent and Re-
24 lated activities, of which \$56,011,000 is for White Oak
25 Consolidation, other than the amounts paid to the General

1 Services Administration for rent; (9) \$237,917,000 shall
2 be for payments to the General Services Administration
3 for rent; and (10) \$349,375,000 shall be for other activi-
4 ties, including the Office of the Commissioner of Food and
5 Drugs, the Office of Food Policy and Response, the Office
6 of Operations, the Office of the Chief Scientist, and cen-
7 tral services for these offices: *Provided further*, That not
8 to exceed \$25,000 of this amount shall be for official re-
9 ception and representation expenses, not otherwise pro-
10 vided for, as determined by the Commissioner: *Provided*
11 *further*, That any transfer of funds pursuant to, and for
12 the administration of, section 770(n) of the Federal Food,
13 Drug, and Cosmetic Act (21 U.S.C. 379dd(n)) shall only
14 be from amounts made available under this heading for
15 other activities and shall not exceed \$2,000,000: *Provided*
16 *further*, That of the amounts that are made available
17 under this heading for “other activities”, and that are not
18 derived from user fees, \$1,500,000 shall be transferred to
19 and merged with the appropriation for “Department of
20 Health and Human Services—Office of Inspector Gen-
21 eral” for oversight of the programs and operations of the
22 Food and Drug Administration and shall be in addition
23 to funds otherwise made available for oversight of the
24 Food and Drug Administration: *Provided further*, That
25 funds may be transferred from one specified activity to

1 another with the prior approval of the Committees on Ap-
2 propriations of both Houses of Congress.

3 In addition, mammography user fees authorized by
4 42 U.S.C. 263b, export certification user fees authorized
5 by 21 U.S.C. 381, priority review user fees authorized by
6 21 U.S.C. 360n and 360ff, food and feed recall fees, food
7 reinspection fees, and voluntary qualified importer pro-
8 gram fees authorized by 21 U.S.C. 379j–31, outsourcing
9 facility fees authorized by 21 U.S.C. 379j–62, prescription
10 drug wholesale distributor licensing and inspection fees
11 authorized by 21 U.S.C. 353(e)(3), third-party logistics
12 provider licensing and inspection fees authorized by 21
13 U.S.C. 360eee–3(c)(1), third-party auditor fees authorized
14 by 21 U.S.C. 384d(c)(8), medical countermeasure priority
15 review voucher user fees authorized by 21 U.S.C. 360bbb–
16 4a, and fees relating to over-the-counter monograph drugs
17 authorized by 21 U.S.C. 379j–72 shall be credited to this
18 account, to remain available until expended.

19 BUILDINGS AND FACILITIES

20 For plans, construction, repair, improvement, exten-
21 sion, alteration, demolition, and purchase of fixed equip-
22 ment or facilities of or used by the Food and Drug Admin-
23 istration, where not otherwise provided, \$16,000,000, to
24 remain available until expended.

1 FDA INNOVATION ACCOUNT, CURES ACT

2 (INCLUDING TRANSFER OF FUNDS)

3 For necessary expenses to carry out the purposes de-
4 scribed under section 1002(b)(4) of the 21st Century
5 Cures Act, in addition to amounts available for such pur-
6 poses under the heading “Salaries and Expenses”,
7 \$50,000,000, to remain available until expended: *Pro-*
8 *vided*, That amounts appropriated in this paragraph are
9 appropriated pursuant to section 1002(b)(3) of the 21st
10 Century Cures Act, are to be derived from amounts trans-
11 ferred under section 1002(b)(2)(A) of such Act, and may
12 be transferred by the Commissioner of Food and Drugs
13 to the appropriation for “Department of Health and
14 Human Services Food and Drug Administration Salaries
15 and Expenses” solely for the purposes provided in such
16 Act: *Provided further*, That upon a determination by the
17 Commissioner that funds transferred pursuant to the pre-
18 vious proviso are not necessary for the purposes provided,
19 such amounts may be transferred back to the account:
20 *Provided further*, That such transfer authority is in addi-
21 tion to any other transfer authority provided by law.

1 INDEPENDENT AGENCIES
2 COMMODITY FUTURES TRADING COMMISSION
3 (INCLUDING TRANSFER OF FUNDS)

4 For necessary expenses to carry out the provisions
5 of the Commodity Exchange Act (7 U.S.C. 1 et seq.), in-
6 cluding the purchase and hire of passenger motor vehicles,
7 and the rental of space (to include multiple year leases),
8 in the District of Columbia and elsewhere, \$365,000,000,
9 including not to exceed \$3,000 for official reception and
10 representation expenses, and not to exceed \$25,000 for the
11 expenses for consultations and meetings hosted by the
12 Commission with foreign governmental and other regu-
13 latory officials, of which not less than \$20,000,000 shall
14 remain available until September 30, 2024, and of which
15 not less than \$4,567,000 shall be for expenses of the Of-
16 fice of the Inspector General: *Provided*, That notwith-
17 standing the limitations in 31 U.S.C. 1553, amounts pro-
18 vided under this heading are available for the liquidation
19 of obligations equal to current year payments on leases
20 entered into prior to the date of enactment of this Act:
21 *Provided further*, That for the purpose of recording and
22 liquidating any lease obligations that should have been re-
23 corded and liquidated against accounts closed pursuant to
24 31 U.S.C. 1552, and consistent with the preceding pro-
25 viso, such amounts shall be transferred to and recorded

1 in a no-year account in the Treasury, which has been es-
2 tablished for the sole purpose of recording adjustments for
3 and liquidating such unpaid obligations.

4 FARM CREDIT ADMINISTRATION

5 LIMITATION ON ADMINISTRATIVE EXPENSES

6 Not to exceed \$88,500,000 (from assessments col-
7 lected from farm credit institutions, including the Federal
8 Agricultural Mortgage Corporation) shall be obligated
9 during the current fiscal year for administrative expenses
10 as authorized under 12 U.S.C. 2249: *Provided*, That this
11 limitation shall not apply to expenses associated with re-
12 ceiverships: *Provided further*, That the agency may exceed
13 this limitation by up to 10 percent with notification to the
14 Committees on Appropriations of both Houses of Con-
15 gress: *Provided further*, That the purposes of section
16 3.7(b)(2)(A)(i) of the Farm Credit Act of 1971 (12 U.S.C.
17 2128(b)(2)(A)(i)), the Farm Credit Administration may
18 exempt, an amount in its sole discretion, from the applica-
19 tion of the limitation provided in that clause of export
20 loans described in the clause guaranteed or insured in a
21 manner other than described in subclause (II) of the
22 clause.

1 TITLE VII

2 GENERAL PROVISIONS

3 (INCLUDING RESCISSIONS AND TRANSFERS OF FUNDS)

4 SEC. 701. The Secretary may use any appropriations
5 made available to the Department of Agriculture in this
6 Act to purchase new passenger motor vehicles, in addition
7 to specific appropriations for this purpose, so long as the
8 total number of vehicles purchased in fiscal year 2023
9 does not exceed the number of vehicles owned or leased
10 in fiscal year 2018: *Provided*, That, prior to purchasing
11 additional motor vehicles, the Secretary must determine
12 that such vehicles are necessary for transportation safety,
13 to reduce operational costs, and for the protection of life,
14 property, and public safety: *Provided further*, That the
15 Secretary may not increase the Department of Agri-
16 culture's fleet above the 2018 level unless the Secretary
17 notifies in writing, and receives approval from, the Com-
18 mittees on Appropriations of both Houses of Congress
19 within 30 days of the notification.

20 SEC. 702. Notwithstanding any other provision of
21 this Act, the Secretary of Agriculture may transfer unobli-
22 gated balances of discretionary funds appropriated by this
23 Act or any other available unobligated discretionary bal-
24 ances that are remaining available of the Department of
25 Agriculture to the Working Capital Fund for the acquisi-

tion of property, plant and equipment and for the improvement, delivery, and implementation of Department financial, and administrative information technology services, and other support systems necessary for the delivery of financial, administrative, and information technology services, including cloud adoption and migration, of primary benefit to the agencies of the Department of Agriculture, such transferred funds to remain available until expended: *Provided*, That none of the funds made available by this Act or any other Act shall be transferred to the Working Capital Fund without the prior approval of the agency administrator: *Provided further*, That none of the funds transferred to the Working Capital Fund pursuant to this section shall be available for obligation without written notification to and the prior approval of the Committees on Appropriations of both Houses of Congress: *Provided further*, That none of the funds appropriated by this Act or made available to the Department's Working Capital Fund shall be available for obligation or expenditure to make any changes to the Department's National Finance Center without written notification to and prior approval of the Committees on Appropriations of both Houses of Congress as required by section 716 of this Act: *Provided further*, That none of the funds appropriated by this Act or made available to the Department's Working Capital

1 Fund shall be available for obligation or expenditure to
2 initiate, plan, develop, implement, or make any changes
3 to remove or relocate any systems, missions, personnel, or
4 functions of the offices of the Chief Financial Officer and
5 the Chief Information Officer, co-located with or from the
6 National Finance Center prior to written notification to
7 and prior approval of the Committee on Appropriations
8 of both Houses of Congress and in accordance with the
9 requirements of section 716 of this Act: *Provided further,*
10 That the National Finance Center Information Tech-
11 nology Services Division personnel and data center man-
12 agement responsibilities, and control of any functions,
13 missions, and systems for current and future human re-
14 sources management and integrated personnel and payroll
15 systems (PPS) and functions provided by the Chief Finan-
16 cial Officer and the Chief Information Officer shall remain
17 in the National Finance Center and under the manage-
18 ment responsibility and administrative control of the Na-
19 tional Finance Center: *Provided further,* That the Sec-
20 retary of Agriculture and the offices of the Chief Financial
21 Officer shall actively market to existing and new Depart-
22 ments and other government agencies National Finance
23 Center shared services including, but not limited to, pay-
24 roll, financial management, and human capital shared
25 services and allow the National Finance Center to perform

1 technology upgrades: *Provided further*, That of annual in-
2 come amounts in the Working Capital Fund of the De-
3 partment of Agriculture attributable to the amounts in ex-
4 cess of the true costs of the shared services provided by
5 the National Finance Center and budgeted for the Na-
6 tional Finance Center, the Secretary shall reserve not
7 more than 4 percent for the replacement or acquisition
8 of capital equipment, including equipment for the improve-
9 ment, delivery, and implementation of financial, adminis-
10 trative, and information technology services, and other
11 systems of the National Finance Center or to pay any un-
12 foreseen, extraordinary cost of the National Finance Cen-
13 ter: *Provided further*, That none of the amounts reserved
14 shall be available for obligation unless the Secretary sub-
15 mits written notification of the obligation to the Commit-
16 tees on Appropriations of both Houses of Congress: *Pro-*
17 *vided further*, That the limitations on the obligation of
18 funds pending notification to Congressional Committees
19 shall not apply to any obligation that, as determined by
20 the Secretary, is necessary to respond to a declared state
21 of emergency that significantly impacts the operations of
22 the National Finance Center; or to evacuate employees of
23 the National Finance Center to a safe haven to continue
24 operations of the National Finance Center.

1 SEC. 703. No part of any appropriation contained in
2 this Act shall remain available for obligation beyond the
3 current fiscal year unless expressly so provided herein.

4 SEC. 704. No funds appropriated by this Act may be
5 used to pay negotiated indirect cost rates on cooperative
6 agreements or similar arrangements between the United
7 States Department of Agriculture and nonprofit institu-
8 tions in excess of 10 percent of the total direct cost of
9 the agreement when the purpose of such cooperative ar-
10 rangements is to carry out programs of mutual interest
11 between the two parties. This does not preclude appro-
12 priate payment of indirect costs on grants and contracts
13 with such institutions when such indirect costs are com-
14 puted on a similar basis for all agencies for which appro-
15 priations are provided in this Act.

16 SEC. 705. Appropriations to the Department of Agri-
17 culture for the cost of direct and guaranteed loans made
18 available in the current fiscal year shall remain available
19 until expended to disburse obligations made in the current
20 fiscal year for the following accounts: the Rural Develop-
21 ment Loan Fund program account, the Rural Electrifica-
22 tion and Telecommunication Loans program account, and
23 the Rural Housing Insurance Fund program account.

24 SEC. 706. None of the funds made available to the
25 Department of Agriculture by this Act may be used to ac-

1 quire new information technology systems or significant
2 upgrades, as determined by the Office of the Chief Infor-
3 mation Officer, without the approval of the Chief Informa-
4 tion Officer and the concurrence of the Executive Informa-
5 tion Technology Investment Review Board: *Provided*, That
6 notwithstanding any other provision of law, none of the
7 funds appropriated or otherwise made available by this
8 Act may be transferred to the Office of the Chief Informa-
9 tion Officer without written notification to and the prior
10 approval of the Committees on Appropriations of both
11 Houses of Congress: *Provided further*, That notwith-
12 standing section 11319 of title 40, United States Code,
13 none of the funds available to the Department of Agri-
14 culture for information technology shall be obligated for
15 projects, contracts, or other agreements over \$25,000
16 prior to receipt of written approval by the Chief Informa-
17 tion Officer: *Provided further*, That the Chief Information
18 Officer may authorize an agency to obligate funds without
19 written approval from the Chief Information Officer for
20 projects, contracts, or other agreements up to \$250,000
21 based upon the performance of an agency measured
22 against the performance plan requirements described in
23 the explanatory statement accompanying Public Law 113–
24 235.

1 SEC. 707. Funds made available under section 524(b)
2 of the Federal Crop Insurance Act (7 U.S.C. 1524(b)) in
3 the current fiscal year shall remain available until ex-
4 pended to disburse obligations made in the current fiscal
5 year.

6 SEC. 708. Notwithstanding any other provision of
7 law, any former Rural Utilities Service borrower that has
8 repaid or prepaid an insured, direct or guaranteed loan
9 under the Rural Electrification Act of 1936, or any not-
10 for-profit utility that is eligible to receive an insured or
11 direct loan under such Act, shall be eligible for assistance
12 under section 313B(a) of such Act in the same manner
13 as a borrower under such Act.

14 SEC. 709. (a) Except as otherwise specifically pro-
15 vided by law, not more than \$20,000,000 in unobligated
16 balances from appropriations made available for salaries
17 and expenses in this Act for the Farm Service Agency
18 shall remain available through September 30, 2024, for
19 information technology expenses.

20 (b) Except as otherwise specifically provided by law,
21 not more than \$20,000,000 in unobligated balances from
22 appropriations made available for salaries and expenses in
23 this Act for the Rural Development mission area shall re-
24 main available through September 30, 2024, for informa-
25 tion technology expenses.

1 SEC. 710. None of the funds appropriated or other-
2 wise made available by this Act may be used for first-class
3 travel by the employees of agencies funded by this Act in
4 contravention of sections 301–10.122 through 301–10.124
5 of title 41, Code of Federal Regulations.

6 SEC. 711. In the case of each program established
7 or amended by the Agricultural Act of 2014 (Public Law
8 113–79) or by a successor to that Act, other than by title
9 I or subtitle A of title III of such Act, or programs for
10 which indefinite amounts were provided in that Act, that
11 is authorized or required to be carried out using funds
12 of the Commodity Credit Corporation—

13 (1) such funds shall be available for salaries
14 and related administrative expenses, including tech-
15 nical assistance, associated with the implementation
16 of the program, without regard to the limitation on
17 the total amount of allotments and fund transfers
18 contained in section 11 of the Commodity Credit
19 Corporation Charter Act (15 U.S.C. 714i); and

20 (2) the use of such funds for such purpose shall
21 not be considered to be a fund transfer or allotment
22 for purposes of applying the limitation on the total
23 amount of allotments and fund transfers contained
24 in such section.

1 SEC. 712. Of the funds made available by this Act,
2 not more than \$2,900,000 shall be used to cover necessary
3 expenses of activities related to all advisory committees,
4 panels, commissions, and task forces of the Department
5 of Agriculture, except for panels used to comply with nego-
6 tiated rule makings and panels used to evaluate competi-
7 tively awarded grants.

8 SEC. 713. (a) None of the funds made available in
9 this Act may be used to maintain or establish a computer
10 network unless such network blocks the viewing,
11 downloading, and exchanging of pornography.

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

16 SEC. 714. Notwithstanding subsection (b) of section
17 14222 of Public Law 110–246 (7 U.S.C. 612c–6; in this
18 section referred to as “section 14222”), none of the funds
19 appropriated or otherwise made available by this or any
20 other Act shall be used to pay the salaries and expenses
21 of personnel to carry out a program under section 32 of
22 the Act of August 24, 1935 (7 U.S.C. 612c; in this section
23 referred to as “section 32”) in excess of \$1,483,309,000
24 (exclusive of carryover appropriations from prior fiscal
25 years), as follows: Child Nutrition Programs Entitlement

1 Commodities—\$485,000,000; State Option Contracts—
2 \$5,000,000; Removal of Defective Commodities—
3 \$2,500,000; Administration of section 32 Commodity Pur-
4 chases—\$37,178,000: *Provided*, That, of the total funds
5 made available in the matter preceding this proviso that
6 remain unobligated on October 1, 2023, such unobligated
7 balances shall carryover into fiscal year 2024 and shall
8 remain available until expended for any of the purposes
9 of section 32, except that any such carryover funds used
10 in accordance with clause (3) of section 32 may not exceed
11 \$350,000,000 and may not be obligated until the Sec-
12 retary of Agriculture provides written notification of the
13 expenditures to the Committees on Appropriations of both
14 Houses of Congress at least two weeks in advance: *Pro-*
15 *vided further*, That, with the exception of any available
16 carryover funds authorized in any prior appropriations Act
17 to be used for the purposes of clause (3) of section 32,
18 none of the funds appropriated or otherwise made avail-
19 able by this or any other Act shall be used to pay the
20 salaries or expenses of any employee of the Department
21 of Agriculture to carry out clause (3) of section 32.

22 SEC. 715. None of the funds appropriated by this or
23 any other Act shall be used to pay the salaries and ex-
24 penses of personnel who prepare or submit appropriations
25 language as part of the President’s budget submission to

1 the Congress for programs under the jurisdiction of the
2 Appropriations Subcommittees on Agriculture, Rural De-
3 velopment, Food and Drug Administration, and Related
4 Agencies that assumes revenues or reflects a reduction
5 from the previous year due to user fees proposals that
6 have not been enacted into law prior to the submission
7 of the budget unless such budget submission identifies
8 which additional spending reductions should occur in the
9 event the user fees proposals are not enacted prior to the
10 date of the convening of a committee of conference for
11 the fiscal year 2024 appropriations Act.

12 SEC. 716. (a) None of the funds provided by this Act,
13 or provided by previous appropriations Acts to the agen-
14 cies funded by this Act that remain available for obligation
15 or expenditure in the current fiscal year, or provided from
16 any accounts in the Treasury derived by the collection of
17 fees available to the agencies funded by this Act, shall be
18 available for obligation or expenditure through a re-
19 programming, transfer of funds, or reimbursements as au-
20 thorized by the Economy Act, or in the case of the Depart-
21 ment of Agriculture, through use of the authority provided
22 by section 702(b) of the Department of Agriculture Or-
23 ganic Act of 1944 (7 U.S.C. 2257) or section 8 of Public
24 Law 89–106 (7 U.S.C. 2263), that—

25 (1) creates new programs;

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

2 (3) increases funds or personnel by any means
3 for any project or activity for which funds have been
4 denied or restricted;

5 (4) relocates an office or employees;

6 (5) reorganizes offices, programs, or activities;

7 or

8 (6) contracts out or privatizes any functions or
9 activities presently performed by Federal employees;

10 unless the Secretary of Agriculture, the Secretary of
11 Health and Human Services, or the Chairman of the Com-
12 modity Futures Trading Commission (as the case may be)
13 notifies in writing and receives approval from the Commit-
14 tees on Appropriations of both Houses of Congress at least
15 30 days in advance of the reprogramming of such funds
16 or the use of such authority.

17 (b) None of the funds provided by this Act, or pro-
18 vided by previous Appropriations Acts to the agencies
19 funded by this Act that remain available for obligation or
20 expenditure in the current fiscal year, or provided from
21 any accounts in the Treasury derived by the collection of
22 fees available to the agencies funded by this Act, shall be
23 available for obligation or expenditure for activities, pro-
24 grams, or projects through a reprogramming or use of the
25 authorities referred to in subsection (a) involving funds

1 in excess of \$500,000 or 10 percent, whichever is less,
2 that—

3 (1) augments existing programs, projects, or ac-
4 tivities;

5 (2) reduces by 10 percent funding for any exist-
6 ing program, project, or activity, or numbers of per-
7 sonnel by 10 percent as approved by Congress; or

8 (3) results from any general savings from a re-
9 duction in personnel which would result in a change
10 in existing programs, activities, or projects as ap-
11 proved by Congress;

12 unless the Secretary of Agriculture, the Secretary of
13 Health and Human Services, or the Chairman of the Com-
14 modity Futures Trading Commission (as the case may be)
15 notifies in writing and receives approval from the Commit-
16 tees on Appropriations of both Houses of Congress at least
17 30 days in advance of the reprogramming or transfer of
18 such funds or the use of such authority.

19 (c) The Secretary of Agriculture, the Secretary of
20 Health and Human Services, or the Chairman of the Com-
21 modity Futures Trading Commission shall notify in writ-
22 ing and receive approval from the Committees on Appro-
23 priations of both Houses of Congress before implementing
24 any program or activity not carried out during the pre-

1 vious fiscal year unless the program or activity is funded
2 by this Act or specifically funded by any other Act.

3 (d) None of the funds provided by this Act, or pro-
4 vided by previous Appropriations Acts to the agencies
5 funded by this Act that remain available for obligation or
6 expenditure in the current fiscal year, or provided from
7 any accounts in the Treasury derived by the collection of
8 fees available to the agencies funded by this Act, shall be
9 available for—

10 (1) modifying major capital investments fund-
11 ing levels, including information technology systems,
12 that involves increasing or decreasing funds in the
13 current fiscal year for the individual investment in
14 excess of \$500,000 or 10 percent of the total cost,
15 whichever is less;

16 (2) realigning or reorganizing new, current, or
17 vacant positions or agency activities or functions to
18 establish a center, office, branch, or similar entity
19 with five or more personnel; or

20 (3) carrying out activities or functions that
21 were not described in the budget request;

22 unless the agencies funded by this Act notify, in writing,
23 the Committees on Appropriations of both Houses of Con-
24 gress at least 30 days in advance of using the funds for
25 these purposes.

1 (e) As described in this section, no funds may be used
2 for any activities unless the Secretary of Agriculture, the
3 Secretary of Health and Human Services, or the Chair-
4 man of the Commodity Futures Trading Commission re-
5 ceives from the Committee on Appropriations of both
6 Houses of Congress written or electronic mail confirma-
7 tion of receipt of the notification as required in this sec-
8 tion.

9 SEC. 717. Notwithstanding section 310B(g)(5) of the
10 Consolidated Farm and Rural Development Act (7 U.S.C.
11 1932(g)(5)), the Secretary may assess a one-time fee for
12 any guaranteed business and industry loan in an amount
13 that does not exceed 3 percent of the guaranteed principal
14 portion of the loan.

15 SEC. 718. None of the funds appropriated or other-
16 wise made available to the Department of Agriculture, the
17 Food and Drug Administration, the Commodity Futures
18 Trading Commission, or the Farm Credit Administration
19 shall be used to transmit or otherwise make available re-
20 ports, questions, or responses to questions that are a re-
21 sult of information requested for the appropriations hear-
22 ing process to any non-Department of Agriculture, non-
23 Department of Health and Human Services, non-Com-
24 modity Futures Trading Commission, or non-Farm Credit
25 Administration employee.

1 SEC. 719. Unless otherwise authorized by existing
2 law, none of the funds provided in this Act, may be used
3 by an executive branch agency to produce any pre-
4 packaged news story intended for broadcast or distribution
5 in the United States unless the story includes a clear noti-
6 fication within the text or audio of the prepackaged news
7 story that the prepackaged news story was prepared or
8 funded by that executive branch agency.

9 SEC. 720. No employee of the Department of Agri-
10 culture may be detailed or assigned from an agency or
11 office funded by this Act or any other Act to any other
12 agency or office of the Department for more than 60 days
13 in a fiscal year unless the individual's employing agency
14 or office is fully reimbursed by the receiving agency or
15 office for the salary and expenses of the employee for the
16 period of assignment.

17 SEC. 721. Not later than 30 days after the date of
18 enactment of this Act, the Secretary of Agriculture, the
19 Commissioner of the Food and Drug Administration, the
20 Chairman of the Commodity Futures Trading Commis-
21 sion, and the Chairman of the Farm Credit Administra-
22 tion shall submit to the Committees on Appropriations of
23 both Houses of Congress a detailed spending plan by pro-
24 gram, project, and activity for all the funds made available

1 under this Act including appropriated user fees, as defined
2 in the report accompanying this Act.

3 SEC. 722. None of the funds made available by this
4 Act may be used to propose, promulgate, or implement
5 any rule, or take any other action with respect to, allowing
6 or requiring information intended for a prescribing health
7 care professional, in the case of a drug or biological prod-
8 uct subject to section 503(b)(1) of the Federal Food,
9 Drug, and Cosmetic Act (21 U.S.C. 353(b)(1)), to be dis-
10 tributed to such professional electronically (in lieu of in
11 paper form) unless and until a Federal law is enacted to
12 allow or require such distribution.

13 SEC. 723. For the purposes of determining eligibility
14 or level of program assistance for Rural Development pro-
15 grams the Secretary shall not include incarcerated prison
16 populations.

17 SEC. 724. For loans and loan guarantees that do not
18 require budget authority and the program level has been
19 established in this Act, the Secretary of Agriculture may
20 increase the program level for such loans and loan guaran-
21 tees by not more than 25 percent: *Provided*, That prior
22 to the Secretary implementing such an increase, the Sec-
23 retary notifies, in writing, the Committees on Appropria-
24 tions of both Houses of Congress at least 15 days in ad-
25 vance.

1 SEC. 725. None of the credit card refunds or rebates
2 transferred to the Working Capital Fund pursuant to sec-
3 tion 729 of the Agriculture, Rural Development, Food and
4 Drug Administration, and Related Agencies Appropria-
5 tions Act, 2002 (7 U.S.C. 2235a; Public Law 107–76)
6 shall be available for obligation without written notifica-
7 tion to, and the prior approval of, the Committees on Ap-
8 propriations of both Houses of Congress: *Provided*, That
9 the refunds or rebates so transferred shall be available for
10 obligation only for the acquisition of property, plant and
11 equipment, including equipment for the improvement, de-
12 livery, and implementation of Departmental financial
13 management, information technology, and other support
14 systems necessary for the delivery of financial, administra-
15 tive, and information technology services, including cloud
16 adoption and migration, of primary benefit to the agencies
17 of the Department of Agriculture.

18 SEC. 726. None of the funds made available by this
19 Act may be used to implement, administer, or enforce the
20 “variety” requirements of the final rule entitled “Enhanc-
21 ing Retailer Standards in the Supplemental Nutrition As-
22 sistance Program (SNAP)” published by the Department
23 of Agriculture in the Federal Register on December 15,
24 2016 (81 Fed. Reg. 90675) until the Secretary of Agri-
25 culture amends the definition of the term “variety” as de-

1 fined in section 278.1(b)(1)(ii)(C) of title 7, Code of Fed-
2 eral Regulations, and “variety” as applied in the definition
3 of the term “staple food” as defined in section 271.2 of
4 title 7, Code of Federal Regulations, to increase the num-
5 ber of items that qualify as acceptable varieties in each
6 staple food category so that the total number of such items
7 in each staple food category exceeds the number of such
8 items in each staple food category included in the final
9 rule as published on December 15, 2016: *Provided, That*
10 until the Secretary promulgates such regulatory amend-
11 ments, the Secretary shall apply the requirements regard-
12 ing acceptable varieties and breadth of stock to Supple-
13 mental Nutrition Assistance Program retailers that were
14 in effect on the day before the date of the enactment of
15 the Agricultural Act of 2014 (Public Law 113–79).

16 SEC. 727. In carrying out subsection (h) of section
17 502 of the Housing Act of 1949 (42 U.S.C. 1472), the
18 Secretary of Agriculture shall have the same authority
19 with respect to loans guaranteed under such section and
20 eligible lenders for such loans as the Secretary has under
21 subsections (h) and (j) of section 538 of such Act (42
22 U.S.C. 1490p–2) with respect to loans guaranteed under
23 such section 538 and eligible lenders for such loans.

24 SEC. 728. None of the funds appropriated or other-
25 wise made available by this Act shall be available for the

1 United States Department of Agriculture to propose, fi-
2 nalize or implement any regulation that would promulgate
3 new user fees pursuant to 31 U.S.C. 9701 after the date
4 of the enactment of this Act.

5 SEC. 729. For fiscal year 2023, the Secretary shall
6 establish a process under which an establishment in the
7 Chesapeake Bay area that is subject to examination and
8 inspection under section 6 of the Federal Meat Inspection
9 Act solely due to the establishment's processing of domes-
10 tic, wild caught, invasive blue catfish (*Ictalurus furcatus*),
11 may apply for a waiver of such examination and inspection
12 requirements if the establishment is subject to inspection
13 under the Seafood Hazard Analysis Critical Control
14 Points Program of the Food and Drug Administration and
15 the establishment attests that it applies existing Seafood
16 Hazard Critical Control Points Program for all species
17 processed at the establishment.

18 SEC. 730. Notwithstanding any provision of law that
19 regulates the calculation and payment of overtime and hol-
20 iday pay for FSIS inspectors, the Secretary may charge
21 establishments subject to the inspection requirements of
22 the Poultry Products Inspection Act, 21 U.S.C. 451 et
23 seq., the Federal Meat Inspection Act, 21 U.S.C. 601 et
24 seq, and the Egg Products Inspection Act, 21 U.S.C. 1031
25 et seq., for the cost of inspection services provided outside

1 of an establishment's approved inspection shifts, and for
2 inspection services provided on Federal holidays: *Provided*,
3 That any sums charged pursuant to this paragraph shall
4 be deemed as overtime pay or holiday pay under section
5 1001(d) of the American Rescue Plan Act of 2021 (Public
6 Law 117–2, 135 Stat. 242): *Provided further*, That sums
7 received by the Secretary under this paragraph shall, in
8 addition to other available funds, remain available until
9 expended to the Secretary without further appropriation
10 for the purpose of funding all costs associated with FSIS
11 inspections.

12 SEC. 731. (a) The Secretary of Agriculture shall—

13 (1) conduct audits in a manner that evaluates
14 the following factors in the country or region being
15 audited, as applicable—

16 (A) veterinary control and oversight;

17 (B) disease history and vaccination prac-
18 tices;

19 (C) livestock demographics and
20 traceability;

21 (D) epidemiological separation from poten-
22 tial sources of infection;

23 (E) surveillance practices;

24 (F) diagnostic laboratory capabilities; and

1 (G) emergency preparedness and response;
2 and

3 (2) promptly make publicly available the final
4 reports of any audits or reviews conducted pursuant
5 to subsection (1).

6 (b) This section shall be applied in a manner con-
7 sistent with United States obligations under its inter-
8 national trade agreements.

9 SEC. 732. None of the funds made available by this
10 Act may be used to implement section 3.7(f) of the Farm
11 Credit Act of 1971 in a manner inconsistent with section
12 343(a)(13) of the Consolidated Farm and Rural Develop-
13 ment Act.

14 SEC. 733. In this fiscal year and thereafter, and not-
15 withstanding any other provision of law, none of the funds
16 made available by this Act may be used to carry out any
17 activities or incur any expense related to the issuance of
18 licenses under section 3 of the Animal Welfare Act (7
19 U.S.C. 2133), or the renewal of such licenses, to class B
20 dealers who sell Random Source dogs and cats for use in
21 research, experiments, teaching, or testing.

22 SEC. 734. (a)(1) No Federal funds made available for
23 this fiscal year for the rural water, waste water, waste dis-
24 posal, and solid waste management programs authorized
25 by sections 306, 306A, 306C, 306D, 306E, and 310B of

1 the Consolidated Farm and Rural Development Act (7
2 U.S.C. 1926 et seq.) shall be used for a project for the
3 construction, alteration, maintenance, or repair of a public
4 water or wastewater system unless all of the iron and steel
5 products used in the project are produced in the United
6 States.

7 (2) In this section, the term “iron and steel products”
8 means the following products made primarily of iron or
9 steel: lined or unlined pipes and fittings, manhole covers
10 and other municipal castings, hydrants, tanks, flanges,
11 pipe clamps and restraints, valves, structural steel, rein-
12 forced precast concrete, and construction materials.

13 (b) Subsection (a) shall not apply in any case or cat-
14 egory of cases in which the Secretary of Agriculture (in
15 this section referred to as the “Secretary”) or the designee
16 of the Secretary finds that—

17 (1) applying subsection (a) would be incon-
18 sistent with the public interest;

19 (2) iron and steel products are not produced in
20 the United States in sufficient and reasonably avail-
21 able quantities or of a satisfactory quality; or

22 (3) inclusion of iron and steel products pro-
23 duced in the United States will increase the cost of
24 the overall project by more than 25 percent.

1 (c) If the Secretary or the designee receives a request
2 for a waiver under this section, the Secretary or the des-
3 ignee shall make available to the public on an informal
4 basis a copy of the request and information available to
5 the Secretary or the designee concerning the request, and
6 shall allow for informal public input on the request for
7 at least 15 days prior to making a finding based on the
8 request. The Secretary or the designee shall make the re-
9 quest and accompanying information available by elec-
10 tronic means, including on the official public Internet Web
11 site of the Department.

12 (d) This section shall be applied in a manner con-
13 sistent with United States obligations under international
14 agreements.

15 (e) The Secretary may retain up to 0.25 percent of
16 the funds appropriated in this Act for “Rural Utilities
17 Service—Rural Water and Waste Disposal Program Ac-
18 count” for carrying out the provisions described in sub-
19 section (a)(1) for management and oversight of the re-
20 quirements of this section.

21 (f) Subsection (a) shall not apply with respect to a
22 project for which the engineering plans and specifications
23 include use of iron and steel products otherwise prohibited
24 by such subsection if the plans and specifications have re-

1 ceived required approvals from State agencies prior to the
2 date of enactment of this Act.

3 (g) For purposes of this section, the terms “United
4 States” and “State” shall include each of the several
5 States, the District of Columbia, and each Federally rec-
6 ognized Indian Tribe.

7 SEC. 735. None of the funds appropriated by this Act
8 may be used in any way, directly or indirectly, to influence
9 congressional action on any legislation or appropriation
10 matters pending before Congress, other than to commu-
11 nicate to Members of Congress as described in 18 U.S.C.
12 1913.

13 SEC. 736. Of the total amounts made available by
14 this Act for direct loans and grants under the following
15 headings: “Rural Housing Service—Rural Housing Insur-
16 ance Fund Program Account”; “Rural Housing Service—
17 Mutual and Self-Help Housing Grants”; “Rural Housing
18 Service—Rural Housing Assistance Grants”; “Rural
19 Housing Service—Rural Community Facilities Program
20 Account”; “Rural Business-Cooperative Service—Rural
21 Business Program Account”; “Rural Business-Coopera-
22 tive Service—Rural Economic Development Loans Pro-
23 gram Account”; “Rural Business-Cooperative Service—
24 Rural Cooperative Development Grants”; “Rural Busi-
25 ness-Cooperative Service—Rural Microentrepreneur As-

1 sistance Program”; “Rural Utilities Service—Rural Water
2 and Waste Disposal Program Account”; “Rural Utilities
3 Service—Rural Electrification and Telecommunications
4 Loans Program Account”; and “Rural Utilities Service—
5 Distance Learning, Telemedicine, and Broadband Pro-
6 gram”, to the maximum extent feasible, at least 10 per-
7 cent of the funds shall be allocated for assistance in per-
8 sistent poverty counties under this section, including, not-
9 withstanding any other provision regarding population
10 limits, any county seat of such a persistent poverty county
11 that has a population that does not exceed the authorized
12 population limit by more than 10 percent: *Provided*, That
13 for purposes of this section, the term “persistent poverty
14 counties” means any county that has had 20 percent or
15 more of its population living in poverty over the past 30
16 years, as measured by the 1990 and 2000 decennial cen-
17 suses, and 2007–2011 American Community Survey 5-
18 year average, or any territory or possession of the United
19 States: *Provided further*, That with respect to specific ac-
20 tivities for which program levels have been made available
21 by this Act that are not supported by budget authority,
22 the requirements of this section shall be applied to such
23 program level.

24 SEC. 737. None of the funds made available by this
25 Act may be used to notify a sponsor or otherwise acknowl-

1 edge receipt of a submission for an exemption for inves-
2 tigational use of a drug or biological product under section
3 505(i) of the Federal Food, Drug, and Cosmetic Act (21
4 U.S.C. 355(i)) or section 351(a)(3) of the Public Health
5 Service Act (42 U.S.C. 262(a)(3)) in research in which
6 a human embryo is intentionally created or modified to
7 include a heritable genetic modification. Any such submis-
8 sion shall be deemed to have not been received by the Sec-
9 retary, and the exemption may not go into effect.

10 SEC. 738. None of the funds made available by this
11 or any other Act may be used to enforce the final rule
12 promulgated by the Food and Drug Administration enti-
13 tled “Standards for the Growing, Harvesting, Packing,
14 and Holding of Produce for Human Consumption,” and
15 published on November 27, 2015, with respect to the regu-
16 lation of entities that grow, harvest, pack, or hold wine
17 grapes, hops, pulse crops, or almonds.

18 SEC. 739. There is hereby appropriated \$5,000,000,
19 to remain available until September 30, 2024, for a pilot
20 program for the National Institute of Food and Agri-
21 culture to provide grants to nonprofit organizations for
22 programs and services to establish and enhance farming
23 and ranching opportunities for military veterans.

24 SEC. 740. For school years 2022–2023 and 2023–
25 2024, none of the funds made available by this Act may

1 be used to implement or enforce the matter following the
2 first comma in the second sentence of footnote (c) of sec-
3 tion 220.8(c) of title 7, Code of Federal Regulations, with
4 respect to the substitution of vegetables for fruits under
5 the school breakfast program established under section 4
6 of the Child Nutrition Act of 1966 (42 U.S.C. 1773).

7 SEC. 741. None of the funds made available by this
8 Act or any other Act may be used—

9 (1) in contravention of section 7606 of the Ag-
10 ricultural Act of 2014 (7 U.S.C. 5940), subtitle G
11 of the Agricultural Marketing Act of 1946, or sec-
12 tion 10114 of the Agriculture Improvement Act of
13 2018; or

14 (2) to prohibit the transportation, processing,
15 sale, or use of hemp, or seeds of such plant, that is
16 grown or cultivated in accordance with section 7606
17 of the Agricultural Act of 2014 or Subtitle G of the
18 Agricultural Marketing Act of 1946, within or out-
19 side the State in which the hemp is grown or cul-
20 tivated.

21 SEC. 742. There is hereby appropriated \$3,000,000,
22 to remain available until expended, for grants under sec-
23 tion 12502 of Public Law 115–334.

24 SEC. 743. There is hereby appropriated \$1,000,000
25 to carry out section 3307 of Public Law 115–334.

1 SEC. 744. The Secretary of Agriculture may waive
2 the matching funds requirement under section 412(g) of
3 the Agricultural Research, Extension, and Education Re-
4 form Act of 1998 (7 U.S.C. 7632(g)).

5 SEC. 745. There is hereby appropriated \$2,000,000,
6 to remain available until expended, for a pilot program
7 for the Secretary to provide grants to qualified non-profit
8 organizations and public housing authorities to provide
9 technical assistance, including financial and legal services,
10 to RHS multi-family housing borrowers to facilitate the
11 acquisition of RHS multi-family housing properties in
12 areas where the Secretary determines a risk of loss of af-
13 fordable housing, by non-profit housing organizations and
14 public housing authorities as authorized by law that com-
15 mit to keep such properties in the RHS multi-family hous-
16 ing program for a period of time as determined by the
17 Secretary.

18 SEC. 746. There is hereby appropriated \$3,000,000,
19 to carry out section 4208 of Public Law 115–334, includ-
20 ing for project locations in additional regions and timely
21 completion of required reporting to Congress.

22 SEC. 747. There is hereby appropriated \$5,000,000
23 to carry out section 12301 of Public Law 115–334, Farm-
24 ing Opportunities Training and Outreach.

1 SEC. 748. In response to an eligible community where
2 the drinking water supplies are inadequate due to a nat-
3 ural disaster, as determined by the Secretary, including
4 drought or severe weather, the Secretary may provide po-
5 table water through the Emergency Community Water As-
6 sistance Grant Program for an additional period of time
7 not to exceed 120 days beyond the established period pro-
8 vided under the Program in order to protect public health.

9 SEC. 749. Funds made available under title II of the
10 Food for Peace Act (7 U.S.C. 1721 et seq.) may only be
11 used to provide assistance to recipient nations if adequate
12 monitoring and controls, as determined by the Adminis-
13 trator, are in place to ensure that emergency food aid is
14 received by the intended beneficiaries in areas affected by
15 food shortages and not diverted for unauthorized or inap-
16 propriate purposes.

17 SEC. 750. In this fiscal year and thereafter, and not-
18 withstanding any other provision of law, ARS facilities as
19 described in the “Memorandum of Understanding Be-
20 tween the U.S. Department of Agriculture Animal and
21 Plant Health Inspection Service (APHIS) and the U.S.
22 Department of Agriculture Agricultural Research Service
23 (ARS) Concerning Laboratory Animal Welfare” (16–
24 6100–0103–MU Revision 16–1) shall be inspected by

1 APHIS for compliance with the Animal Welfare Act and
2 its regulations and standards.

3 SEC. 751. None of the funds made available by this
4 Act may be used to procure raw or processed poultry prod-
5 ucts imported into the United States from the People's
6 Republic of China for use in the school lunch program
7 under the Richard B. Russell National School Lunch Act
8 (42 U.S.C. 1751 et seq.), the Child and Adult Care Food
9 Program under section 17 of such Act (42 U.S.C. 1766),
10 the Summer Food Service Program for Children under
11 section 13 of such Act (42 U.S.C. 1761), or the school
12 breakfast program under the Child Nutrition Act of 1966
13 (42 U.S.C. 1771 et seq.).

14 SEC. 752. For school year 2023–2024, only a school
15 food authority that had a negative balance in the nonprofit
16 school food service account as of June 30, 2022, shall be
17 required to establish a price for paid lunches in accordance
18 with section 12(p) of the Richard B. Russell National
19 School Lunch Act (42 U.S.C. 1760(p)).

20 SEC. 753. There is hereby appropriated \$2,000,000,
21 to remain available until expended, for the Secretary of
22 Agriculture to carry out a pilot program that assists rural
23 hospitals to improve long-term operations and financial
24 health by providing technical assistance through analysis
25 of current hospital management practices.

1 SEC. 754. Any funds made available by this or any
2 other Act that the Secretary withholds pursuant to section
3 1668(g)(2) of the Food, Agriculture, Conservation, and
4 Trade Act of 1990 (7 U.S.C. 5921(g)(2)), as amended,
5 shall be available for grants for biotechnology risk assess-
6 ment research: *Provided*, That the Secretary may transfer
7 such funds among appropriations of the Department of
8 Agriculture for purposes of making such grants.

9 SEC. 755. Hereafter, none of the funds made avail-
10 able by this Act or any other Act, may be used to pay
11 the salaries or expenses of personnel to implement any ac-
12 tivities related to:

13 (a) the permitting of non-recording of observed viola-
14 tions of the Animal Welfare Act or its regulations on offi-
15 cial inspection reports; or

16 (b) the prioritizing of education or collaborative ap-
17 proaches to violations or noncompliance ahead of enforce-
18 ment under the Animal Welfare Act.

19 SEC. 756. There is hereby appropriated \$400,000 to
20 carry out section 1672(g)(4)(B) of the Food, Agriculture,
21 Conservation, and Trade Act of 1990 (7 U.S.C.
22 5925(g)(4(B)) as amended by section 7209 of Public Law
23 115–334.

24 SEC. 757. For necessary expenses associated with
25 cotton classing activities pursuant to 7 U.S.C. 55, to in-

1 clude equipment and facility upgrades, and in addition to
2 any other funds made available for this purpose, there is
3 appropriated \$4,000,000, to remain available until Sep-
4 tember 30, 2024: *Provided*, That amounts made available
5 in this section shall be treated as funds collected by fees
6 authorized under Mar. 4, 1923, ch. 288, §5, 42 Stat.
7 1518, as amended (7 U.S.C. 55).

8 SEC. 758. Notwithstanding any other provision of
9 law, no funds available to the Department of Agriculture
10 may be used to move any staff office or any agency from
11 the mission area in which it was located on August 1,
12 2018, to any other mission area or office within the De-
13 partment in the absence of the enactment of specific legis-
14 lation affirming such move.

15 SEC. 759. The Secretary, acting through the Chief
16 of the Natural Resources Conservation Service, may use
17 funds appropriated under this Act or any other Act for
18 the Watershed and Flood Prevention Operations Program
19 and the Watershed Rehabilitation Program carried out
20 pursuant to the Watershed Protection and Flood Preven-
21 tion Act (16 U.S.C. 1001 et seq.), and for the Emergency
22 Watershed Protection Program carried out pursuant to
23 section 403 of the Agricultural Credit Act of 1978 (16
24 U.S.C. 2203) to provide technical services for such pro-
25 grams pursuant to section 1252(a)(1) of the Food Secu-

1 rity Act of 1985 (16 U.S.C. 3851(a)(1)), notwithstanding
2 subsection (c) of such section.

3 SEC. 760. In administering the pilot program estab-
4 lished by section 779 of division A of the Consolidated Ap-
5 propriations Act, 2018 (Public Law 115–141), the Sec-
6 retary of Agriculture may, for purposes of determining en-
7 tities eligible to receive assistance, consider those commu-
8 nities which are “Areas Rural in Character”: *Provided*,
9 That not more than 10 percent of the funds made avail-
10 able under the heading “Distance Learning, Telemedicine,
11 and Broadband Program” for the purposes of the pilot
12 program established by section 779 of Public Law 115–
13 141 may be used for this purpose.

14 SEC. 761. There is hereby appropriated \$29,700,000
15 for the Goodfellow Federal facility, to remain available
16 until expended, which shall be transferred to and merged
17 with the appropriation for “Food Safety and Inspection
18 Service”.

19 SEC. 762. Hereafter, none of the funds made avail-
20 able by this Act or any other Act may be used to pay
21 the salaries or expenses of personnel—

22 (1) to inspect horses under section 3 of the
23 Federal Meat Inspection Act (21 U.S.C. 603);

1 (2) to inspect horses under section 903 of the
2 Federal Agriculture Improvement and Reform Act of
3 1996 (7 U.S.C. 1901 note; Public Law 104–127); or
4 (3) to implement or enforce section 352.19 of
5 title 9, Code of Federal Regulations (or a successor
6 regulation).

7 SEC. 763. There is appropriated to the Department
8 of Agriculture, for an additional amount for “Agricultural
9 Programs—Processing, Research, and Marketing—Office
10 of the Secretary”, \$5,000,000, which shall remain avail-
11 able until expended, for necessary expenses, under such
12 terms and conditions determined by the Secretary, related
13 to testing soil, water, or agricultural products for per- and
14 polyfluoroalkyl substances (PFAS) at the request of an
15 agricultural producer, assisting agricultural producers af-
16 fected by PFAS contamination with costs related to miti-
17 gate the impacts to their operation that have resulted from
18 such contamination and indemnifying agricultural pro-
19 ducers for the value of unmarketable crops, livestock, and
20 other agricultural products related to PFAS contamina-
21 tion: *Provided*, That the Secretary shall prioritize such as-
22 sistance to agricultural producers in states and territories
23 that have established a tolerance threshold for PFAS in
24 a food or agricultural product: *Provided further*, That, not
25 later than 90 days after the end of fiscal year 2023, the

1 Secretary shall submit a report to the Congress specifying
2 the type, amount, and method of such assistance by state
3 and territory and the status of the amounts obligated and
4 plans for further expenditure, and include improvements
5 that can be made to U.S. Department of Agriculture pro-
6 grams, either administratively or legislatively, to increase
7 support for agricultural producers impacted by PFAS con-
8 tamination and to enhance scientific knowledge on PFAS
9 uptake in crops and livestock and PFAS mitigation and
10 remediation methods and disseminate such knowledge to
11 agricultural producers.

12 SEC. 764. Any future compliance date for any provi-
13 sion of the Food and Drug Administration’s final rule en-
14 titled “Milk and Cream Products and Yogurt Products;
15 Final Rule To Revoke the Standards for Lowfat Yogurt
16 and Nonfat Yogurt and To Amend the Standard for Yo-
17 gurt” (86 Fed. Reg. 31117, June 11, 2021) for which the
18 agency is exercising enforcement discretion or that is
19 stayed as a result of objections timely filed under 21
20 U.S.C. 371(e)(2), shall be established no earlier than Jan-
21 uary 1 of the year that is three years after either:

22 (a) Final action upon such objection(s) is taken by
23 the Secretary of Health and Human Services; or

24 (b) The party withdraws such objection(s).

1 SEC. 765. In addition to the amount of reimburse-
2 ment for administrative and operating expenses available
3 for crop insurance contracts described in subsection
4 (a)(2)(F) of section III of the 2023 Standard Reinsurance
5 Agreement (SRA) that cover agricultural commodities de-
6 scribed in section 101 of title I of the Specialty Crops
7 Competitiveness Act of 2004 (7 U.S.C. 1621 note), there
8 is hereby appropriated \$50,000,000, to remain available
9 until expended, to pay, with respect to such contracts for
10 the 2021 reinsurance year, an amount that is equal to the
11 difference between the amount to be paid pursuant to the
12 SRA for the applicable reinsurance year and the amount
13 that would be paid if such contracts were not subject to
14 a reduction described in subsection (a)(2)(G) of section
15 III of the SRA but subject to a reimbursement rate equal
16 to 17.5 percent of the net book premium.

17 SEC. 766. There is appropriated to the Department
18 of Agriculture, for an additional amount for “Agricultural
19 Programs—Processing, Research, and Marketing—Office
20 of the Secretary”, \$10,000,000, which shall remain avail-
21 able until expended, for necessary expenses to address as-
22 sistance for disasters occurring in calendar year 2022.

23 SEC. 767. In addition to amounts otherwise available,
24 there is appropriated to the Secretary of Agriculture
25 \$50,000,000, to remain available until September 30,

1 2023, to provide relief payments for frontline grocery
2 workers through the Farmworker and Food Worker Relief
3 Grant Program of the Agricultural Marketing Service.

4 SEC. 768. None of the funds made available by this
5 Act may be used to review or approve an application under
6 section 505(i) of the Federal Food, Drug, and Cosmetic
7 Act (21 U.S.C. 355(i)) or section 351(a)(3) of the Public
8 Health Service Act (42 U.S.C. 262(a)(3)) that is sub-
9 mitted by a sponsor located in Russia, unless such applica-
10 tion is for a drug that is intended to treat a serious or
11 life-threatening condition and for which there is an unmet
12 medical treatment need.

13 SEC. 769. The Secretary of Agriculture shall take
14 such actions as may be necessary to prohibit the purchase
15 of agricultural land located in the United States by compa-
16 nies owned, in full or in part, by the People's Republic
17 of China, Russia, North Korea, or Iran.

18 This division may be cited as the “Agriculture, Rural
19 Development, Food and Drug Administration, and Re-
20 lated Agencies Appropriations Act, 2023”.

1 **DIVISION C—ENERGY AND WATER DEVEL-**
2 **OPMENT AND RELATED AGENCIES AP-**
3 **PROPRIATIONS ACT, 2023**

4 TITLE I

5 CORPS OF ENGINEERS—CIVIL

6 DEPARTMENT OF THE ARMY

7 CORPS OF ENGINEERS—CIVIL

8 The following appropriations shall be expended under
9 the direction of the Secretary of the Army and the super-
10 vision of the Chief of Engineers for authorized civil func-
11 tions of the Department of the Army pertaining to river
12 and harbor, flood and storm damage reduction, shore pro-
13 tection, aquatic ecosystem restoration, and related efforts.

14 INVESTIGATIONS

15 For expenses necessary where authorized by law for
16 the collection and study of basic information pertaining
17 to river and harbor, flood and storm damage reduction,
18 shore protection, aquatic ecosystem restoration, and re-
19 lated needs; for surveys and detailed studies, and plans
20 and specifications of proposed river and harbor, flood and
21 storm damage reduction, shore protection, and aquatic
22 ecosystem restoration projects, and related efforts prior to
23 construction; for restudy of authorized projects; and for
24 miscellaneous investigations, and, when authorized by law,
25 surveys and detailed studies, and plans and specifications

1 of projects prior to construction, \$160,000,000, to remain
2 available until expended: *Provided*, That the Secretary
3 shall not deviate from the work plan, once the plan has
4 been submitted to the Committees on Appropriations of
5 both Houses of Congress.

6 CONSTRUCTION

7 For expenses necessary for the construction of river
8 and harbor, flood and storm damage reduction, shore pro-
9 tection, aquatic ecosystem restoration, and related
10 projects authorized by law; for conducting detailed studies,
11 and plans and specifications, of such projects (including
12 those involving participation by States, local governments,
13 or private groups) authorized or made eligible for selection
14 by law (but such detailed studies, and plans and specifica-
15 tions, shall not constitute a commitment of the Govern-
16 ment to construction); \$2,475,152,000, to remain avail-
17 able until expended; of which \$43,011,000 shall be derived
18 from the Harbor Maintenance Trust Fund to cover the
19 Federal share of construction costs for facilities under the
20 Dredged Material Disposal Facilities program; and of
21 which such sums as are necessary to cover 35 percent of
22 the costs of construction, replacement, rehabilitation, and
23 expansion of inland waterways projects shall be derived
24 from the Inland Waterways Trust Fund, except as other-
25 wise specifically provided for in law: *Provided*, That the

1 Secretary shall not deviate from the work plan, once the
2 plan has been submitted to the Committees on Appropria-
3 tions of both Houses of Congress.

4 MISSISSIPPI RIVER AND TRIBUTARIES

5 For expenses necessary for flood damage reduction
6 projects and related efforts in the Mississippi River allu-
7 vial valley below Cape Girardeau, Missouri, as authorized
8 by law, \$350,000,000, to remain available until expended,
9 of which \$10,315,000 shall be derived from the Harbor
10 Maintenance Trust Fund to cover the Federal share of
11 eligible operation and maintenance costs for inland har-
12 bors: *Provided*, That the Secretary shall not deviate from
13 the work plan, once the plan has been submitted to the
14 Committees on Appropriations of both Houses of Con-
15 gress.

16 OPERATION AND MAINTENANCE

17 For expenses necessary for the operation, mainte-
18 nance, and care of existing river and harbor, flood and
19 storm damage reduction, aquatic ecosystem restoration,
20 and related projects authorized by law; providing security
21 for infrastructure owned or operated by the Corps, includ-
22 ing administrative buildings and laboratories; maintaining
23 harbor channels provided by a State, municipality, or
24 other public agency that serve essential navigation needs
25 of general commerce, where authorized by law; surveying

1 and charting northern and northwestern lakes and con-
2 necting waters; clearing and straightening channels; and
3 removing obstructions to navigation, \$5,150,000,000, to
4 remain available until expended, of which \$2,264,674,000
5 shall be derived from the Harbor Maintenance Trust Fund
6 to cover the Federal share of eligible operation and main-
7 tenance costs for coastal harbors and channels, and for
8 inland harbors; of which \$56,000,000, to be derived from
9 the general fund of the Treasury, shall be to carry out
10 section 2106(c) of Public Law 113–121 (33 U.S.C.
11 2238c(c)) and is designated as being for such purpose pur-
12 suant to section 14003(2)(B) of the CARES Act (Public
13 Law 116–136); of which such sums as become available
14 from the special account for the Corps of Engineers estab-
15 lished by the Land and Water Conservation Fund Act of
16 1965 shall be derived from that account for resource pro-
17 tection, research, interpretation, and maintenance activi-
18 ties related to resource protection in the areas at which
19 outdoor recreation is available; and of which such sums
20 as become available from fees collected under section 217
21 of Public Law 104–303 shall be used to cover the cost
22 of operation and maintenance of the dredged material dis-
23 posal facilities for which such fees have been collected:
24 *Provided*, That 1 percent of the total amount of funds pro-
25 vided for each of the programs, projects, or activities fund-

1 ed under this heading shall not be allocated to a field oper-
2 ating activity prior to the beginning of the fourth quarter
3 of the fiscal year and shall be available for use by the Chief
4 of Engineers to fund such emergency activities as the
5 Chief of Engineers determines to be necessary and appro-
6 priate, and that the Chief of Engineers shall allocate dur-
7 ing the fourth quarter any remaining funds which have
8 not been used for emergency activities proportionally in
9 accordance with the amounts provided for the programs,
10 projects, or activities: *Provided*, That the Secretary shall
11 not deviate from the work plan, once the plan has been
12 submitted to the Committees on Appropriations of both
13 Houses of Congress.

14 REGULATORY PROGRAM

15 For expenses necessary for administration of laws
16 pertaining to regulation of navigable waters and wetlands,
17 \$213,000,000, to remain available until September 30,
18 2024.

19 FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM

20 For expenses necessary to clean up contamination
21 from sites in the United States resulting from work per-
22 formed as part of the Nation's early atomic energy pro-
23 gram, \$278,338,000, to remain available until expended.

1 FLOOD CONTROL AND COASTAL EMERGENCIES

2 For expenses necessary to prepare for flood, hurri-
3 cane, and other natural disasters and support emergency
4 operations, repairs, and other activities in response to
5 such disasters as authorized by law, \$35,000,000, to re-
6 main available until expended.

7 EXPENSES

8 For expenses necessary for the supervision and gen-
9 eral administration of the civil works program in the head-
10 quarters of the Corps of Engineers and the offices of the
11 Division Engineers; and for costs of management and op-
12 eration of the Humphreys Engineer Center Support Activ-
13 ity, the Institute for Water Resources, the United States
14 Army Engineer Research and Development Center, and
15 the United States Army Corps of Engineers Finance Cen-
16 ter allocable to the civil works program, \$215,000,000, to
17 remain available until September 30, 2024, of which not
18 to exceed \$5,000 may be used for official reception and
19 representation purposes and only during the current fiscal
20 year: *Provided*, That no part of any other appropriation
21 provided in this title shall be available to fund the civil
22 works activities of the Office of the Chief of Engineers
23 or the civil works executive direction and management ac-
24 tivities of the division offices: *Provided further*, That any
25 Flood Control and Coastal Emergencies appropriation

1 may be used to fund the supervision and general adminis-
2 tration of emergency operations, repairs, and other activi-
3 ties in response to any flood, hurricane, or other natural
4 disaster.

5 OFFICE OF THE ASSISTANT SECRETARY OF THE ARMY
6 FOR CIVIL WORKS

7 For the Office of the Assistant Secretary of the Army
8 for Civil Works as authorized by 10 U.S.C. 3016(b)(3),
9 \$5,000,000, to remain available until September 30, 2024:
10 *Provided*, That not more than 75 percent of such amount
11 may be obligated or expended until the Assistant Sec-
12 retary submits to the Committees on Appropriations of
13 both Houses of Congress the report required under section
14 101(d) of this Act and a work plan that allocates at least
15 95 percent of the additional funding provided under each
16 heading in this title, as designated under such heading in
17 the report accompanying this Act, to specific programs,
18 projects, or activities.

19 WATER INFRASTRUCTURE FINANCE AND INNOVATION
20 PROGRAM ACCOUNT

21 For administrative expenses to carry out the direct
22 and guaranteed loan programs authorized by the Water
23 Infrastructure Finance and Innovation Act of 2014, not-
24 withstanding subsections (b)(2) and (c) of section 5033

1 of such Act, \$7,200,000, to remain available until Sep-
2 tember 30, 2024.

3 GENERAL PROVISIONS—CORPS OF
4 ENGINEERS—CIVIL
5 (INCLUDING TRANSFER OF FUNDS)

6 SEC. 101. (a) None of the funds provided in title I
7 of this Act, or provided by previous appropriations Acts
8 to the agencies or entities funded in title I of this Act
9 that remain available for obligation or expenditure in fiscal
10 year 2023, shall be available for obligation or expenditure
11 through a reprogramming of funds that:

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

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

15 (3) increases funds or personnel for any pro-
16 gram, project, or activity for which funds have been
17 denied or restricted by this Act, unless prior ap-
18 proval is received from the Committees on Appro-
19 priations of both Houses of Congress;

20 (4) proposes to use funds directed for a specific
21 activity for a different purpose, unless prior approval
22 is received from the Committees on Appropriations
23 of both Houses of Congress;

24 (5) augments or reduces existing programs,
25 projects, or activities in excess of the amounts con-

1 tained in paragraphs (6) through (10), unless prior
2 approval is received from the Committees on Appro-
3 priations of both Houses of Congress;

4 (6) INVESTIGATIONS.—For a base level over
5 \$100,000, reprogramming of 25 percent of the base
6 amount up to a limit of \$150,000 per project, study
7 or activity is allowed: Provided, That for a base level
8 less than \$100,000, the reprogramming limit is
9 \$25,000: Provided further, That up to \$25,000 may
10 be reprogrammed into any continuing study or activ-
11 ity that did not receive an appropriation for existing
12 obligations and concomitant administrative expenses;

13 (7) CONSTRUCTION.—For a base level over
14 \$2,000,000, reprogramming of 15 percent of the
15 base amount up to a limit of \$3,000,000 per project,
16 study or activity is allowed: Provided, That for a
17 base level less than \$2,000,000, the reprogramming
18 limit is \$300,000: Provided further, That up to
19 \$3,000,000 may be reprogrammed for settled con-
20 tractor claims, changed conditions, or real estate de-
21 ficiency judgments: Provided further, That up to
22 \$300,000 may be reprogrammed into any continuing
23 study or activity that did not receive an appropria-
24 tion for existing obligations and concomitant admin-
25 istrative expenses;

1 (8) OPERATION AND MAINTENANCE.—

2 Unlimited reprogramming authority is granted for
3 the Corps to be able to respond to emergencies: Pro-
4 vided, That the Chief of Engineers shall notify the
5 Committees on Appropriations of both Houses of
6 Congress of these emergency actions as soon there-
7 after as practicable: Provided further, That for a
8 base level over \$1,000,000, reprogramming of 15
9 percent of the base amount up to a limit of
10 \$5,000,000 per project, study, or activity is allowed:
11 Provided further, That for a base level less than
12 \$1,000,000, the reprogramming limit is \$150,000:
13 Provided further, That \$150,000 may be repro-
14 grammed into any continuing study or activity that
15 did not receive an appropriation;

16 (9) MISSISSIPPI RIVER AND TRIBU-
17 TARIES.—The reprogramming guidelines in para-
18 graphs (6), (7), and (8) shall apply to the Investiga-
19 tions, Construction, and Operation and Maintenance
20 portions of the Mississippi River and Tributaries Ac-
21 count, respectively; and

22 (10) FORMERLY UTILIZED SITES REME-
23 DIAL ACTION PROGRAM.— Reprogramming of
24 up to 15 percent of the base of the receiving project
25 is permitted.

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

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

8 (d) Not later than 60 days after the date of enact-
9 ment of this Act, the Secretary shall submit a report to
10 the Committees on Appropriations of both Houses of Con-
11 gress to establish the baseline for application of re-
12 programming and transfer authorities for the current fis-
13 cal year which shall include:

14 (1) A table for each appropriation with a sepa-
15 rate column to display the President's budget re-
16 quest, adjustments made by Congress, adjustments
17 due to enacted rescissions, if applicable, and the fis-
18 cal year enacted level; and

19 (2) A delineation in the table for each appro-
20 priation both by object class and program, project
21 and activity as detailed in the budget appendix for
22 the respective appropriations; and

23 (3) An identification of items of special congres-
24 sional interest.

1 SEC. 102. The Secretary shall allocate funds made
2 available in this title solely in accordance with the provi-
3 sions of this Act and the report accompanying this Act.

4 SEC. 103. None of the funds made available in this
5 title may be used to award or modify any contract that
6 commits funds beyond the amounts appropriated for that
7 program, project, or activity that remain unobligated, ex-
8 cept that such amounts may include any funds that have
9 been made available through reprogramming pursuant to
10 section 101.

11 SEC. 104. The Secretary of the Army may transfer
12 to the Fish and Wildlife Service, and the Fish and Wildlife
13 Service may accept and expend, up to \$5,400,000 of funds
14 provided in this title under the heading “Operation and
15 Maintenance” to mitigate for fisheries lost due to Corps
16 of Engineers projects.

17 SEC. 105. None of the funds in this Act shall be used
18 for an open lake placement alternative for dredged mate-
19 rial, after evaluating the least costly, environmentally ac-
20 ceptable manner for the disposal or management of
21 dredged material originating from Lake Erie or tributaries
22 thereto, unless it is approved under a State water quality
23 certification pursuant to section 401 of the Federal Water
24 Pollution Control Act (33 U.S.C. 1341): *Provided*, That
25 until an open lake placement alternative for dredged mate-

1 rial is approved under a State water quality certification,
2 the Corps of Engineers shall continue upland placement
3 of such dredged material consistent with the requirements
4 of section 101 of the Water Resources Development Act
5 of 1986 (33 U.S.C. 2211).

6 SEC. 106. None of the funds made available by this
7 Act may be used to carry out any water supply reallocation
8 study under the Wolf Creek Dam, Lake Cumberland, Ken-
9 tucky, project authorized under the Act of July 24, 1946
10 (60 Stat. 636, ch. 595).

11 SEC. 107. None of the funds made available by this
12 Act or any other Act may be used to reorganize or to
13 transfer the Civil Works functions or authority of the
14 Corps of Engineers or the Secretary of the Army to an-
15 other department or agency.

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

19 TITLE II

20 DEPARTMENT OF THE INTERIOR

21 CENTRAL UTAH PROJECT

22 CENTRAL UTAH PROJECT COMPLETION ACCOUNT

23 For carrying out activities authorized by the Central
24 Utah Project Completion Act, \$23,000,000, to remain
25 available until expended, of which \$5,000,000 shall be de-

1 posited into the Utah Reclamation Mitigation and Con-
2 servation Account for use by the Utah Reclamation Miti-
3 gation and Conservation Commission: *Provided*, That of
4 the amount provided under this heading, \$1,600,000 shall
5 be available until September 30, 2024, for expenses nec-
6 essary in carrying out related responsibilities of the Sec-
7 retary of the Interior: *Provided further*, That for fiscal
8 year 2023, of the amount made available to the Commis-
9 sion under this Act or any other Act, the Commission may
10 use an amount not to exceed \$1,880,000 for administra-
11 tive expenses.

12 BUREAU OF RECLAMATION

13 The following appropriations shall be expended to
14 execute authorized functions of the Bureau of Reclama-
15 tion:

16 WATER AND RELATED RESOURCES

17 (INCLUDING TRANSFERS OF FUNDS)

18 For management, development, and restoration of
19 water and related natural resources and for related activi-
20 ties, including the operation, maintenance, and rehabilita-
21 tion of reclamation and other facilities, participation in
22 fulfilling related Federal responsibilities to Native Ameri-
23 cans, and related grants to, and cooperative and other
24 agreements with, State and local governments, federally
25 recognized Indian tribes, and others, \$1,747,101,000, to

1 remain available until expended, of which \$22,165,000
2 shall be available for transfer to the Upper Colorado River
3 Basin Fund and \$7,584,000 shall be available for transfer
4 to the Lower Colorado River Basin Development Fund;
5 of which such amounts as may be necessary may be ad-
6 vanced to the Colorado River Dam Fund: *Provided*, That
7 \$500,000 shall be available for transfer into the Aging In-
8 frastructure Account established by section 9603(d)(1) of
9 the Omnibus Public Land Management Act of 2009, as
10 amended (43 U.S.C. 510b(d)(1)): *Provided further*, That
11 such transfers, except for the transfer authorized by the
12 preceding proviso, may be increased or decreased within
13 the overall appropriation under this heading: *Provided fur-*
14 *ther*, That of the total appropriated, the amount for pro-
15 gram activities that can be financed by the Reclamation
16 Fund, the Water Storage Enhancement Receipts account
17 established by section 4011(e) of Public Law 114–322, or
18 the Bureau of Reclamation special fee account established
19 by 16 U.S.C. 6806 shall be derived from that Fund or
20 account: *Provided further*, That funds contributed under
21 43 U.S.C. 395 are available until expended for the pur-
22 poses for which the funds were contributed: *Provided fur-*
23 *ther*, That funds advanced under 43 U.S.C. 397a shall be
24 credited to this account and are available until expended
25 for the same purposes as the sums appropriated under this

1 heading: *Provided further*, That of the amounts made
2 available under this heading, \$10,000,000 shall be depos-
3 ited in the San Gabriel Basin Restoration Fund estab-
4 lished by section 110 of title I of division B of appendix
5 D of Public Law 106–554: *Provided further*, That of the
6 amounts provided herein, funds may be used for high-pri-
7 ority projects which shall be carried out by the Youth Con-
8 servation Corps, as authorized by 16 U.S.C. 1706.

9 CENTRAL VALLEY PROJECT RESTORATION FUND

10 For carrying out the programs, projects, plans, habi-
11 tat restoration, improvement, and acquisition provisions of
12 the Central Valley Project Improvement Act, such sums
13 as may be collected in fiscal year 2023 in the Central Val-
14 ley Project Restoration Fund pursuant to sections
15 3407(d), 3404(c)(3), and 3405(f) of Public Law 102–575,
16 to remain available until expended: *Provided*, That the Bu-
17 reau of Reclamation is directed to assess and collect the
18 full amount of the additional mitigation and restoration
19 payments authorized by section 3407(d) of Public Law
20 102–575: *Provided further*, That none of the funds made
21 available under this heading may be used for the acquisi-
22 tion or leasing of water for in-stream purposes if the water
23 is already committed to in-stream purposes by a court
24 adopted decree or order.

1 CALIFORNIA BAY-DELTA RESTORATION
2 (INCLUDING TRANSFERS OF FUNDS)

3 For carrying out activities authorized by the Water
4 Supply, Reliability, and Environmental Improvement Act,
5 consistent with plans to be approved by the Secretary of
6 the Interior, \$33,000,000, to remain available until ex-
7 pended, of which such amounts as may be necessary to
8 carry out such activities may be transferred to appropriate
9 accounts of other participating Federal agencies to carry
10 out authorized purposes: *Provided*, That funds appro-
11 priated herein may be used for the Federal share of the
12 costs of CALFED Program management: *Provided fur-*
13 *ther*, That CALFED implementation shall be carried out
14 in a balanced manner with clear performance measures
15 demonstrating concurrent progress in achieving the goals
16 and objectives of the Program.

17 POLICY AND ADMINISTRATION

18 For expenses necessary for policy, administration,
19 and related functions in the Office of the Commissioner,
20 the Denver office, and offices in the six regions of the Bu-
21 reau of Reclamation, to remain available until September
22 30, 2024, \$65,079,000, to be derived from the Reclama-
23 tion Fund and be nonreimbursable as provided in section
24 4(o) of the Act of December 5, 1924 (43 U.S.C. 377):
25 *Provided*, That no part of any other appropriation in this

1 Act shall be available for activities or functions budgeted
2 as policy and administration expenses.

3 ADMINISTRATIVE PROVISION

4 Appropriations for the Bureau of Reclamation shall
5 be available for purchase and replacement of not to exceed
6 30 motor vehicles, which are for replacement only.

7 GENERAL PROVISIONS—DEPARTMENT OF THE
8 INTERIOR

9 SEC. 201. (a) None of the funds provided in title II
10 of this Act for Water and Related Resources, or provided
11 by previous or subsequent appropriations Acts to the agen-
12 cies or entities funded in title II of this Act for Water
13 and Related Resources that remain available for obligation
14 or expenditure in fiscal year 2023, shall be available for
15 obligation or expenditure through a reprogramming of
16 funds that—

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

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

20 (3) increases funds for any program, project, or
21 activity for which funds have been denied or re-
22 stricted by this Act, unless prior approval is received
23 from the Committees on Appropriations of both
24 Houses of Congress;

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

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

9 (A) 15 percent for any program, project or
10 activity for which \$2,000,000 or more is avail-
11 able at the beginning of the fiscal year; or

12 (B) \$400,000 for any program, project or
13 activity for which less than \$2,000,000 is avail-
14 able at the beginning of the fiscal year;

15 (6) transfers more than \$500,000 from either
16 the Facilities Operation, Maintenance, and Rehabili-
17 tation category or the Resources Management and
18 Development category to any program, project, or
19 activity in the other category, unless prior approval
20 is received from the Committees on Appropriations
21 of both Houses of Congress; or

22 (7) transfers, where necessary to discharge legal
23 obligations of the Bureau of Reclamation, more than
24 \$5,000,000 to provide adequate funds for settled
25 contractor claims, increased contractor earnings due

1 to accelerated rates of operations, and real estate de-
2 ficiency judgments, unless prior approval is received
3 from the Committees on Appropriations of both
4 Houses of Congress.

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

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

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

19 (e) The Bureau of Reclamation shall submit reports
20 on a quarterly basis to the Committees on Appropriations
21 of both Houses of Congress detailing all the funds repro-
22 grammed between programs, projects, activities, or cat-
23 egories of funding. The first quarterly report shall be sub-
24 mitted not later than 60 days after the date of enactment
25 of this Act.

1 SEC. 202. (a) None of the funds appropriated or oth-
2 erwise made available by this Act may be used to deter-
3 mine the final point of discharge for the interceptor drain
4 for the San Luis Unit until development by the Secretary
5 of the Interior and the State of California of a plan, which
6 shall conform to the water quality standards of the State
7 of California as approved by the Administrator of the En-
8 vironmental Protection Agency, to minimize any detri-
9 mental effect of the San Luis drainage waters.

10 (b) The costs of the Kesterson Reservoir Cleanup
11 Program and the costs of the San Joaquin Valley Drain-
12 age Program shall be classified by the Secretary of the
13 Interior as reimbursable or nonreimbursable and collected
14 until fully repaid pursuant to the “Cleanup Program—
15 Alternative Repayment Plan” and the “SJVDP—Alter-
16 native Repayment Plan” described in the report entitled
17 “Repayment Report, Kesterson Reservoir Cleanup Pro-
18 gram and San Joaquin Valley Drainage Program, Feb-
19 ruary 1995”, prepared by the Department of the Interior,
20 Bureau of Reclamation. Any future obligations of funds
21 by the United States relating to, or providing for, drainage
22 service or drainage studies for the San Luis Unit shall
23 be fully reimbursable by San Luis Unit beneficiaries of
24 such service or studies pursuant to Federal reclamation
25 law.

1 SEC. 203. Section 9504(e) of the Omnibus Public
2 Land Management Act of 2009 (Public Law 111–11; 42
3 U.S.C. 10364(e)) is amended by striking “\$750,000,000”
4 and inserting “\$820,000,000”.

5 SEC. 204. (a) Title I of Public Law 108–361 (the
6 Calfed Bay-Delta Authorization Act) is amended by strik-
7 ing “2022” each place it appears and inserting “2023”.

8 (b) Section 103(f)(4)(A) of Public Law 108–361 (the
9 Calfed Bay-Delta Authorization Act) is amended by strik-
10 ing “\$25,000,000” and inserting “\$30,000,000”.

11 SEC. 205. Section 9106(g)(2) of Public Law 111–11
12 (Omnibus Public Land Management Act of 2009) is
13 amended by striking “2022” and inserting “2023”.

14 SEC. 206. (a) Section 104(c) of the Reclamation
15 States Emergency Drought Relief Act of 1991 (Public
16 Law 102–250; 43 U.S.C. 2214(c)) is amended by striking
17 “2022” and inserting “2023”.

18 (b) Section 301 of the Reclamation States Emergency
19 Drought Relief Act of 1991 (Public Law 102–250; 43
20 U.S.C. 2241) is amended by striking “2022” and insert-
21 ing “2023” and by striking “\$120,000,000” and inserting
22 “\$130,000,000”.

23 SEC. 207. Section 529(b)(3) of the Water Resources
24 Development Act of 2000 (Public Law 106–541), as

1 amended, is amended by striking “\$30,000,000” and in-
2 serting “\$40,000,000”.

3 SEC. 208. None of the funds provided in this Act may
4 be used for the Shasta Dam and Reservoir Enlargement
5 Project.

6 TITLE III

7 DEPARTMENT OF ENERGY

8 ENERGY PROGRAMS

9 ENERGY EFFICIENCY AND RENEWABLE ENERGY

10 For Department of Energy expenses including the
11 purchase, construction, and acquisition of plant and cap-
12 ital equipment, and other expenses necessary for energy
13 efficiency and renewable energy activities in carrying out
14 the purposes of the Department of Energy Organization
15 Act (42 U.S.C. 7101 et seq.), including the acquisition or
16 condemnation of any real property or any facility or for
17 plant or facility acquisition, construction, or expansion,
18 \$4,000,000,000, to remain available until expended: *Pro-*
19 *vided*, That of such amount, \$245,000,000 shall be avail-
20 able until September 30, 2024, for program direction.

21 CYBERSECURITY, ENERGY SECURITY, AND EMERGENCY

22 RESPONSE

23 For Department of Energy expenses including the
24 purchase, construction, and acquisition of plant and cap-
25 ital equipment, and other expenses necessary for energy

1 sector cybersecurity, energy security, and emergency re-
2 sponse activities in carrying out the purposes of the De-
3 partment of Energy Organization Act (42 U.S.C. 7101 et
4 seq.), including the acquisition or condemnation of any
5 real property or any facility or for plant or facility acquisi-
6 tion, construction, or expansion, \$205,000,000, to remain
7 available until expended: *Provided*, That of such amount,
8 \$24,000,000 shall be available until September 30, 2024,
9 for program direction.

10 ELECTRICITY

11 For Department of Energy expenses including the
12 purchase, construction, and acquisition of plant and cap-
13 ital equipment, and other expenses necessary for elec-
14 tricity activities in carrying out the purposes of the De-
15 partment of Energy Organization Act (42 U.S.C. 7101 et
16 seq.), including the acquisition or condemnation of any
17 real property or any facility or for plant or facility acquisi-
18 tion, construction, or expansion, \$350,000,000, to remain
19 available until expended: *Provided*, That of such amount,
20 \$23,000,000 shall be available until September 30, 2024,
21 for program direction.

22 NUCLEAR ENERGY

23 For Department of Energy expenses including the
24 purchase, construction, and acquisition of plant and cap-
25 ital equipment, and other expenses necessary for nuclear

1 energy activities in carrying out the purposes of the De-
2 partment of Energy Organization Act (42 U.S.C. 7101 et
3 seq.), including the acquisition or condemnation of any
4 real property or any facility or for plant or facility acquisi-
5 tion, construction, or expansion, \$1,779,800,000, to re-
6 main available until expended: *Provided*, That of such
7 amount, \$85,000,000 shall be available until September
8 30, 2024, for program direction: *Provided further*, That
9 for the purpose of section 954(a)(6) of the Energy Policy
10 Act of 2005, as amended, the only amount available shall
11 be from the amount specified as including that purpose
12 in the “Bill” column in the “Department of Energy” table
13 included under the heading “Title III—Department of
14 Energy” in the report accompanying this Act.

15 FOSSIL ENERGY AND CARBON MANAGEMENT

16 For Department of Energy expenses necessary in car-
17 rying out fossil energy and carbon management research
18 and development activities, under the authority of the De-
19 partment of Energy Organization Act (42 U.S.C. 7101 et
20 seq.), including the acquisition of interest, including defea-
21 sible and equitable interests in any real property or any
22 facility or for plant or facility acquisition or expansion,
23 and for conducting inquiries, technological investigations
24 and research concerning the extraction, processing, use,
25 and disposal of mineral substances without objectionable

1 social and environmental costs (30 U.S.C. 3, 1602, and
2 1603), \$880,000,000, to remain available until expended:
3 *Provided*, That of such amount \$70,000,000 shall be avail-
4 able until September 30, 2024, for program direction.

5 ENERGY PROJECTS

6 For Department of Energy expenses necessary in car-
7 rying out the Department of Energy Organization Act (42
8 U.S.C. 7101 et seq.), \$117,326,652, to remain available
9 until expended, for the projects, and in the amounts, speci-
10 fied in the table titled “Community Project Funding De-
11 partment of Energy Projects” in the report accompanying
12 this Act.

13 NAVAL PETROLEUM AND OIL SHALE RESERVES

14 For Department of Energy expenses necessary to
15 carry out naval petroleum and oil shale reserve activities,
16 \$13,004,000, to remain available until expended: *Pro-*
17 *vided*, That notwithstanding any other provision of law,
18 unobligated funds remaining from prior years shall be
19 available for all naval petroleum and oil shale reserve ac-
20 tivities.

21 STRATEGIC PETROLEUM RESERVE

22 For Department of Energy expenses necessary for
23 Strategic Petroleum Reserve facility development and op-
24 erations and program management activities pursuant to

1 the Energy Policy and Conservation Act (42 U.S.C. 6201
2 et seq.), \$214,175,000, to remain available until expended.

3 SPR PETROLEUM ACCOUNT

4 For the acquisition, transportation, and injection of
5 petroleum products, and for other necessary expenses pur-
6 suant to the Energy Policy and Conservation Act of 1975,
7 as amended (42 U.S.C. 6201 et seq.), sections 403 and
8 404 of the Bipartisan Budget Act of 2015 (42 U.S.C.
9 6241, 6239 note), section 32204 of the Fixing America's
10 Surface Transportation Act (42 U.S.C. 6241 note), and
11 section 30204 of the Bipartisan Budget Act of 2018 (42
12 U.S.C. 6241 note), \$8,000,000, to remain available until
13 expended.

14 NORTHEAST HOME HEATING OIL RESERVE

15 For Department of Energy expenses necessary for
16 Northeast Home Heating Oil Reserve storage, operation,
17 and management activities pursuant to the Energy Policy
18 and Conservation Act (42 U.S.C. 6201 et seq.),
19 \$7,000,000, to remain available until expended.

20 ENERGY INFORMATION ADMINISTRATION

21 For Department of Energy expenses necessary in car-
22 rying out the activities of the Energy Information Admin-
23 istration, \$144,480,000, to remain available until ex-
24 pended.

1 NON-DEFENSE ENVIRONMENTAL CLEANUP

2 For Department of Energy expenses, including the
3 purchase, construction, and acquisition of plant and cap-
4 ital equipment and other expenses necessary for non-de-
5 fense environmental cleanup activities in carrying out the
6 purposes of the Department of Energy Organization Act
7 (42 U.S.C. 7101 et seq.), including the acquisition or con-
8 demnation of any real property or any facility or for plant
9 or facility acquisition, construction, or expansion, and the
10 purchase of one passenger motor vehicle, \$333,863,000,
11 to remain available until expended: *Provided*, That in ad-
12 dition, fees collected pursuant to subsection (b)(1) of sec-
13 tion 6939f of title 42, United States Code, and deposited
14 under this heading in fiscal year 2023 pursuant to section
15 309 of title III of division C of Public Law 116–94 are
16 appropriated, to remain available until expended, for mer-
17 cury storage costs.

18 URANIUM ENRICHMENT DECONTAMINATION AND
19 DECOMMISSIONING FUND

20 For Department of Energy expenses necessary in car-
21 rying out uranium enrichment facility decontamination
22 and decommissioning, remedial actions, and other activi-
23 ties of title II of the Atomic Energy Act of 1954, and
24 title X, subtitle A, of the Energy Policy Act of 1992,
25 \$823,321,000, to be derived from the Uranium Enrich-

1 ment Decontamination and Decommissioning Fund, to re-
2 main available until expended, of which \$14,800,000 shall
3 be available in accordance with title X, subtitle A, of the
4 Energy Policy Act of 1992.

5 SCIENCE

6 For Department of Energy expenses including the
7 purchase, construction, and acquisition of plant and cap-
8 ital equipment, and other expenses necessary for science
9 activities in carrying out the purposes of the Department
10 of Energy Organization Act (42 U.S.C. 7101 et seq.), in-
11 cluding the acquisition or condemnation of any real prop-
12 erty or any facility or for plant or facility acquisition, con-
13 struction, or expansion, and purchase of not more than
14 35 passenger motor vehicles, including one ambulance, for
15 replacement only, \$8,000,000,000, to remain available
16 until expended: *Provided*, That of such amount,
17 \$211,211,000 shall be available until September 30, 2024,
18 for program direction.

19 NUCLEAR WASTE DISPOSAL

20 For Department of Energy expenses necessary for
21 nuclear waste disposal activities to carry out the purposes
22 of the Nuclear Waste Policy Act of 1982, Public Law 97–
23 425, as amended, \$10,205,000, to remain available until
24 expended, which shall be derived from the Nuclear Waste
25 Fund.

1 TECHNOLOGY TRANSITIONS

2 For Department of Energy expenses necessary for
3 carrying out the activities of technology transitions,
4 \$23,058,000, to remain available until expended: *Pro-*
5 *vided*, That of such amount, \$13,183,000 shall be avail-
6 able until September 30, 2024, for program direction.

7 CLEAN ENERGY DEMONSTRATIONS

8 For Department of Energy expenses, including the
9 purchase, construction, and acquisition of plant and cap-
10 ital equipment and other expenses necessary for clean en-
11 ergy demonstrations in carrying out the purposes of the
12 Department of Energy Organization Act (42 U.S.C. 7101
13 et seq.), including the acquisition or condemnation of any
14 real property or any facility or for plant or facility acquisi-
15 tion, construction, or expansion, \$189,000,000, to remain
16 available until expended: *Provided*, That of such amount,
17 \$25,000,000 shall be available until September 30, 2024,
18 for program direction.

19 DEFENSE PRODUCTION ACT DOMESTIC CLEAN ENERGY
20 ACCELERATOR

21 For activities by the Department of Energy pursuant
22 to titles I, III, and VII of the Defense Production Act of
23 1950 (50 U.S.C. subchapters I, II, and III), notwith-
24 standing the requirements of section 303(a)(1) through
25 (a)(6) of such Act, \$100,000,000, to remain available until

1 expended, which shall be obligated and expended by the
2 Secretary of Energy as if delegated the necessary authori-
3 ties conferred by the Defense Production Act of 1950, and
4 which shall be for expanding the domestic production ca-
5 pability for solar, transformers, electric grid components,
6 fuel cells, electrolyzers, heat pumps, and insulation, of
7 which up to \$5,000,000 shall be available until September
8 30, 2024, for administrative expenses.

9 ADVANCED RESEARCH PROJECTS AGENCY—ENERGY

10 For Department of Energy expenses necessary in car-
11 rying out the activities authorized by section 5012 of the
12 America COMPETES Act (Public Law 110–69),
13 \$550,000,000, to remain available until expended: *Pro-*
14 *vided*, That of such amount, \$45,000,000 shall be avail-
15 able until September 30, 2024, for program direction.

16 TITLE 17 INNOVATIVE TECHNOLOGY LOAN GUARANTEE
17 PROGRAM

18 Such sums as are derived from amounts received
19 from borrowers pursuant to section 1702(b) of the Energy
20 Policy Act of 2005 under this heading in prior Acts, shall
21 be collected in accordance with section 502(7) of the Con-
22 gressional Budget Act of 1974: *Provided*, That for nec-
23 essary administrative expenses of the Title 17 Innovative
24 Technology Loan Guarantee Program, as authorized,
25 \$66,206,000 is appropriated, to remain available until

1 September 30, 2024: *Provided further*, That up to
2 \$66,206,000 of fees collected in fiscal year 2023 pursuant
3 to section 1702(h) of the Energy Policy Act of 2005 shall
4 be credited as offsetting collections under this heading and
5 used for necessary administrative expenses in this appro-
6 priation and shall remain available until September 30,
7 2024: *Provided further*, That to the extent that fees col-
8 lected in fiscal year 2023 exceed \$66,206,000, those ex-
9 cess amounts shall be credited as offsetting collections
10 under this heading and available in future fiscal years only
11 to the extent provided in advance in appropriations Acts:
12 *Provided further*, That the sum herein appropriated from
13 the general fund shall be reduced (1) as such fees are re-
14 ceived during fiscal year 2023 (estimated at \$35,000,000)
15 and (2) to the extent that any remaining general fund ap-
16 propriations can be derived from fees collected in previous
17 fiscal years that are not otherwise appropriated, so as to
18 result in a final fiscal year 2023 appropriation from the
19 general fund estimated at \$0: *Provided further*, That the
20 Department of Energy shall not subordinate any loan obli-
21 gation to other financing in violation of section 1702 of
22 the Energy Policy Act of 2005 or subordinate any Guarant-
23 eed Obligation to any loan or other debt obligations in
24 violation of section 609.10 of title 10, Code of Federal
25 Regulations.

1 ADVANCED TECHNOLOGY VEHICLES MANUFACTURING
2 LOAN PROGRAM

3 For Department of Energy administrative expenses
4 necessary in carrying out the Advanced Technology Vehi-
5 cles Manufacturing Loan Program, \$9,800,000, to remain
6 available until September 30, 2024.

7 TRIBAL ENERGY LOAN GUARANTEE PROGRAM

8 For the cost of direct and guaranteed loans for the
9 Tribal Energy Loan Guarantee Program under section
10 2602(c) of the Energy Policy Act of 1992 (25 U.S.C.
11 3502(c)), \$8,000,000, to remain available until expended:
12 *Provided*, That such costs, including the cost of modifying
13 such loans, shall be as defined in section 502 of the Con-
14 gressional Budget Act of 1974 (2 U.S.C. 661a): *Provided*
15 *further*, That in this fiscal year and subsequent fiscal
16 years, under section 2602(c) of the Energy Policy Act of
17 1992 (25 U.S.C. 3502(c)), the Secretary of Energy may
18 also provide direct loans, as defined in section 502 of the
19 Congressional Budget Act of 1974 (2 U.S.C. 661a): *Pro-*
20 *vided further*, That such direct loans shall be made
21 through the Federal Financing Bank, with the full faith
22 and credit of the United States Government on the prin-
23 cipal and interest: *Provided further*, That any funds pre-
24 viously appropriated for the cost of loan guarantees under
25 section 2602(c) of the Energy Policy Act of 1992 (25

1 U.S.C. 3502(c)) may also be used, in this fiscal year and
2 subsequent fiscal years, for the cost of direct loans pro-
3 vided under such section of such Act.

4 In addition, for Department of Energy administrative
5 expenses necessary in carrying out the Tribal Energy
6 Loan Guarantee Program, \$2,000,000, to remain avail-
7 able until September 30, 2024.

8 INDIAN ENERGY POLICY AND PROGRAMS

9 For necessary expenses for Indian Energy activities
10 in carrying out the purposes of the Department of Energy
11 Organization Act (42 U.S.C. 7101 et seq.), \$75,000,000,
12 to remain available until expended: *Provided*, That of the
13 amount appropriated under this heading, \$15,000,000
14 shall be available until September 30, 2024, for program
15 direction.

16 DEPARTMENTAL ADMINISTRATION

17 For salaries and expenses of the Department of En-
18 ergy necessary for departmental administration in car-
19 rying out the purposes of the Department of Energy Orga-
20 nization Act (42 U.S.C. 7101 et seq.), \$407,715,000, to
21 remain available until September 30, 2024, including the
22 hire of passenger motor vehicles and official reception and
23 representation expenses not to exceed \$30,000, plus such
24 additional amounts as necessary to cover increases in the
25 estimated amount of cost of work for others notwith-

1 standing the provisions of the Anti-Deficiency Act (31
2 U.S.C. 1511 et seq.): *Provided*, That such increases in
3 cost of work are offset by revenue increases of the same
4 or greater amount: *Provided further*, That moneys received
5 by the Department for miscellaneous revenues estimated
6 to total \$100,578,000 in fiscal year 2023 may be retained
7 and used for operating expenses within this account, as
8 authorized by section 201 of Public Law 95–238, notwith-
9 standing the provisions of 31 U.S.C. 3302: *Provided fur-*
10 *ther*, That the sum herein appropriated shall be reduced
11 as collections are received during the fiscal year so as to
12 result in a final fiscal year 2023 appropriation from the
13 general fund estimated at not more than \$307,137,000.

14 OFFICE OF THE INSPECTOR GENERAL

15 For expenses necessary for the Office of the Inspector
16 General in carrying out the provisions of the Inspector
17 General Act of 1978, \$92,000,000, to remain available
18 until September 30, 2024.

19 ATOMIC ENERGY DEFENSE ACTIVITIES

20 NATIONAL NUCLEAR SECURITY

21 ADMINISTRATION

22 WEAPONS ACTIVITIES

23 For Department of Energy expenses, including the
24 purchase, construction, and acquisition of plant and cap-
25 ital equipment and other incidental expenses necessary for

1 atomic energy defense weapons activities in carrying out
2 the purposes of the Department of Energy Organization
3 Act (42 U.S.C. 7101 et seq.), including the acquisition or
4 condemnation of any real property or any facility or for
5 plant or facility acquisition, construction, or expansion,
6 \$16,333,065,000, to remain available until expended: *Pro-*
7 *vided*, That of such amount, \$130,070,000 shall be avail-
8 able until September 30, 2024, for program direction.

9 DEFENSE NUCLEAR NONPROLIFERATION

10 For Department of Energy expenses, including the
11 purchase, construction, and acquisition of plant and cap-
12 ital equipment and other incidental expenses necessary for
13 defense nuclear nonproliferation activities in carrying out
14 the purposes of the Department of Energy Organization
15 Act (42 U.S.C. 7101 et seq.), including the acquisition or
16 condemnation of any real property or any facility or for
17 plant or facility acquisition, construction, or expansion,
18 \$2,424,000,000, to remain available until expended.

19 NAVAL REACTORS

20 (INCLUDING TRANSFER OF FUNDS)

21 For Department of Energy expenses necessary for
22 naval reactors activities to carry out the Department of
23 Energy Organization Act (42 U.S.C. 7101 et seq.), includ-
24 ing the acquisition (by purchase, condemnation, construc-
25 tion, or otherwise) of real property, plant, and capital

1 equipment, facilities, and facility expansion,
2 \$2,000,000,000, to remain available until expended, of
3 which, \$99,747,000 shall be transferred to “Department
4 of Energy—Energy Programs—Nuclear Energy”, for the
5 Advanced Test Reactor: *Provided*, That of such amount,
6 \$58,525,000 shall be available until September 30, 2024,
7 for program direction.

8 FEDERAL SALARIES AND EXPENSES

9 For expenses necessary for Federal Salaries and Ex-
10 penses in the National Nuclear Security Administration,
11 \$475,000,000, to remain available until September 30,
12 2024, including official reception and representation ex-
13 penses not to exceed \$17,000.

14 ENVIRONMENTAL AND OTHER DEFENSE

15 ACTIVITIES

16 DEFENSE ENVIRONMENTAL CLEANUP

17 For Department of Energy expenses, including the
18 purchase, construction, and acquisition of plant and cap-
19 ital equipment and other expenses necessary for atomic
20 energy defense environmental cleanup activities in car-
21 rying out the purposes of the Department of Energy Orga-
22 nization Act (42 U.S.C. 7101 et seq.), including the acqui-
23 sition or condemnation of any real property or any facility
24 or for plant or facility acquisition, construction, or expan-
25 sion, \$6,722,521,000, to remain available until expended:

1 *Provided*, That of such amount, \$317,002,000 shall be
2 available until September 30, 2024, for program direction.

3 DEFENSE URANIUM ENRICHMENT DECONTAMINATION
4 AND DECOMMISSIONING
5 (INCLUDING TRANSFER OF FUNDS)

6 For an additional amount for atomic energy defense
7 environmental cleanup activities for Department of En-
8 ergy contributions for uranium enrichment decontamina-
9 tion and decommissioning activities, \$823,321,000, to be
10 deposited into the Defense Environmental Cleanup ac-
11 count, which shall be transferred to the Uranium Enrich-
12 ment Decontamination and Decommissioning Fund.

13 OTHER DEFENSE ACTIVITIES

14 For Department of Energy expenses, including the
15 purchase, construction, and acquisition of plant and cap-
16 ital equipment and other expenses necessary for atomic
17 energy defense, other defense activities, and classified ac-
18 tivities, in carrying out the purposes of the Department
19 of Energy Organization Act (42 U.S.C. 7101 et seq.), in-
20 cluding the acquisition or condemnation of any real prop-
21 erty or any facility or for plant or facility acquisition, con-
22 struction, or expansion, \$1,027,554,000, to remain avail-
23 able until expended: *Provided*, That of such amount,
24 \$359,734,000 shall be available until September 30, 2024,
25 for program direction.

1 POWER MARKETING ADMINISTRATIONS

2 BONNEVILLE POWER ADMINISTRATION FUND

3 Expenditures from the Bonneville Power Administra-
4 tion Fund, established pursuant to Public Law 93-454,
5 are approved for the Colville Tribes Residents Fish Hatch-
6 ery Expansion, Chief Joseph Hatchery Water Quality
7 Project, and Umatilla Hatchery Facility Project and, in
8 addition, for official reception and representation expenses
9 in an amount not to exceed \$5,000: *Provided*, That during
10 fiscal year 2023, no new direct loan obligations may be
11 made.

12 OPERATION AND MAINTENANCE, SOUTHEASTERN POWER
13 ADMINISTRATION

14 For expenses necessary for operation and mainte-
15 nance of power transmission facilities and for marketing
16 electric power and energy, including transmission wheeling
17 and ancillary services, pursuant to section 5 of the Flood
18 Control Act of 1944 (16 U.S.C. 825s), as applied to the
19 southeastern power area, \$8,173,000, including official re-
20 ception and representation expenses in an amount not to
21 exceed \$1,500, to remain available until expended: *Pro-*
22 *vided*, That notwithstanding 31 U.S.C. 3302 and section
23 5 of the Flood Control Act of 1944, up to \$8,173,000 col-
24 lected by the Southeastern Power Administration from the
25 sale of power and related services shall be credited to this

1 account as discretionary offsetting collections, to remain
2 available until expended for the sole purpose of funding
3 the annual expenses of the Southeastern Power Adminis-
4 tration: *Provided further*, That the sum herein appro-
5 priated for annual expenses shall be reduced as collections
6 are received during the fiscal year so as to result in a final
7 fiscal year 2023 appropriation estimated at not more than
8 \$0: *Provided further*, That notwithstanding 31 U.S.C.
9 3302, up to \$78,696,000 collected by the Southeastern
10 Power Administration pursuant to the Flood Control Act
11 of 1944 to recover purchase power and wheeling expenses
12 shall be credited to this account as offsetting collections,
13 to remain available until expended for the sole purpose
14 of making purchase power and wheeling expenditures:
15 *Provided further*, That for purposes of this appropriation,
16 annual expenses means expenditures that are generally re-
17 covered in the same year that they are incurred (excluding
18 purchase power and wheeling expenses).

19 OPERATION AND MAINTENANCE, SOUTHWESTERN
20 POWER ADMINISTRATION

21 For expenses necessary for operation and mainte-
22 nance of power transmission facilities and for marketing
23 electric power and energy, for construction and acquisition
24 of transmission lines, substations and appurtenant facili-
25 ties, and for administrative expenses, including official re-

1 ception and representation expenses in an amount not to
2 exceed \$1,500 in carrying out section 5 of the Flood Con-
3 trol Act of 1944 (16 U.S.C. 825s), as applied to the
4 Southwestern Power Administration, \$53,488,000, to re-
5 main available until expended: *Provided*, That notwith-
6 standing 31 U.S.C. 3302 and section 5 of the Flood Con-
7 trol Act of 1944 (16 U.S.C. 825s), up to \$42,880,000 col-
8 lected by the Southwestern Power Administration from
9 the sale of power and related services shall be credited to
10 this account as discretionary offsetting collections, to re-
11 main available until expended, for the sole purpose of
12 funding the annual expenses of the Southwestern Power
13 Administration: *Provided further*, That the sum herein ap-
14 propriated for annual expenses shall be reduced as collec-
15 tions are received during the fiscal year so as to result
16 in a final fiscal year 2023 appropriation estimated at not
17 more than \$10,608,000: *Provided further*, That notwith-
18 standing 31 U.S.C. 3302, up to \$70,000,000 collected by
19 the Southwestern Power Administration pursuant to the
20 Flood Control Act of 1944 to recover purchase power and
21 wheeling expenses shall be credited to this account as off-
22 setting collections, to remain available until expended for
23 the sole purpose of making purchase power and wheeling
24 expenditures: *Provided further*, That for purposes of this
25 appropriation, annual expenses means expenditures that

1 are generally recovered in the same year that they are in-
2 curred (excluding purchase power and wheeling expenses).

3 CONSTRUCTION, REHABILITATION, OPERATION AND
4 MAINTENANCE, WESTERN AREA POWER ADMINIS-
5 TRATION

6 For carrying out the functions authorized by title III,
7 section 302(a)(1)(E) of the Act of August 4, 1977 (42
8 U.S.C. 7152), and other related activities including con-
9 servation and renewable resources programs as author-
10 ized, \$299,573,000, including official reception and rep-
11 resentation expenses in an amount not to exceed \$1,500,
12 to remain available until expended, of which \$299,573,000
13 shall be derived from the Department of the Interior Rec-
14 lamation Fund: *Provided*, That notwithstanding 31 U.S.C.
15 3302, section 5 of the Flood Control Act of 1944 (16
16 U.S.C. 825s), and section 1 of the Interior Department
17 Appropriation Act, 1939 (43 U.S.C. 392a), up to
18 \$200,841,000 collected by the Western Area Power Ad-
19 ministration from the sale of power and related services
20 shall be credited to this account as discretionary offsetting
21 collections, to remain available until expended, for the sole
22 purpose of funding the annual expenses of the Western
23 Area Power Administration: *Provided further*, That the
24 sum herein appropriated for annual expenses shall be re-
25 duced as collections are received during the fiscal year so

1 as to result in a final fiscal year 2023 appropriation esti-
2 mated at not more than \$98,732,000, of which
3 \$98,732,000 is derived from the Reclamation Fund: *Pro-*
4 *vided further*, That notwithstanding 31 U.S.C. 3302, up
5 to \$350,083,000 collected by the Western Area Power Ad-
6 ministration pursuant to the Flood Control Act of 1944
7 and the Reclamation Project Act of 1939 to recover pur-
8 chase power and wheeling expenses shall be credited to
9 this account as offsetting collections, to remain available
10 until expended for the sole purpose of making purchase
11 power and wheeling expenditures: *Provided further*, That
12 for purposes of this appropriation, annual expenses means
13 expenditures that are generally recovered in the same year
14 that they are incurred (excluding purchase power and
15 wheeling expenses).

16 FALCON AND AMISTAD OPERATING AND MAINTENANCE
17 FUND

18 For operation, maintenance, and emergency costs for
19 the hydroelectric facilities at the Falcon and Amistad
20 Dams, \$6,330,000, to remain available until expended,
21 and to be derived from the Falcon and Amistad Operating
22 and Maintenance Fund of the Western Area Power Ad-
23 ministration, as provided in section 2 of the Act of June
24 18, 1954 (68 Stat. 255): *Provided*, That notwithstanding
25 the provisions of that Act and of 31 U.S.C. 3302, up to

1 \$6,102,000 collected by the Western Area Power Adminis-
2 tration from the sale of power and related services from
3 the Falcon and Amistad Dams shall be credited to this
4 account as discretionary offsetting collections, to remain
5 available until expended for the sole purpose of funding
6 the annual expenses of the hydroelectric facilities of these
7 Dams and associated Western Area Power Administration
8 activities: *Provided further*, That the sum herein appro-
9 priated for annual expenses shall be reduced as collections
10 are received during the fiscal year so as to result in a final
11 fiscal year 2023 appropriation estimated at not more than
12 \$228,000: *Provided further*, That for purposes of this ap-
13 propriation, annual expenses means expenditures that are
14 generally recovered in the same year that they are in-
15 curred: *Provided further*, That for fiscal year 2023, the
16 Administrator of the Western Area Power Administration
17 may accept up to \$1,598,000 in funds contributed by
18 United States power customers of the Falcon and Amistad
19 Dams for deposit into the Falcon and Amistad Operating
20 and Maintenance Fund, and such funds shall be available
21 for the purpose for which contributed in like manner as
22 if said sums had been specifically appropriated for such
23 purpose: *Provided further*, That any such funds shall be
24 available without further appropriation and without fiscal
25 year limitation for use by the Commissioner of the United

1 States Section of the International Boundary and Water
2 Commission for the sole purpose of operating, maintain-
3 ing, repairing, rehabilitating, replacing, or upgrading the
4 hydroelectric facilities at these Dams in accordance with
5 agreements reached between the Administrator, Commis-
6 sioner, and the power customers.

7 FEDERAL ENERGY REGULATORY COMMISSION

8 SALARIES AND EXPENSES

9 For expenses necessary for the Federal Energy Regu-
10 latory Commission to carry out the provisions of the De-
11 partment of Energy Organization Act (42 U.S.C. 7101 et
12 seq.), including services as authorized by 5 U.S.C. 3109,
13 official reception and representation expenses not to ex-
14 ceed \$3,000, and the hire of passenger motor vehicles,
15 \$508,400,000, to remain available until expended: *Pro-*
16 *vided*, That notwithstanding any other provision of law,
17 not to exceed \$508,400,000 of revenues from fees and an-
18 nual charges, and other services and collections in fiscal
19 year 2023 shall be retained and used for expenses nec-
20 essary in this account, and shall remain available until ex-
21 pended: *Provided further*, That the sum herein appro-
22 priated from the general fund shall be reduced as revenues
23 are received during fiscal year 2023 so as to result in a
24 final fiscal year 2023 appropriation from the general fund
25 estimated at not more than \$0.

GENERAL PROVISIONS—DEPARTMENT OF
ENERGY

3 (INCLUDING TRANSFERS AND RESCISSIONS OF FUNDS)

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

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

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

(B) make or modify 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 or modify an allocation, award, or Agreement in excess of the limits in subparagraph (A) or (B); or

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

4 (2) The Secretary of Energy shall submit to the Com-
5 mittees on Appropriations of both Houses of Congress
6 within 15 days of the conclusion of each quarter a report
7 detailing each grant allocation or discretionary grant
8 award totaling less than \$1,000,000 provided or modified
9 during the previous quarter.

10 (3) The notification required by paragraph (1) and
11 the report required by paragraph (2) shall include the re-
12 cipient of the award, the amount of the award, the fiscal
13 year for which the funds for the award were appropriated,
14 the account and program, project, or activity from which
15 the funds are being drawn, the title of the award, and
16 a brief description of the activity for which the award is
17 made.

18 (c) The Department of Energy may not, with respect
19 to any program, project, or activity that uses budget au-
20 thority made available in this title under the heading “De-
21 partment of Energy—Energy Programs”, enter into a
22 multiyear contract, award a multiyear grant, or enter into
23 a multiyear cooperative agreement unless—

1 (1) the contract, grant, or cooperative agree-
2 ment is funded for the full period of performance as
3 anticipated at the time of award; or

4 (2) the contract, grant, or cooperative agree-
5 ment includes a clause conditioning the Federal Gov-
6 ernment's obligation on the availability of future
7 year budget authority and the Secretary notifies the
8 Committees on Appropriations of both Houses of
9 Congress at least 3 days in advance.

10 (d) Except as provided in subsections (e), (f), and (g),
11 the amounts made available by this title shall be expended
12 as authorized by law for the programs, projects, and ac-
13 tivities specified in the "Bill" column in the "Department
14 of Energy" table included under the heading "Title III—
15 Department of Energy" in the report accompanying this
16 Act.

17 (e) The amounts made available by this title may be
18 reprogrammed for any program, project, or activity, and
19 the Department shall notify, and obtain the prior approval
20 of, the Committees on Appropriations of both Houses of
21 Congress at least 30 days prior to the use of any proposed
22 reprogramming that would cause any program, project, or
23 activity funding level to increase or decrease by more than
24 \$5,000,000 or 10 percent, whichever is less, during the
25 time period covered by this Act.

1 (f) None of the funds provided in this title shall be
2 available for obligation or expenditure through a re-
3 programming of funds that—

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

6 (2) increases funds or personnel for any pro-
7 gram, project, or activity for which funds are denied
8 or restricted by this Act; or

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

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

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

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

8 SEC. 302. Funds appropriated by this or any other
9 Act, or made available by the transfer of funds in this
10 Act, for intelligence activities are deemed to be specifically
11 authorized by the Congress for purposes of section 504
12 of the National Security Act of 1947 (50 U.S.C. 3094)
13 during fiscal year 2023 until the enactment of the Intel-
14 ligence Authorization Act for fiscal year 2023.

15 SEC. 303. None of the funds made available in this
16 title shall be used for the construction of facilities classi-
17 fied as high-hazard nuclear facilities under 10 CFR Part
18 830 unless independent oversight is conducted by the Of-
19 fice of Enterprise Assessments to ensure the project is in
20 compliance with nuclear safety requirements.

21 SEC. 304. None of the funds made available in this
22 title may be used to approve critical decision-2 or critical
23 decision-3 under Department of Energy Order 413.3B, or
24 any successive departmental guidance, for construction
25 projects where the total project cost exceeds

1 \$100,000,000, until a separate independent cost estimate
2 has been developed for the project for that critical deci-
3 sion.

4 SEC. 305. Notwithstanding section 161 of the Energy
5 Policy and Conservation Act (42 U.S.C. 6241), upon a
6 determination by the President in this fiscal year that a
7 regional supply shortage of refined petroleum product of
8 significant scope and duration exists, that a severe in-
9 crease in the price of refined petroleum product will likely
10 result from such shortage, and that a draw down and sale
11 of refined petroleum product would assist directly and sig-
12 nificantly in reducing the adverse impact of such shortage,
13 the Secretary of Energy may draw down and sell refined
14 petroleum product from the Strategic Petroleum Reserve.
15 Proceeds from a sale under this section shall be deposited
16 into the SPR Petroleum Account established in section
17 167 of the Energy Policy and Conservation Act (42 U.S.C.
18 6247), and such amounts shall be available for obligation,
19 without fiscal year limitation, consistent with that section.

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

1 SEC. 307. All unavailable collections currently in the
2 United States Enrichment Corporation Fund shall be
3 transferred to and merged with the Uranium Enrichment
4 Decontamination and Decommissioning Fund and shall be
5 available only to the extent provided in advance in appro-
6 priations Acts.

7 SEC. 308. Subparagraphs (B) and (C) of section
8 40401(a)(2) of Public Law 117–58, paragraph (3) of sec-
9 tion 1702(r) of the Energy Policy Act of 2005 (42 U.S.C.
10 16512(r)(3)) as added by section 40401(c)(2)(C) of Public
11 Law 117–58, and subsection (l) of section 136 of the En-
12 ergy Independence and Security Act of 2007 (42 U.S.C.
13 17013(l)), are hereby repealed.

14 SEC. 309. Of the unobligated balances from amounts
15 made available in the first proviso of section 1425 of the
16 Department of Defense and Full-Year Continuing Appro-
17 priations Act, 2011 (Public Law 112–10) for the cost of
18 loan guarantees under section 1703 of the Energy Policy
19 Act of 2005, \$150,000,000 are hereby rescinded: *Pro-*
20 *vided*, That, subject to section 502 of the Congressional
21 Budget Act of 1974, commitments to guarantee loans for
22 eligible projects under title XVII of the Energy Policy Act
23 of 2005, shall not exceed a total principal amount of
24 \$15,000,000,000, to remain available until committed:
25 *Provided further*, That the amounts provided in this sec-

tion are in addition to those provided in any other Act:
Provided further, That for amounts collected pursuant to
section 1702(b)(2) of the Energy Policy Act of 2005, the
source of such payment received from borrowers may not
be a loan or other debt obligation that is guaranteed by
the Federal Government: *Provided further*, That none of
such loan guarantee authority made available by this sec-
tion shall be available for commitments to guarantee loans
for any projects where funds, personnel, or property (tan-
gible or intangible) of any Federal agency, instrumen-
tality, personnel, or affiliated entity are expected be used
(directly or indirectly) through acquisitions, contracts,
demonstrations, exchanges, grants, incentives, leases, pro-
curements, sales, other transaction authority, or other ar-
rangements, to support the project or to obtain goods or
services from the project: *Provided further*, That the pre-
ceding proviso shall not be interpreted as precluding the
use of the loan guarantee authority provided by this sec-
tion for commitments to guarantee loans for: (1) projects
as a result of such projects benefitting from otherwise al-
lowable Federal income tax benefits; (2) projects as a re-
sult of such projects benefitting from being located on
Federal land pursuant to a lease or right-of-way agree-
ment for which all consideration for all uses is: (A) paid
exclusively in cash; (B) deposited in the Treasury as off-

1 setting receipts; and (C) equal to the fair market value
2 as determined by the head of the relevant Federal agency;
3 (3) projects as a result of such projects benefitting from
4 Federal insurance programs, including under section 170
5 of the Atomic Energy Act of 1954 (42 U.S.C. 2210; com-
6 monly known as the “Price-Anderson Act”); or (4) electric
7 generation projects using transmission facilities owned or
8 operated by a Federal Power Marketing Administration
9 or the Tennessee Valley Authority that have been author-
10 ized, approved, and financed independent of the project
11 receiving the guarantee: *Provided further*, That none of the
12 loan guarantee authority made available by this section
13 shall be available for any project unless the Director of
14 the Office of Management and Budget has certified in ad-
15 vance in writing that the loan guarantee and the project
16 comply with the provisions under this section.

17 SEC. 310. (a) Hereafter, for energy development,
18 demonstration, and deployment programs funded under
19 Department of Energy appropriations (other than those
20 for the National Nuclear Security Administration and Of-
21 fice of Environmental Management) provided for fiscal
22 year 2022, the current fiscal year, or any fiscal year there-
23 after (including by Acts other than appropriations Acts),
24 the Secretary may vest unconditional title or other prop-
25 erty interests acquired under projects in an award recipi-

1 ent, subrecipient, or successor in interest, including the
2 United States, at the conclusion of the award period for
3 projects receiving an initial award in fiscal year 2022 or
4 later.

5 (b) Upon vesting unconditional title pursuant to sub-
6 section (a) in an award recipient, subrecipient, or suc-
7 cessor in interest other than the United States, the United
8 States shall have no liabilities or obligations to the prop-
9 erty.

10 (c) For purposes of this section, the term “property
11 interest” does not include any interest in intellectual prop-
12 erty developed using funding provided under a project.

13 SEC. 311. None of the funds made available in this
14 title may be used to support a grant allocation award, dis-
15 cretionary grant award, or cooperative agreement that ex-
16 ceeds \$100,000,000 in Federal funding unless the project
17 is carried out through internal independent project man-
18 agement procedures.

19 TITLE IV

20 INDEPENDENT AGENCIES

21 APPALACHIAN REGIONAL COMMISSION

22 For expenses necessary to carry out the programs au-
23 thorized by the Appalachian Regional Development Act of
24 1965, as amended, and for expenses necessary for the
25 Federal Co-Chairman and the Alternate on the Appa-

1 lachian Regional Commission, for payment of the Federal
2 share of the administrative expenses of the Commission,
3 including services as authorized by 5 U.S.C. 3109, and
4 hire of passenger motor vehicles, \$220,000,000, to remain
5 available until expended.

6 DEFENSE NUCLEAR FACILITIES SAFETY BOARD

7 SALARIES AND EXPENSES

8 For expenses necessary for the Defense Nuclear Fa-
9 cilities Safety Board in carrying out activities authorized
10 by the Atomic Energy Act of 1954, as amended by Public
11 Law 100–456, section 1441, \$41,401,000, to remain
12 available until September 30, 2024, of which not to exceed
13 \$1,000 shall be available for official reception and rep-
14 resentation expenses.

15 DELTA REGIONAL AUTHORITY

16 SALARIES AND EXPENSES

17 For expenses necessary for the Delta Regional Au-
18 thority and to carry out its activities, as authorized by
19 the Delta Regional Authority Act of 2000, notwith-
20 standing sections 382F(d), 382M, and 382N of said Act,
21 \$30,100,000, to remain available until expended.

22 DENALI COMMISSION

23 For expenses necessary for the Denali Commission
24 including the purchase, construction, and acquisition of
25 plant and capital equipment as necessary and other ex-

1 penses, \$15,100,000, to remain available until expended,
2 notwithstanding the limitations contained in section
3 306(g) of the Denali Commission Act of 1998: *Provided*,
4 That funds shall be available for construction projects for
5 which the Denali Commission is the sole or primary fund-
6 ing source in an amount not to exceed 80 percent of total
7 project cost for distressed communities, as defined by sec-
8 tion 307 of the Denali Commission Act of 1998 (division
9 C, title III, Public Law 105–277), as amended by section
10 701 of appendix D, title VII, Public Law 106–113 (113
11 Stat. 1501A–280), and an amount not to exceed 50 per-
12 cent for non-distressed communities: *Provided further*,
13 That notwithstanding any other provision of law regarding
14 payment of a non-Federal share in connection with a
15 grant-in-aid program, amounts under this heading shall
16 be available for the payment of such a non-Federal share
17 for any project for which the Denali Commission is not
18 the sole or primary funding source, provided that such
19 project is consistent with the purposes of the Commission.

20 NORTHERN BORDER REGIONAL COMMISSION

21 For expenses necessary for the Northern Border Re-
22 gional Commission in carrying out activities authorized by
23 subtitle V of title 40, United States Code, \$38,000,000,
24 to remain available until expended: *Provided*, That such
25 amounts shall be available for administrative expenses,

1 notwithstanding section 15751(b) of title 40, United
2 States Code.

3 SOUTHEAST CRESCENT REGIONAL COMMISSION

4 For expenses necessary for the Southeast Crescent
5 Regional Commission in carrying out activities authorized
6 by subtitle V of title 40, United States Code, \$33,000,000,
7 to remain available until expended.

8 SOUTHWEST BORDER REGIONAL COMMISSION

9 For expenses necessary for the Southwest Border Re-
10 gional Commission in carrying out activities authorized by
11 subtitle V of title 40, United States Code, \$2,500,000, to
12 remain available until expended.

13 NUCLEAR REGULATORY COMMISSION

14 SALARIES AND EXPENSES

15 For expenses necessary for the Commission in car-
16 rying out the purposes of the Energy Reorganization Act
17 of 1974 and the Atomic Energy Act of 1954,
18 \$911,384,000, including official representation expenses
19 not to exceed \$25,000, to remain available until expended:
20 *Provided*, That of the amount appropriated herein, not
21 more than \$9,500,000 may be made available for salaries,
22 travel, and other support costs for the Office of the Com-
23 mission, to remain available until September 30, 2024:
24 *Provided further*, That revenues from licensing fees, in-
25 spection services, and other services and collections esti-

1 mated at \$777,498,000 in fiscal year 2023 shall be re-
2 tained and used for necessary salaries and expenses in this
3 account, notwithstanding 31 U.S.C. 3302, and shall re-
4 main available until expended: *Provided further*, That the
5 sum herein appropriated shall be reduced by the amount
6 of revenues received during fiscal year 2023 so as to result
7 in a final fiscal year 2023 appropriation estimated at not
8 more than \$133,886,000.

9 OFFICE OF INSPECTOR GENERAL

10 For expenses necessary for the Office of Inspector
11 General in carrying out the provisions of the Inspector
12 General Act of 1978, \$17,769,000, to remain available
13 until September 30, 2024: *Provided*, That revenues from
14 licensing fees, inspection services, and other services and
15 collections estimated at \$14,655,000 in fiscal year 2023
16 shall be retained and be available until September 30,
17 2024, for necessary salaries and expenses in this account,
18 notwithstanding section 3302 of title 31, United States
19 Code: *Provided further*, That the sum herein appropriated
20 shall be reduced by the amount of revenues received dur-
21 ing fiscal year 2023 so as to result in a final fiscal year
22 2023 appropriation estimated at not more than
23 \$3,114,000: *Provided further*, That of the amounts appro-
24 priated under this heading, \$1,520,000 shall be for In-

1 spector General services for the Defense Nuclear Facilities
2 Safety Board.

3 NUCLEAR WASTE TECHNICAL REVIEW BOARD

4 SALARIES AND EXPENSES

5 For expenses necessary for the Nuclear Waste Tech-
6 nical Review Board, as authorized by Public Law 100-
7 203, section 5051, \$3,945,000, to be derived from the Nu-
8 clear Waste Fund, to remain available until September 30,
9 2024.

10 GENERAL PROVISIONS—INDEPENDENT

11 AGENCIES

12 SEC. 401. (a) The amounts made available by this
13 title for the Nuclear Regulatory Commission may be re-
14 programmed for any program, project, or activity, and the
15 Commission shall notify the Committees on Appropria-
16 tions of both Houses of Congress at least 30 days prior
17 to the use of any proposed reprogramming that would
18 cause any program funding level to increase or decrease
19 by more than \$500,000 or 10 percent, whichever is less,
20 during the time period covered by this Act.

21 (b)(1) The Nuclear Regulatory Commission may
22 waive the notification requirement in subsection (a) if
23 compliance with such requirement would pose a substan-
24 tial risk to human health, the environment, welfare, or na-
25 tional security.

1 (2) The Nuclear Regulatory Commission shall notify
2 the Committees on Appropriations of both Houses of Con-
3 gress of any waiver under paragraph (1) as soon as prac-
4 ticable, but not later than 3 days after the date of the
5 activity to which a requirement or restriction would other-
6 wise have applied. Such notice shall include an explanation
7 of the substantial risk under paragraph (1) that permitted
8 such waiver and shall provide a detailed report to the
9 Committees of such waiver and changes to funding levels
10 to programs, projects, or activities.

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

15 (d) None of the funds provided for the Nuclear Regu-
16 latory Commission shall be available for obligation or ex-
17 penditure through a reprogramming of funds that in-
18 creases funds or personnel for any program, project, or
19 activity for which funds are denied or restricted by this
20 Act.

21 (e) The Commission shall provide a monthly report
22 to the Committees on Appropriations of both Houses of
23 Congress, which includes the following for each program,
24 project, or activity, including any prior year appropria-
25 tions—

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

4 TITLE V

5 GENERAL PROVISIONS

6 (INCLUDING TRANSFER OF FUNDS)

7 SEC. 501. None of the funds appropriated by this Act
8 may be used in any way, directly or indirectly, to influence
9 congressional action on any legislation or appropriation
10 matters pending before Congress, other than to commu-
11 nicate to Members of Congress as described in 18 U.S.C.
12 1913.

13 SEC. 502. (a) None of the funds made available in
14 title III of this Act may be transferred to any department,
15 agency, or instrumentality of the United States Govern-
16 ment, except pursuant to a transfer made by or transfer
17 authority provided in this Act or any other appropriations
18 Act for any fiscal year, transfer authority referenced in
19 the report accompanying this Act, or any authority where-
20 by a department, agency, or instrumentality of the United
21 States Government may provide goods or services to an-
22 other department, agency, or instrumentality.

23 (b) None of the funds made available for any depart-
24 ment, agency, or instrumentality of the United States
25 Government may be transferred to accounts funded in title

1 III of this Act, except pursuant to a transfer made by or
2 transfer authority provided in this Act or any other appro-
3 priations Act for any fiscal year, transfer authority ref-
4 erenced in the report accompanying this Act, or any au-
5 thority whereby a department, agency, or instrumentality
6 of the United States Government may provide goods or
7 services to another department, agency, or instrumen-
8 tality.

9 (c) The head of any relevant department or agency
10 funded in this Act utilizing any transfer authority shall
11 submit to the Committees on Appropriations of both
12 Houses of Congress a semiannual report detailing the
13 transfer authorities, except for any authority whereby a
14 department, agency, or instrumentality of the United
15 States Government may provide goods or services to an-
16 other department, agency, or instrumentality, used in the
17 previous 6 months and in the year-to-date. This report
18 shall include the amounts transferred and the purposes
19 for which they were transferred, and shall not replace or
20 modify existing notification requirements for each author-
21 ity.

22 SEC. 503. None of the funds made available by this
23 Act may be used in contravention of Executive Order No.
24 12898 of February 11, 1994 (Federal Actions to Address

1 Environmental Justice in Minority Populations and Low-
2 Income Populations).

3 SEC. 504. (a) None of the funds made available in
4 this Act may be used to maintain or establish a computer
5 network unless such network blocks the viewing,
6 downloading, and exchanging of pornography.

7 (b) Nothing in subsection (a) shall limit the use of
8 funds necessary for any Federal, State, Tribal, or local
9 law enforcement agency or any other entity carrying out
10 criminal investigations, prosecution, or adjudication activi-
11 ties.

12 This division may be cited as the “Energy and Water
13 Development and Related Agencies Appropriations Act,
14 2023”.

1 **DIVISION D—FINANCIAL SERVICES AND**
2 **GENERAL GOVERNMENT APPROPRIA-**
3 **TIONS ACT, 2023**

4 TITLE I

5 DEPARTMENT OF THE TREASURY

6 DEPARTMENTAL OFFICES

7 SALARIES AND EXPENSES

8 For necessary expenses of the Departmental Offices
9 including operation and maintenance of the Treasury
10 Building and Freedman’s Bank Building; hire of pas-
11 senger motor vehicles; maintenance, repairs, and improve-
12 ments of, and purchase of commercial insurance policies
13 for, real properties leased or owned overseas, when nec-
14 essary for the performance of official business; executive
15 direction program activities; international affairs and eco-
16 nomic policy activities; domestic finance and tax policy ac-
17 tivities, including technical assistance to State, local, and
18 territorial entities; and Treasury-wide management poli-
19 cies and programs activities, \$278,382,000: *Provided,*
20 That of the amount appropriated under this heading—

21 (1) not to exceed \$350,000 is for official recep-
22 tion and representation expenses;

23 (2) not to exceed \$258,000 is for unforeseen
24 emergencies of a confidential nature to be allocated
25 and expended under the direction of the Secretary of

1 the Treasury and to be accounted for solely on the
2 Secretary's certificate; and

3 (3) not to exceed \$34,000,000 shall remain
4 available until September 30, 2024, for—

5 (A) the Treasury-wide Financial Statement
6 Audit and Internal Control Program;

7 (B) information technology modernization
8 requirements;

9 (C) the audit, oversight, and administra-
10 tion of the Gulf Coast Restoration Trust Fund;

11 (D) the development and implementation
12 of programs within the Office of Cybersecurity
13 and Critical Infrastructure Protection, including
14 entering into cooperative agreements;

15 (E) operations and maintenance of facili-
16 ties; and

17 (F) international operations.

18 COMMITTEE ON FOREIGN INVESTMENT IN THE UNITED

19 STATES FUND

20 (INCLUDING TRANSFER OF FUNDS)

21 For necessary expenses of the Committee on Foreign
22 Investment in the United States, \$20,000,000, to remain
23 available until expended: *Provided*, That the chairperson
24 of the Committee may transfer such amounts to any de-
25 partment or agency represented on the Committee (includ-

1 ing the Department of the Treasury) subject to advance
2 notification to the Committees on Appropriations of the
3 House of Representatives and the Senate: *Provided fur-*
4 *ther*, That amounts so transferred shall remain available
5 until expended for expenses of implementing section 721
6 of the Defense Production Act of 1950, as amended (50
7 U.S.C. 4565), and shall be available in addition to any
8 other funds available to any department or agency: *Pro-*
9 *vided further*, That fees authorized by section 721(p) of
10 such Act shall be credited to this appropriation as offset-
11 ting collections: *Provided further*, That the total amount
12 appropriated under this heading from the general fund
13 shall be reduced as such offsetting collections are received
14 during fiscal year 2023, so as to result in a total appro-
15 priation from the general fund estimated at not more than
16 \$0.

17 OFFICE OF TERRORISM AND FINANCIAL INTELLIGENCE

18 SALARIES AND EXPENSES

19 For the necessary expenses of the Office of Terrorism
20 and Financial Intelligence to safeguard the financial sys-
21 tem against illicit use and to combat rogue nations, ter-
22 rorist facilitators, weapons of mass destruction
23 proliferators, human rights abusers, money launderers,
24 drug kingpins, and other national security threats,
25 \$217,059,000, of which not less than \$4,000,000 shall be

1 available for addressing human rights violations and cor-
2 ruption, including activities authorized by the Global
3 Magnitsky Human Rights Accountability Act (22 U.S.C.
4 2656 note): *Provided*, That of the amounts appropriated
5 under this heading, up to \$12,000,000 shall remain avail-
6 able until September 30, 2024.

7 CYBERSECURITY ENHANCEMENT ACCOUNT

8 For salaries and expenses for enhanced cybersecurity
9 for systems operated by the Department of the Treasury,
10 \$135,000,000, to remain available until September 30,
11 2025: *Provided*, That such funds shall supplement and not
12 supplant any other amounts made available to the Treas-
13 ury offices and bureaus for cybersecurity: *Provided fur-*
14 *ther*, That of the total amount made available under this
15 heading \$6,000,000 shall be available for administrative
16 expenses for the Treasury Chief Information Officer to
17 provide oversight of the investments made under this
18 heading: *Provided further*, That such funds shall supple-
19 ment and not supplant any other amounts made available
20 to the Treasury Chief Information Officer.

21 DEPARTMENT-WIDE SYSTEMS AND CAPITAL

22 INVESTMENTS PROGRAMS

23 (INCLUDING TRANSFER OF FUNDS)

24 For development and acquisition of automatic data
25 processing equipment, software, and services; for the hire

1 of zero emission passenger motor vehicles and for sup-
2 porting charging or fueling infrastructure; and for repairs
3 and renovations to buildings owned by the Department of
4 the Treasury, \$11,118,000, to remain available until Sep-
5 tember 30, 2025: *Provided*, That these funds shall be
6 transferred to accounts and in amounts as necessary to
7 satisfy the requirements of the Department's offices, bu-
8 reaus, and other organizations: *Provided further*, That this
9 transfer authority shall be in addition to any other trans-
10 fer authority provided in this Act: *Provided further*, That
11 none of the funds appropriated under this heading shall
12 be used to support or supplement "Internal Revenue Serv-
13 ice, Operations Support" or "Internal Revenue Service,
14 Business Systems Modernization".

15 OFFICE OF INSPECTOR GENERAL

16 SALARIES AND EXPENSES

17 For necessary expenses of the Office of Inspector
18 General in carrying out the provisions of the Inspector
19 General Act of 1978, \$48,878,000, including hire of pas-
20 senger motor vehicles; of which not to exceed \$100,000
21 shall be available for unforeseen emergencies of a con-
22 fidential nature, to be allocated and expended under the
23 direction of the Inspector General of the Treasury; of
24 which up to \$2,800,000 to remain available until Sep-
25 tember 30, 2024, shall be for audits and investigations

1 conducted pursuant to section 1608 of the Resources and
2 Ecosystems Sustainability, Tourist Opportunities, and Re-
3 vived Economies of the Gulf Coast States Act of 2012 (33
4 U.S.C. 1321 note); and of which not to exceed \$1,000
5 shall be available for official reception and representation
6 expenses.

7 TREASURY INSPECTOR GENERAL FOR TAX

8 ADMINISTRATION

9 SALARIES AND EXPENSES

10 For necessary expenses of the Treasury Inspector
11 General for Tax Administration in carrying out the In-
12 spector General Act of 1978, as amended, including pur-
13 chase and hire of passenger motor vehicles (31 U.S.C.
14 1343(b)); and services authorized by 5 U.S.C. 3109, at
15 such rates as may be determined by the Inspector General
16 for Tax Administration; \$179,409,000, of which
17 \$5,000,000 shall remain available until September 30,
18 2024; of which not to exceed \$6,000,000 shall be available
19 for official travel expenses; of which not to exceed
20 \$500,000 shall be available for unforeseen emergencies of
21 a confidential nature, to be allocated and expended under
22 the direction of the Inspector General for Tax Administra-
23 tion; and of which not to exceed \$1,500 shall be available
24 for official reception and representation expenses.

1 SPECIAL INSPECTOR GENERAL FOR THE TROUBLED
2 ASSET RELIEF PROGRAM
3 SALARIES AND EXPENSES

4 For necessary expenses of the Office of the Special
5 Inspector General in carrying out the provisions of the
6 Emergency Economic Stabilization Act of 2008 (Public
7 Law 110–343), \$9,000,000.

8 FINANCIAL CRIMES ENFORCEMENT NETWORK
9 SALARIES AND EXPENSES

10 For necessary expenses of the Financial Crimes En-
11 forcement Network, including hire of passenger motor ve-
12 hicles; travel and training expenses of non-Federal and
13 foreign government personnel to attend meetings and
14 training concerned with domestic and foreign financial in-
15 telligence activities, law enforcement, and financial regula-
16 tion; services authorized by 5 U.S.C. 3109; not to exceed
17 \$25,000 for official reception and representation expenses;
18 and for assistance to Federal law enforcement agencies,
19 with or without reimbursement, \$210,330,000, of which
20 not to exceed \$55,000,000 shall remain available until
21 September 30, 2025.

22 BUREAU OF THE FISCAL SERVICE
23 SALARIES AND EXPENSES

24 For necessary expenses of operations of the Bureau
25 of the Fiscal Service, \$372,485,000; of which not to ex-

1 exceed \$8,000,000, to remain available until September 30,
2 2025, is for information systems modernization initiatives;
3 and of which \$5,000 shall be available for official reception
4 and representation expenses.

5 In addition, \$165,000, to be derived from the Oil
6 Spill Liability Trust Fund to reimburse administrative
7 and personnel expenses for financial management of the
8 Fund, as authorized by section 1012 of Public Law 101–
9 380.

10 ALCOHOL AND TOBACCO TAX AND TRADE BUREAU

11 SALARIES AND EXPENSES

12 For necessary expenses of carrying out section 1111
13 of the Homeland Security Act of 2002, including hire of
14 passenger motor vehicles, \$150,863,000; of which not to
15 exceed \$6,000 shall be available for official reception and
16 representation expenses; and of which not to exceed
17 \$50,000 shall be available for cooperative research and de-
18 velopment programs for laboratory services; and provision
19 of laboratory assistance to State and local agencies with
20 or without reimbursement: *Provided*, That of the amount
21 appropriated under this heading, \$5,000,000 shall be for
22 the costs of accelerating the processing of formula and
23 label applications: *Provided further*, That of the amount
24 appropriated under this heading, \$5,000,000, to remain
25 available until September 30, 2024, shall be for the costs

1 associated with enforcement of and education regarding
2 the trade practice provisions of the Federal Alcohol Ad-
3 ministration Act (27 U.S.C. 201 et seq.).

4 UNITED STATES MINT

5 UNITED STATES MINT PUBLIC ENTERPRISE FUND

6 Pursuant to section 5136 of title 31, United States
7 Code, the United States Mint is provided funding through
8 the United States Mint Public Enterprise Fund for costs
9 associated with the production of circulating coins, numis-
10 matic coins, and protective services, including both oper-
11 ating expenses and capital investments: *Provided*, That
12 the aggregate amount of new liabilities and obligations in-
13 curred during fiscal year 2023 under such section 5136
14 for circulating coinage and protective service capital in-
15 vestments of the United States Mint shall not exceed
16 \$50,000,000.

17 COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS

18 FUND PROGRAM ACCOUNT

19 To carry out the Riegle Community Development and
20 Regulatory Improvement Act of 1994 (subtitle A of title
21 I of Public Law 103–325), including services authorized
22 by section 3109 of title 5, United States Code, but at rates
23 for individuals not to exceed the per diem rate equivalent
24 to the rate for EX–III, \$336,420,000. Of the amount ap-
25 propriated under this heading—

1 (1) not less than \$216,883,000, notwith-
2 standing section 108(e) of Public Law 103–325 (12
3 U.S.C. 4707(e)) with regard to Small and/or Emerg-
4 ing Community Development Financial Institutions
5 Assistance awards, is available until September 30,
6 2024, for financial assistance and technical assist-
7 ance under subparagraphs (A) and (B) of section
8 108(a)(1), respectively, of Public Law 103–325 (12
9 U.S.C. 4707(a)(1)(A) and (B)), of which up to
10 \$1,600,000 may be available for training and out-
11 reach under section 109 of Public Law 103–325 (12
12 U.S.C. 4708), of which up to \$3,153,750 may be
13 used for the cost of direct loans, of which up to
14 \$10,000,000, notwithstanding subsection (d) of sec-
15 tion 108 of Public Law 103–325 (12 U.S.C. 4707
16 (d)), may be available to provide financial assistance,
17 technical assistance, training, and outreach to com-
18 munity development financial institutions to expand
19 investments that benefit individuals with disabilities,
20 and of which not less than \$2,000,000 shall be for
21 the Economic Mobility Corps to be operated in con-
22 junction with the Corporation for National and
23 Community Service, pursuant to 42 U.S.C. 12571:
24 *Provided*, That the cost of direct and guaranteed
25 loans, including the cost of modifying such loans,

1 shall be as defined in section 502 of the Congres-
2 sional Budget Act of 1974: *Provided further*, That
3 these funds are available to subsidize gross obliga-
4 tions for the principal amount of direct loans not to
5 exceed \$25,000,000: *Provided further*, That of the
6 funds provided under this paragraph, excluding
7 those made to community development financial in-
8 stitutions to expand investments that benefit individ-
9 uals with disabilities and those made to community
10 development financial institutions that serve popu-
11 lations living in persistent poverty counties, the
12 CDFI Fund shall prioritize Financial Assistance
13 awards to organizations that invest and lend in high-
14 poverty areas: *Provided further*, That for purposes of
15 this section, the term “high-poverty area” means
16 any census tract with a poverty rate of at least 20
17 percent as measured by the 2016–2020 5-year data
18 series available from the American Community Sur-
19 vey of the Bureau of the Census for all States and
20 Puerto Rico or with a poverty rate of at least 20
21 percent as measured by the 2010 Island areas De-
22 cennial Census data for any territory or possession
23 of the United States;

24 (2) not less than \$22,500,000, notwithstanding
25 section 108(e) of Public Law 103–325 (12 U.S.C.

1 4707(e)), is available until September 30, 2024, for
2 financial assistance, technical assistance, training,
3 and outreach programs designed to benefit Native
4 American, Native Hawaiian, and Alaska Native com-
5 munities and provided primarily through qualified
6 community development lender organizations with
7 experience and expertise in community development
8 banking and lending in Indian country, Native
9 American organizations, Tribes and Tribal organiza-
10 tions, and other suitable providers;

11 (3) not less than \$28,000,000 is available until
12 September 30, 2024, for the Bank Enterprise Award
13 program;

14 (4) not less than \$24,000,000, notwithstanding
15 subsections (d) and (e) of section 108 of Public Law
16 103–325 (12 U.S.C. 4707(d) and (e)), is available
17 until September 30, 2024, for a Healthy Food Fi-
18 nancing Initiative to provide financial assistance,
19 technical assistance, training, and outreach to com-
20 munity development financial institutions for the
21 purpose of offering affordable financing and tech-
22 nical assistance to expand the availability of healthy
23 food options in distressed communities;

24 (5) not less than \$10,000,000 is available until
25 September 30, 2024, to provide grants for loan loss

1 reserve funds and to provide technical assistance for
2 small dollar loan programs under section 122 of
3 Public Law 103–325 (12 U.S.C. 4719): *Provided*,
4 That sections 108(d) and 122(b)(2) of such Public
5 Law shall not apply to the provision of such grants
6 and technical assistance;

7 (6) up to \$35,037,000 is for administrative ex-
8 penses, including administration of CDFI Fund pro-
9 grams and the New Markets Tax Credit Program, of
10 which not less than \$1,000,000 is for the develop-
11 ment of tools to better assess and inform CDFI in-
12 vestment performance and CDFI Fund program im-
13 pacts, and up to \$300,000 is for administrative ex-
14 penses to carry out the direct loan program; and

15 (7) during fiscal year 2023, none of the funds
16 available under this heading are available for the
17 cost, as defined in section 502 of the Congressional
18 Budget Act of 1974, of commitments to guarantee
19 bonds and notes under section 114A of the Riegle
20 Community Development and Regulatory Improve-
21 ment Act of 1994 (12 U.S.C. 4713a): *Provided*,
22 That commitments to guarantee bonds and notes
23 under such section 114A shall not exceed
24 \$500,000,000: *Provided further*, That such section
25 114A shall remain in effect until December 31,

1 2023: *Provided further*, That of the funds awarded
2 under this heading, except those provided for the
3 Economic Mobility Corps, not less than 10 percent
4 shall be used for awards that support investments
5 that serve populations living in persistent poverty
6 counties: *Provided further*, That for the purposes of
7 this paragraph and paragraph (1), the term “per-
8 sistent poverty counties” means any county, includ-
9 ing county equivalent areas in Puerto Rico, that has
10 had 20 percent or more of its population living in
11 poverty over the past 30 years, as measured by the
12 1990 and 2000 decennial censuses and the 2016–
13 2020 5-year data series available from the American
14 Community Survey of the Bureau of the Census or
15 any other territory or possession of the United
16 States that has had 20 percent or more of its popu-
17 lation living in poverty over the past 30 years, as
18 measured by the 1990, 2000 and 2010 Island Areas
19 Decennial Censuses, or equivalent data, of the Bu-
20 reau of the Census.

21 INTERNAL REVENUE SERVICE

22 TAXPAYER SERVICES

23 For necessary expenses of the Internal Revenue Serv-
24 ice to provide taxpayer services, including pre-filing assist-
25 ance and education, filing and account services, taxpayer

1 advocacy services, rent payments, and other services as
2 authorized by 5 U.S.C. 3109, at such rates as may be de-
3 termined by the Commissioner, \$3,410,728,000, of which
4 not to exceed \$100,000,000 shall remain available until
5 September 30, 2024; of which not less than \$11,000,000
6 shall be for the Tax Counseling for the Elderly Program,
7 of which not less than \$13,000,000 shall be available for
8 low-income taxpayer clinic grants, of which not less than
9 \$35,000,000, to remain available until September 30,
10 2024, shall be available for the Community Volunteer In-
11 come Tax Assistance Matching Grants Program for tax
12 return preparation assistance, and of which not less than
13 \$235,000,000 shall be available for operating expenses of
14 the Taxpayer Advocate Service: *Provided*, That of the
15 amounts made available for the Taxpayer Advocate Serv-
16 ice, not less than \$6,000,000 shall be for identity theft
17 and refund fraud casework.

18 ENFORCEMENT

19 For necessary expenses for tax enforcement activities
20 of the Internal Revenue Service to determine and collect
21 owed taxes, to provide legal and litigation support, to con-
22 duct criminal investigations, to enforce criminal statutes
23 related to violations of internal revenue laws and other fi-
24 nancial crimes, to purchase and hire passenger motor vehi-
25 cles (31 U.S.C. 1343(b)), rent payments, and to provide

1 other services as authorized by 5 U.S.C. 3109, at such
2 rates as may be determined by the Commissioner,
3 \$6,120,262,000, of which not to exceed \$250,000,000
4 shall remain available until September 30, 2024; of which
5 not less than \$60,257,000 shall be for the Interagency
6 Crime and Drug Enforcement program; and of which not
7 to exceed \$25,000,000 shall be for investigative technology
8 for the Criminal Investigation Division: *Provided*, That the
9 amount made available for investigative technology for the
10 Criminal Investigation Division shall be in addition to
11 amounts made available for the Criminal Investigation Di-
12 vision under the “Operations Support” heading.

13 OPERATIONS SUPPORT

14 For necessary expenses of the Internal Revenue Serv-
15 ice to support taxpayer services and enforcement pro-
16 grams, including rent payments; facilities services; print-
17 ing; postage; physical security; headquarters and other
18 IRS-wide administration activities; research and statistics
19 of income; telecommunications; information technology de-
20 velopment, enhancement, operations, maintenance, and se-
21 curity; the hire of passenger motor vehicles (31 U.S.C.
22 1343(b)); the operations of the Internal Revenue Service
23 Oversight Board; and other services as authorized by 5
24 U.S.C. 3109, at such rates as may be determined by the
25 Commissioner; \$3,753,561,000, of which not to exceed

1 \$275,000,000 shall remain available until September 30,
2 2024; of which not to exceed \$10,000,000 shall remain
3 available until expended for acquisition of equipment and
4 construction, repair and renovation of facilities; of which
5 not to exceed \$1,000,000 shall remain available until Sep-
6 tember 30, 2025, for research; and of which not to exceed
7 \$20,000 shall be for official reception and representation
8 expenses: *Provided*, That not later than 30 days after the
9 end of each quarter, the Internal Revenue Service shall
10 submit a report to the Committees on Appropriations of
11 the House of Representatives and the Senate and the
12 Comptroller General of the United States detailing major
13 information technology investments in the Internal Rev-
14 enue Service Integrated Modernization Business Plan
15 portfolio, including detailed, plain language summaries on
16 the status of plans, costs, and results; prior results and
17 actual expenditures of the prior quarter; upcoming
18 deliverables and costs for the fiscal year; risks and mitiga-
19 tion strategies associated with ongoing work; reasons for
20 any cost or schedule variances; and total expenditures by
21 fiscal year: *Provided further*, That the Internal Revenue
22 Service shall include, in its budget justification for fiscal
23 year 2024, a summary of cost and schedule performance
24 information for its major information technology systems.

1 BUSINESS SYSTEMS MODERNIZATION

2 For necessary expenses of the Internal Revenue Serv-
3 ice's business systems modernization program,
4 \$310,027,000, to remain available until September 30,
5 2025, for the capital asset acquisition of information tech-
6 nology systems, including management and related con-
7 tractual costs of said acquisitions, including related Inter-
8 nal Revenue Service labor costs, and contractual costs as-
9 sociated with operations authorized by 5 U.S.C. 3109:
10 *Provided*, That not later than 30 days after the end of
11 each quarter, the Internal Revenue Service shall submit
12 a report to the Committees on Appropriations of the
13 House of Representatives and the Senate and the Comp-
14 troller General of the United States detailing major infor-
15 mation technology investments in the Internal Revenue
16 Service Integrated Modernization Business Plan portfolio,
17 including detailed, plain language summaries on the status
18 of plans, costs, and results; prior results and actual ex-
19 penditures of the prior quarter; upcoming deliverables and
20 costs for the fiscal year; risks and mitigation strategies
21 associated with ongoing work; reasons for any cost or
22 schedule variances; and total expenditures by fiscal year.

1 ADMINISTRATIVE PROVISIONS—INTERNAL REVENUE

2 SERVICE

3 (INCLUDING TRANSFER OF FUNDS)

4 SEC. 101. Not to exceed 4 percent of the appropria-
5 tion made available in this Act to the Internal Revenue
6 Service under the “Enforcement” heading, and not to ex-
7 ceed 5 percent of any other appropriation made available
8 in this Act to the Internal Revenue Service, may be trans-
9 ferred to any other Internal Revenue Service appropria-
10 tion upon the advance approval of the Committees on Ap-
11 propriations of the House of Representatives and the Sen-
12 ate: *Provided*, That an additional 2 percent of the appro-
13 priation made available in this Act to the Internal Revenue
14 Service under the “Enforcement” heading may be trans-
15 ferred to the appropriation made available in this Act to
16 the Internal Revenue Service under the “Taxpayer Serv-
17 ices” heading upon advance approval of the Committees
18 on Appropriations of the House of Representatives and the
19 Senate.

20 SEC. 102. The Internal Revenue Service shall main-
21 tain an employee training program, which shall include the
22 following topics: taxpayers’ rights, dealing courteously
23 with taxpayers, cross-cultural relations, ethics, and the im-
24 partial application of tax law.

1 SEC. 103. The Internal Revenue Service shall insti-
2 tute and enforce policies and procedures that will safe-
3 guard the confidentiality of taxpayer information and pro-
4 tect taxpayers against identity theft.

5 SEC. 104. Funds made available by this or any other
6 Act to the Internal Revenue Service shall be available for
7 improved facilities and increased staffing to provide suffi-
8 cient and effective 1–800 help line service for taxpayers.
9 The Commissioner shall continue to make improvements
10 to the Internal Revenue Service 1–800 help line service
11 a priority and allocate resources necessary to enhance the
12 response time to taxpayer communications, particularly
13 with regard to victims of tax-related crimes.

14 SEC. 105. The Internal Revenue Service shall issue
15 a notice of confirmation of any address change relating
16 to an employer making employment tax payments, and
17 such notice shall be sent to both the employer’s former
18 and new address and an officer or employee of the Internal
19 Revenue Service shall give special consideration to an
20 offer-in-compromise from a taxpayer who has been the vic-
21 tim of fraud by a third party payroll tax preparer.

22 SEC. 106. None of the funds made available under
23 this Act may be used by the Internal Revenue Service to
24 target citizens of the United States for exercising any

1 right guaranteed under the First Amendment to the Con-
2 stitution of the United States.

3 SEC. 107. None of the funds made available in this
4 Act may be used by the Internal Revenue Service to target
5 groups for regulatory scrutiny based on their ideological
6 beliefs.

7 SEC. 108. None of funds made available by this Act
8 to the Internal Revenue Service shall be obligated or ex-
9 pended on conferences that do not adhere to the proce-
10 dures, verification processes, documentation requirements,
11 and policies issued by the Chief Financial Officer, Human
12 Capital Office, and Agency-Wide Shared Services as a re-
13 sult of the recommendations in the report published on
14 May 31, 2013, by the Treasury Inspector General for Tax
15 Administration entitled “Review of the August 2010 Small
16 Business/Self-Employed Division’s Conference in Ana-
17 heim, California” (Reference Number 2013–10–037).

18 SEC. 109. None of the funds made available in this
19 Act to the Internal Revenue Service may be obligated or
20 expended—

21 (1) to make a payment to any employee under
22 a bonus, award, or recognition program; or

23 (2) under any hiring or personnel selection
24 process with respect to re-hiring a former employee;

1 unless such program or process takes into account the
2 conduct and Federal tax compliance of such employee or
3 former employee.

4 SEC. 110. None of the funds made available by this
5 Act may be used in contravention of section 6103 of the
6 Internal Revenue Code of 1986 (relating to confidentiality
7 and disclosure of returns and return information).

8 SEC. 111. The Secretary of the Treasury (or the Sec-
9 retary's delegate) may use the funds made available in this
10 Act, subject to such policies as the Secretary (or the Sec-
11 retary's delegate) may establish, to utilize direct hire au-
12 thority to recruit and appoint qualified applicants, without
13 regard to any notice or preference requirements, directly
14 to positions in the competitive service to process back-
15 logged tax returns and return information.

16 SEC. 112. Notwithstanding section 1344 of title 31,
17 United States Code, funds appropriated to the Internal
18 Revenue Service in this Act may be used to provide pas-
19 senger carrier transportation and protection between the
20 Commissioner of Internal Revenue's residence and place
21 of employment.

1 ADMINISTRATIVE PROVISIONS—DEPARTMENT OF THE
2 TREASURY

3 (INCLUDING TRANSFERS OF FUNDS)

4 SEC. 113. Appropriations to the Department of the
5 Treasury in this Act shall be available for uniforms or al-
6 lowances therefor, as authorized by law (5 U.S.C. 5901),
7 including maintenance, repairs, and cleaning; purchase of
8 insurance for official motor vehicles operated in foreign
9 countries; purchase of motor vehicles without regard to the
10 general purchase price limitations for vehicles purchased
11 and used overseas for the current fiscal year; entering into
12 contracts with the Department of State for the furnishing
13 of health and medical services to employees and their de-
14 pendants serving in foreign countries; and services author-
15 ized by 5 U.S.C. 3109.

16 SEC. 114. Not to exceed 2 percent of any appropria-
17 tions in this title made available under the headings “De-
18 partmental Offices—Salaries and Expenses”, “Office of
19 Inspector General”, “Special Inspector General for the
20 Troubled Asset Relief Program”, “Financial Crimes En-
21 forcement Network”, “Bureau of the Fiscal Service”, and
22 “Alcohol and Tobacco Tax and Trade Bureau” may be
23 transferred between such appropriations upon the advance
24 approval of the Committees on Appropriations of the
25 House of Representatives and the Senate: *Provided*, That

1 no transfer under this section may increase or decrease
2 any such appropriation by more than 2 percent.

3 SEC. 115. Not to exceed 2 percent of any appropria-
4 tion made available in this Act to the Internal Revenue
5 Service may be transferred to the Treasury Inspector Gen-
6 eral for Tax Administration's appropriation upon the ad-
7 vance approval of the Committees on Appropriations of
8 the House of Representatives and the Senate: *Provided*,
9 That no transfer may increase or decrease any such appro-
10 priation by more than 2 percent.

11 SEC. 116. None of the funds appropriated in this Act
12 or otherwise available to the Department of the Treasury
13 or the Bureau of Engraving and Printing may be used
14 to redesign the \$1 Federal Reserve note.

15 SEC. 117. The Secretary of the Treasury may trans-
16 fer funds from the "Bureau of the Fiscal Service—Sala-
17 ries and Expenses" to the Debt Collection Fund as nec-
18 essary to cover the costs of debt collection: *Provided*, That
19 such amounts shall be reimbursed to such salaries and ex-
20 penses account from debt collections received in the Debt
21 Collection Fund.

22 SEC. 118. None of the funds appropriated or other-
23 wise made available by this or any other Act may be used
24 by the United States Mint to construct or operate any mu-
25 seum without the explicit approval of the Committees on

1 Appropriations of the House of Representatives and the
2 Senate, the House Committee on Financial Services, and
3 the Senate Committee on Banking, Housing, and Urban
4 Affairs.

5 SEC. 119. None of the funds appropriated or other-
6 wise made available by this or any other Act or source
7 to the Department of the Treasury, the Bureau of Engrav-
8 ing and Printing, and the United States Mint, individually
9 or collectively, may be used to consolidate any or all func-
10 tions of the Bureau of Engraving and Printing and the
11 United States Mint without the explicit approval of the
12 House Committee on Financial Services; the Senate Com-
13 mittee on Banking, Housing, and Urban Affairs; and the
14 Committees on Appropriations of the House of Represent-
15 atives and the Senate.

16 SEC. 120. Funds appropriated by this Act, or made
17 available by the transfer of funds in this Act, for the De-
18 partment of the Treasury's intelligence or intelligence re-
19 lated activities are deemed to be specifically authorized by
20 the Congress for purposes of section 504 of the National
21 Security Act of 1947 (50 U.S.C. 414) during fiscal year
22 2023 until the enactment of the Intelligence Authorization
23 Act for Fiscal Year 2023.

24 SEC. 121. Not to exceed \$5,000 shall be made avail-
25 able from the Bureau of Engraving and Printing's Indus-

1 trial Revolving Fund for necessary official reception and
2 representation expenses.

3 SEC. 122. The Secretary of the Treasury shall submit
4 a Capital Investment Plan to the Committees on Appro-
5 priations of the House of Representatives and the Senate
6 not later than 30 days following the submission of the an-
7 nual budget submitted by the President: *Provided*, That
8 such Capital Investment Plan shall include capital invest-
9 ment spending from all accounts within the Department
10 of the Treasury, including but not limited to the Depart-
11 ment-wide Systems and Capital Investment Programs ac-
12 count, Treasury Franchise Fund account, and the Treas-
13 ury Forfeiture Fund account: *Provided further*, That such
14 Capital Investment Plan shall include expenditures occur-
15 ring in previous fiscal years for each capital investment
16 project that has not been fully completed.

17 SEC. 123. Within 45 days after the date of enactment
18 of this Act, the Secretary of the Treasury shall submit
19 an itemized report to the Committees on Appropriations
20 of the House of Representatives and the Senate on the
21 amount of total funds charged to each office by the Fran-
22 chise Fund including the amount charged for each service
23 provided by the Franchise Fund to each office, a detailed
24 description of the services, a detailed explanation of how
25 each charge for each service is calculated, and a descrip-

1 tion of the role customers have in governing in the Fran-
2 chise Fund.

3 SEC. 124. (a) Not later than 60 days after the end
4 of each quarter, the Office of Financial Stability and the
5 Office of Financial Research shall submit reports on their
6 activities to the Committees on Appropriations of the
7 House of Representatives and the Senate, the Committee
8 on Financial Services of the House of Representatives,
9 and the Senate Committee on Banking, Housing, and
10 Urban Affairs.

11 (b) The reports required under subsection (a) shall
12 include—

13 (1) the obligations made during the previous
14 quarter by object class, office, and activity;

15 (2) the estimated obligations for the remainder
16 of the fiscal year by object class, office, and activity;

17 (3) the number of full-time equivalents within
18 each office during the previous quarter;

19 (4) the estimated number of full-time equiva-
20 lents within each office for the remainder of the fis-
21 cal year; and

22 (5) actions taken to achieve the goals, objec-
23 tives, and performance measures of each office.

24 (c) At the request of any such Committees specified
25 in subsection (a), the Office of Financial Stability and the

1 Office of Financial Research shall make officials available
2 to testify on the contents of the reports required under
3 subsection (a).

4 SEC. 125. In addition to amounts otherwise available,
5 there is appropriated to the Special Inspector General for
6 Pandemic Recovery, \$16,000,000, to remain available
7 until expended, for necessary expenses in carrying out sec-
8 tion 4018 of the Coronavirus Aid, Relief, and Economic
9 Security Act (Public Law 116–136).

10 SEC. 126. Of the unobligated balances from amounts
11 made available to the Secretary of the Treasury (referred
12 to in this section as “Secretary”) for administrative ex-
13 penses pursuant to sections 4003(f) and 4112(b) of the
14 Coronavirus Aid, Relief, and Economic Security Act (Pub-
15 lic Law 116–136) and section 7301(b)(5) of the American
16 Rescue Plan Act of 2021 (Public Law 117–2), up to
17 \$80,000,000 shall be available to the Secretary for any
18 administrative expenses of the Department of the Treas-
19 ury determined by the Secretary to be necessary to imple-
20 ment section 501 of division N of the Consolidated Appro-
21 priations Act, 2021 (Public Law 116–260), sections 3201
22 or 3206 of the American Rescue Plan Act of 2021 (Public
23 Law 117–2), or title VI of the Social Security Act (42
24 U.S.C. 801 et seq.), in addition to amounts otherwise
25 available for such purposes.

1 This title may be cited as the “Department of the
2 Treasury Appropriations Act, 2023”.

3 **TITLE II**
4 **EXECUTIVE OFFICE OF THE PRESIDENT AND**
5 **FUNDS APPROPRIATED TO THE PRESIDENT**
6 **THE WHITE HOUSE**

7 **SALARIES AND EXPENSES**

8 For necessary expenses for the White House as au-
9 thorized by law, including not to exceed \$3,850,000 for
10 services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 105;
11 subsistence expenses as authorized by 3 U.S.C. 105, which
12 shall be expended and accounted for as provided in that
13 section; hire of passenger motor vehicles, and travel (not
14 to exceed \$100,000 to be expended and accounted for as
15 provided by 3 U.S.C. 103); and not to exceed \$19,000 for
16 official reception and representation expenses, to be avail-
17 able for allocation within the Executive Office of the Presi-
18 dent; and for necessary expenses of the Office of Policy
19 Development, including services as authorized by 5 U.S.C.
20 3109 and 3 U.S.C. 107, \$77,681,000.

21 **EXECUTIVE RESIDENCE AT THE WHITE HOUSE**

22 **OPERATING EXPENSES**

23 For necessary expenses of the Executive Residence
24 at the White House, \$15,609,000, to be expended and ac-

1 counted for as provided by 3 U.S.C. 105, 109, 110, and
2 112–114.

3 REIMBURSABLE EXPENSES

4 For the reimbursable expenses of the Executive Resi-
5 dence at the White House, such sums as may be nec-
6 essary: *Provided*, That all reimbursable operating expenses
7 of the Executive Residence shall be made in accordance
8 with the provisions of this paragraph: *Provided further*,
9 That, notwithstanding any other provision of law, such
10 amount for reimbursable operating expenses shall be the
11 exclusive authority of the Executive Residence to incur ob-
12 ligations and to receive offsetting collections, for such ex-
13 penses: *Provided further*, That the Executive Residence
14 shall require each person sponsoring a reimbursable polit-
15 ical event to pay in advance an amount equal to the esti-
16 mated cost of the event, and all such advance payments
17 shall be credited to this account and remain available until
18 expended: *Provided further*, That the Executive Residence
19 shall require the national committee of the political party
20 of the President to maintain on deposit \$25,000, to be
21 separately accounted for and available for expenses relat-
22 ing to reimbursable political events sponsored by such
23 committee during such fiscal year: *Provided further*, That
24 the Executive Residence shall ensure that a written notice
25 of any amount owed for a reimbursable operating expense

1 under this paragraph is submitted to the person owing
2 such amount within 60 days after such expense is in-
3 curred, and that such amount is collected within 30 days
4 after the submission of such notice: *Provided further*, That
5 the Executive Residence shall charge interest and assess
6 penalties and other charges on any such amount that is
7 not reimbursed within such 30 days, in accordance with
8 the interest and penalty provisions applicable to an out-
9 standing debt on a United States Government claim under
10 31 U.S.C. 3717: *Provided further*, That each such amount
11 that is reimbursed, and any accompanying interest and
12 charges, shall be deposited in the Treasury as miscella-
13 neous receipts: *Provided further*, That the Executive Resi-
14 dence shall prepare and submit to the Committees on Ap-
15 propriations, by not later than 90 days after the end of
16 the fiscal year covered by this Act, a report setting forth
17 the reimbursable operating expenses of the Executive Res-
18 idence during the preceding fiscal year, including the total
19 amount of such expenses, the amount of such total that
20 consists of reimbursable official and ceremonial events, the
21 amount of such total that consists of reimbursable political
22 events, and the portion of each such amount that has been
23 reimbursed as of the date of the report: *Provided further*,
24 That the Executive Residence shall maintain a system for
25 the tracking of expenses related to reimbursable events

1 within the Executive Residence that includes a standard
2 for the classification of any such expense as political or
3 nonpolitical: *Provided further*, That no provision of this
4 paragraph may be construed to exempt the Executive Res-
5 idence from any other applicable requirement of sub-
6 chapter I or II of chapter 37 of title 31, United States
7 Code.

8 WHITE HOUSE REPAIR AND RESTORATION

9 For the repair, alteration, and improvement of the
10 Executive Residence at the White House pursuant to 3
11 U.S.C. 105(d), \$2,500,000, to remain available until ex-
12 pended, for required maintenance, resolution of safety and
13 health issues, and continued preventative maintenance.

14 COUNCIL OF ECONOMIC ADVISERS

15 SALARIES AND EXPENSES

16 For necessary expenses of the Council of Economic
17 Advisers in carrying out its functions under the Employ-
18 ment Act of 1946 (15 U.S.C. 1021 et seq.), \$4,903,000.

19 NATIONAL SECURITY COUNCIL AND HOMELAND

20 SECURITY COUNCIL

21 SALARIES AND EXPENSES

22 For necessary expenses of the National Security
23 Council and the Homeland Security Council, including
24 services as authorized by 5 U.S.C. 3109, \$13,901,000, of

1 which not to exceed \$6,000 shall be available for official
2 reception and representation expenses.

3 OFFICE OF ADMINISTRATION

4 SALARIES AND EXPENSES

5 For necessary expenses of the Office of Administra-
6 tion, including services as authorized by 5 U.S.C. 3109
7 and 3 U.S.C. 107, and hire of passenger motor vehicles,
8 \$115,463,000, of which not to exceed \$12,800,000 shall
9 remain available until expended for continued moderniza-
10 tion of information resources within the Executive Office
11 of the President: *Provided*, That of the amounts provided
12 under this heading, up to \$4,500,000 shall be available
13 for a program to provide payments (such as stipends, sub-
14 sistence allowances, cost reimbursements, or awards) to
15 students, recent graduates, and veterans recently dis-
16 charged from active duty who are performing voluntary
17 services in the Executive Office of the President under sec-
18 tion 3111(b) of title 5, United States Code, or comparable
19 authority and shall be in addition to amounts otherwise
20 available to pay or compensate such individuals: *Provided*
21 *further*, That such payments shall not be considered com-
22 pensation for purposes of such section 3111(b) and may
23 be paid in advance.

1 OFFICE OF MANAGEMENT AND BUDGET

2 SALARIES AND EXPENSES

3 For necessary expenses of the Office of Management
4 and Budget, including hire of passenger motor vehicles
5 and services as authorized by 5 U.S.C. 3109, to carry out
6 the provisions of chapter 35 of title 44, United States
7 Code, and to prepare and submit the budget of the United
8 States Government, in accordance with section 1105(a) of
9 title 31, United States Code, \$128,035,000, of which not
10 to exceed \$3,000 shall be available for official representa-
11 tion expenses: *Provided*, That none of the funds appro-
12 priated in this Act for the Office of Management and
13 Budget may be used for the purpose of reviewing any agri-
14 cultural marketing orders or any activities or regulations
15 under the provisions of the Agricultural Marketing Agree-
16 ment Act of 1937 (7 U.S.C. 601 et seq.): *Provided further*,
17 That none of the funds made available for the Office of
18 Management and Budget by this Act may be expended for
19 the altering of the transcript of actual testimony of wit-
20 nesses, except for testimony of officials of the Office of
21 Management and Budget, before the Committees on Ap-
22 propriations or their subcommittees: *Provided further*,
23 That none of the funds made available for the Office of
24 Management and Budget by this Act may be expended for
25 the altering of the annual work plan developed by the

1 Corps of Engineers for submission to the Committees on
2 Appropriations: *Provided further*, That none of the funds
3 provided in this or prior Acts shall be used, directly or
4 indirectly, by the Office of Management and Budget, for
5 evaluating or determining if water resource project or
6 study reports submitted by the Chief of Engineers acting
7 through the Secretary of the Army are in compliance with
8 all applicable laws, regulations, and requirements relevant
9 to the Civil Works water resource planning process: *Pro-*
10 *vided further*, That the Office of Management and Budget
11 shall have not more than 60 days in which to perform
12 budgetary policy reviews of water resource matters on
13 which the Chief of Engineers has reported: *Provided fur-*
14 *ther*, That the Director of the Office of Management and
15 Budget shall notify the appropriate authorizing and ap-
16 propriating committees when the 60-day review is initi-
17 ated: *Provided further*, That if water resource reports have
18 not been transmitted to the appropriate authorizing and
19 appropriating committees within 15 days after the end of
20 the Office of Management and Budget review period based
21 on the notification from the Director, Congress shall as-
22 sume Office of Management and Budget concurrence with
23 the report and act accordingly: *Provided further*, That no
24 later than 14 days after the submission of the budget of
25 the United States Government for fiscal year 2024, the

1 Director of the Office of Management and Budget shall
2 make publicly available on a website a tabular list for each
3 agency that submits budget justification materials (as de-
4 fined in section 3 of the Federal Funding Accountability
5 and Transparency Act of 2006) that shall include, at min-
6 imum, the name of the agency, the date on which the
7 budget justification materials of the agency were sub-
8 mitted to Congress, and a uniform resource locator where
9 the budget justification materials are published on the
10 website of the agency.

11 INTELLECTUAL PROPERTY ENFORCEMENT

12 COORDINATOR

13 For necessary expenses of the Office of the Intellec-
14 tual Property Enforcement Coordinator, as authorized by
15 title III of the Prioritizing Resources and Organization for
16 Intellectual Property Act of 2008 (Public Law 110–403),
17 including services authorized by 5 U.S.C. 3109,
18 \$1,902,000.

19 OFFICE OF THE NATIONAL CYBER DIRECTOR

20 SALARIES AND EXPENSES

21 For necessary expenses of the Office of the National
22 Cyber Director, as authorized by section 1752 of the Wil-
23 liam M. (Mac) Thornberry National Defense Authoriza-
24 tion Act for Fiscal Year 2021 (Public Law 116–283),

1 \$21,926,000, of which not to exceed \$5,000 shall be avail-
2 able for official reception and representation expenses.

3 OFFICE OF NATIONAL DRUG CONTROL POLICY

4 SALARIES AND EXPENSES

5 For necessary expenses of the Office of National
6 Drug Control Policy; for research activities pursuant to
7 the Office of National Drug Control Policy Reauthoriza-
8 tion Act of 1998, as amended; not to exceed \$10,000 for
9 official reception and representation expenses; and for par-
10 ticipation in joint projects or in the provision of services
11 on matters of mutual interest with nonprofit, research, or
12 public organizations or agencies, with or without reim-
13 bursement, \$22,340,000: *Provided*, That the Office is au-
14 thorized to accept, hold, administer, and utilize gifts, both
15 real and personal, public and private, without fiscal year
16 limitation, for the purpose of aiding or facilitating the
17 work of the Office.

18 FEDERAL DRUG CONTROL PROGRAMS

19 HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM

20 (INCLUDING TRANSFERS OF FUNDS)

21 For necessary expenses of the Office of National
22 Drug Control Policy's High Intensity Drug Trafficking
23 Areas Program, \$300,000,000, to remain available until
24 September 30, 2024, for drug control activities consistent
25 with the approved strategy for each of the designated

1 High Intensity Drug Trafficking Areas (“HIDTAs”), of
2 which not less than 51 percent shall be transferred to
3 State and local entities for drug control activities and shall
4 be obligated not later than 120 days after enactment of
5 this Act: *Provided*, That up to 49 percent may be trans-
6 ferred to Federal agencies and departments in amounts
7 determined by the Director of the Office of National Drug
8 Control Policy, of which up to \$5,800,000 may be used
9 for auditing services and associated activities: *Provided*
10 *further*, That any unexpended funds obligated prior to fis-
11 cal year 2021 may be used for any other approved activi-
12 ties of that HIDTA, subject to reprogramming require-
13 ments: *Provided further*, That each HIDTA designated as
14 of September 30, 2022, shall be funded at not less than
15 the fiscal year 2022 base level, unless the Director submits
16 to the Committees on Appropriations of the House of Rep-
17 resentatives and the Senate justification for changes to
18 those levels based on clearly articulated priorities and pub-
19 lished Office of National Drug Control Policy performance
20 measures of effectiveness: *Provided further*, That the Di-
21 rector shall notify the Committees on Appropriations of
22 the initial allocation of fiscal year 2023 funding among
23 HIDTAs not later than 45 days after enactment of this
24 Act, and shall notify the Committees of planned uses of
25 discretionary HIDTA funding, as determined in consulta-

tion with the HIDTA Directors, not later than 90 days after enactment of this Act: *Provided further*, That upon a determination that all or part of the funds so transferred from this appropriation are not necessary for the purposes provided herein and upon notification to the Committees on Appropriations of the House of Representatives and the Senate, such amounts may be transferred back to this appropriation.

OTHER FEDERAL DRUG CONTROL PROGRAMS

(INCLUDING TRANSFERS OF FUNDS)

For other drug control activities authorized by Public Law 110–690 and the Office of National Drug Control Policy Reauthorization Act of 1998, as amended, \$139,670,000, to remain available until expended, which shall be available as follows: \$110,000,000 for the Drug-Free Communities Program, of which not more than \$12,900,000 is for administrative expenses, and of which \$2,500,000 shall be made available as directed by section 4 of Public Law 107–82, as amended by section 8204 of Public Law 115–271; \$3,000,000 for drug court training and technical assistance; \$15,000,000 for anti-doping activities; up to \$3,420,000 for the United States membership dues to the World Anti-Doping Agency; \$1,250,000 for the Model Acts Program; \$5,200,000 for activities authorized by section 103 of Public Law 114–198;

1 \$1,300,000 for policy research; and \$500,000 for perform-
2 ance audits and evaluations: *Provided*, That amounts
3 made available under this heading may be transferred to
4 other Federal departments and agencies to carry out such
5 activities: *Provided further*, That the Director of the Office
6 of National Drug Control Policy shall, not fewer than 30
7 days prior to obligating funds under this heading for
8 United States membership dues to the World Anti-Doping
9 Agency, submit to the Committees on Appropriations of
10 the House of Representatives and the Senate a spending
11 plan and explanation of the proposed uses of these funds.

12 UNANTICIPATED NEEDS

13 For expenses necessary to enable the President to
14 meet unanticipated needs, in furtherance of the national
15 interest, security, or defense which may arise at home or
16 abroad during the current fiscal year, as authorized by
17 3 U.S.C. 108, \$1,000,000, to remain available until Sep-
18 tember 30, 2024.

19 INFORMATION TECHNOLOGY OVERSIGHT AND REFORM
20 (INCLUDING TRANSFER OF FUNDS)

21 For necessary expenses for the furtherance of inte-
22 grated, efficient, secure, and effective uses of information
23 technology in the Federal Government, \$13,700,000, to
24 remain available until expended: *Provided*, That the Direc-
25 tor of the Office of Management and Budget may transfer

1 these funds to one or more other agencies to carry out
2 projects to meet these purposes.

3 SPECIAL ASSISTANCE TO THE PRESIDENT

4 SALARIES AND EXPENSES

5 For necessary expenses to enable the Vice President
6 to provide assistance to the President in connection with
7 specially assigned functions; services as authorized by 5
8 U.S.C. 3109 and 3 U.S.C. 106, including subsistence ex-
9 penses as authorized by 3 U.S.C. 106, which shall be ex-
10 pended and accounted for as provided in that section; and
11 hire of passenger motor vehicles, \$6,076,000.

12 OFFICIAL RESIDENCE OF THE VICE PRESIDENT

13 OPERATING EXPENSES

14 (INCLUDING TRANSFER OF FUNDS)

15 For the care, operation, refurnishing, improvement,
16 and to the extent not otherwise provided for, heating and
17 lighting, including electric power and fixtures, of the offi-
18 cial residence of the Vice President; the hire of passenger
19 motor vehicles; and not to exceed \$90,000 pursuant to 3
20 U.S.C. 106(b)(2), \$321,000: *Provided*, That advances, re-
21 payments, or transfers from this appropriation may be
22 made to any department or agency for expenses of car-
23 rying out such activities.

1 ADMINISTRATIVE PROVISIONS—EXECUTIVE OFFICE OF
2 THE PRESIDENT AND FUNDS APPROPRIATED TO
3 THE PRESIDENT

4 (INCLUDING TRANSFER OF FUNDS)

5 SEC. 201. From funds made available in this Act
6 under the headings “The White House”, “Executive Resi-
7 dence at the White House”, “White House Repair and
8 Restoration”, “Council of Economic Advisers”, “National
9 Security Council and Homeland Security Council”, “Of-
10 fice of Administration”, “Special Assistance to the Presi-
11 dent”, and “Official Residence of the Vice President”, the
12 Director of the Office of Management and Budget (or
13 such other officer as the President may designate in writ-
14 ing), may, with advance approval of the Committees on
15 Appropriations of the House of Representatives and the
16 Senate, transfer not to exceed 10 percent of any such ap-
17 propriation to any other such appropriation, to be merged
18 with and available for the same time and for the same
19 purposes as the appropriation to which transferred: *Pro-*
20 *vided*, That the amount of an appropriation shall not be
21 increased by more than 50 percent by such transfers: *Pro-*
22 *vided further*, That no amount shall be transferred from
23 “Special Assistance to the President” or “Official Resi-
24 dence of the Vice President” without the approval of the
25 Vice President.

1 SEC. 202. (a) During fiscal year 2023, any Executive
2 order or Presidential memorandum issued or revoked by
3 the President shall be accompanied by a written statement
4 from the Director of the Office of Management and Budg-
5 et on the budgetary impact, including costs, benefits, and
6 revenues, of such order or memorandum.

7 (b) Any such statement shall include—

8 (1) a narrative summary of the budgetary im-
9 pact of such order or memorandum on the Federal
10 Government;

11 (2) the impact on mandatory and discretionary
12 obligations and outlays as the result of such order
13 or memorandum, listed by Federal agency, for each
14 year in the 5-fiscal-year period beginning in fiscal
15 year 2023; and

16 (3) the impact on revenues of the Federal Gov-
17 ernment as the result of such order or memorandum
18 over the 5-fiscal-year period beginning in fiscal year
19 2023.

20 (c) If an Executive order or Presidential memo-
21 randum is issued during fiscal year 2023 due to a national
22 emergency, the Director of the Office of Management and
23 Budget may issue the statement required by subsection
24 (a) not later than 15 days after the date that such order
25 or memorandum is issued.

1 (d) The requirement for cost estimates for Presi-
2 dential memoranda shall only apply for Presidential
3 memoranda estimated to have a regulatory cost in excess
4 of \$100,000,000.

5 SEC. 203. Not later than 30 days after the date of
6 enactment of this Act, the Director of the Office of Man-
7 agement and Budget shall issue a memorandum to all
8 Federal departments, agencies, and corporations directing
9 compliance with the provisions in title VII of this Act.

10 SEC. 204. In fiscal year 2023 and each fiscal year
11 thereafter—

12 (1) the Office of Management and Budget shall
13 operate and maintain the automated system required
14 to be implemented by section 204 of the Financial
15 Services and General Government Appropriations
16 Act, 2022 (division E of Public Law 117–103) and
17 shall continue to post each document apportioning
18 an appropriation, pursuant to section 1513(b) of
19 title 31, United States Code, including any associ-
20 ated footnotes, in a format that qualifies each such
21 document as an open Government data asset (as
22 that term is defined in section 3502 of title 44,
23 United States Code); and

24 (2) the requirements specified in subsection (c),
25 the first and second provisos of subsection (d)(1),

1 and subsection (d)(2) of such section 204 shall con-
2 tinue to apply.

3 SEC. 205. Not later than 90 days after the date of
4 enactment of this Act and updated every 90 days there-
5 after, the Executive Office of the President shall make
6 contemporaneously available on a publicly available
7 website, a searchable, sortable, downloadable database of
8 visitors to the White House, the Vice President's resi-
9 dence, or any other location at which the President or the
10 Vice President regularly conducts official business that in-
11 cludes the name of each visitor, the date and time of entry
12 for each visitor, the name of each individual with whom
13 each visitor met, and the purpose of the visit: *Provided*,
14 That notwithstanding this requirement, the Executive Of-
15 fice of the President, after consultation with the President
16 or his designee, may exclude from the database any infor-
17 mation that would implicate personal privacy or law en-
18 forcement concerns or threaten national security, relate to
19 a purely personal guest, or reveal the social security num-
20 ber, taxpayer identification number, birth date, home ad-
21 dress, or personal phone number of an individual, the
22 name of an individual, who is less than 18 years old, or
23 a financial account number: *Provided further*, With respect
24 to a particular sensitive meeting, the Executive Office of
25 the President shall disclose the number of records withheld

1 on this basis and post the applicable records no later than
2 360 days later.

3 This title may be cited as the “Executive Office of
4 the President Appropriations Act, 2023”.

5 TITLE III

6 THE JUDICIARY

7 SUPREME COURT OF THE UNITED STATES

8 SALARIES AND EXPENSES

9 For expenses necessary for the operation of the Su-
10 preme Court, as required by law, excluding care of the
11 building and grounds, including hire of passenger motor
12 vehicles as authorized by 31 U.S.C. 1343 and 1344; not
13 to exceed \$10,000 for official reception and representation
14 expenses; and for miscellaneous expenses, to be expended
15 as the Chief Justice may approve, \$113,951,000, of which
16 \$1,500,000 shall remain available until expended.

17 In addition, there are appropriated such sums as may
18 be necessary under current law for the salaries of the chief
19 justice and associate justices of the court.

20 CARE OF THE BUILDING AND GROUNDS

21 For such expenditures as may be necessary to enable
22 the Architect of the Capitol to carry out the duties im-
23 posed upon the Architect by 40 U.S.C. 6111 and 6112,
24 \$29,246,000, to remain available until expended.

1 UNITED STATES COURT OF APPEALS FOR THE FEDERAL
2 CIRCUIT

3 SALARIES AND EXPENSES

4 For salaries of officers and employees, and for nec-
5 essary expenses of the court, as authorized by law,
6 \$36,735,000.

7 In addition, there are appropriated such sums as may
8 be necessary under current law for the salaries of the chief
9 judge and judges of the court.

10 UNITED STATES COURT OF INTERNATIONAL TRADE

11 SALARIES AND EXPENSES

12 For salaries of officers and employees of the court,
13 services, and necessary expenses of the court, as author-
14 ized by law, \$21,260,000.

15 In addition, there are appropriated such sums as may
16 be necessary under current law for the salaries of the chief
17 judge and judges of the court.

18 COURTS OF APPEALS, DISTRICT COURTS, AND OTHER

19 JUDICIAL SERVICES

20 SALARIES AND EXPENSES

21 For the salaries of judges of the United States Court
22 of Federal Claims, magistrate judges, and all other offi-
23 cers and employees of the Federal Judiciary not otherwise
24 specifically provided for, necessary expenses of the courts,
25 and the purchase, rental, repair, and cleaning of uniforms

1 for Probation and Pretrial Services Office staff, as author-
2 ized by law, \$5,867,825,000 (including the purchase of
3 firearms and ammunition); of which not to exceed
4 \$27,817,000 shall remain available until expended for
5 space alteration projects and for furniture and furnishings
6 related to new space alteration and construction projects.

7 In addition, there are appropriated such sums as may
8 be necessary under current law for the salaries of circuit
9 and district judges (including judges of the territorial
10 courts of the United States), bankruptcy judges, and jus-
11 tices and judges retired from office or from regular active
12 service.

13 In addition, for expenses of the United States Court
14 of Federal Claims associated with processing cases under
15 the National Childhood Vaccine Injury Act of 1986 (Pub-
16 lic Law 99–660), not to exceed \$10,280,000, to be appro-
17 priated from the Vaccine Injury Compensation Trust
18 Fund.

19 DEFENDER SERVICES

20 For the operation of Federal Defender organizations;
21 the compensation and reimbursement of expenses of attor-
22 neys appointed to represent persons under 18 U.S.C.
23 3006A and 3599, and for the compensation and reim-
24 bursement of expenses of persons furnishing investigative,
25 expert, and other services for such representations as au-

1 thorized by law; the compensation (in accordance with the
2 maximums under 18 U.S.C. 3006A) and reimbursement
3 of expenses of attorneys appointed to assist the court in
4 criminal cases where the defendant has waived representa-
5 tion by counsel; the compensation and reimbursement of
6 expenses of attorneys appointed to represent jurors in civil
7 actions for the protection of their employment, as author-
8 ized by 28 U.S.C. 1875(d)(1); the compensation and reim-
9 bursement of expenses of attorneys appointed under 18
10 U.S.C. 983(b)(1) in connection with certain judicial civil
11 forfeiture proceedings; the compensation and reimburse-
12 ment of travel expenses of guardians ad litem appointed
13 under 18 U.S.C. 4100(b); and for necessary training and
14 general administrative expenses, \$1,409,211,000, to re-
15 main available until expended.

16 FEES OF JURORS AND COMMISSIONERS

17 For fees and expenses of jurors as authorized by 28
18 U.S.C. 1871 and 1876; compensation of jury commis-
19 sioners as authorized by 28 U.S.C. 1863; and compensa-
20 tion of commissioners appointed in condemnation cases
21 pursuant to rule 71.1(h) of the Federal Rules of Civil Pro-
22 cedure (28 U.S.C. Appendix Rule 71.1(h)), \$45,677,000,
23 to remain available until expended: *Provided*, That the
24 compensation of land commissioners shall not exceed the

1 daily equivalent of the highest rate payable under 5 U.S.C.
2 5332.

3 COURT SECURITY
4 (INCLUDING TRANSFER OF FUNDS)

5 For necessary expenses, not otherwise provided for,
6 incident to the provision of protective guard services for
7 United States courthouses and other facilities housing
8 Federal court or Administrative Office of the United
9 States Courts operations, the procurement, installation,
10 and maintenance of security systems and equipment for
11 United States courthouses and other facilities housing
12 Federal court or Administrative Office of the United
13 States Courts operations, building ingress-egress control,
14 inspection of mail and packages, directed security patrols,
15 perimeter security, basic security services provided by the
16 Federal Protective Service, and other similar activities as
17 authorized by section 1010 of the Judicial Improvement
18 and Access to Justice Act (Public Law 100–702),
19 \$750,586,000, of which not to exceed \$20,000,000 shall
20 remain available until expended, to be expended directly
21 or transferred to the United States Marshals Service,
22 which shall be responsible for administering the Judicial
23 Facility Security Program consistent with standards or
24 guidelines agreed to by the Director of the Administrative
25 Office of the United States Courts and the Attorney Gen-

1 eral: *Provided*, That funds made available under this head-
2 ing may be used for managing a Judiciary-wide program
3 to facilitate security and emergency management services
4 among the Judiciary, United States Marshals Service,
5 Federal Protective Service, General Services Administra-
6 tion, other Federal agencies, state and local governments
7 and the public; and, notwithstanding sections 331,
8 566(e)(1), and 566(i) of title 28, United States Code, for
9 identifying and pursuing the voluntary redaction and re-
10 duction of personally identifiable information on the inter-
11 net of judges and other familial relatives who live at the
12 judge's domicile.

13 ADMINISTRATIVE OFFICE OF THE UNITED STATES

14 COURTS

15 SALARIES AND EXPENSES

16 For necessary expenses of the Administrative Office
17 of the United States Courts as authorized by law, includ-
18 ing travel as authorized by 31 U.S.C. 1345, hire of a pas-
19 senger motor vehicle as authorized by 31 U.S.C. 1343(b),
20 advertising and rent in the District of Columbia and else-
21 where, \$105,700,000, of which not to exceed \$8,500 is au-
22 thorized for official reception and representation expenses.

1 FEDERAL JUDICIAL CENTER

2 SALARIES AND EXPENSES

3 For necessary expenses of the Federal Judicial Cen-
4 ter, as authorized by Public Law 90–219, \$34,261,000;
5 of which \$1,800,000 shall remain available through Sep-
6 tember 30, 2024, to provide education and training to
7 Federal court personnel; and of which not to exceed
8 \$1,500 is authorized for official reception and representa-
9 tion expenses.

10 UNITED STATES SENTENCING COMMISSION

11 SALARIES AND EXPENSES

12 For the salaries and expenses necessary to carry out
13 the provisions of chapter 58 of title 28, United States
14 Code, \$21,641,000, of which not to exceed \$1,000 is au-
15 thorized for official reception and representation expenses.

16 ADMINISTRATIVE PROVISIONS—THE JUDICIARY

17 (INCLUDING TRANSFER OF FUNDS)

18 SEC. 301. Appropriations and authorizations made in
19 this title which are available for salaries and expenses shall
20 be available for services as authorized by 5 U.S.C. 3109.

21 SEC. 302. Not to exceed 5 percent of any appropria-
22 tion made available for the current fiscal year for the Judi-
23 ciary in this Act may be transferred between such appro-
24 priations, but no such appropriation, except “Courts of
25 Appeals, District Courts, and Other Judicial Services, De-

1 fender Services” and “Courts of Appeals, District Courts,
2 and Other Judicial Services, Fees of Jurors and Commis-
3 sioners”, shall be increased by more than 10 percent by
4 any such transfers: *Provided*, That any transfer pursuant
5 to this section shall be treated as a reprogramming of
6 funds under sections 604 and 608 of this Act and shall
7 not be available for obligation or expenditure except in
8 compliance with the procedures set forth in section 608.

9 SEC. 303. Notwithstanding any other provision of
10 law, the salaries and expenses appropriation for “Courts
11 of Appeals, District Courts, and Other Judicial Services”
12 shall be available for official reception and representation
13 expenses of the Judicial Conference of the United States:
14 *Provided*, That such available funds shall not exceed
15 \$11,000 and shall be administered by the Director of the
16 Administrative Office of the United States Courts in the
17 capacity as Secretary of the Judicial Conference.

18 SEC. 304. Section 3315(a) of title 40, United States
19 Code, shall be applied by substituting “Federal” for “exec-
20 utive” each place it appears.

21 SEC. 305. In accordance with 28 U.S.C. 561–569,
22 and notwithstanding any other provision of law, the
23 United States Marshals Service shall provide, for such
24 courthouses as its Director may designate in consultation
25 with the Director of the Administrative Office of the

1 United States Courts, for purposes of a pilot program, the
2 security services that 40 U.S.C. 1315 authorizes the De-
3 partment of Homeland Security to provide, except for the
4 services specified in 40 U.S.C. 1315(b)(2)(E). For build-
5 ing-specific security services at these courthouses, the Di-
6 rector of the Administrative Office of the United States
7 Courts shall reimburse the United States Marshals Service
8 rather than the Department of Homeland Security.

9 SEC. 306. (a) Section 203(c) of the Judicial Improve-
10 ments Act of 1990 (Public Law 101–650; 28 U.S.C. 133
11 note), is amended in the matter following paragraph 12—

12 (1) in the second sentence (relating to the Dis-
13 trict of Kansas), by striking “31 years and 6
14 months” and inserting “32 years and 6 months”;
15 and

16 (2) in the sixth sentence (relating to the Dis-
17 trict of Hawaii), by striking “28 years and 6
18 months” and inserting “29 years and 6 months”.

19 (b) Section 406 of the Transportation, Treasury,
20 Housing and Urban Development, the Judiciary, the Dis-
21 trict of Columbia, and Independent Agencies Appropria-
22 tions Act, 2006 (Public Law 109–115; 119 Stat. 2470;
23 28 U.S.C. 133 note) is amended in the second sentence
24 (relating to the eastern District of Missouri) by striking

1 “29 years and 6 months” and inserting “30 years and
2 6 months”.

3 (c) Section 312(c)(2) of the 21st Century Depart-
4 ment of Justice Appropriations Authorization Act (Public
5 Law 107–273; 28 U.S.C. 133 note), is amended—

6 (1) in the first sentence by striking “20 years”
7 and inserting “21 years”;

8 (2) in the second sentence (relating to the cen-
9 tral District of California), by striking “19 years
10 and 6 months” and inserting “20 years and 6
11 months”; and

12 (3) in the third sentence (relating to the west-
13 ern district of North Carolina), by striking “18
14 years” and inserting “19 years”.

15 SEC. 307. In addition to amounts otherwise available,
16 there is appropriated to the Judiciary \$128,000,000, to
17 remain available until September 30, 2024, to be used for
18 judicial security, cybersecurity, and information tech-
19 nology modernization infrastructure: *Provided*, That for
20 the purposes provided herein, such funds may be trans-
21 ferred to the “Salaries and Expenses”, “Court Security”,
22 and “Defender Services” appropriations under the
23 “Courts of Appeals, District Courts, and Other Judicial
24 Services” heading in this title: *Provided further*, That this

1 transfer authority shall be in addition to any other trans-
2 fer authority provided by law.

3 SEC. 308. Section 677 of title 28, United States
4 Code, is amended by adding at the end the following:

5 “(d) The Counselor, with the approval of the
6 Chief Justice, shall establish a retention and recruit-
7 ment program that is consistent with section 908 of
8 the Emergency Supplemental Act, 2002 (2 U.S.C.
9 1926) for Supreme Court Police officers and other
10 critical employees who agree in writing to remain
11 employed with the Supreme Court for a period of
12 service of not less than two years.”.

13 This title may be cited as the “Judiciary Appropria-
14 tions Act, 2023”.

15 TITLE IV

16 DISTRICT OF COLUMBIA

17 FEDERAL FUNDS

18 FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT

19 For a Federal payment to the District of Columbia,
20 to be deposited into a dedicated account, for a nationwide
21 program to be administered by the Mayor, for District of
22 Columbia resident tuition support, \$40,000,000, to remain
23 available until expended: *Provided*, That such funds, in-
24 cluding any interest accrued thereon, may be used on be-
25 half of eligible District of Columbia residents to pay an

1 amount based upon the difference between in-State and
2 out-of-State tuition at public institutions of higher edu-
3 cation, or to pay up to \$2,500 each year at eligible private
4 institutions of higher education: *Provided further*, That the
5 awarding of such funds may be prioritized on the basis
6 of a resident's academic merit, the income and need of
7 eligible students and such other factors as may be author-
8 ized: *Provided further*, That the District of Columbia gov-
9 ernment shall maintain a dedicated account for the Resi-
10 dent Tuition Support Program that shall consist of the
11 Federal funds appropriated to the Program in this Act
12 and any subsequent appropriations, any unobligated bal-
13 ances from prior fiscal years, and any interest earned in
14 this or any fiscal year: *Provided further*, That the account
15 shall be under the control of the District of Columbia
16 Chief Financial Officer, who shall use those funds solely
17 for the purposes of carrying out the Resident Tuition Sup-
18 port Program: *Provided further*, That the Office of the
19 Chief Financial Officer shall provide a quarterly financial
20 report to the Committees on Appropriations of the House
21 of Representatives and the Senate for these funds show-
22 ing, by object class, the expenditures made and the pur-
23 pose therefor.

1 FEDERAL PAYMENT FOR EMERGENCY PLANNING AND
2 SECURITY COSTS IN THE DISTRICT OF COLUMBLA

3 For a Federal payment of necessary expenses, as de-
4 termined by the Mayor of the District of Columbia in writ-
5 ten consultation with the elected county or city officials
6 of surrounding jurisdictions, \$30,000,000, to remain
7 available until expended, for the costs of providing public
8 safety at events related to the presence of the National
9 Capital in the District of Columbia, including support re-
10 quested by the Director of the United States Secret Serv-
11 ice in carrying out protective duties under the direction
12 of the Secretary of Homeland Security, and for the costs
13 of providing support to respond to immediate and specific
14 terrorist threats or attacks in the District of Columbia or
15 surrounding jurisdictions.

16 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA
17 COURTS

For salaries and expenses for the District of Columbia Courts, \$295,588,000 to be allocated as follows: for the District of Columbia Court of Appeals, \$15,055,000, of which not to exceed \$2,500 is for official reception and representation expenses; for the Superior Court of the District of Columbia, \$140,973,000, of which not to exceed \$2,500 is for official reception and representation expenses; for the District of Columbia Court System,

1 \$88,290,000, of which not to exceed \$2,500 is for official
2 reception and representation expenses; and \$51,270,000,
3 to remain available until September 30, 2024, for capital
4 improvements for District of Columbia courthouse facili-
5 ties: *Provided*, That funds made available for capital im-
6 provements shall be expended consistent with the District
7 of Columbia Courts master plan study and facilities condi-
8 tion assessment: *Provided further*, That, in addition to the
9 amounts appropriated herein, fees received by the District
10 of Columbia Courts for administering bar examinations
11 and processing District of Columbia bar admissions may
12 be retained and credited to this appropriation, to remain
13 available until expended, for salaries and expenses associ-
14 ated with such activities, notwithstanding section 450 of
15 the District of Columbia Home Rule Act (D.C. Official
16 Code, sec. 1–204.50): *Provided further*, That notwith-
17 standing any other provision of law, all amounts under
18 this heading shall be apportioned quarterly by the Office
19 of Management and Budget and obligated and expended
20 in the same manner as funds appropriated for salaries and
21 expenses of other Federal agencies: *Provided further*, That
22 30 days after providing written notice to the Committees
23 on Appropriations of the House of Representatives and the
24 Senate, the District of Columbia Courts may reallocate
25 not more than \$9,000,000 of the funds provided under

1 this heading among the items and entities funded under
2 this heading: *Provided further*, That the Joint Committee
3 on Judicial Administration in the District of Columbia
4 may, by regulation, establish a program substantially simi-
5 lar to the program set forth in subchapter II of chapter
6 35 of title 5, United States Code, for employees of the
7 District of Columbia Courts.

8 FEDERAL PAYMENT FOR DEFENDER SERVICES IN
9 DISTRICT OF COLUMBIA COURTS
10 (INCLUDING RESCISSION OF FUNDS)

11 For payments authorized under section 11–2604 and
12 section 11–2605, D.C. Official Code (relating to represen-
13 tation provided under the District of Columbia Criminal
14 Justice Act), payments for counsel appointed in pro-
15 ceedings in the Family Court of the Superior Court of the
16 District of Columbia under chapter 23 of title 16, D.C.
17 Official Code, or pursuant to contractual agreements to
18 provide guardian ad litem representation, training, tech-
19 nical assistance, and such other services as are necessary
20 to improve the quality of guardian ad litem representation,
21 payments for counsel appointed in adoption proceedings
22 under chapter 3 of title 16, D.C. Official Code, and pay-
23 ments authorized under section 21–2060, D.C. Official
24 Code (relating to services provided under the District of
25 Columbia Guardianship, Protective Proceedings, and Du-

1 rable Power of Attorney Act of 1986), \$46,005,000, to
2 remain available until expended: *Provided*, That funds
3 provided under this heading shall be administered by the
4 Joint Committee on Judicial Administration in the Dis-
5 trict of Columbia: *Provided further*, That, notwithstanding
6 any other provision of law, this appropriation shall be ap-
7 portioned quarterly by the Office of Management and
8 Budget and obligated and expended in the same manner
9 as funds appropriated for expenses of other Federal agen-
10 cies: *Provided further*, That of the unobligated balances
11 from prior year appropriations made available under the
12 heading “Federal Payment for Defender Services in Dis-
13 trict of Columbia Courts”, \$22,000,000, are hereby re-
14 scinded not later than September 30, 2023.

15 FEDERAL PAYMENT TO THE COURT SERVICES AND OF-
16 FENDER SUPERVISION AGENCY FOR THE DISTRICT
17 OF COLUMBIA

18 For salaries and expenses, including the transfer and
19 hire of motor vehicles, of the Court Services and Offender
20 Supervision Agency for the District of Columbia, as au-
21 thorized by the National Capital Revitalization and Self-
22 Government Improvement Act of 1997, \$281,516,000, of
23 which not to exceed \$2,000 is for official reception and
24 representation expenses related to Community Supervision
25 and Pretrial Services Agency programs, and of which not

1 to exceed \$25,000 is for dues and assessments relating
2 to the implementation of the Court Services and Offender
3 Supervision Agency Interstate Supervision Act of 2002:
4 *Provided*, That, of the funds appropriated under this head-
5 ing, \$204,579,000 shall be for necessary expenses of Com-
6 munity Supervision and Sex Offender Registration, to in-
7 clude expenses relating to the supervision of adults subject
8 to protection orders or the provision of services for or re-
9 lated to such persons, of which \$7,798,000 shall remain
10 available until September 30, 2025, for costs associated
11 with the relocation under replacement leases for head-
12 quarters offices, field offices and related facilities: *Pro-*
13 *vided further*, That, of the funds appropriated under this
14 heading, \$76,937,000 shall be available to the Pretrial
15 Services Agency, of which \$998,000 shall remain available
16 until September 30, 2025, for costs associated with reloca-
17 tion under a replacement lease for headquarters offices,
18 field offices, and related facilities: *Provided further*, That
19 notwithstanding any other provision of law, all amounts
20 under this heading shall be apportioned quarterly by the
21 Office of Management and Budget and obligated and ex-
22 pended in the same manner as funds appropriated for sal-
23 aries and expenses of other Federal agencies: *Provided fur-*
24 *ther*, That amounts under this heading may be used for

1 programmatic incentives for defendants to successfully
2 complete their terms of supervision.

3 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA

4 PUBLIC DEFENDER SERVICE

5 For salaries and expenses, including the transfer and
6 hire of motor vehicles, of the District of Columbia Public
7 Defender Service, as authorized by the National Capital
8 Revitalization and Self-Government Improvement Act of
9 1997, \$53,629,000: *Provided*, That notwithstanding any
10 other provision of law, all amounts under this heading
11 shall be apportioned quarterly by the Office of Manage-
12 ment and Budget and obligated and expended in the same
13 manner as funds appropriated for salaries and expenses
14 of Federal agencies: *Provided further*, That the District
15 of Columbia Public Defender Service may establish for
16 employees of the District of Columbia Public Defender
17 Service a program substantially similar to the program set
18 forth in subchapter II of chapter 35 of title 5, United
19 States Code, except that the maximum amount of the pay-
20 ment made under the program to any individual may not
21 exceed the amount referred to in section 3523(b)(3)(B)
22 of title 5, United States Code: *Provided further*, That the
23 District of Columbia Public Defender Service may be
24 deemed an “agency” for purposes of engaging with and
25 receiving services from Federal Franchise Fund Programs

1 established in accordance with section 403 of the Govern-
2 ment Management Reform Act of 1994 (Public Law 103–
3 356), as amended: *Provided further*, That the District of
4 Columbia Public Defender Service may enter into con-
5 tracts for the procurement of severable services and
6 multiyear contracts for the acquisition of property and
7 services to the same extent and under the same conditions
8 as an executive agency under sections 3902 and 3903 of
9 title 41, United States Code.

10 FEDERAL PAYMENT TO THE CRIMINAL JUSTICE

11 COORDINATING COUNCIL

12 For a Federal payment to the Criminal Justice Co-
13 ordinating Council, \$2,450,000, to remain available until
14 expended, to support initiatives related to the coordination
15 of Federal and local criminal justice resources in the Dis-
16 trict of Columbia.

17 FEDERAL PAYMENT FOR JUDICIAL COMMISSIONS

18 For a Federal payment, to remain available until
19 September 30, 2024, to the Commission on Judicial Dis-
20 abilities and Tenure, \$330,000, and for the Judicial Nomi-
21 nation Commission, \$300,000.

22 FEDERAL PAYMENT FOR SCHOOL IMPROVEMENT

23 For a Federal payment for a school improvement pro-
24 gram in the District of Columbia, \$52,500,000, to remain
25 available until expended, for payments authorized under

1 the Scholarships for Opportunity and Results Act (division
2 C of Public Law 112–10): *Provided*, That, to the extent
3 that funds are available for opportunity scholarships and
4 following the priorities included in section 3006 of such
5 Act, the Secretary of Education shall make scholarships
6 available to students eligible under section 3013(3) of such
7 Act (Public Law 112–10; 125 Stat. 211) including stu-
8 dents who were not offered a scholarship during any pre-
9 vious school year: *Provided further*, That within funds pro-
10 vided for opportunity scholarships up to \$1,750,000 shall
11 be for the activities specified in sections 3007(b) through
12 3007(d) of the Act and up to \$500,000 shall be for the
13 activities specified in section 3009 of the Act: *Provided*
14 *further*, That none of the funds made available under this
15 heading may be used for an opportunity scholarship for
16 a student to attend a school which does not certify to the
17 Secretary of Education that the student will be provided
18 with the same protections under the Federal laws which
19 are enforced by the Office for Civil Rights of the Depart-
20 ment of Education which are provided to a student of a
21 public elementary or secondary school in the District of
22 Columbia and which does not certify to the Secretary of
23 Education that the student and the student’s parents will
24 be provided with the same services, rights, and protections
25 under the Individuals With Disabilities Education Act (20

1 U.S.C. 1400 et seq.) which are provided to a student and
2 a student's parents of a public elementary or secondary
3 school in the District of Columbia, as enumerated in Table
4 2 of Government Accountability Office Report 18-94 (en-
5 titled "Federal Actions Needed to Ensure Parents Are
6 Notified About Changes in Rights for Students with Dis-
7 abilities"), issued November 2017.

8 FEDERAL PAYMENT FOR THE DISTRICT OF COLUMBIA
9 NATIONAL GUARD

10 For a Federal payment to the District of Columbia
11 National Guard, \$600,000, to remain available until ex-
12 pended for the Major General David F. Wherley, Jr. Dis-
13 trict of Columbia National Guard Retention and College
14 Access Program.

15 FEDERAL PAYMENT FOR TESTING AND TREATMENT OF
16 HIV/AIDS

17 For a Federal payment to the District of Columbia
18 for the testing of individuals for, and the treatment of in-
19 dividuals with, human immunodeficiency virus and ac-
20 quired immunodeficiency syndrome in the District of Co-
21 lumbia, \$5,000,000.

22 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA
23 WATER AND SEWER AUTHORITY

24 For a Federal payment to the District of Columbia
25 Water and Sewer Authority, \$8,000,000, to remain avail-

1 able until expended, to continue implementation of the
2 Combined Sewer Overflow Long-Term Plan: *Provided*,
3 That the District of Columbia Water and Sewer Authority
4 provides a 100 percent match for this payment.

5 This title may be cited as the “District of Columbia
6 Appropriations Act, 2023”.

7 TITLE V

8 INDEPENDENT AGENCIES

9 ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

10 SALARIES AND EXPENSES

11 For necessary expenses of the Administrative Con-
12 ference of the United States, authorized by 5 U.S.C. 591
13 et seq., \$3,465,000, to remain available until September
14 30, 2024, of which not to exceed \$1,000 is for official re-
15 ception and representation expenses.

16 CONSUMER PRODUCT SAFETY COMMISSION

17 SALARIES AND EXPENSES

18 For necessary expenses of the Consumer Product
19 Safety Commission, including hire of passenger motor ve-
20 hicles, services as authorized by 5 U.S.C. 3109, but at
21 rates for individuals not to exceed the per diem rate equiv-
22 alent to the maximum rate payable under 5 U.S.C. 5376,
23 purchase of nominal awards to recognize non-Federal offi-
24 cials’ contributions to Commission activities, and not to
25 exceed \$4,000 for official reception and representation ex-

1 penses, \$166,300,000, of which \$2,500,000 shall remain
2 available until expended to carry out the program, includ-
3 ing administrative costs, required by section 1405 of the
4 Virginia Graeme Baker Pool and Spa Safety Act (Public
5 Law 110–140; 15 U.S.C. 8004).

6 ADMINISTRATIVE PROVISION—CONSUMER PRODUCT

7 SAFETY COMMISSION

8 SEC. 501. During fiscal year 2023, none of the
9 amounts made available by this Act may be used to final-
10 ize or implement the Safety Standard for Recreational
11 Off-Highway Vehicles published by the Consumer Product
12 Safety Commission in the Federal Register on November
13 19, 2014 (79 Fed. Reg. 68964) until after—

14 (1) the National Academy of Sciences, in con-
15 sultation with the National Highway Traffic Safety
16 Administration and the Department of Defense,
17 completes a study to determine—

18 (A) the technical validity of the lateral sta-
19 bility and vehicle handling requirements pro-
20 posed by such standard for purposes of reduc-
21 ing the risk of Recreational Off-Highway Vehi-
22 cle (referred to in this section as “ROV”) roll-
23 overs in the off-road environment, including the
24 repeatability and reproducibility of testing for
25 compliance with such requirements;

1 (B) the number of ROV rollovers that
2 would be prevented if the proposed require-
3 ments were adopted;

4 (C) whether there is a technical basis for
5 the proposal to provide information on a point-
6 of-sale hangtag about a ROV's rollover resist-
7 ance on a progressive scale; and

8 (D) the effect on the utility of ROVs used
9 by the United States military if the proposed
10 requirements were adopted; and

11 (2) a report containing the results of the study
12 completed under paragraph (1) is delivered to—

13 (A) the Committee on Commerce, Science,
14 and Transportation of the Senate;

15 (B) the Committee on Energy and Com-
16 merce of the House of Representatives;

17 (C) the Committee on Appropriations of
18 the Senate; and

19 (D) the Committee on Appropriations of
20 the House of Representatives.

21 ELECTION ASSISTANCE COMMISSION

22 SALARIES AND EXPENSES

23 For necessary expenses to carry out the Help Amer-
24 ica Vote Act of 2002 (Public Law 107–252), \$34,087,000,
25 of which \$1,500,000 shall be made available to the Na-

1 tional Institute of Standards and Technology for election
2 reform activities authorized under the Help America Vote
3 Act of 2002, and of which \$4,000,000, to remain available
4 until expended, shall be for the Help America Vote College
5 Program as authorized by title V of the Help America
6 Vote Act of 2002.

7 ELECTION SECURITY GRANTS

8 Notwithstanding section 104(c)(2)(B) of the Help
9 America Vote Act of 2002 (52 U.S.C. 20904(c)(2)(B)),
10 \$400,000,000 is provided to the Election Assistance Com-
11 mission for necessary expenses to make payments to
12 States for activities to improve the administration of elec-
13 tions for Federal office, including to enhance election tech-
14 nology and make election security improvements, as au-
15 thorized by sections 101, 103, and 104 of such Act: *Pro-*
16 *vided*, That for purposes of applying such sections, the
17 Commonwealth of the Northern Mariana Islands shall be
18 deemed to be a State and, for purposes of sections
19 101(d)(2) and 103(a), shall be treated in the same manner
20 as the Commonwealth of Puerto Rico, Guam, American
21 Samoa, and the United States Virgin Islands: *Provided*
22 *further*, That each reference to the “Administrator of Gen-
23 eral Services” or the “Administrator” in sections 101 and
24 103 shall be deemed to refer to the “Election Assistance
25 Commission”: *Provided further*, That each reference to

1 “\$5,000,000” in section 103 shall be deemed to refer to
2 “\$3,000,000” and each reference to “\$1,000,000” in sec-
3 tion 103 shall be deemed to refer to “\$600,000”: *Provided*
4 *further*, That not later than 45 days after the date of en-
5 actment of this Act, the Election Assistance Commission
6 shall make the payments to States under this heading:
7 *Provided further*, That a State shall use such payment to
8 replace voting systems which use direct-recording elec-
9 tronic voting machines with a voting system which uses
10 an individual, durable, voter-verified paper ballot which is
11 marked by the voter by hand or through the use of a non-
12 tabulating ballot-marking device or system, so long as the
13 voter shall have the option to mark his or her ballot by
14 hand, and provides the voter with an opportunity to in-
15 spect and confirm the marked ballot before casting (in this
16 heading referred to as a “qualified voting system”): *Pro-*
17 *vided further*, That for purposes of determining whether
18 a voting system is a qualified voting system, a voter-
19 verified paper audit trail receipt generated by a direct-re-
20 cording electronic voting machine is not a paper ballot:
21 *Provided further*, That none of the funds made available
22 under this heading may be used to purchase or obtain any
23 voting system which is not a qualified voting system: *Pro-*
24 *vided further*, That a State may use such payment to carry
25 out other authorized activities to improve the administra-

1 tion of elections for Federal office only if the State cer-
2 tifies to the Election Assistance Commission that the
3 State has replaced all voting systems which use direct-re-
4 cording electronic voting machines with qualified voting
5 systems: *Provided further*, That not less than 67 percent
6 of the amount of the payment made to a State under this
7 heading shall be allocated in cash or in kind to the units
8 of local government which are responsible for the adminis-
9 tration of elections for Federal office in the State: *Pro-*
10 *vided further*, That States shall submit quarterly financial
11 reports and annual progress reports.

12 FEDERAL COMMUNICATIONS COMMISSION

13 SALARIES AND EXPENSES

14 For necessary expenses of the Federal Communica-
15 tions Commission, as authorized by law, including uni-
16 forms and allowances therefor, as authorized by 5 U.S.C.
17 5901–5902; not to exceed \$4,000 for official reception and
18 representation expenses; purchase and hire of motor vehi-
19 cles; special counsel fees; and services as authorized by
20 5 U.S.C. 3109, \$390,192,000, to remain available until
21 expended: *Provided*, That \$390,192,000 of offsetting col-
22 lections shall be assessed and collected pursuant to section
23 9 of title I of the Communications Act of 1934, shall be
24 retained and used for necessary expenses, and shall re-
25 main available until expended: *Provided further*, That the

1 sum herein appropriated shall be reduced as such offset-
2 ting collections are received during fiscal year 2023 so as
3 to result in a final fiscal year 2023 appropriation esti-
4 mated at \$0: *Provided further*, That, notwithstanding 47
5 U.S.C. 309(j)(8)(B), proceeds from the use of a competi-
6 tive bidding system that may be retained and made avail-
7 able for obligation shall not exceed \$132,231,000 for fiscal
8 year 2023: *Provided further*, That, of the amount appro-
9 priated under this heading, not less than \$12,131,000
10 shall be for the salaries and expenses of the Office of In-
11 spector General.

12 ADMINISTRATIVE PROVISIONS—FEDERAL

13 COMMUNICATIONS COMMISSION

14 SEC. 510. Section 302 of the Universal Service
15 Antideficiency Temporary Suspension Act is amended by
16 striking “December 31, 2022” each place it appears and
17 inserting “December 31, 2024”.

18 SEC. 511. None of the funds appropriated by this Act
19 may be used by the Federal Communications Commission
20 to modify, amend, or change its rules or regulations for
21 universal service support payments to implement the Feb-
22 ruary 27, 2004, recommendations of the Federal-State
23 Joint Board on Universal Service regarding single connec-
24 tion or primary line restrictions on universal service sup-
25 port payments.

1 SEC. 512. Notwithstanding section 421 of the Con-
2 trolled Substances Act (21 U.S.C. 862), or any other pro-
3 vision of law, none of the funds made available in this Act
4 to the Federal Communications Commission may be used,
5 with respect to an authorization for radio or television sta-
6 tions, to deny, fail to renew for a full term or condition
7 the authorization, decline to approve an application for au-
8 thority to assign the authorization or transfer direct or
9 indirect control of the licensee, require an early renewal
10 application, or impose a forfeiture penalty because the sta-
11 tion broadcast or otherwise transmitted advertisements (a)
12 of a business selling cannabis or cannabis-derived prod-
13 ucts, the sale or distribution of which is authorized in the
14 State, political subdivision of a State, or Indian country
15 in which the community of license of a station is located,
16 or (b) of a business selling hemp, hemp-derived CBD prod-
17 ucts or other hemp-derived cannabinoid products.

18 FEDERAL DEPOSIT INSURANCE CORPORATION

19 OFFICE OF THE INSPECTOR GENERAL

20 For necessary expenses of the Office of Inspector
21 General in carrying out the provisions of the Inspector
22 General Act of 1978, \$47,500,000, to be derived from the
23 Deposit Insurance Fund or, only when appropriate, the
24 FSLIC Resolution Fund.

1 FEDERAL ELECTION COMMISSION

2 SALARIES AND EXPENSES

3 For necessary expenses to carry out the provisions
4 of the Federal Election Campaign Act of 1971,
5 \$81,674,000, of which not to exceed \$5,000 shall be avail-
6 able for reception and representation expenses: *Provided*,
7 That not less than \$2,211,000 shall be for the salaries
8 and expenses of the Office of the Inspector General.

9 FEDERAL LABOR RELATIONS AUTHORITY

10 SALARIES AND EXPENSES

11 For necessary expenses to carry out functions of the
12 Federal Labor Relations Authority, pursuant to Reorga-
13 nization Plan Numbered 2 of 1978, and the Civil Service
14 Reform Act of 1978, including services authorized by 5
15 U.S.C. 3109, and including hire of experts and consult-
16 ants, hire of passenger motor vehicles, and including offi-
17 cial reception and representation expenses (not to exceed
18 \$1,500) and rental of conference rooms in the District of
19 Columbia and elsewhere, \$31,762,000: *Provided*, That
20 public members of the Federal Service Impasses Panel
21 may be paid travel expenses and per diem in lieu of sub-
22 sistence as authorized by law (5 U.S.C. 5703) for persons
23 employed intermittently in the Government service, and
24 compensation as authorized by 5 U.S.C. 3109: *Provided*
25 *further*, That, notwithstanding 31 U.S.C. 3302, funds re-

1 received from fees charged to non-Federal participants at
2 labor-management relations conferences shall be credited
3 to and merged with this account, to be available without
4 further appropriation for the costs of carrying out these
5 conferences.

6 FEDERAL PERMITTING IMPROVEMENT STEERING
7 COUNCIL

8 ENVIRONMENTAL REVIEW IMPROVEMENT FUND

9 For necessary expenses of the Environmental Review
10 Improvement Fund established pursuant to 42 U.S.C.
11 4370m-8(d), \$10,000,000, to remain available until ex-
12 pended.

13 FEDERAL TRADE COMMISSION
14 SALARIES AND EXPENSES

For necessary expenses of the Federal Trade Commission, including uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902; services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles; and not to exceed \$2,000 for official reception and representation expenses, \$490,000,000, to remain available until expended: *Provided*, That not to exceed \$300,000 shall be available for use to contract with a person or persons for collection services in accordance with the terms of 31 U.S.C. 3718: *Provided further*, That, notwithstanding any other provision of law, fees collected for premerger notifi-

1 cation filings under the Hart-Scott-Rodino Antitrust Im-
2 provements Act of 1976 (15 U.S.C. 18a), regardless of
3 the year of collection (and estimated to be \$190,000,000
4 in fiscal year 2023), shall be retained and used for nec-
5 essary expenses in this appropriation and shall remain
6 available until expended: *Provided further*, That, notwith-
7 standing any other provision of law, fees collected to im-
8 plement and enforce the Telemarketing Sales Rule, pro-
9 mulgated under the Telemarketing and Consumer Fraud
10 and Abuse Prevention Act (15 U.S.C. 6101 et seq.), re-
11 gardless of the year of collection (and estimated to be
12 \$20,000,000 in fiscal year 2023), shall be credited to this
13 account, and be retained and used for necessary expenses
14 in this appropriation, and shall remain available until ex-
15 pended: *Provided further*, That the sum herein appro-
16 priated from the general fund shall be reduced as such
17 offsetting collections are received during fiscal year 2023,
18 so as to result in a final fiscal year 2023 appropriation
19 from the general fund estimated at not more than
20 \$280,000,000: *Provided further*, That none of the funds
21 made available to the Federal Trade Commission may be
22 used to implement subsection (e)(2)(B) of section 43 of
23 the Federal Deposit Insurance Act (12 U.S.C. 1831t).

1 GENERAL SERVICES ADMINISTRATION

2 REAL PROPERTY ACTIVITIES

3 FEDERAL BUILDINGS FUND

4 LIMITATIONS ON AVAILABILITY OF REVENUE

5 (INCLUDING TRANSFERS OF FUNDS)

6 Amounts in the Fund, including revenues and collec-
7 tions deposited into the Fund, shall be available for nec-
8 essary expenses of real property management and related
9 activities not otherwise provided for, including operation,
10 maintenance, and protection of federally owned and leased
11 buildings; rental of buildings in the District of Columbia;
12 restoration of leased premises; moving governmental agen-
13 cies (including space adjustments and telecommunications
14 relocation expenses) in connection with the assignment, al-
15 location, and transfer of space; contractual services inci-
16 dent to cleaning or servicing buildings, and moving; repair
17 and alteration of federally owned buildings, including
18 grounds, approaches, and appurtenances; care and safe-
19 guarding of sites; maintenance, preservation, demolition,
20 and equipment; acquisition of buildings and sites by pur-
21 chase, condemnation, or as otherwise authorized by law;
22 acquisition of options to purchase buildings and sites; con-
23 version and extension of federally owned buildings; pre-
24 liminary planning and design of projects by contract or
25 otherwise; construction of new buildings (including equip-

1 ment for such buildings); and payment of principal, inter-
2 est, and any other obligations for public buildings acquired
3 by installment purchase and purchase contract; in the ag-
4 gregate amount of \$10,485,535,000, of which—

5 (1) \$962,438,000 shall remain available until
6 expended for construction and acquisition (including
7 funds for sites and expenses, and associated design
8 and construction services) as follows:

9 (A) \$379,938,000 is for the Department of
10 Homeland Security Consolidation at St. Eliza-
11 beths, Washington, DC;

12 (B) \$21,000,000 is for the Federal Energy
13 Regulatory Commission Lease Purchase;

14 (C) \$500,000,000 is for the Federal Bu-
15 reau of Investigation Headquarters Consolida-
16 tion in the National Capital Region; and

17 (D) \$61,500,000 is for the U.S. Court-
18 house in Hartford, CT:

19 *Provided*, That each of the foregoing limits of costs
20 on new construction and acquisition projects may be
21 exceeded to the extent that savings are effected in
22 other such projects, but not to exceed 10 percent of
23 the amounts included in a transmitted prospectus, if
24 required, unless advance approval is obtained from

1 the Committees on Appropriations of the House of
2 Representatives and the Senate of a greater amount;

3 (2) \$974,708,000 shall remain available until
4 expended for repairs and alterations, including asso-
5 ciated design and construction services, of which—

6 (A) \$475,911,000 is for Major Repairs and
7 Alterations as follows:

8 Multiple Locations:

9 National Conveying Systems,
10 \$63,198,000;

11 National Capital Region:

12 Fire Alarm Systems, \$81,125,000;

13 New York:

14 New York, Alexander Hamilton U.S.
15 Courthouse, \$68,497,000;

16 Pennsylvania:

17 Philadelphia, James A. Byrne U.S.
18 Courthouse, \$83,955,000;

19 Georgia:

20 Atlanta, Sam Nunn Atlanta Federal
21 Center, \$72,015,000;

22 Montana:

23 Butte, Mike Mansfield Federal Build-
24 ing and U.S. Courthouse, \$25,792,000;

25 California:

1 San Francisco Federal Building,
2 \$15,687,000;

3 Vermont:

4 St. Albans, Federal Building, U.S.
5 Post Office and Courthouse, \$17,978,000;

6 Colorado:

7 Denver, Federal Center Infrastruc-
8 ture, \$47,664,000;

9 (B) \$398,797,000 is for Basic Repairs and
10 Alterations, of which \$3,000,000 is for repairs
11 to the water feature at the Wilkie D. Ferguson
12 Jr. U.S. Courthouse in Miami, FL; and

13 (C) \$100,000,000 is for the Special Em-
14 phasis Programs:

15 *Provided*, That funds made available in this or any
16 previous Act in the Federal Buildings Fund for Re-
17 pairs and Alterations shall, for prospectus projects,
18 be limited to the amount identified for each project,
19 except each project in this or any previous Act may
20 be increased by an amount not to exceed 10 percent
21 unless advance approval is obtained from the Com-
22 mittees on Appropriations of the House of Rep-
23 resentatives and the Senate of a greater amount:

24 *Provided further*, That additional projects for which
25 prospectuses have been fully approved may be fund-

1 ed under this category only if advance approval is
2 obtained from the Committees on Appropriations of
3 the House of Representatives and the Senate: *Pro-*
4 *vided further*, That the amounts provided in this or
5 any prior Act for “Repairs and Alterations” may be
6 used to fund costs associated with implementing se-
7 curity improvements to buildings necessary to meet
8 the minimum standards for security in accordance
9 with current law and in compliance with the re-
10 programming guidelines of the appropriate commit-
11 tees of the House and Senate: *Provided further*,
12 That the difference between the funds appropriated
13 and expended on any projects in this or any prior
14 Act, under the heading “Repairs and Alterations”,
15 may be transferred to “Basic Repairs and Alter-
16 ations” or used to fund authorized increases in pro-
17 spectus projects: *Provided further*, That the amount
18 provided in this or any prior Act for “Basic Repairs
19 and Alterations” may be used to pay claims against
20 the Government arising from any projects under the
21 heading “Repairs and Alterations” or used to fund
22 authorized increases in prospectus projects;
23 (3) \$5,596,008,000 for rental of space to re-
24 main available until expended; and

1 (4) \$2,952,381,000 for building operations to
2 remain available until expended: *Provided*, That the
3 total amount of funds made available from this
4 Fund to the General Services Administration shall
5 not be available for expenses of any construction, re-
6 pair, alteration and acquisition project for which a
7 prospectus, if required by 40 U.S.C. 3307(a), has
8 not been approved, except that necessary funds may
9 be expended for each project for required expenses
10 for the development of a proposed prospectus: *Pro-*
11 *vided further*, That funds available in the Federal
12 Buildings Fund may be expended for emergency re-
13 pairs when advance approval is obtained from the
14 Committees on Appropriations of the House of Rep-
15 resentatives and the Senate: *Provided further*, That
16 amounts necessary to provide reimbursable special
17 services to other agencies under 40 U.S.C. 592(b)(2)
18 and amounts to provide such reimbursable fencing,
19 lighting, guard booths, and other facilities on private
20 or other property not in Government ownership or
21 control as may be appropriate to enable the United
22 States Secret Service to perform its protective func-
23 tions pursuant to 18 U.S.C. 3056, shall be available
24 from such revenues and collections: *Provided further*,
25 That revenues and collections and any other sums

1 accruing to this Fund during fiscal year 2022, ex-
2 cluding reimbursements under 40 U.S.C. 592(b)(2),
3 in excess of the aggregate new obligational authority
4 authorized for Real Property Activities of the Fed-
5 eral Buildings Fund in this Act shall remain in the
6 Fund and shall not be available for expenditure ex-
7 cept as authorized in appropriations Acts.

8 GENERAL ACTIVITIES

9 GOVERNMENT-WIDE POLICY

10 For expenses authorized by law, not otherwise pro-
11 vided for, for Government-wide policy and evaluation ac-
12 tivities associated with the management of real and per-
13 sonal property assets and certain administrative services;
14 Government-wide policy support responsibilities relating to
15 acquisition, travel, motor vehicles, information technology
16 management, and related technology activities; and serv-
17 ices as authorized by 5 U.S.C. 3109; \$71,186,000, of
18 which \$4,000,000 shall remain available until September
19 30, 2024.

20 OPERATING EXPENSES

21 For expenses authorized by law, not otherwise pro-
22 vided for, for Government-wide activities associated with
23 utilization and donation of surplus personal property; dis-
24 posal of real property; agency-wide policy direction, and
25 management; and services as authorized by 5 U.S.C.

1 3109; \$54,478,000, of which not to exceed \$7,500 is for
2 official reception and representation expenses.

3 CIVILIAN BOARD OF CONTRACT APPEALS

4 For expenses authorized by law, not otherwise pro-
5 vided for, for the activities associated with the Civilian
6 Board of Contract Appeals, \$10,352,000, of which
7 \$2,000,000 shall remain available until September 30,
8 2024.

9 OFFICE OF INSPECTOR GENERAL

10 For necessary expenses of the Office of Inspector
11 General and service authorized by 5 U.S.C. 3109,
12 \$74,583,000: *Provided*, That not to exceed \$3,000,000
13 shall be available for information technology enhance-
14 ments related to implementing cloud services, improving
15 security measures, and providing modern technology case
16 management solutions: *Provided further*, That not to ex-
17 ceed \$50,000 shall be available for payment for informa-
18 tion and detection of fraud against the Government, in-
19 cluding payment for recovery of stolen Government prop-
20 erty: *Provided further*, That not to exceed \$2,500 shall be
21 available for awards to employees of other Federal agen-
22 cies and private citizens in recognition of efforts and ini-
23 tiatives resulting in enhanced Office of Inspector General
24 effectiveness.

1 ALLOWANCES AND OFFICE STAFF FOR FORMER
2 PRESIDENTS

3 For carrying out the provisions of the Act of August
4 25, 1958 (3 U.S.C. 102 note), and Public Law 95–138,
5 \$5,200,000.

6 FEDERAL CITIZEN SERVICES FUND
7 (INCLUDING TRANSFER OF FUNDS)

8 For necessary expenses of the Office of Products and
9 Programs, including services authorized by 40 U.S.C. 323
10 and 44 U.S.C. 3604; and for necessary expenses in sup-
11 port of interagency projects that enable the Federal Gov-
12 ernment to enhance its ability to conduct activities elec-
13 tronically through the development and implementation of
14 innovative uses of information technology; \$115,784,000,
15 to be deposited into the Federal Citizen Services Fund:
16 *Provided*, That the previous amount may be transferred
17 to Federal agencies to carry out the purpose of the Fed-
18 eral Citizen Services Fund: *Provided further*, That the ap-
19 propriations, revenues, reimbursements, and collections
20 deposited into the Fund shall be available until expended
21 for necessary expenses of Federal Citizen Services and
22 other activities that enable the Federal Government to en-
23 hance its ability to conduct activities electronically in the
24 aggregate amount not to exceed \$160,000,000: *Provided*
25 *further*, That appropriations, revenues, reimbursements,

1 and collections accruing to this Fund during fiscal year
2 2023 in excess of such amount shall remain in the Fund
3 and shall not be available for expenditure except as au-
4 thorized in appropriations Acts: *Provided further*, That, of
5 the total amount appropriated, up to \$5,000,000 shall be
6 available for support functions and full-time hires to sup-
7 port activities related to the Administration's require-
8 ments under title II of the Foundations for Evidence-
9 Based Policymaking Act of 2018 (Public Law 115–435):
10 *Provided further*, That the transfer authorities provided
11 herein shall be in addition to any other transfer authority
12 provided in this Act.

13 TECHNOLOGY MODERNIZATION FUND

14 For the Technology Modernization Fund,
15 \$100,000,000, to remain available until expended, for
16 technology-related modernization activities.

17 ASSET PROCEEDS AND SPACE MANAGEMENT FUND

18 For carrying out section 16(b) of the Federal Assets
19 Sale and Transfer Act of 2016 (40 U.S.C. 1303 note),
20 \$7,000,000, to remain available until expended.

21 WORKING CAPITAL FUND

22 (INCLUDING TRANSFER OF FUNDS)

23 For the Working Capital Fund of the General Serv-
24 ices Administration, \$10,900,000, to remain available
25 until expended, for necessary costs incurred by the Admin-

1 istrator to modernize rulemaking systems and to provide
2 support services for Federal rulemaking agencies: *Pro-*
3 *vided*, That amounts made available under this heading
4 shall be in addition to any other amounts available for
5 such purposes.

6 ELECTRIC VEHICLES FUND

7 (INCLUDING TRANSFER OF FUNDS)

8 For the procurement of zero emission and electric
9 passenger motor vehicles and the associated charging in-
10 frastructure, notwithstanding section 303(c) of the En-
11 ergy Policy Act of 1992 (42 U.S.C. 13212(c)),
12 \$100,000,000, to remain available until expended: *Pro-*
13 *vided*, That amounts made available under this heading
14 shall be in addition to any other amounts available for
15 such purposes: *Provided further*, That amounts available
16 under this heading may be transferred to and merged with
17 appropriations at other Federal agencies, at the discretion
18 of the Administrator, for carrying out the purposes under
19 this heading, including for the procurement of charging
20 infrastructure for the United States Postal Service.

1 ADMINISTRATIVE PROVISIONS—GENERAL SERVICES

2 ADMINISTRATION

3 (INCLUDING TRANSFER OF FUNDS)

4 SEC. 520. Funds available to the General Services
5 Administration shall be available for the hire of passenger
6 motor vehicles.

7 SEC. 521. Funds in the Federal Buildings Fund
8 made available for fiscal year 2023 for Federal Buildings
9 Fund activities may be transferred between such activities
10 only to the extent necessary to meet program require-
11 ments: *Provided*, That any proposed transfers shall be ap-
12 proved in advance by the Committees on Appropriations
13 of the House of Representatives and the Senate.

14 SEC. 522. Except as otherwise provided in this title,
15 funds made available by this Act shall be used to transmit
16 a fiscal year 2024 request for United States Courthouse
17 construction only if the request: (1) meets the design guide
18 standards for construction as established and approved by
19 the General Services Administration, the Judicial Con-
20 ference of the United States, and the Office of Manage-
21 ment and Budget; (2) reflects the priorities of the Judicial
22 Conference of the United States as set out in its approved
23 Courthouse Project Priorities plan; and (3) includes a
24 standardized courtroom utilization study of each facility
25 to be constructed, replaced, or expanded.

1 SEC. 523. None of the funds provided in this Act may
2 be used to increase the amount of occupiable square feet,
3 provide cleaning services, security enhancements, or any
4 other service usually provided through the Federal Build-
5 ings Fund, to any agency that does not pay the rate per
6 square foot assessment for space and services as deter-
7 mined by the General Services Administration in consider-
8 ation of the Public Buildings Amendments Act of 1972
9 (Public Law 92–313).

10 SEC. 524. From funds made available under the
11 heading “Federal Buildings Fund, Limitations on Avail-
12 ability of Revenue”, claims against the Government of less
13 than \$250,000 arising from direct construction projects
14 and acquisition of buildings may be liquidated from sav-
15 ings effected in other construction projects with prior noti-
16 fication to the Committees on Appropriations of the House
17 of Representatives and the Senate.

18 SEC. 525. In any case in which the Committee on
19 Transportation and Infrastructure of the House of Rep-
20 resentatives and the Committee on Environment and Pub-
21 lic Works of the Senate adopt a resolution granting lease
22 authority pursuant to a prospectus transmitted to Con-
23 gress by the Administrator of the General Services Admin-
24 istration under 40 U.S.C. 3307, the Administrator shall
25 ensure that the delineated area of procurement is identical

1 to the delineated area included in the prospectus for all
2 lease agreements, except that, if the Administrator deter-
3 mines that the delineated area of the procurement should
4 not be identical to the delineated area included in the pro-
5 spectus, the Administrator shall provide an explanatory
6 statement to each of such committees and the Committees
7 on Appropriations of the House of Representatives and the
8 Senate prior to exercising any lease authority provided in
9 the resolution.

10 SEC. 526. With respect to E-Government projects
11 funded under the heading “Federal Citizen Services
12 Fund”, the Administrator of General Services shall submit
13 a spending plan and explanation for each project to be
14 undertaken to the Committees on Appropriations of the
15 House of Representatives and the Senate not later than
16 60 days after the date of enactment of this Act.

17 SEC. 527. None of the funds made available in this
18 or any other Act for the Federal Bureau of Investigation
19 Headquarters Consolidation project may be used to plan
20 or design any facility that does not meet the requirements
21 of a new, fully-consolidated headquarters building in the
22 National Capital Region at one of the three sites listed
23 in the General Services Administration Fiscal Year 2017
24 PNCR-FBI-NCR 17 prospectus for a new fully-consoli-
25 dated Federal Bureau of Investigation Headquarters, and

1 that does not meet Interagency Security Committee Level
2 V security standards as described in the General Services
3 Administration Fiscal Year 2017 PNCR–FBI–NCR 17
4 prospectus.

5 SEC. 528. None of the funds made available in this
6 Act may be used by the General Services Administration
7 to award or facilitate the award of any contract for the
8 provision of architectural, engineering, and related serv-
9 ices in a manner inconsistent with the procedures in chap-
10 ter 11 of title 40, United States Code, and subpart 36.6
11 of title 48, Code of Federal Regulations.

12 SEC. 529. None of the funds made available in this
13 Act may be used to implement or otherwise carry out di-
14 rectives contained in any Executive Order that would es-
15 tablish a preferred architectural style for Federal build-
16 ings and courthouses or that would otherwise conflict with
17 the Guiding Principles of Federal Architecture, as estab-
18 lished by the Ad Hoc Committee on Federal Space on
19 June 1, 1962.

20 HARRY S TRUMAN SCHOLARSHIP FOUNDATION

21 SALARIES AND EXPENSES

22 For payment to the Harry S Truman Scholarship
23 Foundation Trust Fund, established by section 10 of Pub-
24 lic Law 93–642, \$2,500,000, to remain available until ex-
25 pended.

1 MERIT SYSTEMS PROTECTION BOARD

2 SALARIES AND EXPENSES

3 (INCLUDING TRANSFER OF FUNDS)

4 For necessary expenses to carry out functions of the
5 Merit Systems Protection Board pursuant to Reorganiza-
6 tion Plan Numbered 2 of 1978, the Civil Service Reform
7 Act of 1978, and the Whistleblower Protection Act of
8 1989 (5 U.S.C. 5509 note), including services as author-
9 ized by 5 U.S.C. 3109, rental of conference rooms in the
10 District of Columbia and elsewhere, hire of passenger
11 motor vehicles, direct procurement of survey printing, and
12 not to exceed \$2,000 for official reception and representa-
13 tion expenses, \$51,139,000, to remain available until Sep-
14 tember 30, 2024, and in addition \$2,345,000, to remain
15 available until September 30, 2024, for administrative ex-
16 penses to adjudicate retirement appeals to be transferred
17 from the Civil Service Retirement and Disability Fund in
18 amounts determined by the Merit Systems Protection
19 Board.

20 MORRIS K. UDALL AND STEWART L. UDALL

21 FOUNDATION

22 MORRIS K. UDALL AND STEWART L. UDALL TRUST FUND

23 (INCLUDING TRANSFER OF FUNDS)

24 For payment to the Morris K. Udall and Stewart L.
25 Udall Trust Fund, pursuant to the Morris K. Udall and

1 Stewart L. Udall Foundation Act (20 U.S.C. 5601 et
2 seq.), \$1,800,000, to remain available for direct expendi-
3 ture, and to remain available until expended, of which,
4 notwithstanding sections 8 and 9 of such Act, up to
5 \$1,000,000 shall be available to carry out the activities
6 authorized by section 6(7) of Public Law 102-259 and
7 section 817(a) of Public Law 106-568 (20 U.S.C.
8 5604(7)): *Provided*, That all current and previous
9 amounts transferred to the Office of Inspector General of
10 the Department of the Interior will remain available until
11 expended for audits and investigations of the Morris K.
12 Udall and Stewart L. Udall Foundation, consistent with
13 the Inspector General Act of 1978 (5 U.S.C. App.), as
14 amended, and for annual independent financial audits of
15 the Morris K. Udall and Stewart L. Udall Foundation
16 pursuant to the Accountability of Tax Dollars Act of 2002
17 (Public Law 107-289): *Provided further*, That previous
18 amounts transferred to the Office of Inspector General of
19 the Department of the Interior may be transferred to the
20 Morris K. Udall and Stewart L. Udall Foundation for an-
21 nual independent financial audits pursuant to the Ac-
22 countability of Tax Dollars Act of 2002 (Public Law 107-
23 289).

1 ENVIRONMENTAL DISPUTE RESOLUTION FUND

2 For payment to the Environmental Dispute Resolu-
3 tion Fund to carry out activities under sections 10 and
4 11 of the Morris K. Udall and Stewart L. Udall Founda-
5 tion Act (Public Law 111–90), \$3,943,000, to remain
6 available until expended: *Provided*, That during fiscal year
7 2023 and each fiscal year thereafter, any amounts in such
8 Fund shall, pursuant to section 1557 of title 31, United
9 States Code, be exempt from the provisions of subchapter
10 IV of chapter 15 of such title.

11 NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

12 OPERATING EXPENSES

13 For necessary expenses in connection with the admin-
14 istration of the National Archives and Records Adminis-
15 tration and archived Federal records and related activities,
16 as provided by law, and for expenses necessary for the re-
17 view and declassification of documents, the activities of
18 the Public Interest Declassification Board, the operations
19 and maintenance of the electronic records archives, the
20 hire of passenger motor vehicles, and for uniforms or al-
21 lowances therefor, as authorized by law (5 U.S.C. 5901),
22 including maintenance, repairs, and cleaning,
23 \$427,520,000, of which \$30,000,000 shall remain avail-
24 able until expended for expenses necessary to enhance the
25 Federal Government's ability to electronically preserve,

1 manage, and store Government records, of which up to
2 \$2,000,000 shall remain available until expended to imple-
3 ment the Civil Rights Cold Case Records Collection Act
4 of 2018 (Public Law 115–426), and of which \$1,000,000
5 shall be for necessary expenses of the Public Interest De-
6 classification Board in carrying out the provisions of the
7 Public Interest Declassification Act of 2000 (title VII of
8 Public Law 106–567; 50 U.S.C. 3301 note).

9 OFFICE OF INSPECTOR GENERAL

10 For necessary expenses of the Office of Inspector
11 General in carrying out the provisions of the Inspector
12 General Reform Act of 2008, Public Law 110–409, 122
13 Stat. 4302–16 (2008), and the Inspector General Act of
14 1978 (5 U.S.C. App.), and for the hire of passenger motor
15 vehicles, \$5,980,000.

16 REPAIRS AND RESTORATION

17 For the repair, alteration, and improvement of ar-
18 chives facilities and to provide adequate storage for hold-
19 ings, \$7,500,000, to remain available until expended.

20 NATIONAL HISTORICAL PUBLICATIONS AND RECORDS

21 COMMISSION

22 GRANTS PROGRAM

23 For necessary expenses for allocations and grants for
24 historical publications and records as authorized by 44

1 U.S.C. 2504, \$9,500,000, to remain available until ex-
2 pended.

3 ADMINISTRATIVE PROVISION—NATIONAL ARCHIVES AND
4 RECORDS ADMINISTRATION

5 SEC. 530. For an additional amount for “National
6 Historical Publications and Records Commission Grants
7 Program”, \$1,332,000, which shall be for initiatives in the
8 amounts and for the projects specified in the table that
9 appears under the heading “Administrative Provisions—
10 National Archives and Records Administration” in the re-
11 port accompanying this Act: *Provided*, That none of the
12 funds made available by this section may be transferred
13 for any other purpose.

14 NATIONAL CREDIT UNION ADMINISTRATION

15 COMMUNITY DEVELOPMENT REVOLVING LOAN FUND

16 For the Community Development Revolving Loan
17 Fund program as authorized by 42 U.S.C. 9812, 9822
18 and 9910, \$4,000,000 shall be available until September
19 30, 2024, for technical assistance to low-income des-
20 ignated credit unions.

21 OFFICE OF GOVERNMENT ETHICS

22 SALARIES AND EXPENSES

23 For necessary expenses to carry out functions of the
24 Office of Government Ethics pursuant to the Ethics in
25 Government Act of 1978, the Ethics Reform Act of 1989,

1 and the Representative Louise McIntosh Slaughter Stop
2 Trading on Congressional Knowledge Act of 2012, includ-
3 ing services as authorized by 5 U.S.C. 3109, rental of con-
4 ference rooms in the District of Columbia and elsewhere,
5 hire of passenger motor vehicles, and not to exceed \$1,500
6 for official reception and representation expenses,
7 \$25,400,000.

8 OFFICE OF PERSONNEL MANAGEMENT

9 SALARIES AND EXPENSES

10 (INCLUDING TRANSFERS OF TRUST FUNDS)

11 For necessary expenses to carry out functions of the
12 Office of Personnel Management (OPM) pursuant to Re-
13 organization Plan Numbered 2 of 1978 and the Civil Serv-
14 ice Reform Act of 1978, including services as authorized
15 by 5 U.S.C. 3109; medical examinations performed for
16 veterans by private physicians on a fee basis; rental of con-
17 ference rooms in the District of Columbia and elsewhere;
18 hire of passenger motor vehicles; not to exceed \$2,500 for
19 official reception and representation expenses; and pay-
20 ment of per diem and/or subsistence allowances to employ-
21 ees where Voting Rights Act activities require an employee
22 to remain overnight at his or her post of duty,
23 \$220,262,000: *Provided*, That of the total amount made
24 available under this heading, \$19,373,000 shall remain
25 available until expended, for information technology infra-

1 structure modernization and Trust Fund Federal Finan-
2 cial System migration or modernization, and shall be in
3 addition to funds otherwise made available for such pur-
4 poses: *Provided further*, That of the total amount made
5 available under this heading, \$1,381,748 may be made
6 available for strengthening the capacity and capabilities
7 of the acquisition workforce (as defined by the Office of
8 Federal Procurement Policy Act, as amended (41 U.S.C.
9 4001 et seq.)), including the recruitment, hiring, training,
10 and retention of such workforce and information tech-
11 nology in support of acquisition workforce effectiveness or
12 for management solutions to improve acquisition manage-
13 ment; and in addition \$190,316,000 for administrative ex-
14 penses, to be transferred from the appropriate trust funds
15 of OPM without regard to other statutes, including direct
16 procurement of printed materials, for the retirement and
17 insurance programs: *Provided further*, That the provisions
18 of this appropriation shall not affect the authority to use
19 applicable trust funds as provided by sections
20 8348(a)(1)(B), 8958(f)(2)(A), 8988(f)(2)(A), and
21 9004(f)(2)(A) of title 5, United States Code: *Provided fur-*
22 *ther*, That no part of this appropriation shall be available
23 for salaries and expenses of the Legal Examining Unit of
24 OPM established pursuant to Executive Order No. 9358
25 of July 1, 1943, or any successor unit of like purpose:

1 *Provided further*, That the President's Commission on
2 White House Fellows, established by Executive Order No.
3 11183 of October 3, 1964, may, during fiscal year 2023,
4 accept donations of money, property, and personal serv-
5 ices: *Provided further*, That such donations, including
6 those from prior years, may be used for the development
7 of publicity materials to provide information about the
8 White House Fellows, except that no such donations shall
9 be accepted for travel or reimbursement of travel expenses,
10 or for the salaries of employees of such Commission: *Pro-*
11 *vided further*, That not to exceed 5 percent of amounts
12 made available under this heading may be transferred to
13 an information technology working capital fund estab-
14 lished for purposes authorized by subtitle G of title X of
15 division A of the National Defense Authorization Act for
16 Fiscal Year 2018 (Public Law 115–91; 40 U. S. C. 11301
17 note) upon the advance approval of the Committees on Ap-
18 propriations of the House of Representatives and the Sen-
19 ate: *Provided further*, That amounts transferred to such
20 a fund under the preceding proviso from any organiza-
21 tional category of the Office of Personnel Management
22 shall not exceed 5 percent of its budget as identified in
23 the report required by section 608 of this Act: *Provided*
24 *further*, That amounts transferred to such a fund shall re-
25 main available for obligation through September 30, 2026.

1 OFFICE OF INSPECTOR GENERAL

2 SALARIES AND EXPENSES

3 (INCLUDING TRANSFER OF TRUST FUNDS)

4 For necessary expenses of the Office of Inspector
5 General in carrying out the provisions of the Inspector
6 General Act of 1978, including services as authorized by
7 5 U.S.C. 3109, hire of passenger motor vehicles,
8 \$5,556,000, and in addition, not to exceed \$32,163,000
9 for administrative expenses to audit, investigate, and pro-
10 vide other oversight of the Office of Personnel Manage-
11 ment's retirement and insurance programs, to be trans-
12 ferred from the appropriate trust funds of the Office of
13 Personnel Management, as determined by the Inspector
14 General: *Provided*, That the Inspector General is author-
15 ized to rent conference rooms in the District of Columbia
16 and elsewhere.

17 OFFICE OF SPECIAL COUNSEL

18 SALARIES AND EXPENSES

19 For necessary expenses to carry out functions of the
20 Office of Special Counsel, including services as authorized
21 by 5 U.S.C. 3109, payment of fees and expenses for wit-
22 nesses, rental of conference rooms in the District of Co-
23 lumbia and elsewhere, and hire of passenger motor vehi-
24 cles, \$31,990,000.

1 PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD

2 SALARIES AND EXPENSES

3 For necessary expenses of the Privacy and Civil Lib-
4 erties Oversight Board, as authorized by section 1061 of
5 the Intelligence Reform and Terrorism Prevention Act of
6 2004 (42 U.S.C. 2000ee), \$10,700,000, to remain avail-
7 able until September 30, 2024.

8 PUBLIC BUILDINGS REFORM BOARD

9 SALARIES AND EXPENSES

10 For salaries and expenses of the Public Buildings Re-
11 form Board in carrying out the Federal Assets Sale and
12 Transfer Act of 2016 (Public Law 114–287), \$4,000,000,
13 to remain available until expended.

14 SECURITIES AND EXCHANGE COMMISSION

15 SALARIES AND EXPENSES

16 For necessary expenses for the Securities and Ex-
17 change Commission, including services as authorized by
18 5 U.S.C. 3109, the rental of space (to include multiple
19 year leases) in the District of Columbia and elsewhere, and
20 not to exceed \$3,500 for official reception and representa-
21 tion expenses, \$2,149,000,000, to remain available until
22 expended; of which not less than \$18,979,400 shall be for
23 the Office of Inspector General; of which not to exceed
24 \$275,000 shall be available for a permanent secretariat
25 for the International Organization of Securities Commis-

1 sions; and of which not to exceed \$100,000 shall be avail-
2 able for expenses for consultations and meetings hosted
3 by the Commission with foreign governmental and other
4 regulatory officials, members of their delegations and
5 staffs to exchange views concerning securities matters,
6 such expenses to include necessary logistic and adminis-
7 trative expenses and the expenses of Commission staff and
8 foreign invitees in attendance including: (1) incidental ex-
9 penses such as meals; (2) travel and transportation; and
10 (3) related lodging or subsistence.

11 In addition to the foregoing appropriation, for move,
12 replication, and related costs associated with a replace-
13 ment lease for the Commission's District of Columbia
14 headquarters facilities, not to exceed \$57,405,000, to re-
15 main available until expended.

16 For purposes of calculating the fee rate under section
17 31(j) of the Securities Exchange Act of 1934 (15 U.S.C.
18 78ee(j)) for fiscal year 2023, all amounts appropriated
19 under this heading shall be deemed to be the regular ap-
20 propriation to the Commission for fiscal year 2023: *Pro-*
21 *vided*, That fees and charges authorized by section 31 of
22 the Securities Exchange Act of 1934 (15 U.S.C. 78ee)
23 shall be credited to this account as offsetting collections:
24 *Provided further*, That not to exceed \$2,149,000,000 of
25 such offsetting collections shall be available until expended

1 for necessary expenses of this account; and not to exceed
2 \$57,405,000 of such offsetting collections shall be avail-
3 able until expended for move, replication, and related costs
4 under this heading associated with a replacement lease for
5 the Commission's District of Columbia headquarters facili-
6 ties: *Provided further*, That the total amount appropriated
7 under this heading from the general fund for fiscal year
8 2023 shall be reduced as such offsetting fees are received
9 so as to result in a final total fiscal year 2023 appropria-
10 tion from the general fund estimated at not more than
11 \$0: *Provided further*, That if any amount of the appropria-
12 tion for move, replication, and related costs associated
13 with a replacement lease for the Commission's District of
14 Columbia headquarters facilities is subsequently de-obli-
15 gated by the Commission, such amount that was derived
16 from the general fund shall be returned to the general
17 fund, and such amounts that were derived from fees or
18 assessments collected for such purpose shall be paid to
19 each national securities exchange and national securities
20 association, respectively, in proportion to any fees or as-
21 sessments paid by such national securities exchange or na-
22 tional securities association under section 31 of the Securi-
23 ties Exchange Act of 1934 (15 U.S.C. 78ee) in fiscal year
24 2023.

1 ADMINISTRATIVE PROVISION—SECURITIES AND
2 EXCHANGE COMMISSION

3 SEC. 540. None of the funds made available by this
4 Act may be used to implement the amendments to sections
5 240.14a-1(l), 240.14a-2, or 240.14a-9 of title 17, Code
6 of Federal Regulations, that were adopted by the Securi-
7 ties and Exchange Commission on July 22, 2020.

8 SELECTIVE SERVICE SYSTEM
9 SALARIES AND EXPENSES

10 For necessary expenses of the Selective Service Sys-
11 tem, including expenses of attendance at meetings and of
12 training for uniformed personnel assigned to the Selective
13 Service System, as authorized by 5 U.S.C. 4101–4118 for
14 civilian employees; hire of passenger motor vehicles; serv-
15 ices as authorized by 5 U.S.C. 3109; and not to exceed
16 \$750 for official reception and representation expenses;
17 \$29,300,000: *Provided*, That during the current fiscal
18 year, the President may exempt this appropriation from
19 the provisions of 31 U.S.C. 1341, whenever the President
20 deems such action to be necessary in the interest of na-
21 tional defense: *Provided further*, That none of the funds
22 appropriated by this Act may be expended for or in con-
23 nection with the induction of any person into the Armed
24 Forces of the United States.

1 SMALL BUSINESS ADMINISTRATION

2 SALARIES AND EXPENSES

3 For necessary expenses, not otherwise provided for,
4 of the Small Business Administration, including hire of
5 passenger motor vehicles as authorized by sections 1343
6 and 1344 of title 31, United States Code, and not to ex-
7 ceed \$3,500 for official reception and representation ex-
8 penses, \$313,872,000, of which not less than \$12,000,000
9 shall be available for examinations, reviews, and other
10 lender oversight activities: *Provided*, That the Adminis-
11 trator is authorized to charge fees to cover the cost of pub-
12 lications developed by the Small Business Administration,
13 and certain loan program activities, including fees author-
14 ized by section 5(b) of the Small Business Act: *Provided*
15 *further*, That, notwithstanding 31 U.S.C. 3302, revenues
16 received from all such activities shall be credited to this
17 account, to remain available until expended, for carrying
18 out these purposes without further appropriations: *Pro-*
19 *vided further*, That the Small Business Administration
20 may accept gifts in an amount not to exceed \$4,000,000
21 and may co-sponsor activities, each in accordance with sec-
22 tion 132(a) of division K of Public Law 108–447, during
23 fiscal year 2023: *Provided further*, That \$6,100,000 shall
24 remain available until September 30, 2024, for the Loan
25 Modernization and Accounting System: *Provided further*,

1 That \$20,000,000 shall remain available until September
2 30, 2024, for expenses relating to the certification of small
3 business concerns owned and controlled by veterans and
4 small business concerns owned and controlled by service-
5 disabled veterans under sections 36 and 36A of the Small
6 Business Act (15 U.S.C. 657f; 657f-1).

7 ENTREPRENEURIAL DEVELOPMENT PROGRAMS

8 For necessary expenses of programs supporting en-
9 trepreneurial and small business development,
10 \$326,000,000, to remain available until September 30,
11 2024: *Provided*, That \$145,000,000 shall be available to
12 fund grants for performance in fiscal year 2023 or fiscal
13 year 2024 as authorized by section 21 of the Small Busi-
14 ness Act: *Provided further*, That \$41,000,000 shall be for
15 marketing, management, and technical assistance under
16 section 7(m) of the Small Business Act (15 U.S.C.
17 636(m)(4)) by intermediaries that make microloans under
18 the microloan program: *Provided further*, That
19 \$22,000,000 shall be available for grants to States to
20 carry out export programs that assist small business con-
21 cerns authorized under section 22(l) of the Small Business
22 Act (15 U.S.C. 649(l)).

1 OFFICE OF INSPECTOR GENERAL

2 For necessary expenses of the Office of Inspector
3 General in carrying out the provisions of the Inspector
4 General Act of 1978, \$32,020,000.

5 OFFICE OF ADVOCACY

6 For necessary expenses of the Office of Advocacy in
7 carrying out the provisions of title II of Public Law 94–
8 305 (15 U.S.C. 634a et seq.) and the Regulatory Flexi-
9 bility Act of 1980 (5 U.S.C. 601 et seq.), \$10,211,000,
10 to remain available until expended.

11 BUSINESS LOANS PROGRAM ACCOUNT

12 (INCLUDING TRANSFER OF FUNDS)

13 For the cost of direct loans, \$6,000,000, to remain
14 available until expended: *Provided*, That such costs, in-
15 cluding the cost of modifying such loans, shall be as de-
16 fined in section 502 of the Congressional Budget Act of
17 1974: *Provided further*, That subject to section 502 of the
18 Congressional Budget Act of 1974, during fiscal year
19 2023 commitments to guarantee loans under section 503
20 of the Small Business Investment Act of 1958 shall not
21 exceed \$11,000,000,000: *Provided further*, That during
22 fiscal year 2023 commitments for general business loans
23 authorized under paragraphs (1) through (35) of section
24 7(a) of the Small Business Act shall not exceed
25 \$35,000,000,000 for a combination of amortizing term

1 loans and the aggregated maximum line of credit provided
2 by revolving loans: *Provided further*, That during fiscal
3 year 2023 commitments for loans authorized under sub-
4 paragraph (C) of section 502(7) of the Small Business In-
5 vestment Act of 1958 (15 U.S.C. 696(7)) shall not exceed
6 \$7,500,000,000: *Provided further*, That during fiscal year
7 2023 commitments to guarantee loans for debentures
8 under section 303(b) of the Small Business Investment
9 Act of 1958 shall not exceed \$5,000,000,000: *Provided*
10 *further*, That during fiscal year 2023, guarantees of trust
11 certificates authorized by section 5(g) of the Small Busi-
12 ness Act shall not exceed a principal amount of
13 \$15,000,000,000. In addition, for administrative expenses
14 to carry out the direct and guaranteed loan programs,
15 \$165,300,000, which may be transferred to and merged
16 with the appropriations for Salaries and Expenses.

17 DISASTER LOANS PROGRAM ACCOUNT

18 (INCLUDING TRANSFERS OF FUNDS)

19 For administrative expenses to carry out the direct
20 loan program authorized by section 7(b) of the Small
21 Business Act, \$179,000,000, to be available until ex-
22 pended, of which \$1,600,000 is for the Office of Inspector
23 General of the Small Business Administration for audits
24 and reviews of disaster loans and the disaster loan pro-
25 grams and shall be transferred to and merged with the

1 appropriations for the Office of Inspector General; of
2 which \$169,000,000 is for direct administrative expenses
3 of loan making and servicing to carry out the direct loan
4 program, which may be transferred to and merged with
5 the appropriations for Salaries and Expenses; and of
6 which \$8,400,000 is for indirect administrative expenses
7 for the direct loan program, which may be transferred to
8 and merged with the appropriations for Salaries and Ex-
9 penses: *Provided*, That, of the funds provided under this
10 heading, \$143,000,000 shall be for major disasters de-
11 clared pursuant to the Robert T. Stafford Disaster Relief
12 and Emergency Assistance Act (42 U.S.C. 5122(2)): *Pro-*
13 *vided further*, That the amount for major disasters under
14 this heading is designated by the Congress as being for
15 disaster relief pursuant to section 1(f) of H. Res. 1151
16 (117th Congress), as engrossed in the House of Rep-
17 resentatives on June 8, 2022.

18 ADMINISTRATIVE PROVISIONS—SMALL BUSINESS

19 ADMINISTRATION

20 (INCLUDING TRANSFERS OF FUNDS)

21 SEC. 550. Not to exceed 5 percent of any appropria-
22 tion made available for the current fiscal year for the
23 Small Business Administration in this Act may be trans-
24 ferred between such appropriations, but no such appro-
25 priation shall be increased by more than 10 percent by

1 any such transfers: *Provided*, That any transfer pursuant
2 to this paragraph shall be treated as a reprogramming of
3 funds under section 608 of this Act and shall not be avail-
4 able for obligation or expenditure except in compliance
5 with the procedures set forth in that section.

6 SEC. 551. Not to exceed 3 percent of any appropria-
7 tion made available in this Act for the Small Business Ad-
8 ministration under the headings “Salaries and Expenses”
9 and “Business Loans Program Account” may be trans-
10 ferred to the Administration’s information technology sys-
11 tem modernization and working capital fund (IT WCF),
12 as authorized by section 1077(b)(1) of title X of division
13 A of the National Defense Authorization Act for Fiscal
14 Year 2018, for the purposes specified in section
15 1077(b)(3) of such Act, upon the advance approval of the
16 Committees on Appropriations of the House of Represent-
17 atives and the Senate: *Provided*, That amounts transferred
18 to the IT WCF under this section shall remain available
19 for obligation through September 30, 2026.

20 SEC. 552. For an additional amount under the head-
21 ing “Small Business Administration—Salaries and Ex-
22 penses”, \$75,159,000, which shall be for initiatives related
23 to small business development and entrepreneurship, in-
24 cluding programmatic and construction activities, in the
25 amounts and for the projects specified in the table that

1 appears under the heading “Administrative Provisions—
2 Small Business Administration” in the report accom-
3 panying this Act: *Provided*, That, notwithstanding sections
4 2701.92 and 2701.93 of title 2, Code of Federal Regula-
5 tions, the Administrator of the Small Business Adminis-
6 tration may permit awards to subrecipients for initiatives
7 funded under this section: *Provided further*, That none of
8 the funds made available by this section may be trans-
9 ferred for any other purpose.

10 UNITED STATES POSTAL SERVICE

11 PAYMENT TO THE POSTAL SERVICE FUND

12 For payment to the Postal Service Fund for revenue
13 forgone on free and reduced rate mail, pursuant to sub-
14 sections (c) and (d) of section 2401 of title 39, United
15 States Code, \$56,253,000: *Provided*, That mail for over-
16 seas voting and mail for the blind shall continue to be free:
17 *Provided further*, That none of the funds made available
18 to the Postal Service by this Act shall be used to imple-
19 ment any rule, regulation, or policy of charging any officer
20 or employee of any State or local child support enforce-
21 ment agency, or any individual participating in a State
22 or local program of child support enforcement, a fee for
23 information requested or provided concerning an address
24 of a postal customer: *Provided further*, That none of the
25 funds provided in this Act shall be used to consolidate or

1 close small rural and other small post offices: *Provided*
2 *further*, That the Postal Service may not destroy, and shall
3 continue to offer for sale, any copies of the Multinational
4 Species Conservation Funds Semipostal Stamp, as author-
5 ized under the Multinational Species Conservation Funds
6 Semipostal Stamp Act of 2010 (Public Law 111–241).

7 OFFICE OF INSPECTOR GENERAL

8 SALARIES AND EXPENSES

9 (INCLUDING TRANSFER OF FUNDS)

10 For necessary expenses of the Office of Inspector
11 General in carrying out the provisions of the Inspector
12 General Act of 1978, \$271,000,000, to be derived by
13 transfer from the Postal Service Fund and expended as
14 authorized by section 603(b)(3) of the Postal Account-
15 ability and Enhancement Act (Public Law 109–435).

16 UNITED STATES TAX COURT

17 SALARIES AND EXPENSES

18 For necessary expenses, including contract reporting
19 and other services as authorized by 5 U.S.C. 3109, and
20 not to exceed \$3,000 for official reception and representa-
21 tion expenses; \$57,300,000, of which \$1,000,000 shall re-
22 main available until expended: *Provided*, That travel ex-
23 penses of the judges shall be paid upon the written certifi-
24 cate of the judge.

1 TITLE VI

2 GENERAL PROVISIONS—THIS ACT

3 SEC. 601. None of the funds in this Act shall be used
4 for the planning or execution of any program to pay the
5 expenses of, or otherwise compensate, non-Federal parties
6 intervening in regulatory or adjudicatory proceedings
7 funded in this Act.

8 SEC. 602. None of the funds appropriated in this Act
9 shall remain available for obligation beyond the current
10 fiscal year, nor may any be transferred to other appropria-
11 tions, unless expressly so provided herein.

12 SEC. 603. The expenditure of any appropriation
13 under this Act for any consulting service through procure-
14 ment contract pursuant to 5 U.S.C. 3109, shall be limited
15 to those contracts where such expenditures are a matter
16 of public record and available for public inspection, except
17 where otherwise provided under existing law, or under ex-
18 isting Executive order issued pursuant to existing law.

19 SEC. 604. None of the funds made available in this
20 Act may be transferred to any department, agency, or in-
21 strumentality of the United States Government, except
22 pursuant to a transfer made by, or transfer authority pro-
23 vided in, this Act or any other appropriations Act.

24 SEC. 605. None of the funds made available by this
25 Act shall be available for any activity or for paying the

1 salary of any Government employee where funding an ac-
2 tivity or paying a salary to a Government employee would
3 result in a decision, determination, rule, regulation, or pol-
4 icy that would prohibit the enforcement of section 307 of
5 the Tariff Act of 1930 (19 U.S.C. 1307).

6 SEC. 606. No funds appropriated pursuant to this
7 Act may be expended by an entity unless the entity agrees
8 that in expending the assistance the entity will comply
9 with chapter 83 of title 41, United States Code.

10 SEC. 607. No funds appropriated or otherwise made
11 available under this Act shall be made available to any
12 person or entity that has been convicted of violating chap-
13 ter 83 of title 41, United States Code.

14 SEC. 608. Except as otherwise provided in this Act,
15 none of the funds provided in this Act, provided by pre-
16 vious appropriations Acts to the agencies or entities fund-
17 ed in this Act that remain available for obligation or ex-
18 penditure in fiscal year 2023, or provided from any ac-
19 counts in the Treasury derived by the collection of fees
20 and available to the agencies funded by this Act, shall be
21 available for obligation or expenditure through a re-
22 programming of funds that: (1) creates a new program;
23 (2) eliminates a program, project, or activity; (3) increases
24 funds or personnel for any program, project, or activity
25 for which funds have been denied or restricted by the Con-

1 gress; (4) proposes to use funds directed for a specific ac-
2 tivity by the Committee on Appropriations of either the
3 House of Representatives or the Senate for a different
4 purpose; (5) augments existing programs, projects, or ac-
5 tivities in excess of \$5,000,000 or 10 percent, whichever
6 is less; (6) reduces existing programs, projects, or activi-
7 ties by \$5,000,000 or 10 percent, whichever is less; or (7)
8 creates or reorganizes offices, programs, or activities un-
9 less prior approval is received from the Committees on Ap-
10 propriations of the House of Representatives and the Sen-
11 ate: *Provided*, That prior to any significant reorganization,
12 restructuring, relocation, or closing of offices, programs,
13 or activities, each agency or entity funded in this Act shall
14 consult with the Committees on Appropriations of the
15 House of Representatives and the Senate: *Provided fur-*
16 *ther*, That not later than 60 days after the date of enact-
17 ment of this Act, each agency funded by this Act shall
18 submit a report to the Committees on Appropriations of
19 the House of Representatives and the Senate to establish
20 the baseline for application of reprogramming and trans-
21 fer authorities for the current fiscal year: *Provided further*,
22 That at a minimum the report shall include: (1) a table
23 for each appropriation, detailing both full-time employee
24 equivalents and budget authority, with separate columns
25 to display the prior year enacted level, the President's

1 budget request, adjustments made by Congress, adjust-
2 ments due to enacted rescissions, if appropriate, and the
3 fiscal year enacted level; (2) a delineation in the table for
4 each appropriation and its respective prior year enacted
5 level by object class and program, project, and activity as
6 detailed in this Act, in the accompanying report, or in the
7 budget appendix for the respective appropriation, which-
8 ever is more detailed, and which shall apply to all items
9 for which a dollar amount is specified and to all programs
10 for which new budget authority is provided, as well as to
11 discretionary grants and discretionary grant allocations;
12 and (3) an identification of items of special congressional
13 interest: *Provided further*, That the amount appropriated
14 or limited for salaries and expenses for an agency shall
15 be reduced by \$100,000 per day for each day after the
16 required date that the report has not been submitted to
17 the Congress.

18 SEC. 609. Except as otherwise specifically provided
19 by law, not to exceed 50 percent of unobligated balances
20 remaining available at the end of fiscal year 2023 from
21 appropriations made available for salaries and expenses
22 for fiscal year 2023 in this Act, shall remain available
23 through September 30, 2024, for each such account for
24 the purposes authorized: *Provided*, That a request shall
25 be submitted to the Committees on Appropriations of the

1 House of Representatives and the Senate for approval
2 prior to the expenditure of such funds: *Provided further*,
3 That these requests shall be made in compliance with re-
4 programming guidelines.

5 SEC. 610. (a) None of the funds made available in
6 this Act may be used by the Executive Office of the Presi-
7 dent to request—

8 (1) any official background investigation report
9 on any individual from the Federal Bureau of Inves-
10 tigation; or

11 (2) a determination with respect to the treat-
12 ment of an organization as described in section
13 501(c) of the Internal Revenue Code of 1986 and
14 exempt from taxation under section 501(a) of such
15 Code from the Department of the Treasury or the
16 Internal Revenue Service.

17 (b) Subsection (a) shall not apply—

18 (1) in the case of an official background inves-
19 tigation report, if such individual has given express
20 written consent for such request not more than 6
21 months prior to the date of such request and during
22 the same presidential administration; or

23 (2) if such request is required due to extraor-
24 dinary circumstances involving national security.

1 SEC. 611. The cost accounting standards promul-
2 gated under chapter 15 of title 41, United States Code
3 shall not apply with respect to a contract under the Fed-
4 eral Employees Health Benefits Program established
5 under chapter 89 of title 5, United States Code.

6 SEC. 612. For the purpose of resolving litigation and
7 implementing any settlement agreements regarding the
8 nonforeign area cost-of-living allowance program, the Of-
9 fice of Personnel Management may accept and utilize
10 (without regard to any restriction on unanticipated travel
11 expenses imposed in an Appropriations Act) funds made
12 available to the Office of Personnel Management pursuant
13 to court approval.

14 SEC. 613. In order to promote Government access to
15 commercial information technology, the restriction on pur-
16 chasing nondomestic articles, materials, and supplies set
17 forth in chapter 83 of title 41, United States Code (popu-
18 larly known as the Buy American Act), shall not apply
19 to the acquisition by the Federal Government of informa-
20 tion technology (as defined in section 11101 of title 40,
21 United States Code), that is a commercial item (as defined
22 in section 103 of title 41, United States Code).

23 SEC. 614. Notwithstanding section 1353 of title 31,
24 United States Code, no officer or employee of any regu-
25 latory agency or commission funded by this Act may ac-

1 cept on behalf of that agency, nor may such agency or
2 commission accept, payment or reimbursement from a
3 non-Federal entity for travel, subsistence, or related ex-
4 penses for the purpose of enabling an officer or employee
5 to attend and participate in any meeting or similar func-
6 tion relating to the official duties of the officer or em-
7 ployee when the entity offering payment or reimbursement
8 is a person or entity subject to regulation by such agency
9 or commission, or represents a person or entity subject
10 to regulation by such agency or commission, unless the
11 person or entity is an organization described in section
12 501(c)(3) of the Internal Revenue Code of 1986 and ex-
13 empt from tax under section 501(a) of such Code.

14 SEC. 615. (a)(1) Notwithstanding any other provision
15 of law, an Executive agency covered by this Act otherwise
16 authorized to enter into contracts for either leases or the
17 construction or alteration of real property for office, meet-
18 ing, storage, or other space must consult with the General
19 Services Administration before issuing a solicitation for of-
20 fers of new leases or construction contracts, and in the
21 case of succeeding leases, before entering into negotiations
22 with the current lessor.

23 (2) Any such agency with authority to enter into an
24 emergency lease may do so during any period declared by

1 the President to require emergency leasing authority with
2 respect to such agency.

3 (b) For purposes of this section, the term “Executive
4 agency covered by this Act” means any Executive agency
5 provided funds by this Act, but does not include the Gen-
6 eral Services Administration or the United States Postal
7 Service.

8 SEC. 616. (a) There are appropriated for the fol-
9 lowing activities the amounts required under current law:

10 (1) Compensation of the President (3 U.S.C.
11 102).

12 (2) Payments to—

13 (A) the Judicial Officers’ Retirement Fund
14 (28 U.S.C. 377(o));

15 (B) the Judicial Survivors’ Annuities Fund
16 (28 U.S.C. 376(c)); and

17 (C) the United States Court of Federal
18 Claims Judges’ Retirement Fund (28 U.S.C.
19 178(l)).

20 (3) Payment of Government contributions—

21 (A) with respect to the health benefits of
22 retired employees, as authorized by chapter 89
23 of title 5, United States Code, and the Retired
24 Federal Employees Health Benefits Act (74
25 Stat. 849); and

1 (B) with respect to the life insurance bene-
2 fits for employees retiring after December 31,
3 1989 (5 U.S.C. ch. 87).

4 (4) Payment to finance the unfunded liability of
5 new and increased annuity benefits under the Civil
6 Service Retirement and Disability Fund (5 U.S.C.
7 8348).

8 (5) Payment of annuities authorized to be paid
9 from the Civil Service Retirement and Disability
10 Fund by statutory provisions other than subchapter
11 III of chapter 83 or chapter 84 of title 5, United
12 States Code.

13 (b) Nothing in this section may be construed to ex-
14 empt any amount appropriated by this section from any
15 otherwise applicable limitation on the use of funds con-
16 tained in this Act.

17 SEC. 617. (a) The head of each executive branch
18 agency funded by this Act shall ensure that the Chief In-
19 formation Officer of the agency has the authority to par-
20 ticipate in decisions regarding the budget planning process
21 related to information technology.

22 (b) Amounts appropriated for any executive branch
23 agency funded by this Act that are available for informa-
24 tion technology shall be allocated within the agency, con-
25 sistent with the provisions of appropriations Acts and

1 budget guidelines and recommendations from the Director
2 of the Office of Management and Budget, in such manner
3 as specified by, or approved by, the Chief Information Of-
4 ficer of the agency in consultation with the Chief Financial
5 Officer of the agency and budget officials.

6 SEC. 618. None of the funds made available in this
7 Act may be used in contravention of chapter 29, 31, or
8 33 of title 44, United States Code.

9 SEC. 619. None of the funds made available in this
10 Act may be used by a governmental entity to require the
11 disclosure by a provider of electronic communication serv-
12 ice to the public or remote computing service of the con-
13 tents of a wire or electronic communication that is in elec-
14 tronic storage with the provider (as such terms are defined
15 in sections 2510 and 2711 of title 18, United States Code)
16 in a manner that violates the Fourth Amendment to the
17 Constitution of the United States.

18 SEC. 620. No funds provided in this Act shall be used
19 to deny an Inspector General funded under this Act timely
20 access to any records, documents, or other materials avail-
21 able to the department or agency over which that Inspec-
22 tor General has responsibilities under the Inspector Gen-
23 eral Act of 1978, or to prevent or impede that Inspector
24 General's access to such records, documents, or other ma-
25 terials, under any provision of law, except a provision of

1 law that expressly refers to the Inspector General and ex-
2 pressly limits the Inspector General's right of access. A
3 department or agency covered by this section shall provide
4 its Inspector General with access to all such records, docu-
5 ments, and other materials in a timely manner. Each In-
6 spector General shall ensure compliance with statutory
7 limitations on disclosure relevant to the information pro-
8 vided by the establishment over which that Inspector Gen-
9 eral has responsibilities under the Inspector General Act
10 of 1978. Each Inspector General covered by this section
11 shall report to the Committees on Appropriations of the
12 House of Representatives and the Senate within 5 cal-
13 endar days any failures to comply with this requirement.

14 SEC. 621. None of the funds appropriated by this Act
15 may be used by the Federal Communications Commission
16 to modify, amend, or change the rules or regulations of
17 the Commission for universal service high-cost support for
18 competitive eligible telecommunications carriers in a way
19 that is inconsistent with paragraph (e)(5) or (e)(6) of sec-
20 tion 54.307 of title 47, Code of Federal Regulations, as
21 in effect on July 15, 2015: *Provided*, That this section
22 shall not prohibit the Commission from considering, devel-
23 oping, or adopting other support mechanisms as an alter-
24 native to Mobility Fund Phase II: *Provided further*, That
25 any such alternative mechanism shall maintain existing

1 high-cost support to competitive eligible telecommuni-
2 cations carriers until support under such mechanism com-
3 mences.

4 SEC. 622. (a) None of the funds made available in
5 this Act may be used to maintain or establish a computer
6 network unless such network blocks the viewing,
7 downloading, and exchanging of pornography.

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

14 SEC. 623. None of the funds appropriated or other-
15 wise made available by this Act may be used to pay award
16 or incentive fees for contractors whose performance has
17 been judged to be below satisfactory, behind schedule, over
18 budget, or has failed to meet the basic requirements of
19 a contract, unless the Agency determines that any such
20 deviations are due to unforeseeable events, government-
21 driven scope changes, or are not significant within the
22 overall scope of the project and/or program and unless
23 such awards or incentive fees are consistent with
24 16.401(e)(2) of the Federal Acquisition Regulation.

1 SEC. 624. (a) None of the funds made available under
2 this Act may be used to pay for travel and conference ac-
3 tivities that result in a total cost to an Executive branch
4 department, agency, board or commission funded by this
5 Act of more than \$500,000 at any single conference unless
6 the agency or entity determines that such attendance is
7 in the national interest and advance notice is transmitted
8 to the Committees on Appropriations of the House of Rep-
9 resentatives and the Senate that includes the basis of that
10 determination.

11 (b) None of the funds made available under this Act
12 may be used to pay for the travel to or attendance of more
13 than 50 employees, who are stationed in the United
14 States, at any single conference occurring outside the
15 United States unless the agency or entity determines that
16 such attendance is in the national interest and advance
17 notice is transmitted to the Committees on Appropriations
18 of the House of Representatives and the Senate that in-
19 cludes the basis of that determination.

20 SEC. 625. None of the funds made available by this
21 Act may be used for first-class or business-class travel by
22 the employees of executive branch agencies funded by this
23 Act in contravention of sections 301–10.122 through 301–
24 10.125 of title 41, Code of Federal Regulations.

1 SEC. 626. In addition to any amounts appropriated
2 or otherwise made available for expenses related to en-
3 hancements to www.oversight.gov, \$850,000, to remain
4 available until expended, shall be provided for an addi-
5 tional amount for such purpose to the Inspectors General
6 Council Fund established pursuant to section 11(c)(3)(B)
7 of the Inspector General Act of 1978 (5 U.S.C. App.):
8 *Provided*, That these amounts shall be in addition to any
9 amounts or any authority available to the Council of the
10 Inspectors General on Integrity and Efficiency under sec-
11 tion 11 of the Inspector General Act of 1978 (5 U.S.C.
12 App.).

13 SEC. 627. None of the funds made available by this
14 Act may be obligated on contracts in excess of \$5,000 for
15 public relations, as that term is defined in Office and Man-
16 agement and Budget Circular A-87 (revised May 10,
17 2004), unless advance notice of such an obligation is
18 transmitted to the Committees on Appropriations of the
19 House of Representatives and the Senate.

20 SEC. 628. Federal agencies funded under this Act
21 shall clearly state within the text, audio, or video used for
22 advertising or educational purposes, including emails or
23 Internet postings, that the communication is printed, pub-
24 lished, or produced and disseminated at U.S. taxpayer ex-
25 pense. The funds used by a Federal agency to carry out

1 this requirement shall be derived from amounts made
2 available to the agency for advertising or other commu-
3 nications regarding the programs and activities of the
4 agency.

5 SEC. 629. When issuing statements, press releases,
6 requests for proposals, bid solicitations and other docu-
7 ments describing projects or programs funded in whole or
8 in part with Federal money, all grantees receiving Federal
9 funds included in this Act, shall clearly state—

10 (1) the percentage of the total costs of the pro-
11 gram or project which will be financed with Federal
12 money;

13 (2) the dollar amount of Federal funds for the
14 project or program; and

15 (3) percentage and dollar amount of the total
16 costs of the project or program that will be financed
17 by non-governmental sources.

18 SEC. 630. Not later than 45 days after the last day
19 of each quarter, each agency funded in this Act shall sub-
20 mit to the Committees on Appropriations of the House
21 of Representatives and the Senate a quarterly budget re-
22 port that includes total obligations of the Agency for that
23 quarter for each appropriation, by the source year of the
24 appropriation.

SEC. 631. None of the funds made available in this Act may be used to penalize a financial institution solely because the institution provides financial services to an entity that is a manufacturer, a producer, or a person that participates in any business or organized activity that involves handling hemp, hemp-derived cannabidiol products, other hemp-derived cannabinoid products, marijuana, marijuana products, or marijuana proceeds, and engages in such activity pursuant to a law established by a State, political subdivision of a State, or Indian Tribe. In this section, the term “State” means each of the several States, the District of Columbia, and any territory or possession of the United States.

TITLE VII

GENERAL PROVISIONS—GOVERNMENT-WIDE

DEPARTMENTS, AGENCIES, AND CORPORATIONS

(INCLUDING TRANSFER OF FUNDS)

SEC. 701. No department, agency, or instrumentality of the United States receiving appropriated funds under this or any other Act for fiscal year 2023 shall obligate or expend any such funds, unless such department, agency, or instrumentality has in place, and will continue to administer in good faith, a written policy designed to ensure that all of its workplaces are free from the illegal use, possession, or distribution of controlled substances

1 (as defined in the Controlled Substances Act (21 U.S.C.
2 802)) by the officers and employees of such department,
3 agency, or instrumentality.

4 SEC. 702. Unless otherwise specifically provided, the
5 maximum amount allowable during the current fiscal year
6 in accordance with subsection 1343(c) of title 31, United
7 States Code, for the purchase of any passenger motor ve-
8 hicle (exclusive of buses, ambulances, law enforcement ve-
9 hicles, protective vehicles, and undercover surveillance ve-
10 hicles), is hereby fixed at \$19,947 except station wagons
11 for which the maximum shall be \$19,997: *Provided*, That
12 these limits may be exceeded by not to exceed \$7,250 for
13 police-type vehicles: *Provided further*, That the limits set
14 forth in this section may not be exceeded by more than
15 5 percent for electric or hybrid vehicles purchased for
16 demonstration under the provisions of the Electric and
17 Hybrid Vehicle Research, Development, and Demonstra-
18 tion Act of 1976: *Provided further*, That the limits set
19 forth in this section may be exceeded by the incremental
20 cost of clean alternative fuels vehicles acquired pursuant
21 to Public Law 101–549 over the cost of comparable con-
22 ventionally fueled vehicles: *Provided further*, That the lim-
23 its set forth in this section shall not apply to any vehicle
24 that is a commercial item and which operates on alter-

1 native fuel, including but not limited to electric, plug-in
2 hybrid electric, and hydrogen fuel cell vehicles.

3 SEC. 703. Appropriations of the executive depart-
4 ments and independent establishments for the current fis-
5 cal year available for expenses of travel, or for the ex-
6 penses of the activity concerned, are hereby made available
7 for quarters allowances and cost-of-living allowances, in
8 accordance with 5 U.S.C. 5922–5924.

9 SEC. 704. Unless otherwise specified in law during
10 the current fiscal year, no part of any appropriation con-
11 tained in this or any other Act shall be used to pay the
12 compensation of any officer or employee of the Govern-
13 ment of the United States (including any agency the ma-
14 jority of the stock of which is owned by the Government
15 of the United States) whose post of duty is in the conti-
16 nental United States unless such person: (1) is a citizen
17 of the United States; (2) is a person who is lawfully admit-
18 ted for permanent residence and is seeking citizenship as
19 outlined in 8 U.S.C. 1324b(a)(3)(B); (3) is a person who
20 is admitted as a refugee under 8 U.S.C. 1157 or is grant-
21 ed asylum under 8 U.S.C. 1158 and has filed a declaration
22 of intention to become a lawful permanent resident and
23 then a citizen when eligible; (4) is a person who owes alle-
24 giance to the United States; or (5) is a person who is au-
25 thorized to be employed in the United States pursuant to

1 the Deferred Action for Childhood Arrivals program estab-
2 lished under the memorandum of the Secretary of Home-
3 land Security dated June 15, 2012: *Provided*, That for
4 purposes of this section, affidavits signed by any such per-
5 son shall be considered prima facie evidence that the re-
6 quirements of this section with respect to his or her status
7 are being complied with: *Provided further*, That for pur-
8 poses of paragraphs (2) and (3) such affidavits shall be
9 submitted prior to employment and updated thereafter as
10 necessary: *Provided further*, That any person making a
11 false affidavit shall be guilty of a felony, and upon convic-
12 tion, shall be fined no more than \$4,000 or imprisoned
13 for not more than 1 year, or both: *Provided further*, That
14 the above penal clause shall be in addition to, and not in
15 substitution for, any other provisions of existing law: *Pro-*
16 *vided further*, That any payment made to any officer or
17 employee contrary to the provisions of this section shall
18 be recoverable in action by the Federal Government: *Pro-*
19 *vided further*, That this section shall not apply to any per-
20 son who is an officer or employee of the Government of
21 the United States on the date of enactment of this Act,
22 or to international broadcasters employed by the Broad-
23 casting Board of Governors, or to temporary employment
24 of translators, or to temporary employment in the field
25 service (not to exceed 60 days) as a result of emergencies:

1 *Provided further*, That this section does not apply to the
2 employment as Wildland firefighters for not more than
3 120 days of nonresident aliens employed by the Depart-
4 ment of the Interior or the USDA Forest Service pursuant
5 to an agreement with another country.

6 SEC. 705. Appropriations available to any depart-
7 ment or agency during the current fiscal year for nec-
8 essary expenses, including maintenance or operating ex-
9 penses, shall also be available for payment to the General
10 Services Administration for charges for space and services
11 and those expenses of renovation and alteration of build-
12 ings and facilities which constitute public improvements
13 performed in accordance with the Public Buildings Act of
14 1959 (73 Stat. 479), the Public Buildings Amendments
15 of 1972 (86 Stat. 216), or other applicable law.

16 SEC. 706. In addition to funds provided in this or
17 any other Act, all Federal agencies are authorized to re-
18 ceive and use funds resulting from the sale of materials,
19 including Federal records disposed of pursuant to a
20 records schedule recovered through recycling or waste pre-
21 vention programs. Such funds shall be available until ex-
22 pended for the following purposes:

23 (1) Acquisition, waste reduction and prevention,
24 and recycling programs as described in Executive
25 Order No. 13834 (May 17, 2018), including any

1 such programs adopted prior to the effective date of
2 the Executive order.

3 (2) Other Federal agency environmental man-
4 agement programs, including, but not limited to, the
5 development and implementation of hazardous waste
6 management and pollution prevention programs.

7 (3) Other employee programs as authorized by
8 law or as deemed appropriate by the head of the
9 Federal agency.

10 SEC. 707. Funds made available by this or any other
11 Act for administrative expenses in the current fiscal year
12 of the corporations and agencies subject to chapter 91 of
13 title 31, United States Code, shall be available, in addition
14 to objects for which such funds are otherwise available,
15 for rent in the District of Columbia; services in accordance
16 with 5 U.S.C. 3109; and the objects specified under this
17 head, all the provisions of which shall be applicable to the
18 expenditure of such funds unless otherwise specified in the
19 Act by which they are made available: *Provided*, That in
20 the event any functions budgeted as administrative ex-
21 penses are subsequently transferred to or paid from other
22 funds, the limitations on administrative expenses shall be
23 correspondingly reduced.

24 SEC. 708. No part of any appropriation contained in
25 this or any other Act shall be available for interagency

1 financing of boards (except Federal Executive Boards),
2 commissions, councils, committees, or similar groups
3 (whether or not they are interagency entities) which do
4 not have a prior and specific statutory approval to receive
5 financial support from more than one agency or instru-
6 mentality.

7 SEC. 709. None of the funds made available pursuant
8 to the provisions of this or any other Act shall be used
9 to implement, administer, or enforce any regulation which
10 has been disapproved pursuant to a joint resolution duly
11 adopted in accordance with the applicable law of the
12 United States.

13 SEC. 710. During the period in which the head of
14 any department or agency, or any other officer or civilian
15 employee of the Federal Government appointed by the
16 President of the United States, holds office, no funds may
17 be obligated or expended in excess of \$5,000 to furnish
18 or redecorate the office of such department head, agency
19 head, officer, or employee, or to purchase furniture or
20 make improvements for any such office, unless advance
21 notice of such furnishing or redecoration is transmitted
22 to the Committees on Appropriations of the House of Rep-
23 resentatives and the Senate. For the purposes of this sec-
24 tion, the term “office” shall include the entire suite of of-
25 fices assigned to the individual, as well as any other space

1 used primarily by the individual or the use of which is
2 directly controlled by the individual.

3 SEC. 711. Notwithstanding 31 U.S.C. 1346, or sec-
4 tion 708 of this Act, funds made available for the current
5 fiscal year by this or any other Act shall be available for
6 the interagency funding of national security and emer-
7 gency preparedness telecommunications initiatives which
8 benefit multiple Federal departments, agencies, or enti-
9 ties, as provided by Executive Order No. 13618 (July 6,
10 2012).

11 SEC. 712. (a) None of the funds made available by
12 this or any other Act may be obligated or expended by
13 any department, agency, or other instrumentality of the
14 Federal Government to pay the salaries or expenses of any
15 individual appointed to a position of a confidential or pol-
16 icy-determining character that is excepted from the com-
17 petitive service under section 3302 of title 5, United
18 States Code, (pursuant to schedule C of subpart C of part
19 213 of title 5 of the Code of Federal Regulations) unless
20 the head of the applicable department, agency, or other
21 instrumentality employing such schedule C individual cer-
22 tifies to the Director of the Office of Personnel Manage-
23 ment that the schedule C position occupied by the indi-
24 vidual was not created solely or primarily in order to detail
25 the individual to the White House.

1 (b) The provisions of this section shall not apply to
2 Federal employees or members of the armed forces de-
3 tailed to or from an element of the intelligence community
4 (as that term is defined under section 3(4) of the National
5 Security Act of 1947 (50 U.S.C. 3003(4))).

6 SEC. 713. No part of any appropriation contained in
7 this or any other Act shall be available for the payment
8 of the salary of any officer or employee of the Federal
9 Government, who—

10 (1) prohibits or prevents, or attempts or threat-
11 ens to prohibit or prevent, any other officer or em-
12 ployee of the Federal Government from having any
13 direct oral or written communication or contact with
14 any Member, committee, or subcommittee of the
15 Congress in connection with any matter pertaining
16 to the employment of such other officer or employee
17 or pertaining to the department or agency of such
18 other officer or employee in any way, irrespective of
19 whether such communication or contact is at the ini-
20 tiative of such other officer or employee or in re-
21 sponse to the request or inquiry of such Member,
22 committee, or subcommittee; or

23 (2) removes, suspends from duty without pay,
24 demotes, reduces in rank, seniority, status, pay, or
25 performance or efficiency rating, denies promotion

1 to, relocates, reassigns, transfers, disciplines, or dis-
2 criminates in regard to any employment right, enti-
3 tlement, or benefit, or any term or condition of em-
4 ployment of, any other officer or employee of the
5 Federal Government, or attempts or threatens to
6 commit any of the foregoing actions with respect to
7 such other officer or employee, by reason of any
8 communication or contact of such other officer or
9 employee with any Member, committee, or sub-
10 committee of the Congress as described in paragraph
11 (1).

12 SEC. 714. (a) None of the funds made available in
13 this or any other Act may be obligated or expended for
14 any employee training that—

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

18 (2) contains elements likely to induce high lev-
19 els of emotional response or psychological stress in
20 some participants;

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

24 (4) contains any methods or content associated
25 with religious or quasi-religious belief systems or

1 “new age” belief systems as defined in Equal Em-
2 ployment Opportunity Commission Notice N-
3 915.022, dated September 2, 1988; or

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

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

10 SEC. 715. No part of any funds appropriated in this
11 or any other Act shall be used by an agency of the execu-
12 tive branch, other than for normal and recognized execu-
13 tive-legislative relationships, for publicity or propaganda
14 purposes, and for the preparation, distribution or use of
15 any kit, pamphlet, booklet, publication, radio, television,
16 or film presentation designed to support or defeat legisla-
17 tion pending before the Congress, except in presentation
18 to the Congress itself.

19 SEC. 716. None of the funds appropriated by this or
20 any other Act may be used by an agency to provide a Fed-
21 eral employee’s home address to any labor organization
22 except when the employee has authorized such disclosure
23 or when such disclosure has been ordered by a court of
24 competent jurisdiction.

1 SEC. 717. None of the funds made available in this
2 or any other Act may be used to provide any non-public
3 information such as mailing, telephone, or electronic mail-
4 ing lists to any person or any organization outside of the
5 Federal Government without the approval of the Commit-
6 tees on Appropriations of the House of Representatives
7 and the Senate.

8 SEC. 718. No part of any appropriation contained in
9 this or any other Act shall be used directly or indirectly,
10 including by private contractor, for publicity or propa-
11 ganda purposes within the United States not heretofore
12 authorized by Congress.

13 SEC. 719. (a) In this section, the term “agency”—

14 (1) means an Executive agency, as defined
15 under 5 U.S.C. 105; and

16 (2) includes a military department, as defined
17 under section 102 of such title, the United States
18 Postal Service, and the Postal Regulatory Commis-
19 sion.

20 (b) Unless authorized in accordance with law or regu-
21 lations to use such time for other purposes, an employee
22 of an agency shall use official time in an honest effort
23 to perform official duties. An employee not under a leave
24 system, including a Presidential appointee exempted under
25 5 U.S.C. 6301(2), has an obligation to expend an honest

1 effort and a reasonable proportion of such employee's time
2 in the performance of official duties.

3 SEC. 720. Notwithstanding 31 U.S.C. 1346 and sec-
4 tion 708 of this Act, funds made available for the current
5 fiscal year by this or any other Act to any department
6 or agency, which is a member of the Federal Accounting
7 Standards Advisory Board (FASAB), shall be available to
8 finance an appropriate share of FASAB administrative
9 costs.

10 SEC. 721. Notwithstanding 31 U.S.C. 1346 and sec-
11 tion 708 of this Act, the head of each Executive depart-
12 ment and agency is hereby authorized to transfer to or
13 reimburse "General Services Administration, Government-
14 wide Policy" with the approval of the Director of the Of-
15 fice of Management and Budget, funds made available for
16 the current fiscal year by this or any other Act, including
17 rebates from charge card and other contracts: *Provided*,
18 That these funds shall be administered by the Adminis-
19 trator of General Services to support Government-wide
20 and other multi-agency financial, information technology,
21 procurement, and other management innovations, initia-
22 tives, and activities, including improving coordination and
23 reducing duplication, as approved by the Director of the
24 Office of Management and Budget, in consultation with
25 the appropriate interagency and multi-agency groups des-

1 ignated by the Director (including the President’s Man-
2 agement Council for overall management improvement ini-
3 tiatives, the Chief Financial Officers Council for financial
4 management initiatives, the Chief Information Officers
5 Council for information technology initiatives, the Chief
6 Human Capital Officers Council for human capital initia-
7 tives, the Chief Acquisition Officers Council for procure-
8 ment initiatives, and the Performance Improvement Coun-
9 cil for performance improvement initiatives): *Provided fur-*
10 *ther*, That the total funds transferred or reimbursed shall
11 not exceed \$15,000,000 to improve coordination, reduce
12 duplication, and for other activities related to Federal
13 Government Priority Goals established by 31 U.S.C. 1120,
14 and not to exceed \$17,000,000 for Government-wide inno-
15 vations, initiatives, and activities: *Provided further*, That
16 the funds transferred to or for reimbursement of “General
17 Services Administration, Government-wide Policy” during
18 fiscal year 2023 shall remain available for obligation
19 through September 30, 2024: *Provided further*, That such
20 transfers or reimbursements may only be made after 15
21 days following notification of the Committees on Appro-
22 priations of the House of Representatives and the Senate
23 by the Director of the Office of Management and Budget.

24 SEC. 722. Notwithstanding any other provision of
25 law, a woman may breastfeed her child at any location

1 in a Federal building or on Federal property, if the woman
2 and her child are otherwise authorized to be present at
3 the location.

4 SEC. 723. Notwithstanding 31 U.S.C. 1346, or sec-
5 tion 708 of this Act, funds made available for the current
6 fiscal year by this or any other Act shall be available for
7 the interagency funding of specific projects, workshops,
8 studies, and similar efforts to carry out the purposes of
9 the National Science and Technology Council (authorized
10 by Executive Order No. 12881), which benefit multiple
11 Federal departments, agencies, or entities: *Provided*, That
12 the Office of Management and Budget shall provide a re-
13 port describing the budget of and resources connected with
14 the National Science and Technology Council to the Com-
15 mittees on Appropriations, the House Committee on
16 Science, Space, and Technology, and the Senate Com-
17 mittee on Commerce, Science, and Transportation 90 days
18 after enactment of this Act.

19 SEC. 724. Any request for proposals, solicitation,
20 grant application, form, notification, press release, or
21 other publications involving the distribution of Federal
22 funds shall comply with any relevant requirements in part
23 200 of title 2, Code of Federal Regulations: *Provided*,
24 That this section shall apply to direct payments, formula

1 funds, and grants received by a State receiving Federal
2 funds.

3 SEC. 725. (a) PROHIBITION OF FEDERAL AGENCY
4 MONITORING OF INDIVIDUALS' INTERNET USE.—None of
5 the funds made available in this or any other Act may
6 be used by any Federal agency—

7 (1) to collect, review, or create any aggregation
8 of data, derived from any means, that includes any
9 personally identifiable information relating to an in-
10 dividual's access to or use of any Federal Govern-
11 ment Internet site of the agency; or

12 (2) to enter into any agreement with a third
13 party (including another government agency) to col-
14 lect, review, or obtain any aggregation of data, de-
15 rived from any means, that includes any personally
16 identifiable information relating to an individual's
17 access to or use of any nongovernmental Internet
18 site.

19 (b) EXCEPTIONS.—The limitations established in
20 subsection (a) shall not apply to—

21 (1) any record of aggregate data that does not
22 identify particular persons;

23 (2) any voluntary submission of personally iden-
24 tifiable information;

1 (3) any action taken for law enforcement, regu-
2 latory, or supervisory purposes, in accordance with
3 applicable law; or

4 (4) any action described in subsection (a)(1)
5 that is a system security action taken by the oper-
6 ator of an Internet site and is necessarily incident
7 to providing the Internet site services or to pro-
8 tecting the rights or property of the provider of the
9 Internet site.

10 (c) DEFINITIONS.—For the purposes of this section:

11 (1) The term “regulatory” means agency ac-
12 tions to implement, interpret or enforce authorities
13 provided in law.

14 (2) The term “supervisory” means examina-
15 tions of the agency’s supervised institutions, includ-
16 ing assessing safety and soundness, overall financial
17 condition, management practices and policies and
18 compliance with applicable standards as provided in
19 law.

20 SEC. 726. (a) None of the funds appropriated by this
21 Act may be used to enter into or renew a contract which
22 includes a provision providing prescription drug coverage,
23 except where the contract also includes a provision for con-
24 traceptive coverage.

1 (b) Nothing in this section shall apply to a contract
2 with—

3 (1) any of the following religious plans:

4 (A) Personal Care's HMO; and

5 (B) OSF HealthPlans, Inc.; and

6 (2) any existing or future plan, if the carrier
7 for the plan objects to such coverage on the basis of
8 religious beliefs.

9 (c) In implementing this section, any plan that enters
10 into or renews a contract under this section may not sub-
11 ject any individual to discrimination on the basis that the
12 individual refuses to prescribe or otherwise provide for
13 contraceptives because such activities would be contrary
14 to the individual's religious beliefs or moral convictions.

15 (d) Nothing in this section shall be construed to re-
16 quire coverage of abortion or abortion-related services.

17 SEC. 727. The United States is committed to ensur-
18 ing the health of its Olympic, Pan American, and
19 Paralympic athletes, and supports the strict adherence to
20 anti-doping in sport through testing, adjudication, edu-
21 cation, and research as performed by nationally recognized
22 oversight authorities.

23 SEC. 728. Notwithstanding any other provision of
24 law, funds appropriated for official travel to Federal de-
25 partments and agencies may be used by such departments

1 and agencies, if consistent with Office of Management and
2 Budget Circular A-126 regarding official travel for Gov-
3 ernment personnel, to participate in the fractional aircraft
4 ownership pilot program.

5 SEC. 729. Notwithstanding any other provision of
6 law, none of the funds appropriated or made available
7 under this or any other appropriations Act may be used
8 to implement or enforce restrictions or limitations on the
9 Coast Guard Congressional Fellowship Program, or to im-
10 plement the proposed regulations of the Office of Per-
11 sonnel Management to add sections 300.311 through
12 300.316 to part 300 of title 5 of the Code of Federal Reg-
13 ulations, published in the Federal Register, volume 68,
14 number 174, on September 9, 2003 (relating to the detail
15 of executive branch employees to the legislative branch).

16 SEC. 730. Notwithstanding any other provision of
17 law, no executive branch agency shall purchase, construct,
18 or lease any additional facilities, except within or contig-
19 uous to existing locations, to be used for the purpose of
20 conducting Federal law enforcement training without the
21 advance approval of the Committees on Appropriations of
22 the House of Representatives and the Senate, except that
23 the Federal Law Enforcement Training Centers is author-
24 ized to obtain the temporary use of additional facilities

1 by lease, contract, or other agreement for training which
2 cannot be accommodated in existing Centers facilities.

3 SEC. 731. Unless otherwise authorized by existing
4 law, none of the funds provided in this or any other Act
5 may be used by an executive branch agency to produce
6 any prepackaged news story intended for broadcast or dis-
7 tribution in the United States, unless the story includes
8 a clear notification within the text or audio of the pre-
9 packaged news story that the prepackaged news story was
10 prepared or funded by that executive branch agency.

11 SEC. 732. None of the funds made available in this
12 Act may be used in contravention of section 552a of title
13 5, United States Code (popularly known as the Privacy
14 Act), and regulations implementing that section.

15 SEC. 733. (a) IN GENERAL.—None of the funds ap-
16 propriated or otherwise made available by this or any
17 other Act may be used for any Federal Government con-
18 tract with any foreign incorporated entity which is treated
19 as an inverted domestic corporation under section 835(b)
20 of the Homeland Security Act of 2002 (6 U.S.C. 395(b))
21 or any subsidiary of such an entity.

22 (b) WAIVERS.—

23 (1) IN GENERAL.—Any Secretary shall waive
24 subsection (a) with respect to any Federal Govern-
25 ment contract under the authority of such Secretary

1 if the Secretary determines that the waiver is re-
2 quired in the interest of national security.

3 (2) REPORT TO CONGRESS.—Any Secretary
4 issuing a waiver under paragraph (1) shall report
5 such issuance to Congress.

6 (c) EXCEPTION.—This section shall not apply to any
7 Federal Government contract entered into before the date
8 of the enactment of this Act, or to any task order issued
9 pursuant to such contract.

10 SEC. 734. During fiscal year 2023, for each employee
11 who—

12 (1) retires under section 8336(d)(2) or
13 8414(b)(1)(B) of title 5, United States Code; or

14 (2) retires under any other provision of sub-
15 chapter III of chapter 83 or chapter 84 of such title
16 5 and receives a payment as an incentive to sepa-
17 rate, the separating agency shall remit to the Civil
18 Service Retirement and Disability Fund an amount
19 equal to the Office of Personnel Management's aver-
20 age unit cost of processing a retirement claim for
21 the preceding fiscal year. Such amounts shall be
22 available until expended to the Office of Personnel
23 Management and shall be deemed to be an adminis-
24 trative expense under section 8348(a)(1)(B) of title
25 5, United States Code.

1 SEC. 735. None of the funds made available in this
2 or any other Act may be used to pay for the painting of
3 a portrait of an officer or employee of the Federal Govern-
4 ment, including the President, the Vice President, a mem-
5 ber of Congress (including a Delegate or a Resident Com-
6 missioner to Congress), the head of an executive branch
7 agency (as defined in section 133 of title 41, United States
8 Code), or the head of an office of the legislative branch.

9 SEC. 736. (a)(1) Notwithstanding any other provision
10 of law, and except as otherwise provided in this section,
11 no part of any of the funds appropriated for fiscal year
12 2023, by this or any other Act, may be used to pay any
13 prevailing rate employee described in section
14 5342(a)(2)(A) of title 5, United States Code—

15 (A) during the period from the date of expira-
16 tion of the limitation imposed by the comparable sec-
17 tion for the previous fiscal years until the normal ef-
18 fective date of the applicable wage survey adjust-
19 ment that is to take effect in fiscal year 2023, in an
20 amount that exceeds the rate payable for the appli-
21 cable grade and step of the applicable wage schedule
22 in accordance with such section; and

23 (B) during the period consisting of the remain-
24 der of fiscal year 2023, in an amount that exceeds,
25 as a result of a wage survey adjustment, the rate

1 payable under subparagraph (A) by more than the
2 sum of—

3 (i) the percentage adjustment taking effect
4 in fiscal year 2023 under section 5303 of title
5 5, United States Code, in the rates of pay
6 under the General Schedule; and
7 (ii) the difference between the overall aver-
8 age percentage of the locality-based com-
9 parability payments taking effect in fiscal year
10 2023 under section 5304 of such title (whether
11 by adjustment or otherwise), and the overall av-
12 erage percentage of such payments which was
13 effective in the previous fiscal year under such
14 section.

15 (2) Notwithstanding any other provision of law, no
16 prevailing rate employee described in subparagraph (B) or
17 (C) of section 5342(a)(2) of title 5, United States Code,
18 and no employee covered by section 5348 of such title,
19 may be paid during the periods for which paragraph (1)
20 is in effect at a rate that exceeds the rates that would
21 be payable under paragraph (1) were paragraph (1) appli-
22 cable to such employee.

23 (3) For the purposes of this subsection, the rates pay-
24 able to an employee who is covered by this subsection and
25 who is paid from a schedule not in existence on September

1 30, 2022, shall be determined under regulations pre-
2 scribed by the Office of Personnel Management.

3 (4) Notwithstanding any other provision of law, rates
4 of premium pay for employees subject to this subsection
5 may not be changed from the rates in effect on September
6 30, 2022, except to the extent determined by the Office
7 of Personnel Management to be consistent with the pur-
8 pose of this subsection.

9 (5) This subsection shall apply with respect to pay
10 for service performed after September 30, 2022.

11 (6) For the purpose of administering any provision
12 of law (including any rule or regulation that provides pre-
13 mium pay, retirement, life insurance, or any other em-
14 ployee benefit) that requires any deduction or contribu-
15 tion, or that imposes any requirement or limitation on the
16 basis of a rate of salary or basic pay, the rate of salary
17 or basic pay payable after the application of this sub-
18 section shall be treated as the rate of salary or basic pay.

19 (7) Nothing in this subsection shall be considered to
20 permit or require the payment to any employee covered
21 by this subsection at a rate in excess of the rate that would
22 be payable were this subsection not in effect.

23 (8) The Office of Personnel Management may provide
24 for exceptions to the limitations imposed by this sub-
25 section if the Office determines that such exceptions are

1 necessary to ensure the recruitment or retention of quali-
2 fied employees.

3 (b) Notwithstanding subsection (a), the adjustment
4 in rates of basic pay for the statutory pay systems that
5 take place in fiscal year 2023 under sections 5344 and
6 5348 of title 5, United States Code, shall be—

7 (1) not less than the percentage received by em-
8 ployees in the same location whose rates of basic pay
9 are adjusted pursuant to the statutory pay systems
10 under sections 5303 and 5304 of title 5, United
11 States Code: *Provided*, That prevailing rate employ-
12 ees at locations where there are no employees whose
13 pay is increased pursuant to sections 5303 and 5304
14 of title 5, United States Code, and prevailing rate
15 employees described in section 5343(a)(5) of title 5,
16 United States Code, shall be considered to be located
17 in the pay locality designated as “Rest of United
18 States” pursuant to section 5304 of title 5, United
19 States Code, for purposes of this subsection; and

20 (2) effective as of the first day of the first ap-
21 plicable pay period beginning after September 30,
22 2022.

23 SEC. 737. (a) The head of any Executive branch de-
24 partment, agency, board, commission, or office funded by
25 this or any other appropriations Act shall submit annual

1 reports to the Inspector General or senior ethics official
2 for any entity without an Inspector General, regarding the
3 costs and contracting procedures related to each con-
4 ference held by any such department, agency, board, com-
5 mission, or office during fiscal year 2023 for which the
6 cost to the United States Government was more than
7 \$100,000.

8 (b) Each report submitted shall include, for each con-
9 ference described in subsection (a) held during the applica-
10 ble period—

11 (1) a description of its purpose;

12 (2) the number of participants attending;

13 (3) a detailed statement of the costs to the
14 United States Government, including—

15 (A) the cost of any food or beverages;

16 (B) the cost of any audio-visual services;

17 (C) the cost of employee or contractor
18 travel to and from the conference; and

19 (D) a discussion of the methodology used
20 to determine which costs relate to the con-
21 ference; and

22 (4) a description of the contracting procedures
23 used including—

24 (A) whether contracts were awarded on a
25 competitive basis; and

1 (B) a discussion of any cost comparison
2 conducted by the departmental component or
3 office in evaluating potential contractors for the
4 conference.

5 (c) Within 15 days after the end of a quarter, the
6 head of any such department, agency, board, commission,
7 or office shall notify the Inspector General or senior ethics
8 official for any entity without an Inspector General, of the
9 date, location, and number of employees attending a con-
10 ference held by any Executive branch department, agency,
11 board, commission, or office funded by this or any other
12 appropriations Act during fiscal year 2023 for which the
13 cost to the United States Government was more than
14 \$20,000.

15 (d) A grant or contract funded by amounts appro-
16 priated by this or any other appropriations Act may not
17 be used for the purpose of defraying the costs of a con-
18 ference described in subsection (c) that is not directly and
19 programmatically related to the purpose for which the
20 grant or contract was awarded, such as a conference held
21 in connection with planning, training, assessment, review,
22 or other routine purposes related to a project funded by
23 the grant or contract.

24 (e) None of the funds made available in this or any
25 other appropriations Act may be used for travel and con-

1 ference activities that are not in compliance with Office
2 of Management and Budget Memorandum M-12-12
3 dated May 11, 2012 or any subsequent revisions to that
4 memorandum.

5 SEC. 738. None of the funds made available in this
6 or any other appropriations Act may be used to increase,
7 eliminate, or reduce funding for a program, project, or ac-
8 tivity as proposed in the President’s budget request for
9 a fiscal year until such proposed change is subsequently
10 enacted in an appropriation Act, or unless such change
11 is made pursuant to the reprogramming or transfer provi-
12 sions of this or any other appropriations Act.

13 SEC. 739. None of the funds made available by this
14 or any other Act may be used to implement, administer,
15 enforce, or apply the rule entitled “Competitive Area”
16 published by the Office of Personnel Management in the
17 Federal Register on April 15, 2008 (73 Fed. Reg. 20180
18 et seq.).

19 SEC. 740. None of the funds appropriated or other-
20 wise made available by this or any other Act may be used
21 to begin or announce a study or public-private competition
22 regarding the conversion to contractor performance of any
23 function performed by Federal employees pursuant to Of-
24 fice of Management and Budget Circular A-76 or any
25 other administrative regulation, directive, or policy.

1 SEC. 741. (a) None of the funds appropriated or oth-
2 erwise made available by this or any other Act may be
3 available for a contract, grant, or cooperative agreement
4 with an entity that requires employees or contractors of
5 such entity seeking to report fraud, waste, or abuse to sign
6 internal confidentiality agreements or statements prohib-
7 iting or otherwise restricting such employees or contrac-
8 tors from lawfully reporting such waste, fraud, or abuse
9 to a designated investigative or law enforcement represent-
10 ative of a Federal department or agency authorized to re-
11 ceive such information.

12 (b) The limitation in subsection (a) shall not con-
13 travene requirements applicable to Standard Form 312,
14 Form 4414, or any other form issued by a Federal depart-
15 ment or agency governing the nondisclosure of classified
16 information.

17 SEC. 742. (a) No funds appropriated in this or any
18 other Act may be used to implement or enforce the agree-
19 ments in Standard Forms 312 and 4414 of the Govern-
20 ment or any other nondisclosure policy, form, or agree-
21 ment if such policy, form, or agreement does not contain
22 the following provisions: “These provisions are consistent
23 with and do not supersede, conflict with, or otherwise alter
24 the employee obligations, rights, or liabilities created by
25 existing statute or Executive order relating to (1) classi-

1 fied information, (2) communications to Congress or the
2 Office of Special Counsel, (3) the reporting to an Inspec-
3 tor General of a violation of any law, rule, or regulation,
4 or mismanagement, a gross waste of funds, an abuse of
5 authority, or a substantial and specific danger to public
6 health or safety, or (4) any other whistleblower protection.
7 The definitions, requirements, obligations, rights, sanc-
8 tions, and liabilities created by controlling Executive or-
9 ders and statutory provisions are incorporated into this
10 agreement and are controlling.”: *Provided*, That notwith-
11 standing the preceding provision of this section, a non-
12 disclosure policy form or agreement that is to be executed
13 by a person connected with the conduct of an intelligence
14 or intelligence-related activity, other than an employee or
15 officer of the United States Government, may contain pro-
16 visions appropriate to the particular activity for which
17 such document is to be used. Such form or agreement
18 shall, at a minimum, require that the person will not dis-
19 close any classified information received in the course of
20 such activity unless specifically authorized to do so by the
21 United States Government. Such nondisclosure forms
22 shall also make it clear that they do not bar disclosures
23 to Congress, or to an authorized official of an executive
24 agency or the Department of Justice, that are essential
25 to reporting a substantial violation of law.

1 (b) A nondisclosure agreement may continue to be
2 implemented and enforced notwithstanding subsection (a)
3 if it complies with the requirements for such agreement
4 that were in effect when the agreement was entered into.

5 (c) No funds appropriated in this or any other Act
6 may be used to implement or enforce any agreement en-
7 tered into during fiscal year 2023 which does not contain
8 substantially similar language to that required in sub-
9 section (a).

10 SEC. 743. None of the funds made available by this
11 or any other Act may be used to enter into a contract,
12 memorandum of understanding, or cooperative agreement
13 with, make a grant to, or provide a loan or loan guarantee
14 to, any corporation that has any unpaid Federal tax liabil-
15 ity that has been assessed, for which all judicial and ad-
16 ministrative remedies have been exhausted or have lapsed,
17 and that is not being paid in a timely manner pursuant
18 to an agreement with the authority responsible for col-
19 lecting the tax liability, where the awarding agency is
20 aware of the unpaid tax liability, unless a Federal agency
21 has considered suspension or debarment of the corporation
22 and has made a determination that this further action is
23 not necessary to protect the interests of the Government.

24 SEC. 744. None of the funds made available by this
25 or any other Act may be used to enter into a contract,

1 memorandum of understanding, or cooperative agreement
2 with, make a grant to, or provide a loan or loan guarantee
3 to, any corporation that was convicted of a felony criminal
4 violation under any Federal law within the preceding 24
5 months, where the awarding agency is aware of the convic-
6 tion, unless a Federal agency has considered suspension
7 or debarment of the corporation and has made a deter-
8 mination that this further action is not necessary to pro-
9 tect the interests of the Government.

10 SEC. 745. (a) During fiscal year 2023, on the date
11 on which a request is made for a transfer of funds in ac-
12 cordance with section 1017 of Public Law 111–203, the
13 Bureau of Consumer Financial Protection shall notify the
14 Committees on Appropriations of the House of Represent-
15 atives and the Senate, the Committee on Financial Serv-
16 ices of the House of Representatives, and the Committee
17 on Banking, Housing, and Urban Affairs of the Senate
18 of such request.

19 (b) Any notification required by this section shall be
20 made available on the Bureau’s public website.

21 SEC. 746. (a) Notwithstanding any official rate ad-
22 justed under section 104 of title 3, United States Code,
23 the rate payable to the Vice President during calendar
24 year 2023 shall be the rate payable to the Vice President

1 on December 31, 2022, by operation of section 747 of divi-
2 sion E of Public Law 117–103.

3 (b) Notwithstanding any official rate adjusted under
4 section 5318 of title 5, United States Code, or any other
5 provision of law, the payable rate during calendar year
6 2023 for an employee serving in an Executive Schedule
7 position, or in a position for which the rate of pay is fixed
8 by statute at an Executive Schedule rate, shall be the rate
9 payable for the applicable Executive Schedule level on De-
10 cember 31, 2022, by operation of section 747 of division
11 E of Public Law 117–103. Such an employee may not re-
12 ceive a rate increase during calendar year 2023, except
13 as provided in subsection (i).

14 (c) Notwithstanding section 401 of the Foreign Serv-
15 ice Act of 1980 (Public Law 96–465) or any other provi-
16 sion of law, a chief of mission or ambassador at large is
17 subject to subsection (b) in the same manner as other em-
18 ployees who are paid at an Executive Schedule rate.

19 (d)(1) This subsection applies to—

20 (A) a noncareer appointee in the Senior
21 Executive Service paid a rate of basic pay at or
22 above the official rate for level IV of the Execu-
23 tive Schedule; or

24 (B) a limited term appointee or limited
25 emergency appointee in the Senior Executive

1 Service serving under a political appointment
2 and paid a rate of basic pay at or above the of-
3 ficial rate for level IV of the Executive Sched-
4 ule.

5 (2) Notwithstanding sections 5382 and 5383 of
6 title 5, United States Code, an employee described
7 in paragraph (1) may not receive a pay rate increase
8 during calendar year 2023, except as provided in
9 subsection (i).

10 (e) Notwithstanding any other provision of law, any
11 employee paid a rate of basic pay (including any locality-
12 based payments under section 5304 of title 5, United
13 States Code, or similar authority) at or above the official
14 rate for level IV of the Executive Schedule who serves
15 under a political appointment may not receive a pay rate
16 increase during calendar year 2023, except as provided in
17 subsection (i). This subsection does not apply to employees
18 in the General Schedule pay system or the Foreign Service
19 pay system, to employees appointed under section 3161
20 of title 5, United States Code, or to employees in another
21 pay system whose position would be classified at GS-15
22 or below if chapter 51 of title 5, United States Code, ap-
23 plied to them.

24 (f) Nothing in subsections (b) through (e) shall pre-
25 vent employees who do not serve under a political appoint-

1 ment from receiving pay increases as otherwise provided
2 under applicable law.

3 (g) This section does not apply to an individual who
4 makes an election to retain Senior Executive Service basic
5 pay under section 3392(c) of title 5, United States Code,
6 for such time as that election is in effect.

7 (h) This section does not apply to an individual who
8 makes an election to retain Senior Foreign Service pay
9 entitlements under section 302(b) of the Foreign Service
10 Act of 1980 (Public Law 96–465) for such time as that
11 election is in effect.

12 (i) Notwithstanding subsections (b) through (e), an
13 employee in a covered position may receive a pay rate in-
14 crease upon an authorized movement to a different cov-
15 ered position only if that new position has higher-level du-
16 ties and a pre-established level or range of pay higher than
17 the level or range for the position held immediately before
18 the movement. Any such increase must be based on the
19 rates of pay and applicable limitations on payable rates
20 of pay in effect on December 31, 2022, by operation of
21 section 747 of division E of Public Law 117–103.

22 (j) Notwithstanding any other provision of law, for
23 an individual who is newly appointed to a covered position
24 during the period of time subject to this section, the initial
25 pay rate shall be based on the rates of pay and applicable

1 limitations on payable rates of pay in effect on December
2 31, 2022, by operation of section 747 of division E of Pub-
3 lic Law 117–103.

4 (k) If an employee affected by this section is subject
5 to a biweekly pay period that begins in calendar year 2023
6 but ends in calendar year 2024, the bar on the employee’s
7 receipt of pay rate increases shall apply through the end
8 of that pay period.

9 (l) For the purpose of this section, the term “covered
10 position” means a position occupied by an employee whose
11 pay is restricted under this section.

12 (m) This section takes effect on the first day of the
13 first applicable pay period beginning on or after January
14 1, 2023.

15 SEC. 747. In the event of a violation of the Impound-
16 ment Control Act of 1974, the President or the head of
17 the relevant department or agency, as the case may be,
18 shall report immediately to the Congress all relevant facts
19 and a statement of actions taken: *Provided*, That a copy
20 of each report shall also be transmitted to the Committees
21 on Appropriations of the House of Representatives and the
22 Senate and the Comptroller General on the same date the
23 report is transmitted to the Congress.

24 SEC. 748. During the current fiscal year—

1 (a) with respect to budget authority proposed to be
2 rescinded or that is set to be reserved or proposed to be
3 deferred in a special message transmitted under section
4 1012 or 1013 of the Congressional Budget and Impound-
5 ment Control Act of 1974, such budget authority—

6 (1) shall be made available for obligation in suf-
7 ficient time to be prudently obligated as required
8 under section 1012(b) or 1013 of such Act; and

9 (2) may not be deferred or otherwise withheld
10 from obligation during the 90-day period before the
11 expiration of the period of availability of such budget
12 authority, including, if applicable, the 90-day period
13 before the expiration of an initial period of avail-
14 ability for which such budget authority was pro-
15 vided.

16 (b) With respect to an apportionment of an appro-
17 priation made pursuant to section 1513(b) of title 31,
18 United States Code, an appropriation (as that term is de-
19 fined in section 1511 of title 31, United States Code) shall
20 be apportioned—

21 (1) to make available all amounts for obligation
22 in sufficient time to be prudently obligated; and

23 (2) to make available all amounts for obligation,
24 without precondition (including footnotes) that shall
25 be met prior to obligation, not later than 90 days be-

1 fore the expiration of the period of availability of
2 such appropriation, including, if applicable, 90 days
3 before the expiration of an initial period of avail-
4 ability for which such appropriation was provided.

5 (c) As used in this section, the term “budget author-
6 ity” includes budget authority made available by this or
7 any other Act, by prior appropriations Acts, or by any law
8 other than an appropriations Act.

9 (d)(1) The Comptroller General shall review compli-
10 ance with this section and shall submit to the Committees
11 on Appropriations and the Budget, and any other appro-
12 priate congressional committees of the House of Rep-
13 resentatives and Senate a report, and any relevant infor-
14 mation related to the report, on any noncompliance with
15 this section or the Impoundment Control Act of 1974.

16 (2) The President or the head of the relevant depart-
17 ment or agency of the United States shall provide informa-
18 tion, documentation, and views to the Comptroller Gen-
19 eral, as is determined by the Comptroller General to be
20 necessary to determine such compliance, not later than 20
21 days after the date on which the request from the Comp-
22 troller General is received, or if the Comptroller General
23 determines that a shorter or longer period is appropriate
24 based on the specific circumstances, within such shorter
25 or longer period.

1 (3) To carry out the responsibilities of this section
2 and the Impoundment Control Act of 1974, the Comp-
3 troller General shall also have access to interview the offi-
4 cers, employees, contractors, and other agents and rep-
5 resentatives of a department, agency, or office of the
6 United States at any reasonable time as the Comptroller
7 General may request.

8 (e)(1) An officer or employee of the Executive Branch
9 of the United States Government violating this section
10 shall be subject to appropriate administrative discipline in-
11 cluding, when circumstances warrant, suspension from
12 duty without pay or removal from office.

13 (2) In the event of a violation of this section, or in
14 the case that the Government Accountability Office issues
15 a legal decision concluding that a department, agency, or
16 office of the United States violated this section, the Presi-
17 dent or the head of the relevant department or agency as
18 the case may be, shall report immediately to the Congress
19 all relevant facts and a statement of actions taken: *Pro-*
20 *vided*, That a copy of each report shall also be transmitted
21 to the Comptroller General and the relevant inspector gen-
22 eral on the same date the report is transmitted to the Con-
23 gress.

24 (3) Any such report shall include a summary of the
25 facts pertaining to the violation, the title and Treasury

1 Appropriation Fund Symbol of the appropriation or fund
2 account, the amount involved for each violation, the date
3 on which the violation occurred, the position of any indi-
4 viduals responsible for the violation, a statement of the
5 administrative discipline imposed and any further action
6 taken with respect to any officer or employee involved in
7 the violation, a statement of any additional action taken
8 to prevent recurrence of the same type of violation, and
9 any written response by any officer or employee identified
10 by position as involved in the violation: *Provided*, That in
11 the case that the Government Accountability Office issues
12 a legal decision concluding that a department, agency, or
13 office of the United States violated this section and the
14 relevant department, agency, or office does not agree that
15 a violation has occurred, the report provided to Congress,
16 the Comptroller General, and relevant inspector general
17 will explain such department, agency, or office's position.

18 SEC. 749. (a) If an executive agency or the District
19 of Columbia government receives a written request for in-
20 formation, documentation, or views from the Government
21 Accountability Office relating to a decision or opinion on
22 budget or appropriations law, the executive agency or the
23 District of Columbia government shall provide the re-
24 quested information, documentation, or views not later

1 than 20 days after receiving the written request, unless
2 such written request specifically provides otherwise.

3 (b) If an executive agency or the District of Columbia
4 government fails to respond to the request for information,
5 documentation, or views within the time required by this
6 section—

7 (1) the Comptroller General shall notify, in
8 writing, the Committee on Oversight and Reform of
9 the House of Representatives, the Committee on
10 Homeland Security and Governmental Affairs of the
11 Senate, and any other appropriate congressional
12 committee of the House of Representatives and the
13 Senate of such failure; and

14 (2) the Comptroller General is hereby expressly
15 empowered, through attorneys of their own selection,
16 to bring a civil action in the United States District
17 Court for the District of Columbia to require such
18 information, documentation, or views to be pro-
19 duced, and such court is expressly empowered to
20 enter in such civil action, against any department,
21 agency, officer, or employee of the United States,
22 any decree, judgment, or order which may be nec-
23 essary or appropriate to require such production.

24 (c) If the Government Accountability Office deter-
25 mines that an officer or employee of an executive agency

1 or an officer or employee of the District of Columbia gov-
2 ernment has violated section 1341(a), 1342, or 1517(a)
3 of title 31, United States Code, the head of the agency
4 or the Mayor of the District of Columbia, as the case may
5 be, shall report immediately to the President and Congress
6 all relevant facts and a statement of actions taken: *Pro-*
7 *vided*, That a copy of each report shall also be transmitted
8 to the Comptroller General on the same date the report
9 is transmitted to the President and Congress: *Provided*
10 *further*, That in the case that the Government Account-
11 ability Office issues a legal decision concluding that sec-
12 tion 1341(a), 1342, or 1517(a) of title 31, United States
13 Code was violated, and the executive agency or District
14 of Columbia government, as applicable, does not agree
15 that a violation has occurred, the report provided to the
16 President, the Congress, and the Comptroller General will
17 explain its position.

18 (d) The report required by subsection (c) and any re-
19 port required by section 1351 or section 1517(b) of title
20 31, United States Code, shall include a summary of the
21 facts pertaining to the violation, the title and Treasury
22 Appropriation Fund Symbol of the appropriation or fund
23 account, the amount involved for each violation, the date
24 on which the violation occurred, the position of any officer
25 or employee responsible for the violation, a statement of

1 the administrative discipline imposed and any further ac-
2 tion taken with respect to any officer or employee involved
3 in the violation, a statement of any additional action taken
4 to prevent recurrence of the same type of violation, a
5 statement of any determination that the violation was not
6 knowing and willful that has been made by the executive
7 agency or District of Columbia government, and any writ-
8 ten response by any officer or employee identified by posi-
9 tion as involved in the violation.

10 SEC. 750. (a) Each department or agency of the exec-
11 utive branch of the United States Government shall notify
12 the Committees on Appropriations and the Budget of the
13 House of Representatives and the Senate and any other
14 appropriate congressional committees if—

15 (1) an apportionment is not made in the re-
16 quired time period provided in section 1513(b) of
17 title 31, United States Code;

18 (2) an approved apportionment received by the
19 department or agency conditions the availability of
20 an appropriation on further action; or

21 (3) an approved apportionment received by the
22 department or agency may hinder the prudent obli-
23 gation of such appropriation or the execution of a
24 program, project, or activity by such department or
25 agency.

1 (b) Any notification submitted to a congressional
2 committee pursuant to this section shall contain informa-
3 tion identifying the bureau, account name, appropriation
4 name, and Treasury Appropriation Fund Symbol or fund
5 account.

6 SEC. 751. (a) ESTABLISHMENT.—There is hereby es-
7 tablished the Commission on Federal Naming and Dis-
8 plays (hereinafter referred to as the “Commission”).

9 (b) DUTIES.—

10 (1) DEVELOPMENT OF LIST.—Not later than
11 180 days after the day by which all of its members
12 have been appointed, the Commission, with input
13 from the general public, shall develop and publish a
14 list of property names, monuments, statues, public
15 artworks, historical markers, and other symbols
16 owned by the Federal government or located on
17 property owned by the Federal government (includ-
18 ing the legislative branch and the judicial branch)
19 which the Commission identifies as inconsistent with
20 the values of diversity, equity, and inclusion, includ-
21 ing those that do not represent the demographic di-
22 versity and history of the community.

23 (2) RECOMMENDATIONS.—Not later than 180
24 days after publishing the list under paragraph (1),
25 and after holding not fewer than two public meet-

1 ings, the Commission shall submit to the President
2 and Congress a report containing the following in-
3 formation:

4 (A) A recommendation regarding whether
5 each property name, monument, statue, public
6 artwork, historical marker, or other symbol on
7 the list developed under paragraph (1) should
8 remain unchanged or should be renamed or re-
9 moved.

10 (B) Supporting materials and context in-
11 formation for each recommendation under sub-
12 paragraph (A).

13 (C) Such other recommendations as the
14 Commission may consider appropriate, includ-
15 ing recommendations for educational programs,
16 supplemental historical markers, or other activi-
17 ties to promote diversity, equity, and inclusion
18 and to promote national reconciliation.

19 (3) SEPARATE VIEWS OF MEMBERS.—The Com-
20 mission may include in the report submitted under
21 paragraph (2) supplemental or dissenting rec-
22 ommendations from individual members of the Com-
23 mission.

24 (c) MEMBERSHIP.—

1 (1) APPOINTMENT.—The Commission shall con-
2 sist of the following:

3 (A) Two members appointed by the Presi-
4 dent.

5 (B) Two members appointed by the Speak-
6 er of the House of Representatives.

7 (C) Two members appointed by the Major-
8 ity Leader of the Senate.

9 (D) One member appointed by the Minor-
10 ity Leader of the House of Representatives.

11 (E) One member appointed by the Minor-
12 ity Leader of the Senate.

13 (F) Each of the following individuals:

14 (i) The Secretary of the Smithsonian
15 Institution.

16 (ii) The Historian of the House of
17 Representatives.

18 (iii) The Historian of the Senate.

19 (2) QUALIFICATIONS.—Each member of the
20 Commission appointed under subparagraphs (A)
21 through (E) of paragraph (1) shall have 10 or more
22 years of educational and professional experience in
23 one or more of the following disciplines:

24 (A) History.

25 (B) Art and antiquities.

1 (C) Historic preservation.

2 (D) Cultural heritage.

3 (E) Education.

4 (3) NO COMPENSATION FOR SERVICE; TRAVEL
5 EXPENSES.—Members of the Commission shall serve
6 without pay, but each member shall receive travel
7 expenses, including per diem in lieu of subsistence,
8 in accordance with applicable provisions under sub-
9 chapter I of chapter 57 of title 5, United States
10 Code.

11 (4) DEADLINE FOR APPOINTMENT.—The mem-
12 bers of the Commission shall be appointed not later
13 than 45 days after the date of the enactment of this
14 Act.

15 (5) CO-CHAIRS.—Not later than 10 days after
16 the first meeting of the Commission, the members of
17 the Commission shall select two co-chairs from
18 among the members.

19 (d) POWERS.—

20 (1) HEARINGS AND SESSIONS.—The Commis-
21 sion may, for the purpose of carrying out this Act,
22 hold hearings, sit and act at times and places, take
23 testimony, and receive evidence as the Commission
24 considers appropriate, except that the Commission
25 shall hold its initial meeting not later than 10 days

1 after the day by which all of its members have been
2 appointed.

3 (2) OBTAINING OFFICIAL DATA.—The Commis-
4 sion may secure directly from any department or
5 agency of the United States information necessary
6 to enable it to carry out its duties. Upon request of
7 the Commission, the head of that department or
8 agency shall furnish that information to the Com-
9 mission.

10 (3) MAILS.—The Commission may use the
11 United States mails in the same manner and under
12 the same conditions as other departments and agen-
13 cies of the United States.

14 (4) ADMINISTRATIVE SUPPORT SERVICES.—
15 Upon the request of the Commission, the Librarian
16 of Congress shall provide to the Commission, on a
17 reimbursable basis, the administrative support serv-
18 ices necessary for the Commission to carry out its
19 duties.

20 (5) STAFF OF FEDERAL AGENCIES.—Upon the
21 request of the Commission, the head of any Federal
22 department or agency may detail any of the per-
23 sonnel of that department or agency to the Commis-
24 sion to assist it in carrying out its duties. Any per-
25 sonnel detailed to the Commission under this para-

1 graph may receive travel expenses, including per
2 diem in lieu of subsistence, in accordance with appli-
3 cable provisions under subchapter I of chapter 57 of
4 title 5, United States Code.

5 (6) CONTRACT AUTHORITY.—The Commission
6 may contract with and compensate government and
7 private agencies or persons for goods and services,
8 without regard to section 6101 of title 41, United
9 States Code.

10 (e) FUNDING.—There is hereby appropriated
11 \$1,500,000, to remain available until expended, to carry
12 out this section.

13 (f) TERMINATION.—The Commission shall terminate
14 60 days after submitting the report under subsection
15 (b)(2).

16 SEC. 752. Notwithstanding section 1346 of title 31,
17 United States Code, or section 708 of this Act, funds
18 made available by this or any other Act to any Federal
19 agency may be used by that Federal agency for inter-
20 agency funding for coordination with, participation in, or
21 recommendations involving, activities of the U.S. Army
22 Medical Research and Development Command, the Con-
23 gressionally Directed Medical Research Programs and the
24 National Institutes of Health research programs.

1 SEC. 753. (a) As a condition of receiving funds pro-
2 vided in this or any other appropriations Act for fiscal
3 year 2023 that are specified in the disclosure table sub-
4 mitted in compliance with clause 9 of rule XXI of the
5 Rules of the House of Representatives that is included in
6 the report or explanatory statement accompanying any
7 such Act, any non-Federal entity shall, to the extent prac-
8 ticable—

9 (1) retain until the date that is 3 years after the date
10 on which such entity has expended such funds any records
11 related to the planned or actual obligation or expenditure
12 of such funds, and make available any such records to the
13 Comptroller General of the United States, upon request;
14 and

15 (2) subject to reasonable advance notification by the
16 Comptroller General—

17 (A) make available to the Comptroller General
18 or their designee for interview, any officers, employ-
19 ees, or staff of such entity involved in the obligation
20 or expenditure of such funds; and

21 (B) grant access to the Comptroller General or
22 their designee for inspection, any facilities, work
23 sites, offices, or other locations, as the Comptroller
24 General deems necessary, at which the individuals
25 referenced in subparagraph (A) carry out their re-

1 sponsibilities related to such funds. The Comptroller
2 General may make and retain copies of these records
3 as the Comptroller General determines necessary.

4 (b) Access, rights, and authority provided to the
5 Comptroller General or their designee under this section
6 shall be in addition to any other authority vested in the
7 Comptroller General, and nothing in this section shall be
8 construed to limit, amend, supersede, or restrict in any
9 manner any existing authority of the Comptroller General.

10 SEC. 754. (a) Beginning on the date that is 180 days
11 after the date of enactment of this Act, and except as pro-
12 vided in subsection (b), none of the funds made available
13 by this Act may be used to purchase infrastructure as a
14 service except infrastructure as a service determined by
15 the Government to take reasonable measures to—

16 (1) not store or transmit images which depict known
17 violations of sections 2251, 2251A, 2252, 2252A, 2252B
18 or 2260 of title 18, United States Code, with respect to
19 child pornography; and

20 (2) comply with the reporting requirements under
21 section 2258A(a) of such title for such violations.

22 (b) The limitation in subsection (a) shall not apply
23 to such services used for bona fide law enforcement ac-
24 tions.

1 SEC. 755. Except as expressly provided otherwise,
2 any reference to “this Act” contained in any title other
3 than title IV or VIII shall not apply to such title IV or
4 VIII.

5 TITLE VIII
6 GENERAL PROVISIONS—DISTRICT OF
7 COLUMBIA

8 SEC. 801. None of the Federal funds provided under
9 this Act to the agencies funded by this Act, both Federal
10 and District government agencies, that remain available
11 for obligation or expenditure in fiscal year 2023, or pro-
12 vided from any accounts in the Treasury of the United
13 States derived by the collection of fees available to the
14 agencies funded by this Act, shall be available for obliga-
15 tion or expenditures for an agency through a reprogram-
16 ming of funds which—

- 17 (1) creates new programs;
18 (2) eliminates a program, project, or responsi-
19 bility center;
20 (3) establishes or changes allocations specifi-
21 cally denied, limited or increased under this Act;
22 (4) increases funds or personnel by any means
23 for any program, project, or responsibility center for
24 which funds have been denied or restricted;

1 (5) re-establishes any program or project pre-
2 viously deferred through reprogramming;

3 (6) augments any existing program, project, or
4 responsibility center through a reprogramming of
5 funds in excess of \$3,000,000 or 10 percent, which-
6 ever is less; or

7 (7) increases by 20 percent or more personnel
8 assigned to a specific program, project or responsi-
9 bility center,

10 unless prior approval is received from the Committees on
11 Appropriations of the House of Representatives and the
12 Senate.

13 SEC. 802. None of the Federal funds appropriated
14 in this Act shall remain available for obligation beyond
15 the current fiscal year, nor may any be transferred to
16 other appropriations, unless expressly so provided herein.

17 SEC. 803. Except as otherwise specifically provided
18 by law or under this Act, not to exceed 50 percent of unob-
19 ligated balances remaining available at the end of fiscal
20 year 2023 from appropriations of Federal funds made
21 available for salaries and expenses for fiscal year 2023 in
22 this Act, shall remain available through September 30,
23 2024, for each such account for the purposes authorized:
24 *Provided*, That a request shall be submitted to the Com-
25 mittees on Appropriations of the House of Representatives

1 and the Senate for approval prior to the expenditure of
2 such funds: *Provided further*, That these requests shall be
3 made in compliance with reprogramming guidelines out-
4 lined in section 801 of this Act.

5 SEC. 804. (a)(1) During fiscal year 2024, during a
6 period in which neither a District of Columbia continuing
7 resolution or a regular District of Columbia appropriation
8 bill is in effect, local funds are appropriated in the amount
9 provided for any project or activity for which local funds
10 are provided in the Act referred to in paragraph (2) (sub-
11 ject to any modifications enacted by the District of Colum-
12 bia as of the beginning of the period during which this
13 subsection is in effect) at the rate set forth by such Act.

14 (2) The Act referred to in this paragraph is the Act
15 of the Council of the District of Columbia pursuant to
16 which a proposed budget is approved for fiscal year 2024
17 which (subject to the requirements of the District of Co-
18 lumbia Home Rule Act) will constitute the local portion
19 of the annual budget for the District of Columbia govern-
20 ment for fiscal year 2024 for purposes of section 446 of
21 the District of Columbia Home Rule Act (sec. 1–204.46,
22 D.C. Official Code).

23 (b) Appropriations made by subsection (a) shall cease
24 to be available—

1 (1) during any period in which a District of Co-
2 lumbia continuing resolution for fiscal year 2024 is
3 in effect; or

4 (2) upon the enactment into law of the regular
5 District of Columbia appropriation bill for fiscal year
6 2024.

7 (c) An appropriation made by subsection (a) is pro-
8 vided under the authority and conditions as provided
9 under this Act and shall be available to the extent and
10 in the manner that would be provided by this Act.

11 (d) An appropriation made by subsection (a) shall
12 cover all obligations or expenditures incurred for such
13 project or activity during the portion of fiscal year 2024
14 for which this section applies to such project or activity.

15 (e) This section shall not apply to a project or activity
16 during any period of fiscal year 2024 if any other provi-
17 sion of law (other than an authorization of appropria-
18 tions)—

19 (1) makes an appropriation, makes funds avail-
20 able, or grants authority for such project or activity
21 to continue for such period; or

22 (2) specifically provides that no appropriation
23 shall be made, no funds shall be made available, or
24 no authority shall be granted for such project or ac-
25 tivity to continue for such period.

1 (f) Nothing in this section shall be construed to affect
2 obligations of the government of the District of Columbia
3 mandated by other law.

4 SEC. 805. (a) Section 3(c)(2)(G) of the District of
5 Columbia College Access Act of 1999 (sec. 38–
6 2702(c)(2)(G), D.C. Official Code) is amended to read as
7 follows:

8 “(G) is from a family with a taxable an-
9 nual income of less than the applicable family
10 income limit, as defined in paragraph (7).”.

11 (b) Section 3(c) of such Act (sec. 38–2702(c), D.C.
12 Official Code) is amended by adding at the end the fol-
13 lowing new paragraph:

14 “(7) APPLICABLE FAMILY INCOME LIMIT.—The
15 term ‘applicable family income limit’ means, with re-
16 spect to an individual, the following:

17 “(A) In the case of an individual who
18 began an undergraduate course of study prior
19 to school year 2015-2016, \$1,000,000.

20 “(B) In the case of an individual who be-
21 gins an undergraduate course of study in school
22 year 2016-2017, \$750,000.

23 “(C) In the case of an individual who be-
24 gins an undergraduate course of study in school
25 year 2017-2018 or school year 2018-2019, the

1 applicable family income limit under this para-
2 graph for an individual who began an under-
3 graduate course of study in the previous school
4 year, adjusted by the Mayor for inflation, as
5 measured by the percentage increase, if any,
6 from the preceding fiscal year in the Consumer
7 Price Index for All Urban Consumers, pub-
8 lished by the Bureau of Labor Statistics of the
9 Department of Labor.

10 “(D) In the case of an individual who be-
11 gins an undergraduate course of study in school
12 year 2019-2020, \$500,000.

13 “(E) In the case of an individual who be-
14 gins an undergraduate course of study in school
15 year 2020-2021, the amount described in sub-
16 paragraph (D), adjusted by the Mayor for infla-
17 tion, as measured by the percentage increase, if
18 any, from the preceding fiscal year in the Con-
19 sumer Price Index for All Urban Consumers,
20 published by the Bureau of Labor Statistics of
21 the Department of Labor.

22 “(F) In the case of an individual who be-
23 gins an undergraduate course of study in school
24 year 2021-2022, \$750,000.

1 “(G) In the case of an individual who be-
2 gins an undergraduate course of study in school
3 year 2022-2023 or any succeeding school year,
4 the applicable family income limit under this
5 paragraph for an individual who began an un-
6 dergraduate course of study in the previous
7 school year, adjusted by the Mayor for inflation,
8 as measured by the percentage increase, if any,
9 from the preceding fiscal year in the Consumer
10 Price Index for All Urban Consumers, pub-
11 lished by the Bureau of Labor Statistics of the
12 Department of Labor.”.

13 (c) The amendments made by this section shall take
14 effect as if included in the enactment of the Financial
15 Services and General Government Appropriations Act,
16 2019 (division D of Public Law 116–6).

17 SEC. 806. Nothing in this Act may be construed to
18 prevent the Council or Mayor of the District of Columbia
19 from addressing the issue of the provision of contraceptive
20 coverage by health insurance plans, but it is the intent
21 of Congress that any legislation enacted on such issue
22 should include a “conscience clause” which provides excep-
23 tions for religious beliefs and moral convictions.

24 SEC. 807. (a) Section 244 of the Revised Statutes
25 of the United States relating to the District of Columbia

1 (sec. 9-1201.03, D.C. Official Code) does not apply with
2 respect to any railroads installed pursuant to the Long
3 Bridge Project.

4 (b) In this section, the term “Long Bridge Project”
5 means the project carried out by the District of Columbia
6 and the Commonwealth of Virginia to construct a new
7 Long Bridge adjacent to the existing Long Bridge over
8 the Potomac River, including related infrastructure and
9 other related projects, to expand commuter and regional
10 passenger rail service and to provide bike and pedestrian
11 access crossings over the Potomac River.

12 SEC. 808. No services may be made available in ac-
13 cordance with section 740(a) of the District of Columbia
14 Home Rule Act (sec. 1–207.40(a), D.C. Official Code) at
15 any time during fiscal year 2023.

16 SEC. 809. Section 3 of the District of Columbia Col-
17 lege Access Act of 1999 (sec.38–2702, D.C. Official
18 Code), is amended—

19 (1) in subsection (a)(2)(A), by striking
20 “\$10,000” and inserting “\$15,000”;

21 (2) in subsection (a)(2)(B), by striking
22 “\$50,000” and inserting “\$75,000”;

23 (3) in subsection (b)(1)(A), by striking “and”
24 at the end;

1 (4) in subsection (b)(1), by redesignating sub-
2 paragraph (B) as subparagraph (C) and inserting
3 after subparagraph (A) the following new subpara-
4 graph; “(B) after making reductions under subpara-
5 graph (A), ratably reduce the amount of the tuition
6 and fee payment of each eligible student who re-
7 ceives more than \$10,000 for the award year; and”;
8 and

9 (5) in subparagraph (C) of subsection (b)(1), as
10 so redesignated, by striking “subparagraph (A)” and
11 inserting “subparagraphs (A) and (B)”.

12 SEC. 810. ADJUSTMENTS IN COMPENSATION RATES
13 FOR CERTAIN PERSONNEL.—

14 (a) ATTORNEYS REPRESENTING INDIGENT DEFEND-
15 ANTS.—

16 (1) Section 11–2604(a), District of Columbia
17 Official Code, is amended by striking “at a fixed
18 rate of \$90 per hour” and inserting “an hourly rate
19 not to exceed the rate payable under section
20 3006A(d)(1) of title 18, United States Code”.

21 (2) The amendments made by this section shall
22 apply with respect to cases and proceedings initiated
23 on or after the date of the enactment of this Act.

24 (b) CRIMINAL JUSTICE INVESTIGATORS.—

1 (1) Section 11–2605, District of Columbia Offi-
2 cial Code, is amended in subsections (b) and (c) by
3 striking “(or, in the case of investigative services, a
4 fixed rate of \$25 per hour)” each place it appears.

5 (2) The amendments made by this section shall
6 apply with respect to investigative services provided
7 in connection with cases and proceedings initiated on
8 or after the date of the enactment of this Act.

9 SEC. 811. Except as expressly provided otherwise,
10 any reference to “this Act” contained in this title or in
11 title IV shall be treated as referring only to the provisions
12 of this title or of title IV.

13 This division may be cited as the “Financial Services
14 and General Government Appropriations Act, 2023”.

1 **DIVISION E—DEPARTMENT OF THE INTE-**
2 **RIOR, ENVIRONMENT, AND RELATED**
3 **AGENCIES APPROPRIATIONS ACT, 2023**

4 TITLE I

5 DEPARTMENT OF THE INTERIOR

6 BUREAU OF LAND MANAGEMENT

7 MANAGEMENT OF LANDS AND RESOURCES

8 For necessary expenses for protection, use, improve-
9 ment, development, disposal, cadastral surveying, classi-
10 fication, acquisition of easements and other interests in
11 lands, and performance of other functions, including main-
12 tenance of facilities, as authorized by law, in the manage-
13 ment of lands and their resources under the jurisdiction
14 of the Bureau of Land Management, including the general
15 administration of the Bureau, and assessment of mineral
16 potential of public lands pursuant to section 1010(a) of
17 Public Law 96–487 (16 U.S.C. 3150(a)), \$1,416,126,000,
18 to remain available until September 30, 2024; of which
19 \$79,345,000 for annual and deferred maintenance and
20 \$156,100,000 for the wild horse and burro program, as
21 authorized by Public Law 92–195 (16 U.S.C. 1331 et
22 seq.), shall remain available until expended: *Provided*,
23 That amounts in the fee account of the BLM Permit Proc-
24 essing Improvement Fund may be used for any bureau-
25 related expenses associated with the processing of oil and

1 gas applications for permits to drill and related use of au-
2 thorizations: *Provided further*, That of the amounts made
3 available under this heading, up to \$1,000,000 may be
4 made available for the purposes described in section
5 122(e)(1)(A) of division G of Public Law 115–31 (43
6 U.S.C. 1748c(e)(1)(A)).

7 In addition, \$51,020,000, to remain available until
8 expended, is for conducting oil and gas inspection activi-
9 ties, to be reduced by amounts collected by the Bureau
10 and credited to this appropriation from onshore oil and
11 gas inspection fees that the Bureau shall collect, as pro-
12 vided for in this Act; and \$39,696,000 is for Mining Law
13 Administration program operations, including the cost of
14 administering the mining claim fee program, to remain
15 available until expended, to be reduced by amounts col-
16 lected by the Bureau and credited to this appropriation
17 from mining claim maintenance fees and location fees that
18 are hereby authorized for fiscal year 2023, so as to result
19 in a final appropriation estimated at not more than
20 \$1,416,126,000 and \$2,000,000, to remain available until
21 expended, from communication site rental fees established
22 by the Bureau for the cost of administering communica-
23 tion site activities.

1 OREGON AND CALIFORNIA GRANT LANDS

2 For expenses necessary for management, protection,
3 and development of resources and for construction, oper-
4 ation, and maintenance of access roads, reforestation, and
5 other improvements on the revested Oregon and California
6 Railroad grant lands, on other Federal lands in the Or-
7 egon and California land-grant counties of Oregon, and
8 on adjacent rights-of-way; and acquisition of lands or in-
9 terests therein, including existing connecting roads on or
10 adjacent to such grant lands; \$125,049,000, to remain
11 available until expended: *Provided*, That 25 percent of the
12 aggregate of all receipts during the current fiscal year
13 from the revested Oregon and California Railroad grant
14 lands is hereby made a charge against the Oregon and
15 California land-grant fund and shall be transferred to the
16 General Fund in the Treasury in accordance with the sec-
17 ond paragraph of subsection (b) of title II of the Act of
18 August 28, 1937 (43 U.S.C. 2605).

19 RANGE IMPROVEMENTS

20 For rehabilitation, protection, and acquisition of
21 lands and interests therein, and improvement of Federal
22 rangelands pursuant to section 401 of the Federal Land
23 Policy and Management Act of 1976 (43 U.S.C. 1751),
24 notwithstanding any other Act, sums equal to 50 percent
25 of all moneys received during the prior fiscal year under

1 sections 3 and 15 of the Taylor Grazing Act (43 U.S.C.
2 315b, 315m) and the amount designated for range im-
3 provements from grazing fees and mineral leasing receipts
4 from Bankhead-Jones lands transferred to the Depart-
5 ment of the Interior pursuant to law, but not less than
6 \$10,000,000, to remain available until expended: *Pro-*
7 *vided*, That not to exceed \$600,000 shall be available for
8 administrative expenses.

9 SERVICE CHARGES, DEPOSITS, AND FORFEITURES

10 For administrative expenses and other costs related
11 to processing application documents and other authoriza-
12 tions for use and disposal of public lands and resources,
13 for costs of providing copies of official public land docu-
14 ments, for monitoring construction, operation, and termi-
15 nation of facilities in conjunction with use authorizations,
16 and for rehabilitation of damaged property, such amounts
17 as may be collected under Public Law 94–579 (43 U.S.C.
18 1701 et seq.), and under section 28 of the Mineral Leasing
19 Act (30 U.S.C. 185), to remain available until expended:
20 *Provided*, That notwithstanding any provision to the con-
21 trary of section 305(a) of Public Law 94–579 (43 U.S.C.
22 1735(a)), any moneys that have been or will be received
23 pursuant to that section, whether as a result of forfeiture,
24 compromise, or settlement, if not appropriate for refund
25 pursuant to section 305(c) of that Act (43 U.S.C.

1 1735(c)), shall be available and may be expended under
2 the authority of this Act by the Secretary of the Interior
3 to improve, protect, or rehabilitate any public lands ad-
4 ministered through the Bureau of Land Management
5 which have been damaged by the action of a resource de-
6 veloper, purchaser, permittee, or any unauthorized person,
7 without regard to whether all moneys collected from each
8 such action are used on the exact lands damaged which
9 led to the action: *Provided further*, That any such moneys
10 that are in excess of amounts needed to repair damage
11 to the exact land for which funds were collected may be
12 used to repair other damaged public lands.

13 MISCELLANEOUS TRUST FUNDS

14 In addition to amounts authorized to be expended
15 under existing laws, there is hereby appropriated such
16 amounts as may be contributed under section 307 of Pub-
17 lic Law 94-579 (43 U.S.C. 1737), and such amounts as
18 may be advanced for administrative costs, surveys, ap-
19 praisals, and costs of making conveyances of omitted lands
20 under section 211(b) of that Act (43 U.S.C. 1721(b)), to
21 remain available until expended.

22 ADMINISTRATIVE PROVISIONS

23 The Bureau of Land Management may carry out the
24 operations funded under this Act by direct expenditure,
25 contracts, grants, cooperative agreements, and reimburs-

1 able agreements with public and private entities, including
2 with States. Appropriations for the Bureau shall be avail-
3 able for purchase, erection, and dismantlement of tem-
4 porary structures, and alteration and maintenance of nec-
5 essary buildings and appurtenant facilities to which the
6 United States has title; up to \$100,000 for payments, at
7 the discretion of the Secretary, for information or evidence
8 concerning violations of laws administered by the Bureau;
9 miscellaneous and emergency expenses of enforcement ac-
10 tivities authorized or approved by the Secretary and to be
11 accounted for solely on the Secretary's certificate, not to
12 exceed \$10,000: *Provided*, That notwithstanding Public
13 Law 90–620 (44 U.S.C. 501), the Bureau may, under co-
14 operative cost-sharing and partnership arrangements au-
15 thorized by law, procure printing services from cooperators
16 in connection with jointly produced publications for which
17 the cooperators share the cost of printing either in cash
18 or in services, and the Bureau determines the cooperator
19 is capable of meeting accepted quality standards: *Provided*
20 *further*, That projects to be funded pursuant to a written
21 commitment by a State government to provide an identi-
22 fied amount of money in support of the project may be
23 carried out by the Bureau on a reimbursable basis.

1 UNITED STATES FISH AND WILDLIFE SERVICE
2 RESOURCE MANAGEMENT

3 For necessary expenses of the United States Fish and
4 Wildlife Service, as authorized by law, and for scientific
5 and economic studies, general administration, and for the
6 performance of other authorized functions related to such
7 resources, \$1,649,753,000, to remain available until Sep-
8 tember 30, 2024: *Provided*, That not to exceed
9 \$25,946,000 shall be used for implementing subsections
10 (a), (b), (c), and (e) of section 4 of the Endangered Spe-
11 cies Act of 1973 (16 U.S.C. 1533) (except for processing
12 petitions, developing and issuing proposed and final regu-
13 lations, and taking any other steps to implement actions
14 described in subsection (c)(2)(A), (c)(2)(B)(i), or
15 (c)(2)(B)(ii)) of such section.

16 CONSTRUCTION

17 For construction, improvement, acquisition, or re-
18 moval of buildings and other facilities required in the con-
19 servation, management, investigation, protection, and uti-
20 lization of fish and wildlife resources, and the acquisition
21 of lands and interests therein; \$32,904,000, to remain
22 available until expended: *Provided*, That such amounts are
23 available for the modernization of field communication ca-
24 pabilities, in addition to amounts otherwise available for
25 such purpose.

1 COOPERATIVE ENDANGERED SPECIES CONSERVATION

2 FUND

3 For expenses necessary to carry out section 6 of the
4 Endangered Species Act of 1973 (16 U.S.C. 1535),
5 \$24,564,000, to remain available until expended, to be de-
6 rived from the Cooperative Endangered Species Conserva-
7 tion Fund.

8 NATIONAL WILDLIFE REFUGE FUND

9 For expenses necessary to implement the Act of Octo-
10 ber 17, 1978 (16 U.S.C. 715s), \$13,228,000.

11 NORTH AMERICAN WETLANDS CONSERVATION FUND

12 For expenses necessary to carry out the provisions
13 of the North American Wetlands Conservation Act (16
14 U.S.C. 4401 et seq.), \$50,000,000, to remain available
15 until expended.

16 NEOTROPICAL MIGRATORY BIRD CONSERVATION

17 For expenses necessary to carry out the Neotropical
18 Migratory Bird Conservation Act (16 U.S.C. 6101 et
19 seq.), \$5,100,000, to remain available until expended.

20 MULTINATIONAL SPECIES CONSERVATION FUND

21 For expenses necessary to carry out the African Ele-
22 phant Conservation Act (16 U.S.C. 4201 et seq.), the
23 Asian Elephant Conservation Act of 1997 (16 U.S.C.
24 4261 et seq.), the Rhinoceros and Tiger Conservation Act
25 of 1994 (16 U.S.C. 5301 et seq.), the Great Ape Con-

1 servation Act of 2000 (16 U.S.C. 6301 et seq.), and the
2 Marine Turtle Conservation Act of 2004 (16 U.S.C. 6601
3 et seq.), \$25,500,000, to remain available until expended.

4 STATE AND TRIBAL WILDLIFE GRANTS

5 For wildlife conservation grants to States and to the
6 District of Columbia, Puerto Rico, Guam, the United
7 States Virgin Islands, the Northern Mariana Islands,
8 American Samoa, and Indian tribes under the provisions
9 of the Fish and Wildlife Act of 1956 and the Fish and
10 Wildlife Coordination Act, for the development and imple-
11 mentation of programs for the benefit of wildlife and their
12 habitat, including species that are not hunted or fished,
13 \$74,362,000, to remain available until expended: *Pro-*
14 *vided*, That of the amount provided herein, \$6,250,000 is
15 for a competitive grant program for Indian tribes not sub-
16 ject to the remaining provisions of this appropriation: *Pro-*
17 *vided further*, That \$7,862,000 is for a competitive grant
18 program to implement approved plans for States, terri-
19 tories, and other jurisdictions and at the discretion of af-
20 fected States, the regional Associations of fish and wildlife
21 agencies, not subject to the remaining provisions of this
22 appropriation: *Provided further*, That the Secretary shall,
23 after deducting \$14,112,000 and administrative expenses,
24 apportion the amount provided herein in the following
25 manner: (1) to the District of Columbia and to the Com-

1 monwealth of Puerto Rico, each a sum equal to not more
2 than one-half of 1 percent thereof; and (2) to Guam,
3 American Samoa, the United States Virgin Islands, and
4 the Commonwealth of the Northern Mariana Islands, each
5 a sum equal to not more than one-fourth of 1 percent
6 thereof: *Provided further*, That the Secretary of the Inte-
7 rior shall apportion the remaining amount in the following
8 manner: (1) one-third of which is based on the ratio to
9 which the land area of such State bears to the total land
10 area of all such States; and (2) two-thirds of which is
11 based on the ratio to which the population of such State
12 bears to the total population of all such States: *Provided*
13 *further*, That the amounts apportioned under this para-
14 graph shall be adjusted equitably so that no State shall
15 be apportioned a sum which is less than 1 percent of the
16 amount available for apportionment under this paragraph
17 for any fiscal year or more than 5 percent of such amount:
18 *Provided further*, That the Federal share of planning
19 grants shall not exceed 75 percent of the total costs of
20 such projects and the Federal share of implementation
21 grants shall not exceed 65 percent of the total costs of
22 such projects: *Provided further*, That the non-Federal
23 share of such projects may not be derived from Federal
24 grant programs: *Provided further*, That any amount ap-
25 portioned in 2023 to any State, territory, or other jurisdic-

1 tion that remains unobligated as of September 30, 2024,
2 shall be reapportioned, together with funds appropriated
3 in 2025, in the manner provided herein.

4 ADMINISTRATIVE PROVISIONS

5 The United States Fish and Wildlife Service may
6 carry out the operations of Service programs by direct ex-
7 penditure, contracts, grants, cooperative agreements and
8 reimbursable agreements with public and private entities.
9 Appropriations and funds available to the United States
10 Fish and Wildlife Service shall be available for repair of
11 damage to public roads within and adjacent to reservation
12 areas caused by operations of the Service; options for the
13 purchase of land at not to exceed one dollar for each op-
14 tion; facilities incident to such public recreational uses on
15 conservation areas as are consistent with their primary
16 purpose; and the maintenance and improvement of aquar-
17 ia, buildings, and other facilities under the jurisdiction of
18 the Service and to which the United States has title, and
19 which are used pursuant to law in connection with man-
20 agement, and investigation of fish and wildlife resources:
21 *Provided*, That notwithstanding 44 U.S.C. 501, the Serv-
22 ice may, under cooperative cost sharing and partnership
23 arrangements authorized by law, procure printing services
24 from cooperators in connection with jointly produced pub-
25 lications for which the cooperators share at least one-half

1 the cost of printing either in cash or services and the Serv-
2 ice determines the cooperator is capable of meeting accept-
3 ed quality standards: *Provided further*, That the Service
4 may accept donated aircraft as replacements for existing
5 aircraft: *Provided further*, That notwithstanding 31 U.S.C.
6 3302, all fees collected for non-toxic shot review and ap-
7 proval shall be deposited under the heading “United
8 States Fish and Wildlife Service—Resource Management”
9 and shall be available to the Secretary, without further
10 appropriation, to be used for expenses of processing of
11 such non-toxic shot type or coating applications and revis-
12 ing regulations as necessary, and shall remain available
13 until expended: *Provided further*, That the second proviso
14 under the heading “United States Fish and Wildlife Serv-
15 ice—Resource Management” in title I of division E of Pub-
16 lic Law 112–74 (16 U.S.C. 742l–1) is amended by striking
17 “2012” and inserting “2023” and striking “\$400,000”
18 and inserting “\$750,000”.

19 NATIONAL PARK SERVICE

20 OPERATION OF THE NATIONAL PARK SYSTEM

21 For expenses necessary for the management, oper-
22 ation, and maintenance of areas and facilities adminis-
23 tered by the National Park Service and for the general
24 administration of the National Park Service,
25 \$3,089,856,000, of which \$11,661,000 for planning and

1 interagency coordination in support of Everglades restora-
2 tion and \$135,980,000 for maintenance, repair, or reha-
3 bilitation projects for constructed assets and
4 \$188,184,000 for cyclic maintenance projects for con-
5 structed assets and cultural resources and \$5,000,000 for
6 uses authorized by section 101122 of title 54, United
7 States Code shall remain available until September 30,
8 2024: *Provided*, That funds appropriated under this head-
9 ing in this Act are available for the purposes of section
10 5 of Public Law 95–348: *Provided further*, That notwith-
11 standing section 9 of the 400 Years of African-American
12 History Commission Act (36 U.S.C. note prec. 101; Public
13 Law 115–102), \$3,300,000 of the funds provided under
14 this heading shall be made available for the purposes spec-
15 ified by that Act: *Provided further*, That sections (7)(b)
16 and (8) of that Act shall be amended by striking “July
17 1, 2023” and inserting “July 1, 2024”.

18 In addition, for purposes described in section 2404
19 of Public Law 116–9, an amount equal to the amount de-
20 posited in this fiscal year into the National Park Medical
21 Services Fund established pursuant to such section of
22 such Act, to remain available until expended, shall be de-
23 rived from such Fund.

1 NATIONAL RECREATION AND PRESERVATION

2 For expenses necessary to carry out recreation pro-
3 grams, natural programs, cultural programs, heritage
4 partnership programs, environmental compliance and re-
5 view, international park affairs, and grant administration,
6 not otherwise provided for, \$88,243,000, to remain avail-
7 able until September 30, 2024.

8 HISTORIC PRESERVATION FUND

9 For expenses necessary in carrying out the National
10 Historic Preservation Act (division A of subtitle III of title
11 54, United States Code), \$170,825,000, to be derived
12 from the Historic Preservation Fund and to remain avail-
13 able until September 30, 2024, of which \$26,500,000 shall
14 be for Save America's Treasures grants for preservation
15 of nationally significant sites, structures and artifacts as
16 authorized by section 7303 of the Omnibus Public Land
17 Management Act of 2009 (54 U.S.C. 3089): *Provided*,
18 That an individual Save America's Treasures grant shall
19 be matched by non-Federal funds: *Provided further*, That
20 individual projects shall only be eligible for one grant: *Pro-*
21 *vided further*, That all projects to be funded shall be ap-
22 proved by the Secretary of the Interior in consultation
23 with the House and Senate Committees on Appropria-
24 tions: *Provided further*, That of the funds provided for the
25 Historic Preservation Fund, \$1,250,000 is for competitive

1 grants for the survey and nomination of properties to the
2 National Register of Historic Places and as National His-
3 toric Landmarks associated with communities currently
4 under-represented, as determined by the Secretary;
5 \$26,750,000 is for competitive grants to preserve the sites
6 and stories of the Civil Rights movement; \$10,000,000 is
7 for grants to Historically Black Colleges and Universities;
8 \$10,000,000 is for competitive grants for the restoration
9 of historic properties of national, State, and local signifi-
10 cance listed on or eligible for inclusion on the National
11 Register of Historic Places, to be made without imposing
12 the usage or direct grant restrictions of section 101(e)(3)
13 (54 U.S.C. 302904) of the National Historical Preserva-
14 tion Act; \$3,000,000 is for a competitive grant program
15 to honor the semiquincentennial anniversary of the United
16 States by restoring and preserving sites and structures
17 listed on the National Register of Historic Places that
18 commemorate the founding of the nation; and
19 \$11,650,000 is for projects specified for the Historic Pres-
20 ervation Fund in the table titled “Interior and Environ-
21 ment Incorporation of Community Project Funding
22 Items” included for this division in the report accom-
23 panying this Act: *Provided further*, That such competitive
24 grants shall be made without imposing the matching re-
25 quirements in section 302902(b)(3) of title 54, United

1 States Code to States and Indian tribes as defined in
2 chapter 3003 of such title, Native Hawaiian organizations,
3 local governments, including Certified Local Governments,
4 and non-profit organizations.

5 CONSTRUCTION

6 For construction, improvements, repair, or replace-
7 ment of physical facilities, and compliance and planning
8 for programs and areas administered by the National
9 Park Service, \$279,340,000, to remain available until ex-
10 pended: *Provided*, That notwithstanding any other provi-
11 sion of law, for any project initially funded in fiscal year
12 2023 with a future phase indicated in the National Park
13 Service 5–Year Line Item Construction Plan, a single pro-
14 curement may be issued which includes the full scope of
15 the project: *Provided further*, That the solicitation and
16 contract shall contain the clause availability of funds
17 found at 48 CFR 52.232–18: *Provided further*, That Na-
18 tional Park Service Donations, Park Concessions Fran-
19 chise Fees, and Recreation Fees may be made available
20 for the cost of adjustments and changes within the origi-
21 nal scope of effort for projects funded by the National
22 Park Service Construction appropriation: *Provided further*,
23 That the Secretary of the Interior shall consult with the
24 Committees on Appropriations, in accordance with current

1 reprogramming thresholds, prior to making any charges
2 authorized by this section.

3 CENTENNIAL CHALLENGE

4 For expenses necessary to carry out the provisions
5 of section 101701 of title 54, United States Code, relating
6 to challenge cost share agreements, \$15,000,000, to re-
7 main available until expended, for Centennial Challenge
8 projects and programs: *Provided*, That not less than 50
9 percent of the total cost of each project or program shall
10 be derived from non-Federal sources in the form of do-
11 nated cash, assets, or a pledge of donation guaranteed by
12 an irrevocable letter of credit.

13 ADMINISTRATIVE PROVISIONS

14 (INCLUDING TRANSFER OF FUNDS)

15 In addition to other uses set forth in section
16 101917(c)(2) of title 54, United States Code, franchise
17 fees credited to a sub-account shall be available for ex-
18 penditure by the Secretary, without further appropriation,
19 for use at any unit within the National Park System to
20 extinguish or reduce liability for Possessory Interest or
21 leasehold surrender interest. Such funds may only be used
22 for this purpose to the extent that the benefitting unit an-
23 ticipated franchise fee receipts over the term of the con-
24 tract at that unit exceed the amount of funds used to ex-
25 tinguish or reduce liability. Franchise fees at the benefit-

1 ting unit shall be credited to the sub-account of the origi-
2 nating unit over a period not to exceed the term of a single
3 contract at the benefitting unit, in the amount of funds
4 so expended to extinguish or reduce liability.

5 For the costs of administration of the Land and
6 Water Conservation Fund grants authorized by section
7 105(a)(2)(B) of the Gulf of Mexico Energy Security Act
8 of 2006 (Public Law 109–432), the National Park Service
9 may retain up to 3 percent of the amounts which are au-
10 thorized to be disbursed under such section, such retained
11 amounts to remain available until expended.

12 National Park Service funds may be transferred to
13 the Federal Highway Administration (FHWA), Depart-
14 ment of Transportation, for purposes authorized under 23
15 U.S.C. 203. Transfers may include a reasonable amount
16 for FHWA administrative support costs.

17 UNITED STATES GEOLOGICAL SURVEY

18 SURVEYS, INVESTIGATIONS, AND RESEARCH

19 For expenses necessary for the United States Geo-
20 logical Survey to perform surveys, investigations, and re-
21 search covering topography, geology, hydrology, biology,
22 and the mineral and water resources of the United States,
23 its territories and possessions, and other areas as author-
24 ized by 43 U.S.C. 31, 1332, and 1340; classify lands as
25 to their mineral and water resources; give engineering su-

1 pervision to power permittees and Federal Energy Regu-
2 latory Commission licensees; administer the minerals ex-
3 ploration program (30 U.S.C. 641); conduct inquiries into
4 the economic conditions affecting mining and materials
5 processing industries (30 U.S.C. 3, 21a, and 1603; 50
6 U.S.C. 98g(a)(1)) and related purposes as authorized by
7 law; and to publish and disseminate data relative to the
8 foregoing activities; \$1,644,232,000, to remain available
9 until September 30, 2024; of which \$92,274,000 shall re-
10 main available until expended for satellite operations; and
11 of which \$74,840,000 shall be available until expended for
12 deferred maintenance and capital improvement projects
13 that exceed \$100,000 in cost: *Provided*, That none of the
14 funds provided for the ecosystem research activity shall
15 be used to conduct new surveys on private property, unless
16 specifically authorized in writing by the property owner:
17 *Provided further*, That no part of this appropriation shall
18 be used to pay more than one-half the cost of topographic
19 mapping or water resources data collection and investiga-
20 tions carried on in cooperation with States and municipali-
21 ties.

22 ADMINISTRATIVE PROVISIONS

23 From within the amount appropriated for activities
24 of the United States Geological Survey such sums as are
25 necessary shall be available for contracting for the fur-

1 nishing of topographic maps and for the making of geo-
2 physical or other specialized surveys when it is administra-
3 tively determined that such procedures are in the public
4 interest; construction and maintenance of necessary build-
5 ings and appurtenant facilities; acquisition of lands for
6 gauging stations, observation wells, and seismic equip-
7 ment; expenses of the United States National Committee
8 for Geological Sciences; and payment of compensation and
9 expenses of persons employed by the Survey duly ap-
10 pointed to represent the United States in the negotiation
11 and administration of interstate compacts: *Provided*, That
12 activities funded by appropriations herein made may be
13 accomplished through the use of contracts, grants, or co-
14 operative agreements as defined in section 6302 of title
15 31, United States Code: *Provided further*, That the United
16 States Geological Survey may enter into contracts or coop-
17 erative agreements directly with individuals or indirectly
18 with institutions or nonprofit organizations, without re-
19 gard to 41 U.S.C. 6101, for the temporary or intermittent
20 services of students or recent graduates, who shall be con-
21 sidered employees for the purpose of chapters 57 and 81
22 of title 5, United States Code, relating to compensation
23 for travel and work injuries, and chapter 171 of title 28,
24 United States Code, relating to tort claims, but shall not

1 be considered to be Federal employees for any other pur-
2 poses.

3 BUREAU OF OCEAN ENERGY MANAGEMENT

4 OCEAN ENERGY MANAGEMENT

5 For expenses necessary for granting and admin-
6 istering leases, easements, rights-of-way, and agreements
7 for use for oil and gas, other minerals, energy, and ma-
8 rine-related purposes on the Outer Continental Shelf and
9 approving operations related thereto, as authorized by law;
10 for environmental studies, as authorized by law; for imple-
11 menting other laws and to the extent provided by Presi-
12 dential or Secretarial delegation; and for matching grants
13 or cooperative agreements \$228,765,000, of which
14 \$191,765,000 is to remain available until September 30,
15 2024, and of which \$37,000,000 is to remain available
16 until expended: *Provided*, That this total appropriation
17 shall be reduced by amounts collected by the Secretary of
18 the Interior and credited to this appropriation from addi-
19 tions to receipts resulting from increases to lease rental
20 rates in effect on August 5, 1993, and from cost recovery
21 fees from activities conducted by the Bureau of Ocean En-
22 ergy Management pursuant to the Outer Continental Shelf
23 Lands Act, including studies, assessments, analysis, and
24 miscellaneous administrative activities: *Provided further*,
25 That the sum herein appropriated shall be reduced as such

1 collections are received during the fiscal year, so as to re-
2 sult in a final fiscal year 2023 appropriation estimated
3 at not more than \$191,765,000: *Provided further*, That
4 not to exceed \$3,000 shall be available for reasonable ex-
5 penses related to promoting volunteer beach and marine
6 cleanup activities.

7 BUREAU OF SAFETY AND ENVIRONMENTAL

8 ENFORCEMENT

9 OFFSHORE SAFETY AND ENVIRONMENTAL ENFORCEMENT

10 For expenses necessary for the regulation of oper-
11 ations related to leases, easements, rights-of-way, and
12 agreements for use for oil and gas, other minerals, energy,
13 and marine-related purposes on the Outer Continental
14 Shelf, as authorized by law; for enforcing and imple-
15 menting laws and regulations as authorized by law and
16 to the extent provided by Presidential or Secretarial dele-
17 gation; and for matching grants or cooperative agree-
18 ments, \$175,086,000, of which \$151,086,000 is to remain
19 available until September 30, 2024, and of which
20 \$24,000,000 is to remain available until expended, includ-
21 ing \$5,000,000 for offshore decommissioning activities:
22 *Provided*, That this total appropriation shall be reduced
23 by amounts collected by the Secretary of the Interior and
24 credited to this appropriation from additions to receipts
25 resulting from increases to lease rental rates in effect on

1 August 5, 1993, and from cost recovery fees from activi-
2 ties conducted by the Bureau of Safety and Environmental
3 Enforcement pursuant to the Outer Continental Shelf
4 Lands Act, including studies, assessments, analysis, and
5 miscellaneous administrative activities: *Provided further*,
6 That the sum herein appropriated shall be reduced as such
7 collections are received during the fiscal year, so as to re-
8 sult in a final fiscal year 2023 appropriation estimated
9 at not more than \$156,086,000.

10 For an additional amount, \$44,000,000, to remain
11 available until expended, to be reduced by amounts col-
12 lected by the Secretary and credited to this appropriation,
13 which shall be derived from non-refundable inspection fees
14 collected in fiscal year 2023, as provided in this Act: *Pro-*
15 *vided*, That to the extent that amounts realized from such
16 inspection fees exceed \$44,000,000, the amounts realized
17 in excess of \$44,000,000 shall be credited to this appro-
18 priation and remain available until expended: *Provided*
19 *further*, That for fiscal year 2023, not less than 50 percent
20 of the inspection fees expended by the Bureau of Safety
21 and Environmental Enforcement will be used to fund per-
22 sonnel and mission-related costs to expand capacity and
23 expedite the orderly development, subject to environmental
24 safeguards, of the Outer Continental Shelf pursuant to the
25 Outer Continental Shelf Lands Act (43 U.S.C. 1331 et

1 seq.), including the review of applications for permits to
2 drill.

3 OIL SPILL RESEARCH

4 For necessary expenses to carry out title I, section
5 1016; title IV, sections 4202 and 4303; title VII; and title
6 VIII, section 8201 of the Oil Pollution Act of 1990,
7 \$15,099,000, which shall be derived from the Oil Spill Li-
8 ability Trust Fund, to remain available until expended.

9 OFFICE OF SURFACE MINING RECLAMATION AND
10 ENFORCEMENT

11 REGULATION AND TECHNOLOGY

12 For necessary expenses to carry out the provisions
13 of the Surface Mining Control and Reclamation Act of
14 1977, Public Law 95–87, \$122,076,000, to remain avail-
15 able until September 30, 2024, of which \$65,000,000 shall
16 be available for state and tribal regulatory grants: *Pro-*
17 *vided*, That appropriations for the Office of Surface Min-
18 ing Reclamation and Enforcement may provide for the
19 travel and per diem expenses of State and tribal personnel
20 attending Office of Surface Mining Reclamation and En-
21 forcement sponsored training.

22 In addition, for costs to review, administer, and en-
23 force permits issued by the Office pursuant to section 507
24 of Public Law 95–87 (30 U.S.C. 1257), \$40,000, to re-
25 main available until expended: *Provided*, That fees as-

1 sessed and collected by the Office pursuant to such section
2 507 shall be credited to this account as discretionary off-
3 setting collections, to remain available until expended:
4 *Provided further*, That the sum herein appropriated from
5 the general fund shall be reduced as collections are re-
6 ceived during the fiscal year, so as to result in a fiscal
7 year 2023 appropriation estimated at not more than
8 \$122,076,000.

9 ABANDONED MINE RECLAMATION FUND

10 For necessary expenses to carry out title IV of the
11 Surface Mining Control and Reclamation Act of 1977,
12 Public Law 95–87, \$34,142,000, to be derived from re-
13 ceipts of the Abandoned Mine Reclamation Fund and to
14 remain available until expended: *Provided*, That pursuant
15 to Public Law 97–365, the Department of the Interior is
16 authorized to use up to 20 percent from the recovery of
17 the delinquent debt owed to the United States Government
18 to pay for contracts to collect these debts: *Provided fur-*
19 *ther*, That funds made available under title IV of Public
20 Law 95–87 may be used for any required non-Federal
21 share of the cost of projects funded by the Federal Gov-
22 ernment for the purpose of environmental restoration re-
23 lated to treatment or abatement of acid mine drainage
24 from abandoned mines: *Provided further*, That such
25 projects must be consistent with the purposes and prior-

ities of the Surface Mining Control and Reclamation Act:
Provided further, That amounts provided under this heading may be used for the travel and per diem expenses of State and tribal personnel attending Office of Surface Mining Reclamation and Enforcement sponsored training.

In addition, \$135,000,000, to remain available until expended, for grants to States and federally recognized Indian Tribes for reclamation of abandoned mine lands and other related activities in accordance with the terms and conditions described in the report accompanying this Act:
Provided, That such additional amount shall be used for economic and community development in conjunction with the priorities in section 403(a) of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1233(a)):
Provided further, That of such additional amount, \$88,042,000 shall be distributed in equal amounts to the three Appalachian States with the greatest amount of unfunded needs to meet the priorities described in paragraphs (1) and (2) of such section, \$35,218,000 shall be distributed in equal amounts to the three Appalachian States with the subsequent greatest amount of unfunded needs to meet such priorities, and \$11,740,000 shall be for grants to federally recognized Indian Tribes without regard to their status as certified or uncertified under the Surface Mining Control and Reclamation Act of 1977 (30

1 U.S.C. 1233(a)), for reclamation of abandoned mine lands
2 and other related activities in accordance with the terms
3 and conditions described in the report accompanying this
4 Act and shall be used for economic and community devel-
5 opment in conjunction with the priorities in section 403(a)
6 of the Surface Mining Control and Reclamation Act of
7 1977: *Provided further*, That such additional amount shall
8 be allocated to States and Indian Tribes within 60 days
9 after the date of enactment of this Act.

10 INDIAN AFFAIRS
11 BUREAU OF INDIAN AFFAIRS
12 OPERATION OF INDIAN PROGRAMS
13 (INCLUDING TRANSFERS OF FUNDS)

14 For expenses necessary for the operation of Indian
15 programs, as authorized by law, including the Snyder Act
16 of November 2, 1921 (25 U.S.C. 13) and the Indian Self-
17 Determination and Education Assistance Act of 1975 (25
18 U.S.C. 5301 et seq.), \$2,149,387,000, to remain available
19 until September 30, 2024, except as otherwise provided
20 herein; of which not to exceed \$8,500 may be for official
21 reception and representation expenses; of which not to ex-
22 ceed \$78,488,000 shall be for welfare assistance pay-
23 ments: *Provided*, That in cases of designated Federal dis-
24 asters, the Secretary of the Interior may exceed such cap
25 for welfare payments from the amounts provided herein,

1 to provide for disaster relief to Indian communities af-
2 fected by the disaster: *Provided further*, That federally rec-
3 ognized Indian tribes and tribal organizations of federally
4 recognized Indian tribes may use their tribal priority allo-
5 cations for unmet welfare assistance costs: *Provided fur-*
6 *ther*, That not to exceed \$67,084,000 shall remain avail-
7 able until expended for housing improvement, road main-
8 tenance, land acquisition, attorney fees, litigation support,
9 land records improvement, and the Navajo-Hopi Settle-
10 ment Program: *Provided further*, That any forestry funds
11 allocated to a federally recognized tribe which remain un-
12 obligated as of September 30, 2024, may be transferred
13 during fiscal year 2025 to an Indian forest land assistance
14 account established for the benefit of the holder of the
15 funds within the holder's trust fund account: *Provided fur-*
16 *ther*, That any such unobligated balances not so trans-
17 ferred shall expire on September 30, 2025: *Provided fur-*
18 *ther*, That in order to enhance the safety of Bureau field
19 employees, the Bureau may use funds to purchase uni-
20 forms or other identifying articles of clothing for per-
21 sonnel: *Provided further*, That the Bureau of Indian Af-
22 fairs may accept transfers of funds from United States
23 Customs and Border Protection to supplement any other
24 funding available for reconstruction or repair of roads
25 owned by the Bureau of Indian Affairs as identified on

1 the National Tribal Transportation Facility Inventory, 23
2 U.S.C. 202(b)(1).

3 INDIAN LAND CONSOLIDATION

4 For the acquisition of fractional interests to further
5 land consolidation as authorized under the Indian Land
6 Consolidation Act Amendments of 2000 (Public Law 106–
7 462), and the American Indian Probate Reform Act of
8 2004 (Public Law 108–374), \$50,000,000, to remain
9 available until expended: *Provided*, That any provision of
10 the Indian Land Consolidation Act Amendments of 2000
11 (Public Law 106–462) that requires or otherwise relates
12 to application of a lien shall not apply to the acquisitions
13 funded herein.

14 CONTRACT SUPPORT COSTS

15 For payments to tribes and tribal organizations for
16 contract support costs associated with Indian Self-Deter-
17 mination and Education Assistance Act agreements with
18 the Bureau of Indian Affairs and the Bureau of Indian
19 Education for fiscal year 2023, such sums as may be nec-
20 essary, which shall be available for obligation through Sep-
21 tember 30, 2024: *Provided*, That notwithstanding any
22 other provision of law, no amounts made available under
23 this heading shall be available for transfer to another
24 budget account.

1 PAYMENTS FOR TRIBAL LEASES

2 For payments to tribes and tribal organizations for
3 leases pursuant to section 105(l) of the Indian Self-Deter-
4 mination and Education Assistance Act (25 U.S.C.
5 5324(l)) for fiscal year 2023, such sums as may be nec-
6 essary, which shall be available for obligation through Sep-
7 tember 30, 2024: *Provided*, That notwithstanding any
8 other provision of law, no amounts made available under
9 this heading shall be available for transfer to another
10 budget account.

11 CONSTRUCTION

12 (INCLUDING TRANSFER OF FUNDS)

13 For construction, repair, improvement, and mainte-
14 nance of irrigation and power systems, buildings, utilities,
15 and other facilities, including architectural and engineer-
16 ing services by contract; acquisition of lands, and interests
17 in lands; and preparation of lands for farming, and for
18 construction of the Navajo Indian Irrigation Project pur-
19 suant to Public Law 87-483; \$181,009,000, to remain
20 available until expended: *Provided*, That such amounts as
21 may be available for the construction of the Navajo Indian
22 Irrigation Project may be transferred to the Bureau of
23 Reclamation: *Provided further*, That any funds provided
24 for the Safety of Dams program pursuant to the Act of
25 November 2, 1921 (25 U.S.C. 13), shall be made available

1 on a nonreimbursable basis: *Provided further*, That this
2 appropriation may be reimbursed from the Office of the
3 Special Trustee for American Indians appropriation for
4 the appropriate share of construction costs for space ex-
5 pansion needed in agency offices to meet trust reform im-
6 plementation: *Provided further*, That of the funds made
7 available under this heading, \$10,000,000 shall be derived
8 from the Indian Irrigation Fund established by section
9 3211 of the WIIN Act (Public Law 114–322; 130 Stat.
10 1749).

11 INDIAN LAND AND WATER CLAIM SETTLEMENTS AND
12 MISCELLANEOUS PAYMENTS TO INDIANS

13 For payments and necessary administrative expenses
14 for implementation of Indian land and water claim settle-
15 ments pursuant to Public Laws 99–264, 114–322, and
16 116–260, and for implementation of other land and water
17 rights settlements, \$825,000, to remain available until ex-
18 pended.

19 INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

20 For the cost of guaranteed loans and insured loans,
21 \$13,884,000, to remain available until September 30,
22 2024, of which \$2,680,000 is for administrative expenses,
23 as authorized by the Indian Financing Act of 1974: *Pro-*
24 *vided*, That such costs, including the cost of modifying
25 such loans, shall be as defined in section 502 of the Con-

1 gressional Budget Act of 1974: *Provided further*, That
2 these funds are available to subsidize total loan principal,
3 any part of which is to be guaranteed or insured, not to
4 exceed \$150,213,551.

5 BUREAU OF INDIAN EDUCATION

6 OPERATION OF INDIAN EDUCATION PROGRAMS

7 For expenses necessary for the operation of Indian
8 education programs, as authorized by law, including the
9 Snyder Act of November 2, 1921 (25 U.S.C. 13), the In-
10 dian Self-Determination and Education Assistance Act of
11 1975 (25 U.S.C. 5301 et seq.), the Education Amend-
12 ments of 1978 (25 U.S.C. 2001–2019), and the Tribally
13 Controlled Schools Act of 1988 (25 U.S.C. 2501 et seq.),
14 \$1,202,676,000 to remain available until September 30,
15 2024, except as otherwise provided herein: *Provided*, That
16 federally recognized Indian tribes and tribal organizations
17 of federally recognized Indian tribes may use their tribal
18 priority allocations for unmet welfare assistance costs:
19 *Provided further*, That not to exceed \$870,288,000 for
20 school operations costs of Bureau-funded schools and
21 other education programs shall become available on July
22 1, 2023, and shall remain available until September 30,
23 2024: *Provided further*, That notwithstanding any other
24 provision of law, including but not limited to the Indian
25 Self–Determination Act of 1975 (25 U.S.C. 5301 et seq.)

1 and section 1128 of the Education Amendments of 1978
2 (25 U.S.C. 2008), not to exceed \$99,107,000 within and
3 only from such amounts made available for school oper-
4 ations shall be available for administrative cost grants as-
5 sociated with grants approved prior to July 1, 2023: *Pro-*
6 *vided further*, That in order to enhance the safety of Bu-
7 reau field employees, the Bureau may use funds to pur-
8 chase uniforms or other identifying articles of clothing for
9 personnel.

10 EDUCATION CONSTRUCTION

11 For construction, repair, improvement, and mainte-
12 nance of buildings, utilities, and other facilities necessary
13 for the operation of Indian education programs, including
14 architectural and engineering services by contract; acquisi-
15 tion of lands, and interests in lands; \$375,102,000 to re-
16 main available until expended: *Provided*, That in order to
17 ensure timely completion of construction projects, the Sec-
18 retary of the Interior may assume control of a project and
19 all funds related to the project, if, not later than 18
20 months after the date of the enactment of this Act, any
21 Public Law 100–297 (25 U.S.C. 2501, et seq.) grantee
22 receiving funds appropriated in this Act or in any prior
23 Act, has not completed the planning and design phase of
24 the project and commenced construction.

1 ADMINISTRATIVE PROVISIONS

2 The Bureau of Indian Affairs and the Bureau of In-
3 dian Education may carry out the operation of Indian pro-
4 grams by direct expenditure, contracts, cooperative agree-
5 ments, compacts, and grants, either directly or in coopera-
6 tion with States and other organizations.

7 Notwithstanding Public Law 87–279 (25 U.S.C. 15),
8 the Bureau of Indian Affairs may contract for services in
9 support of the management, operation, and maintenance
10 of the Power Division of the San Carlos Irrigation Project.

11 Notwithstanding any other provision of law, no funds
12 available to the Bureau of Indian Affairs or the Bureau
13 of Indian Education for central office oversight and Exec-
14 utive Direction and Administrative Services (except Exec-
15 utive Direction and Administrative Services funding for
16 Tribal Priority Allocations, regional offices, and facilities
17 operations and maintenance) shall be available for con-
18 tracts, grants, compacts, or cooperative agreements with
19 the Bureau of Indian Affairs or the Bureau of Indian
20 Education under the provisions of the Indian Self-Deter-
21 mination Act or the Tribal Self-Governance Act of 1994
22 (Public Law 103–413).

23 In the event any tribe returns appropriations made
24 available by this Act to the Bureau of Indian Affairs or
25 the Bureau of Indian Education, this action shall not di-

1 minish the Federal Government's trust responsibility to
2 that tribe, or the government-to-government relationship
3 between the United States and that tribe, or that tribe's
4 ability to access future appropriations.

5 Notwithstanding any other provision of law, no funds
6 available to the Bureau of Indian Education, other than
7 the amounts provided herein for assistance to public
8 schools under 25 U.S.C. 452 et seq., shall be available to
9 support the operation of any elementary or secondary
10 school in the State of Alaska.

11 No funds available to the Bureau of Indian Edu-
12 cation shall be used to support expanded grades for any
13 school or dormitory beyond the grade structure in place
14 or approved by the Secretary of the Interior at each school
15 in the Bureau of Indian Education school system as of
16 October 1, 1995, except that the Secretary of the Interior
17 may waive this prohibition to support expansion of up to
18 one additional grade when the Secretary determines such
19 waiver is needed to support accomplishment of the mission
20 of the Bureau of Indian Education, or more than one
21 grade to expand the elementary grade structure for Bu-
22 reau-funded schools with a K–2 grade structure on Octo-
23 ber 1, 1996. Appropriations made available in this or any
24 prior Act for schools funded by the Bureau shall be avail-
25 able, in accordance with the Bureau's funding formula,

1 only to the schools in the Bureau school system as of Sep-
2 tember 1, 1996, and to any school or school program that
3 was reinstated in fiscal year 2012. Funds made available
4 under this Act may not be used to establish a charter
5 school at a Bureau-funded school (as that term is defined
6 in section 1141 of the Education Amendments of 1978
7 (25 U.S.C. 2021)), except that a charter school that is
8 in existence on the date of the enactment of this Act and
9 that has operated at a Bureau-funded school before Sep-
10 tember 1, 1999, may continue to operate during that pe-
11 riod, but only if the charter school pays to the Bureau
12 a pro rata share of funds to reimburse the Bureau for
13 the use of the real and personal property (including buses
14 and vans), the funds of the charter school are kept sepa-
15 rate and apart from Bureau funds, and the Bureau does
16 not assume any obligation for charter school programs of
17 the State in which the school is located if the charter
18 school loses such funding. Employees of Bureau-funded
19 schools sharing a campus with a charter school and per-
20 forming functions related to the charter school's operation
21 and employees of a charter school shall not be treated as
22 Federal employees for purposes of chapter 171 of title 28,
23 United States Code.

24 Notwithstanding any other provision of law, including
25 section 113 of title I of appendix C of Public Law 106–

1 113, if in fiscal year 2003 or 2004 a grantee received indi-
2 rect and administrative costs pursuant to a distribution
3 formula based on section 5(f) of Public Law 101–301, the
4 Secretary shall continue to distribute indirect and admin-
5 istrative cost funds to such grantee using the section 5(f)
6 distribution formula.

7 Funds available under this Act may not be used to
8 establish satellite locations of schools in the Bureau school
9 system as of September 1, 1996, except that the Secretary
10 may waive this prohibition in order for an Indian tribe
11 to provide language and cultural immersion educational
12 programs for non-public schools located within the juris-
13 dictional area of the tribal government which exclusively
14 serve tribal members, do not include grades beyond those
15 currently served at the existing Bureau-funded school,
16 provide an educational environment with educator pres-
17 ence and academic facilities comparable to the Bureau-
18 funded school, comply with all applicable Tribal, Federal,
19 or State health and safety standards, and the Americans
20 with Disabilities Act, and demonstrate the benefits of es-
21 tablishing operations at a satellite location in lieu of incur-
22 ring extraordinary costs, such as for transportation or
23 other impacts to students such as those caused by busing
24 students extended distances: *Provided*, That no funds
25 available under this Act may be used to fund operations,

1 maintenance, rehabilitation, construction, or other facili-
2 ties-related costs for such assets that are not owned by
3 the Bureau: *Provided further*, That the term “satellite
4 school” means a school location physically separated from
5 the existing Bureau school by more than 50 miles but that
6 forms part of the existing school in all other respects.

7 Funds made available for Tribal Priority Allocations
8 within Operation of Indian Programs and Operation of In-
9 dian Education Programs may be used to execute re-
10 quested adjustments in tribal priority allocations initiated
11 by an Indian Tribe.

12 OFFICE OF THE SPECIAL TRUSTEE FOR AMERICAN
13 INDIANS
14 FEDERAL TRUST PROGRAMS
15 (INCLUDING TRANSFER OF FUNDS)

16 For the operation of trust programs for Indians by
17 direct expenditure, contracts, cooperative agreements,
18 compacts, and grants, \$111,286,000, to remain available
19 until expended, of which not to exceed \$17,867,000 from
20 this or any other Act, may be available for historical ac-
21 counting: *Provided*, That funds for trust management im-
22 provements and litigation support may, as needed, be
23 transferred to or merged with the Bureau of Indian Af-
24 fairs, “Operation of Indian Programs” and Bureau of In-
25 dian Education, “Operation of Indian Education Pro-

1 grams” accounts; the Office of the Solicitor, “Salaries and
2 Expenses” account; and the Office of the Secretary, “De-
3 partmental Operations” account: *Provided further*, That
4 funds made available through contracts or grants obli-
5 gated during fiscal year 2023, as authorized by the Indian
6 Self-Determination Act of 1975 (25 U.S.C. 5301 et seq.),
7 shall remain available until expended by the contractor or
8 grantee: *Provided further*, That notwithstanding any other
9 provision of law, the Secretary shall not be required to
10 provide a quarterly statement of performance for any In-
11 dian trust account that has not had activity for at least
12 15 months and has a balance of \$15 or less: *Provided fur-*
13 *ther*, That the Secretary shall issue an annual account
14 statement and maintain a record of any such accounts and
15 shall permit the balance in each such account to be with-
16 drawn upon the express written request of the account
17 holder: *Provided further*, That not to exceed \$100,000 is
18 available for the Secretary to make payments to correct
19 administrative errors of either disbursements from or de-
20 posits to Individual Indian Money or Tribal accounts after
21 September 30, 2002: *Provided further*, That erroneous
22 payments that are recovered shall be credited to and re-
23 main available in this account for this purpose: *Provided*
24 *further*, That the Secretary shall not be required to rec-
25 oncile Special Deposit Accounts with a balance of less than

1 \$500 unless the Office of the Special Trustee receives
2 proof of ownership from a Special Deposit Accounts claim-
3 ant: *Provided further*, That notwithstanding section 102
4 of the American Indian Trust Fund Management Reform
5 Act of 1994 (Public Law 103–412) or any other provision
6 of law, the Secretary may aggregate the trust accounts
7 of individuals whose whereabouts are unknown for a con-
8 tinuous period of at least 5 years and shall not be required
9 to generate periodic statements of performance for the in-
10 dividual accounts: *Provided further*, That with respect to
11 the eighth proviso, the Secretary shall continue to main-
12 tain sufficient records to determine the balance of the indi-
13 vidual accounts, including any accrued interest and in-
14 come, and such funds shall remain available to the indi-
15 vidual account holders.

16 DEPARTMENTAL OFFICES

17 OFFICE OF THE SECRETARY

18 DEPARTMENTAL OPERATIONS

19 (INCLUDING TRANSFER OF FUNDS)

20 For necessary expenses for management of the De-
21 partment of the Interior and for grants and cooperative
22 agreements, as authorized by law, \$147,706,000, to re-
23 main available until September 30, 2024; of which not to
24 exceed \$15,000 may be for official reception and represen-
25 tation expenses; of which up to \$1,000,000 shall be avail-

1 able for workers compensation payments and unemploy-
2 ment compensation payments associated with the orderly
3 closure of the United States Bureau of Mines; and of
4 which \$14,295,000 for Indian land, mineral, and resource
5 valuation activities shall remain available until expended:
6 *Provided*, That funds for Indian land, mineral, and re-
7 source valuation activities may, as needed, be transferred
8 to and merged with the Bureau of Indian Affairs “Oper-
9 ation of Indian Programs” and Bureau of Indian Edu-
10 cation “Operation of Indian Education Programs” ac-
11 counts and the Office of the Special Trustee “Federal
12 Trust Programs” account: *Provided further*, That funds
13 made available through contracts or grants obligated dur-
14 ing fiscal year 2023, as authorized by the Indian Self-De-
15 termination Act of 1975 (25 U.S.C. 5301 et seq.), shall
16 remain available until expended by the contractor or
17 grantee.

18 ADMINISTRATIVE PROVISIONS

19 For fiscal year 2023, up to \$400,000 of the payments
20 authorized by chapter 69 of title 31, United States Code,
21 may be retained for administrative expenses of the Pay-
22 ments in Lieu of Taxes Program: *Provided*, That the
23 amounts provided under this Act specifically for the Pay-
24 ments in Lieu of Taxes program are the only amounts
25 available for payments authorized under chapter 69 of

1 title 31, United States Code: *Provided further*, That in the
2 event the sums appropriated for any fiscal year for pay-
3 ments pursuant to this chapter are insufficient to make
4 the full payments authorized by that chapter to all units
5 of local government, then the payment to each local gov-
6 ernment shall be made proportionally: *Provided further*,
7 That the Secretary may make adjustments to payment to
8 individual units of local government to correct for prior
9 overpayments or underpayments: *Provided further*, That
10 no payment shall be made pursuant to that chapter to oth-
11 erwise eligible units of local government if the computed
12 amount of the payment is less than \$100.

13 INSULAR AFFAIRS

14 ASSISTANCE TO TERRITORIES

15 For expenses necessary for assistance to territories
16 under the jurisdiction of the Department of the Interior
17 and other jurisdictions identified in section 104(e) of Pub-
18 lic Law 108–188, \$121,257,000, of which: (1)
19 \$111,040,000 shall remain available until expended for
20 territorial assistance, including general technical assist-
21 ance, maintenance assistance, disaster assistance, coral
22 reef initiative and natural resources activities, and brown
23 tree snake control and research; grants to the judiciary
24 in American Samoa for compensation and expenses, as au-
25 thorized by law (48 U.S.C. 1661(c)); grants to the Govern-

1 ment of American Samoa, in addition to current local rev-
2 enues, for construction and support of governmental func-
3 tions; grants to the Government of the Virgin Islands, as
4 authorized by law; grants to the Government of Guam,
5 as authorized by law; and grants to the Government of
6 the Northern Mariana Islands, as authorized by law (Pub-
7 lic Law 94–241; 90 Stat. 272); and (2) \$10,217,000 shall
8 be available until September 30, 2024, for salaries and
9 expenses of the Office of Insular Affairs: *Provided*, That
10 all financial transactions of the territorial and local gov-
11 ernments herein provided for, including such transactions
12 of all agencies or instrumentalities established or used by
13 such governments, may be audited by the Government Ac-
14 countability Office, at its discretion, in accordance with
15 chapter 35 of title 31, United States Code: *Provided fur-*
16 *ther*, That Northern Mariana Islands Covenant grant
17 funding shall be provided according to those terms of the
18 Agreement of the Special Representatives on Future
19 United States Financial Assistance for the Northern Mar-
20 iana Islands approved by Public Law 104–134: *Provided*
21 *further*, That the funds for the program of operations and
22 maintenance improvement are appropriated to institu-
23 tionalize routine operations and maintenance improvement
24 of capital infrastructure with territorial participation and
25 cost sharing to be determined by the Secretary based on

1 the grantee's commitment to timely maintenance of its
2 capital assets: *Provided further*, That any appropriation
3 for disaster assistance under this heading in this Act or
4 previous appropriations Acts may be used as non-Federal
5 matching funds for the purpose of hazard mitigation
6 grants provided pursuant to section 404 of the Robert T.
7 Stafford Disaster Relief and Emergency Assistance Act
8 (42 U.S.C. 5170c).

9 COMPACT OF FREE ASSOCIATION

10 For grants and necessary expenses, \$8,463,000, to
11 remain available until expended, as provided for in sec-
12 tions 221(a)(2) and 233 of the Compact of Free Associa-
13 tion for the Republic of Palau; and section 221(a)(2) of
14 the Compacts of Free Association for the Government of
15 the Republic of the Marshall Islands and the Federated
16 States of Micronesia, as authorized by Public Law 99-
17 658 and Public Law 108-188: *Provided*, That of the funds
18 appropriated under this heading, \$5,000,000 is for deposit
19 into the Compact Trust Fund of the Republic of the Mar-
20 shall Islands as compensation authorized by Public Law
21 108-188 for adverse financial and economic impacts.

22 ADMINISTRATIVE PROVISIONS

23 (INCLUDING TRANSFER OF FUNDS)

24 At the request of the Governor of Guam, the Sec-
25 retary may transfer discretionary funds or mandatory

1 funds provided under section 104(e) of Public Law 108–
2 188 and Public Law 104–134, that are allocated for
3 Guam, to the Secretary of Agriculture for the subsidy cost
4 of direct or guaranteed loans, plus not to exceed three per-
5 cent of the amount of the subsidy transferred for the cost
6 of loan administration, for the purposes authorized by the
7 Rural Electrification Act of 1936 and section 306(a)(1)
8 of the Consolidated Farm and Rural Development Act for
9 construction and repair projects in Guam, and such funds
10 shall remain available until expended: *Provided*, That such
11 costs, including the cost of modifying such loans, shall be
12 as defined in section 502 of the Congressional Budget Act
13 of 1974: *Provided further*, That such loans or loan guaran-
14 tees may be made without regard to the population of the
15 area, credit elsewhere requirements, and restrictions on
16 the types of eligible entities under the Rural Electrifica-
17 tion Act of 1936 and section 306(a)(1) of the Consolidated
18 Farm and Rural Development Act: *Provided further*, That
19 any funds transferred to the Secretary of Agriculture shall
20 be in addition to funds otherwise made available to make
21 or guarantee loans under such authorities.

1 OFFICE OF THE SOLICITOR

2 SALARIES AND EXPENSES

3 For necessary expenses of the Office of the Solicitor,
4 \$103,190,000, to remain available until September 30,
5 2024.

6 OFFICE OF INSPECTOR GENERAL

7 SALARIES AND EXPENSES

8 For necessary expenses of the Office of Inspector
9 General, \$76,870,000, to remain available until September
10 30, 2024.

11 DEPARTMENT-WIDE PROGRAMS

12 WILDLAND FIRE MANAGEMENT

13 (INCLUDING TRANSFERS OF FUNDS)

14 For necessary expenses for fire preparedness, fire
15 suppression operations, fire science and research, emer-
16 gency rehabilitation, fuels management activities, and
17 rural fire assistance by the Department of the Interior,
18 \$1,202,130,000, to remain available until expended, of
19 which not to exceed \$10,000,000 shall be for the renova-
20 tion or construction of fire facilities: *Provided*, That such
21 funds are also available for repayment of advances to
22 other appropriation accounts from which funds were pre-
23 viously transferred for such purposes: *Provided further*,
24 That of the funds provided \$304,344,000 is for fuels man-
25 agement activities: *Provided further*, That of the funds

1 provided \$22,470,000 is for burned area rehabilitation:
2 *Provided further*, That persons hired pursuant to 43
3 U.S.C. 1469 may be furnished subsistence and lodging
4 without cost from funds available from this appropriation:
5 *Provided further*, That notwithstanding 42 U.S.C. 1856d,
6 sums received by a bureau or office of the Department
7 of the Interior for fire protection rendered pursuant to 42
8 U.S.C. 1856 et seq., protection of United States property,
9 may be credited to the appropriation from which funds
10 were expended to provide that protection, and are avail-
11 able without fiscal year limitation: *Provided further*, That
12 using the amounts designated under this title of this Act,
13 the Secretary of the Interior may enter into procurement
14 contracts, grants, or cooperative agreements, for fuels
15 management activities, and for training and monitoring
16 associated with such fuels management activities on Fed-
17 eral land, or on adjacent non-Federal land for activities
18 that benefit resources on Federal land: *Provided further*,
19 That the costs of implementing any cooperative agreement
20 between the Federal Government and any non-Federal en-
21 tity may be shared, as mutually agreed on by the affected
22 parties: *Provided further*, That notwithstanding require-
23 ments of the Competition in Contracting Act, the Sec-
24 retary, for purposes of fuels management activities, may
25 obtain maximum practicable competition among: (1) local

1 private, nonprofit, or cooperative entities; (2) Youth Con-
2 servation Corps crews, Public Lands Corps (Public Law
3 109–154), or related partnerships with State, local, or
4 nonprofit youth groups; (3) small or micro-businesses; or
5 (4) other entities that will hire or train locally a significant
6 percentage, defined as 50 percent or more, of the project
7 workforce to complete such contracts: *Provided further*,
8 That in implementing this section, the Secretary shall de-
9 velop written guidance to field units to ensure account-
10 ability and consistent application of the authorities pro-
11 vided herein: *Provided further*, That funds appropriated
12 under this heading may be used to reimburse the United
13 States Fish and Wildlife Service and the National Marine
14 Fisheries Service for the costs of carrying out their re-
15 sponsibilities under the Endangered Species Act of 1973
16 (16 U.S.C. 1531 et seq.) to consult and conference, as
17 required by section 7 of such Act, in connection with
18 wildland fire management activities: *Provided further*,
19 That the Secretary of the Interior may use wildland fire
20 appropriations to enter into leases of real property with
21 local governments, at or below fair market value, to con-
22 struct capitalized improvements for fire facilities on such
23 leased properties, including but not limited to fire guard
24 stations, retardant stations, and other initial attack and
25 fire support facilities, and to make advance payments for

1 any such lease or for construction activity associated with
2 the lease: *Provided further*, That the Secretary of the Inte-
3 rior and the Secretary of Agriculture may authorize the
4 transfer of funds appropriated for wildland fire manage-
5 ment, in an aggregate amount not to exceed \$50,000,000
6 between the Departments when such transfers would fa-
7 cilitate and expedite wildland fire management programs
8 and projects: *Provided further*, That funds provided for
9 wildfire suppression shall be available for support of Fed-
10 eral emergency response actions: *Provided further*, That
11 funds appropriated under this heading shall be available
12 for assistance to or through the Department of State in
13 connection with forest and rangeland research, technical
14 information, and assistance in foreign countries, and, with
15 the concurrence of the Secretary of State, shall be avail-
16 able to support forestry, wildland fire management, and
17 related natural resource activities outside the United
18 States and its territories and possessions, including tech-
19 nical assistance, education and training, and cooperation
20 with United States and international organizations: *Pro-*
21 *vided further*, That of the funds provided under this head-
22 ing, \$383,657,000 shall be available for wildfire suppres-
23 sion operations, and is provided to meet the terms of sec-
24 tion 4004(b)(5)(B) of S. Con. Res. 14 (117th Congress),
25 the concurrent resolution on the budget for fiscal year

1 2022, and section 1(g)(2) of H. Res. 1151 (117th Con-
2 gress), as engrossed in the House of Representatives on
3 June 8, 2022.

4 WILDFIRE SUPPRESSION OPERATIONS RESERVE FUND
5 (INCLUDING TRANSFERS OF FUNDS)

6 In addition to the amounts provided under the head-
7 ing “Department of the Interior—Department-Wide Pro-
8 grams—Wildland Fire Management” for wildfire suppres-
9 sion operations, \$340,000,000, to remain available until
10 transferred, is additional new budget authority as speci-
11 fied for purposes of section 4004(b)(5) of S. Con. Res.
12 14 (117th Congress), the concurrent resolution on the
13 budget for fiscal year 2022, and section 1(g) of H. Res.
14 1151 (117th Congress), as engrossed in the House of Rep-
15 resentatives on June 8, 2022: *Provided*, That such
16 amounts may be transferred to and merged with amounts
17 made available under the headings “Department of Agri-
18 culture—Forest Service—Wildland Fire Management”
19 and “Department of the Interior—Department-Wide Pro-
20 grams—Wildland Fire Management” for wildfire suppres-
21 sion operations in the fiscal year in which such amounts
22 are transferred: *Provided further*, That amounts may be
23 transferred to the “Wildland Fire Management” accounts
24 in the Department of Agriculture or the Department of
25 the Interior only upon the notification of the House and

1 Senate Committees on Appropriations that all wildfire
2 suppression operations funds appropriated under that
3 heading in this and prior appropriations Acts to the agen-
4 cy to which the funds will be transferred will be obligated
5 within 30 days: *Provided further*, That the transfer au-
6 thority provided under this heading is in addition to any
7 other transfer authority provided by law: *Provided further*,
8 That, in determining whether all wildfire suppression op-
9 erations funds appropriated under the heading “Wildland
10 Fire Management” in this and prior appropriations Acts
11 to either the Department of Agriculture or the Depart-
12 ment of the Interior will be obligated within 30 days pur-
13 suant to the preceding proviso, any funds transferred or
14 permitted to be transferred pursuant to any other transfer
15 authority provided by law shall be excluded.

16 CENTRAL HAZARDOUS MATERIALS FUND

17 For necessary expenses of the Department of the In-
18 terior and any of its component offices and bureaus for
19 the response action, including associated activities, per-
20 formed pursuant to the Comprehensive Environmental Re-
21 sponse, Compensation, and Liability Act (42 U.S.C. 9601
22 et seq.), \$10,064,000, to remain available until expended.

1 ENERGY COMMUNITY REVITALIZATION PROGRAM
2 (INCLUDING TRANSFERS OF FUNDS)

3 For necessary expenses of the Department of the In-
4 terior to inventory, assess, decommission, reclaim, respond
5 to hazardous substance releases, remediate lands pursuant
6 to section 40704 of Public Law 117–58 (30 U.S.C. 1245),
7 and carry out the purposes of section 349 of the Energy
8 Policy Act of 2005 (42 U.S.C. 15907), as amended,
9 \$45,000,000, to remain available until expended: *Pro-*
10 *vided*, That such amount shall be in addition to amounts
11 otherwise available for such purposes: *Provided further*,
12 That amounts appropriated under this heading are avail-
13 able for program management and oversight of these ac-
14 tivities: *Provided further*, That the Secretary may transfer
15 the funds provided under this heading in this Act to any
16 other account in the Department to carry out such pur-
17 poses, and may expend such funds directly, or through
18 grants: *Provided further*, That these amounts are not
19 available to fulfill Comprehensive Environmental Re-
20 sponse, Compensation, and Liability Act (42 U.S.C. 9601
21 et seq.) obligations agreed to in settlement or imposed by
22 a court, whether for payment of funds or for work to be
23 performed.

1 NATURAL RESOURCE DAMAGE ASSESSMENT AND
2 RESTORATION

3 NATURAL RESOURCE DAMAGE ASSESSMENT FUND

4 To conduct natural resource damage assessment, res-
5 toration activities, and onshore oil spill preparedness by
6 the Department of the Interior necessary to carry out the
7 provisions of the Comprehensive Environmental Response,
8 Compensation, and Liability Act (42 U.S.C. 9601 et seq.),
9 the Federal Water Pollution Control Act (33 U.S.C. 1251
10 et seq.), the Oil Pollution Act of 1990 (33 U.S.C. 2701
11 et seq.), and 54 U.S.C. 100721 et seq., \$8,059,000, to
12 remain available until expended.

13 WORKING CAPITAL FUND

14 For the operation and maintenance of a departmental
15 financial and business management system, data manage-
16 ment, and information technology improvements of gen-
17 eral benefit to the Department, cybersecurity, and the con-
18 solidation of facilities and operations throughout the De-
19 partment, \$118,746,000, to remain available until ex-
20 pended: *Provided*, That none of the funds appropriated in
21 this Act or any other Act may be used to establish reserves
22 in the Working Capital Fund account other than for ac-
23 crued annual leave and depreciation of equipment without
24 prior approval of the Committees on Appropriations of the
25 House of Representatives and the Senate: *Provided fur-*

1 *ther*, That the Secretary of the Interior may assess reason-
2 able charges to State, local, and tribal government employ-
3 ees for training services provided by the National Indian
4 Program Training Center, other than training related to
5 Public Law 93–638: *Provided further*, That the Secretary
6 may lease or otherwise provide space and related facilities,
7 equipment, or professional services of the National Indian
8 Program Training Center to State, local and tribal govern-
9 ment employees or persons or organizations engaged in
10 cultural, educational, or recreational activities (as defined
11 in section 3306(a) of title 40, United States Code) at the
12 prevailing rate for similar space, facilities, equipment, or
13 services in the vicinity of the National Indian Program
14 Training Center: *Provided further*, That all funds received
15 pursuant to the two preceding provisos shall be credited
16 to this account, shall be available until expended, and shall
17 be used by the Secretary for necessary expenses of the
18 National Indian Program Training Center: *Provided fur-*
19 *ther*, That the Secretary may enter into grants and cooper-
20 ative agreements to support the Office of Natural Re-
21 source Revenue’s collection and disbursement of royalties,
22 fees, and other mineral revenue proceeds, as authorized
23 by law.

1 ADMINISTRATIVE PROVISION

2 There is hereby authorized for acquisition from avail-
3 able resources within the Working Capital Fund, aircraft
4 which may be obtained by donation, purchase, or through
5 available excess surplus property: *Provided*, That existing
6 aircraft being replaced may be sold, with proceeds derived
7 or trade-in value used to offset the purchase price for the
8 replacement aircraft.

9 OFFICE OF NATURAL RESOURCES REVENUE

10 For necessary expenses for management of the collec-
11 tion and disbursement of royalties, fees, and other mineral
12 revenue proceeds, and for grants and cooperative agree-
13 ments, as authorized by law, \$174,977,000, to remain
14 available until September 30, 2024; of which \$69,751,000
15 shall remain available until expended for the purpose of
16 mineral revenue management activities: *Provided*, That
17 notwithstanding any other provision of law, \$15,000 shall
18 be available for refunds of overpayments in connection
19 with certain Indian leases in which the Secretary of the
20 Interior concurred with the claimed refund due, to pay
21 amounts owed to Indian allottees or tribes, or to correct
22 prior unrecoverable erroneous payments.

1 GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR
2 (INCLUDING TRANSFERS OF FUNDS)

3 EMERGENCY TRANSFER AUTHORITY—INTRA-BUREAU

4 SEC. 101. Appropriations made in this title shall be
5 available for expenditure or transfer (within each bureau
6 or office), with the approval of the Secretary of the Inte-
7 rior, for the emergency reconstruction, replacement, or re-
8 pair of aircraft, buildings, utilities, or other facilities or
9 equipment damaged or destroyed by fire, flood, storm, or
10 other unavoidable causes: *Provided*, That no funds shall
11 be made available under this authority until funds specifi-
12 cally made available to the Department of the Interior for
13 emergencies shall have been exhausted: *Provided further*,
14 That all funds used pursuant to this section must be re-
15 plenished by a supplemental appropriation, which must be
16 requested as promptly as possible.

17 EMERGENCY TRANSFER AUTHORITY—DEPARTMENT-WIDE

18 SEC. 102. The Secretary of the Interior may author-
19 ize the expenditure or transfer of any no year appropria-
20 tion in this title, in addition to the amounts included in
21 the budget programs of the several agencies, for the sup-
22 pression or emergency prevention of wildland fires on or
23 threatening lands under the jurisdiction of the Depart-
24 ment of the Interior; for the emergency rehabilitation of
25 burned-over lands under its jurisdiction; for emergency ac-

1 tions related to potential or actual earthquakes, floods,
2 volcanoes, storms, or other unavoidable causes; for contin-
3 gency planning subsequent to actual oil spills; for response
4 and natural resource damage assessment activities related
5 to actual oil spills or releases of hazardous substances into
6 the environment; for the prevention, suppression, and con-
7 trol of actual or potential grasshopper and Mormon cricket
8 outbreaks on lands under the jurisdiction of the Secretary,
9 pursuant to the authority in section 417(b) of Public Law
10 106–224 (7 U.S.C. 7717(b)); for emergency reclamation
11 projects under section 410 of Public Law 95–87; and shall
12 transfer, from any no year funds available to the Office
13 of Surface Mining Reclamation and Enforcement, such
14 funds as may be necessary to permit assumption of regu-
15 latory authority in the event a primacy State is not car-
16 rying out the regulatory provisions of the Surface Mining
17 Act: *Provided*, That appropriations made in this title for
18 wildland fire operations shall be available for the payment
19 of obligations incurred during the preceding fiscal year,
20 and for reimbursement to other Federal agencies for de-
21 struction of vehicles, aircraft, or other equipment in con-
22 nection with their use for wildland fire operations, with
23 such reimbursement to be credited to appropriations cur-
24 rently available at the time of receipt thereof: *Provided*
25 *further*, That for wildland fire operations, no funds shall

1 be made available under this authority until the Secretary
2 determines that funds appropriated for “wildland fire sup-
3 pression” shall be exhausted within 30 days: *Provided fur-*
4 *ther*, That all funds used pursuant to this section must
5 be replenished by a supplemental appropriation, which
6 must be requested as promptly as possible: *Provided fur-*
7 *ther*, That such replenishment funds shall be used to reim-
8 burse, on a pro rata basis, accounts from which emergency
9 funds were transferred.

10 AUTHORIZED USE OF FUNDS

11 SEC. 103. Appropriations made to the Department
12 of the Interior in this title shall be available for services
13 as authorized by section 3109 of title 5, United States
14 Code, when authorized by the Secretary of the Interior,
15 in total amount not to exceed \$500,000; purchase and re-
16 placement of motor vehicles, including specially equipped
17 law enforcement vehicles; hire, maintenance, and oper-
18 ation of aircraft; hire of passenger motor vehicles; pur-
19 chase of reprints; payment for telephone service in private
20 residences in the field, when authorized under regulations
21 approved by the Secretary; and the payment of dues, when
22 authorized by the Secretary, for library membership in so-
23 cieties or associations which issue publications to members
24 only or at a price to members lower than to subscribers
25 who are not members.

1 AUTHORIZED USE OF FUNDS, INDIAN TRUST

2 MANAGEMENT

3 SEC. 104. Appropriations made in this Act under the
4 headings Bureau of Indian Affairs and Bureau of Indian
5 Education, and Office of the Special Trustee for American
6 Indians and any unobligated balances from prior appro-
7 priations Acts made under the same headings shall be
8 available for expenditure or transfer for Indian trust man-
9 agement and reform activities. Total funding for historical
10 accounting activities shall not exceed amounts specifically
11 designated in this Act for such purpose. The Secretary
12 shall notify the House and Senate Committees on Appro-
13 priations within 60 days of the expenditure or transfer of
14 any funds under this section, including the amount ex-
15 pended or transferred and how the funds will be used.

16 REDISTRIBUTION OF FUNDS, BUREAU OF INDIAN

17 AFFAIRS

18 SEC. 105. Notwithstanding any other provision of
19 law, the Secretary of the Interior is authorized to redis-
20 tribute any Tribal Priority Allocation funds, including
21 tribal base funds, to alleviate tribal funding inequities by
22 transferring funds to address identified, unmet needs,
23 dual enrollment, overlapping service areas or inaccurate
24 distribution methodologies. No tribe shall receive a reduc-
25 tion in Tribal Priority Allocation funds of more than 10

1 percent in fiscal year 2023. Under circumstances of dual
2 enrollment, overlapping service areas or inaccurate dis-
3 tribution methodologies, the 10 percent limitation does not
4 apply.

5 ELLIS, GOVERNORS, AND LIBERTY ISLANDS

6 SEC. 106. Notwithstanding any other provision of
7 law, the Secretary of the Interior is authorized to acquire
8 lands, waters, or interests therein, including the use of all
9 or part of any pier, dock, or landing within the State of
10 New York and the State of New Jersey, for the purpose
11 of operating and maintaining facilities in the support of
12 transportation and accommodation of visitors to Ellis,
13 Governors, and Liberty Islands, and of other program and
14 administrative activities, by donation or with appropriated
15 funds, including franchise fees (and other monetary con-
16 sideration), or by exchange; and the Secretary is author-
17 ized to negotiate and enter into leases, subleases, conces-
18 sion contracts, or other agreements for the use of such
19 facilities on such terms and conditions as the Secretary
20 may determine reasonable: *Provided*, That for the pur-
21 poses of 54 U.S.C. 200306(a), such lands, waters, or in-
22 terests therein shall be considered to be within the exterior
23 boundary of a System unit authorized or established.

1 OUTER CONTINENTAL SHELF INSPECTION FEES

2 SEC. 107. (a) In fiscal year 2023, the Secretary of
3 the Interior shall collect a nonrefundable inspection fee,
4 which shall be deposited in the “Offshore Safety and Envi-
5 ronmental Enforcement” account, from the designated op-
6 erator for facilities subject to inspection under 43 U.S.C.
7 1348(c).

8 (b) Annual fees shall be collected for facilities that
9 are above the waterline, excluding drilling rigs, and are
10 in place at the start of the fiscal year. Fees for fiscal year
11 2023 shall be—

12 (1) \$11,725 for facilities with no wells, but with
13 processing equipment or gathering lines;

14 (2) \$18,984 for facilities with 1 to 10 wells,
15 with any combination of active or inactive wells; and

16 (3) \$35,176 for facilities with more than 10
17 wells, with any combination of active or inactive
18 wells.

19 (c) Fees shall be assessed for facilities that are above
20 the waterline, excluding drilling rigs, and require follow-
21 up inspections. Fees for fiscal year 2023 shall be—

22 (1) \$5,863 for facilities with no wells, but with
23 processing or gathering lines;

24 (2) \$9,492 for facilities with 1 to 10 wells, with
25 any combination of active or inactive wells; and

1 (3) \$17,588 for facilities with more than 10
2 wells, with any combination of active or inactive
3 wells.

4 (d) Fees for drilling rigs shall be assessed for all in-
5 spections completed in fiscal year 2023. Fees for fiscal
6 year 2023 shall be—

7 (1) \$34,059 per inspection for rigs operating in
8 water depths of 500 feet or more; and

9 (2) \$18,649 per inspection for rigs operating in
10 water depths of less than 500 feet.

11 (e) Fees for inspection of well operations conducted
12 via non-rig units as outlined in title 30 CFR 250 subparts
13 D, E, F, and Q shall be assessed for all inspections com-
14 pleted in fiscal year 2023. Fees for fiscal year 2023 shall
15 be—

16 (1) \$13,260 per inspection for non-rig units op-
17 erating in water depths of 2,500 feet or more;

18 (2) \$11,530 per inspection for non-rig units op-
19 erating in water depths between 500 and 2,499 feet;
20 and

21 (3) \$4,470 per inspection for non-rig units op-
22 erating in water depths of less than 500 feet.

23 (f) The Secretary shall bill designated operators
24 under subsection (b) quarterly, with payment required
25 within 30 days of billing. The Secretary shall bill des-

1 ignated operators under subsection (c) within 30 days of
2 the end of the month in which the inspection occurred,
3 with payment required within 30 days of billing. The Sec-
4 retary shall bill designated operators under subsection (d)
5 with payment required by the end of the following quarter.

6 CONTRACTS AND AGREEMENTS FOR WILD HORSE AND
7 BURRO HOLDING FACILITIES

8 SEC. 108. Notwithstanding any other provision of
9 this Act, the Secretary of the Interior may enter into
10 multiyear cooperative agreements with nonprofit organiza-
11 tions and other appropriate entities, and may enter into
12 multiyear contracts in accordance with the provisions of
13 section 3903 of title 41, United States Code (except that
14 the 5-year term restriction in subsection (a) shall not
15 apply), for the long-term care and maintenance of excess
16 wild free roaming horses and burros by such organizations
17 or entities on private land. Such cooperative agreements
18 and contracts may not exceed 10 years, subject to renewal
19 at the discretion of the Secretary.

20 MASS MARKING OF SALMONIDS

21 SEC. 109. The United States Fish and Wildlife Serv-
22 ice shall, in carrying out its responsibilities to protect
23 threatened and endangered species of salmon, implement
24 a system of mass marking of salmonid stocks, intended
25 for harvest, that are released from federally operated or

1 federally financed hatcheries including but not limited to
2 fish releases of coho, chinook, and steelhead species.
3 Marked fish must have a visible mark that can be readily
4 identified by commercial and recreational fishers.

5 CONTRACTS AND AGREEMENTS WITH INDIAN AFFAIRS

6 SEC. 110. Notwithstanding any other provision of
7 law, during fiscal year 2023, in carrying out work involv-
8 ing cooperation with State, local, and tribal governments
9 or any political subdivision thereof, Indian Affairs may
10 record obligations against accounts receivable from any
11 such entities, except that total obligations at the end of
12 the fiscal year shall not exceed total budgetary resources
13 available at the end of the fiscal year.

14 DEPARTMENT OF THE INTERIOR EXPERIENCED SERVICES
15 PROGRAM

16 SEC. 111. (a) Notwithstanding any other provision
17 of law relating to Federal grants and cooperative agree-
18 ments, the Secretary of the Interior is authorized to make
19 grants to, or enter into cooperative agreements with, pri-
20 vate nonprofit organizations designated by the Secretary
21 of Labor under title V of the Older Americans Act of 1965
22 to utilize the talents of older Americans in programs au-
23 thorized by other provisions of law administered by the
24 Secretary and consistent with such provisions of law.

1 (b) Prior to awarding any grant or agreement under
2 subsection (a), the Secretary shall ensure that the agree-
3 ment would not—

4 (1) result in the displacement of individuals
5 currently employed by the Department, including
6 partial displacement through reduction of non-over-
7 time hours, wages, or employment benefits;

8 (2) result in the use of an individual under the
9 Department of the Interior Experienced Services
10 Program for a job or function in a case in which a
11 Federal employee is in a layoff status from the same
12 or substantially equivalent job within the Depart-
13 ment; or

14 (3) affect existing contracts for services.

15 OBLIGATION OF FUNDS

16 SEC. 112. Amounts appropriated by this Act to the
17 Department of the Interior shall be available for obligation
18 and expenditure not later than 60 days after the date of
19 enactment of this Act.

20 SEPARATION OF ACCOUNTS

21 SEC. 113. The Secretary of the Interior, in order to
22 implement an orderly transition to separate accounts of
23 the Bureau of Indian Affairs and the Bureau of Indian
24 Education, may transfer funds among and between the
25 successor offices and bureaus affected by the reorganiza-

1 tion only in conformance with the reprogramming guide-
2 lines described in this Act.

3 PAYMENTS IN LIEU OF TAXES (PILT)

4 SEC. 114. Section 6906 of title 31, United States
5 Code, shall be applied by substituting “fiscal year 2023”
6 for “fiscal year 2019”.

7 DISCLOSURE OF DEPARTURE OR ALTERNATE PROCEDURE

8 APPROVAL

9 SEC. 115. (a) Subject to subsection (b), in any case
10 in which the Bureau of Safety and Environmental En-
11 forcement or the Bureau of Ocean Energy Management
12 prescribes or approves any departure or use of alternate
13 procedure or equipment, in regards to a plan or permit,
14 under 30 CFR 585.103; 30 CFR 550.141; 30 CFR
15 550.142; 30 CFR 250.141; or 30 CFR 250.142, the head
16 of such bureau shall post a description of such departure
17 or alternate procedure or equipment use approval on such
18 bureau’s publicly available website not more than 15 busi-
19 ness days after such issuance.

20 (b) The head of each bureau may exclude confidential
21 business information.

22 LONG BRIDGE PROJECT

23 SEC. 116. (a) AUTHORIZATION OF CONVEYANCE.—
24 On request by the State of Virginia or the District of Co-
25 lumbia for the purpose of the construction of rail and

1 other infrastructure relating to the Long Bridge Project,
2 the Secretary of the Interior may convey to the State or
3 the District of Columbia, as applicable, all right, title, and
4 interest of the United States in and to any portion of the
5 approximately 4.4 acres of National Park Service land de-
6 picted as “Permanent Impact to NPS Land” on the Map
7 dated May 15, 2020, that is identified by the State or
8 the District of Columbia.

9 (b) TERMS AND CONDITIONS.—Such conveyance of
10 the National Park Service land under subsection (a) shall
11 be subject to any terms and conditions that the Secretary
12 may require. If such conveyed land is no longer being used
13 for the purposes specified in this section, the lands or in-
14 terests therein shall revert to the National Park Service
15 after they have been restored or remediated to the satis-
16 faction of the Secretary.

17 (c) CORRECTIONS.—The Secretary and the State or
18 the District of Columbia, as applicable, by mutual agree-
19 ment, may—

20 (1) make minor boundary adjustments to the
21 National Park Service land to be conveyed to the
22 State or the District of Columbia under subsection
23 (a); and

24 (2) correct any minor errors in the Map re-
25 ferred to in subsection (a).

1 (d) DEFINITIONS.—For purposes of this section:

2 (1) LONG BRIDGE PROJECT.—The term “Long
3 Bridge Project” means the rail project, as identified
4 by the Federal Railroad Administration, from
5 Rosslyn (RO) Interlocking in Arlington, Virginia, to
6 L’Enfant (LE) Interlocking in Washington, DC,
7 which includes a bicycle and pedestrian bridge.

8 (2) SECRETARY.—The term “Secretary” means
9 the Secretary of the Interior, acting through the Di-
10 rector of the National Park Service.

11 (3) STATE.—The term “State” means the State
12 of Virginia.

13 INTERAGENCY MOTOR POOL

14 SEC. 117. Notwithstanding any other provision of law
15 or Federal regulation, federally recognized Indian tribes
16 or authorized tribal organizations that receive Tribally-
17 Controlled School Grants pursuant to Public Law 100–
18 297 may obtain interagency motor vehicles and related
19 services for performance of any activities carried out
20 under such grants to the same extent as if they were con-
21 tracting under the Indian Self-Determination and Edu-
22 cation Assistance Act.

23 DELAWARE WATER GAP AUTHORITY

24 SEC. 118. Section 4(b) of The Delaware Water Gap
25 National Recreation Area Improvement Act, as amended

1 by section 1 of Public Law 115–101, shall be applied by
2 substituting “2023” for “2021”.

3 NATIONAL HERITAGE AREAS AND CORRIDORS

4 SEC. 119. (a) Section 109(a) of the Quinebaug and
5 Shetucket Rivers Valley National Heritage Corridor Act
6 of 1994 (title I of Public Law 103–449), is amended by
7 striking “\$17,000,000” and inserting “\$19,000,000”.

8 (b) Section 409(a) of the Steel Industry American
9 Heritage Area Act of 1996 (title IV of division II of Public
10 Law 104–333) is amended by striking “\$20,000,000” and
11 inserting “\$22,000,000”.

12 (c) Section 608(a) of the South Carolina National
13 Heritage Corridor Act of 1996 (title VI of division II of
14 Public Law 104–333) is amended by striking
15 “\$17,000,000” and inserting “\$19,000,000”.

16 (d) Subsection 157(h)(1) of the Wheeling National
17 Heritage Area Act of 2000 (section 157 of Public Law
18 106–291) is amended by striking “\$15,000,000” and in-
19 serting “\$17,000,000”.

20 (e) Sections 411, 432, and 451 of title IV of the Con-
21 solidated Natural Resources Act of 2008 (Public Law
22 110–229), are each amended by striking “the date that
23 is 15 years after the date of” and all that follows through
24 the end of each section and inserting “September 30,
25 2024.”.

1 (f) Section 512 of the National Aviation Heritage
2 Area Act (title V of division J of Public Law 108–447),
3 is amended by striking “2022” and inserting “2024”.

4 (g) Section 608 of the Oil Region National Heritage
5 Area Act (title VI of Public Law 108–447) is amended
6 by striking “2022” and inserting “2024”.

7 (h) Section 125(a) of Public Law 98–398, as amend-
8 ed by section 402 of Public Law 109–338 (120 Stat.
9 1853), is amended by striking “\$10,000,000” and insert-
10 ing “\$12,000,000”.

11 STUDY FOR SELMA TO MONTGOMERY NATIONAL HISTORIC
12 TRAIL

13 SEC. 120. (a) STUDY.—The Secretary of the Interior
14 (Secretary) shall conduct a study to evaluate—

15 (1) resources associated with the 1965 Voting
16 Rights March from Selma to Montgomery not cur-
17 rently part of the Selma to Montgomery National
18 Historic Trail (Trail) (16 U.S.C. 1244(a)(20)) that
19 would be appropriate for addition to the Trail; and

20 (2) the potential designation of the Trail as a
21 unit of the National Park System instead of, or in
22 addition to, remaining a designated part of the Na-
23 tional Trails System.

24 (b) REPORT.—Not later than one year after the date
25 of enactment of this Act, the Secretary shall submit to

1 the House and Senate Committees on Appropriations, the
2 Committee on Natural Resources of the House of Rep-
3 resentatives and the Committee on Energy and Natural
4 Resources of the Senate a report that describes the results
5 of the study and the conclusions and recommendations of
6 the study.

7 (c) LAND ACQUISITION.—The Secretary is author-
8 ized, subject to the availability of appropriations and at
9 her discretion, to acquire property or interests therein lo-
10 cated in the city of Selma, Alabama and generally depicted
11 on the map entitled, “Selma to Montgomery NHT Pro-
12 posed Addition,” numbered 628/177376 and dated Sep-
13 tember 14, 2021, with the consent of the owner, for the
14 benefit of the Selma to Montgomery National Historic
15 Trail and to further the purpose for which the trail has
16 been established.

17 APPRAISER PAY AUTHORITY

18 SEC. 121. For fiscal year 2023, funds made available
19 in this or any other Act or otherwise made available to
20 the Department of the Interior for the Appraisal and
21 Valuation Services Office may be used by the Secretary
22 of the Interior to establish higher minimum rates of basic
23 pay for employees of the Department of the Interior in
24 the Appraiser (GS–1171) job series at grades 11 through
25 15 carrying out appraisals of real property and appraisal

1 reviews conducted in support of the Department’s realty
2 programs at rates no greater than 15 percent above the
3 minimum rates of basic pay normally scheduled, and such
4 higher rates shall be consistent with subsections (e)
5 through (h) of section 5305 of title 5, United States Code.

6 ONSHORE OIL AND GAS INSPECTION FEE

7 SEC. 122. (a) ONSHORE OIL AND GAS INSPECTION
8 FEES.—The designated operator under each oil and gas
9 lease on Federal or Indian lands, or under each unit and
10 communitization agreement that includes one or more
11 such Federal or Indian leases, that is subject to inspection
12 under section 108(b) of the Federal Oil and Gas Royalty
13 Management Act of 1982 (30 U.S.C. 1718(b)) and that
14 is in force at the start of fiscal year 2022 shall pay a non-
15 refundable annual inspection fee that the Bureau of Land
16 Management (BLM) shall collect and deposit in the “Man-
17 agement of Lands and Resources” account.

18 (b) FEES.—Fees for fiscal year 2023 shall be—

19 (1) \$1,560 for each lease or unit or
20 communitization agreement with 1 to 10 wells, with
21 any combination of active or inactive wells;

22 (2) \$7,000 for each lease or unit or
23 communitization agreement with 11 to 50 wells, with
24 any combination of active or inactive wells; and

(3) \$14,000 for each lease or unit or communitization agreement with more than 50 wells, with any combination of active or inactive wells.

(c) BILLING AND PAYMENT.—BLM shall bill designated operators not later than 60 days after the date of enactment of this Act, with payment required within 30 days of billing.

(d) PENALTY.—If the designated operator fails to pay the full amount of the fee as prescribed in this section, the Secretary may, in addition to utilizing any other applicable enforcement authority, assess civil penalties against the operator in the same manner as if this section were a mineral leasing law as defined in paragraph (8) of section 3 of Public Law 97–451 (30 U.S.C 1702(8)), as amended.

(e) EXEMPTION FOR TRIBAL OPERATORS.—An operator that is a Tribe or is controlled by a Tribe is not subject to subsection (a) with respect to a lease, unit, or communitization agreement that is located entirely on the lands of such Tribe.

21 DECOMMISSIONING ACCOUNT

SEC. 123. (a) Effective upon the later of October 1, 2022, or the date of enactment of this Act, the fifth and sixth provisos under the amended heading “Royalty and Offshore Minerals Management” for the Minerals Man-

1 agement Service in Public Law 101–512 shall hereafter
2 have no force or effect.

3 (b) Beginning on the later of October 1, 2022, or the
4 date of enactment of this Act, and in each fiscal year here-
5 after—

6 (1) Notwithstanding section 3302 of title 31,
7 any moneys hereafter received as a result of the for-
8 feiture of a bond or other security by an Outer Con-
9 tinental Shelf permittee, lessee, or right-of-way hold-
10 er that does not fulfill the requirements of its per-
11 mit, lease, or right-of-way or does not comply with
12 the regulations of the Secretary, or as a bankruptcy
13 distribution or settlement associated with such fail-
14 ure or noncompliance, shall be credited to a separate
15 account established in the Treasury for decommis-
16 sioning activities and shall be available to the Bu-
17 reau of Ocean Energy Management without further
18 appropriation or fiscal year limitation to cover the
19 cost to the United States of any improvement, pro-
20 tection, rehabilitation, or decommissioning work ren-
21 dered necessary by the action or inaction that led to
22 the forfeiture or bankruptcy distribution or settle-
23 ment, to remain available until expended.

24 (2) Amounts deposited into the decommis-
25 sioning account may be allocated to the Bureau of

1 Safety and Environmental Enforcement for such
2 costs.

3 (3) Any moneys received for such costs cur-
4 rently held in the Ocean Energy Management ac-
5 count shall be transferred to the decommissioning
6 account; and

7 (4) Any portion of the moneys so credited shall
8 be returned to the bankruptcy estate, permittee, les-
9 see, or right-of-way holder to the extent that the
10 money is in excess of the amount expended in per-
11 forming the work necessitated by the action or inac-
12 tion which led to their receipt or, if the bond or se-
13 curity was forfeited for failure to pay the civil pen-
14 alty, in excess of the civil penalty imposed.

15 LAND AND WATER CONSERVATION FUND FINANCIAL

16 ASSISTANCE TO STATES

17 SEC. 124. For expenses necessary to carry out section
18 200305 of title 54, United States Code, the National Park
19 Service may retain up to 7 percent of the State Conserva-
20 tion Grants program to provide to States, the District of
21 Columbia, and insular areas, as matching grants to sup-
22 port state program administrative costs.

1 INCORPORATION BY REFERENCE

2 SEC. 125. (a) H.R. 6707 as introduced in the 117th
3 Congress (Advancing Equality for Wabanaki Nations Act)
4 is hereby enacted into law.

5 (b) In publishing this Act in slip form and in the
6 United States Statutes at large pursuant to section 112
7 of title 1, United States Code, the Archivist of the United
8 States shall include after the date of approval at the end
9 an appendix setting forth the text of the sections of the
10 bill referred to in subsection (a).

11 INDIAN RESERVATION GAMING REGULATIONS

12 SEC. 126. The Ysleta del Sur Pueblo and Alabama
13 and Coshatta Indian Tribes of Texas Restoration Act
14 (Public Law 100—89; 101 Stat. 666) is amended by add-
15 ing at the end the following:

16 **“SEC. 301 RULE OF CONSTRUCTION.**

17 “Nothing in this Act shall be construed to preclude
18 or limit the applicability of the Indian Gaming Regulatory
19 Act (25 U.S.C. 2701 et seq.).”.

20 INDIAN REORGANIZATION ACT

21 SEC. 127. (a) MODIFICATION.—(1) IN GENERAL.—
22 The first sentence of section 19 of the Act of June 18,
23 1934 (commonly known as the “Indian Reorganization
24 Act”) (25 U.S.C. 5129), is amended—

1 (A) by striking “The term” and inserting “Effective
2 beginning on June 18, 1934, the term”; and

3 (B) by striking “any recognized Indian tribe now
4 under Federal jurisdiction” and inserting “any federally
5 recognized Indian tribe”.

6 (2) EFFECTIVE DATE.—The amendments made by
7 paragraph (1) shall take effect as if included in the Act
8 of June 18, 1934 (commonly known as the “Indian Reor-
9 ganization Act”) (25 U.S.C. 5129), on the date of enact-
10 ment of that Act.

11 (b) RATIFICATION AND CONFIRMATION OF AC-
12 TIONS.—Any action taken by the Secretary of the Interior
13 pursuant to the Act of June 18, 1934 (commonly known
14 as the “Indian Reorganization Act”) (25 U.S.C. 5101 et
15 seq.) for any Indian tribe that was federally recognized
16 on the date of the action is ratified and confirmed, to the
17 extent such action is subjected to challenge based on
18 whether the Indian tribe was federally recognized or under
19 Federal jurisdiction on June 18, 1934, as if the action
20 had, by prior act of Congress, been specifically authorized
21 and directed.

22 (c) EFFECT ON OTHER LAWS.—(1) IN GENERAL.—
23 Nothing in this section or the amendments made by this
24 section affects—

1 (A) the application or effect of any Federal law other
2 than the Act of June 18, 1934 (25 U.S.C. 5101 et seq.)
3 (as amended by subsection (a)); or

4 (B) any limitation on the authority of the Secretary
5 of the Interior under any Federal law or regulation other
6 than the Act of June 18, 1934 (25 U.S.C. 5101 et seq.)
7 (as so amended).

8 (2) REFERENCES IN OTHER LAWS.—An express ref-
9 erence to the Act of June 18, 1934 (25 U.S.C. 5101 et
10 seq.) contained in any other Federal law shall be consid-
11 ered to be a reference to that Act as amended by sub-
12 section (a).

13 LOWELL NATIONAL HISTORIC PARK

14 SEC. 128. Section 103(a) of Public Law 95–290 (16
15 U.S.C. 410cc–13; 92 Stat. 292) is amended by striking
16 paragraph (1) and redesignating paragraph (2) as para-
17 graph (1).

18 RESTRICTION ON USE OF FUNDS

19 SEC. 129. (a) None of the funds made available in
20 this Act may be used by the Secretary of the Interior or
21 the Director of the Bureau of Ocean Energy Management
22 to conduct or authorize oil and gas preleasing, leasing, or
23 related activities, including but not limited to the issuance
24 of permits for geological and geophysical exploration, in
25 any planning area where the 2017-2022 Outer Continental

1 Shelf Oil and Gas Leasing Proposed Final Program (No-
2 vember 2016) did not schedule leases.

3 (b) The restrictions under subsection (a) apply to the
4 formal steps identified by the Department of the Interior
5 and the enabling steps prior to leasing, including the
6 issuance of permits for geological and geophysical explo-
7 ration.

8 TRIBAL CANNABIS

9 SEC. 130. None of the funds appropriated by this Act
10 to the Department of Justice or its agencies or bureaus
11 or the Department of the Interior, Bureau of Indian Af-
12 fairs, Office of Justice Services, including those agency
13 funds distributed to any Indian tribe (as such term is de-
14 fined in the Federally Recognized Indian Tribe List Act
15 of 1994 (25 U.S.C. 5130(2))) via the Indian Self-Deter-
16 mination and Education Assistance Act (25 U.S.C. §
17 5301, et. seq.), may be used to enforce federal laws crim-
18 inalizing the use, distribution, possession, or cultivation of
19 marijuana against any person engaged in the use, dis-
20 tribution, possession, or cultivation of marijuana in Indian
21 country (as defined by 18 U.S.C. § 1151), where tribal
22 laws authorize such use, distribution, possession, or cul-
23 tivation of marijuana, subject to the following:

24 (1) unless federal law subjects the Indian lands
25 (as such term is defined in the Indian Gaming Reg-

1 ulatory Act (25 U.S.C. 2703(4)) to the civil and
2 criminal laws of the state and the tribal laws author-
3 izing the use, distribution, possession, or cultivation
4 of marijuana do not comply therewith or the Indian
5 lands are not in a state that has legalized marijuana
6 for any purpose; and

7 (2) provided the governing Indian tribe (Feder-
8 ally Recognized Indian Tribe List Act) takes reason-
9 able measures under tribal marijuana laws to ensure
10 that marijuana is prohibited for minors; marijuana
11 is not diverted to states or tribes where marijuana
12 is prohibited by state or tribal law; marijuana is not
13 used as a means for trafficking other illegal drugs
14 or used to support organized crime activity; and
15 marijuana is not permitted on Federal public lands.

16 VISITOR EXPERIENCE IMPROVEMENT AUTHORITY

17 SEC. 131. Section 101938 of title 54, United States
18 Code, is amended by striking “7” and inserting “9”.

19 BIG CYPRESS NATIONAL PRESERVE

20 SEC. 132. The Secretary of the Interior, acting
21 through the Director of the National Park Service, shall
22 prepare an environmental impact statement under the Na-
23 tional Environmental Policy Act of 1969 (42 U.S.C. 4321
24 et seq.), prior to approving an operations permit, as de-
25 scribed in 36 Code of Federal Regulations, subpart B

1 §§9.80 through 9.90, for the purpose of conducting or pro-
2 posing to conduct non-federal oil or gas operations within
3 the Big Cypress National Preserve.

4 TITLE II

5 ENVIRONMENTAL PROTECTION AGENCY

6 SCIENCE AND TECHNOLOGY

7 For science and technology, including research and
8 development activities, which shall include research and
9 development activities under the Comprehensive Environ-
10 mental Response, Compensation, and Liability Act of
11 1980; necessary expenses for personnel and related costs
12 and travel expenses; procurement of laboratory equipment
13 and supplies; hire, maintenance, and operation of aircraft;
14 and other operating expenses in support of research and
15 development, \$872,743,000, to remain available until Sep-
16 tember 30, 2024: *Provided*, That of the funds included
17 under this heading, \$10,000,000 shall be for Research:
18 National Priorities as specified in the report accom-
19 panying this Act.

20 ENVIRONMENTAL PROGRAMS AND MANAGEMENT

21 For environmental programs and management, in-
22 cluding necessary expenses not otherwise provided for, for
23 personnel and related costs and travel expenses; hire of
24 passenger motor vehicles; hire, maintenance, and oper-
25 ation of aircraft; purchase of reprints; library member-

1 ships in societies or associations which issue publications
2 to members only or at a price to members lower than to
3 subscribers who are not members; administrative costs of
4 the brownfields program under the Small Business Liabil-
5 ity Relief and Brownfields Revitalization Act of 2002; im-
6 plementation of a coal combustion residual permit pro-
7 gram under section 2301 of the Water and Waste Act of
8 2016; and not to exceed \$9,000 for official reception and
9 representation expenses, \$3,792,315,000, to remain avail-
10 able until September 30, 2024: *Provided*, That of the
11 amounts made available under this heading, \$27,700,000
12 shall be for Environmental Protection: National Priorities
13 as specified in the report accompanying this Act: *Provided*
14 *further*, That of the amounts made available under this
15 heading, \$679,938,000 shall be for Geographic Programs
16 specified in the report accompanying this Act: *Provided*
17 *further*, That amounts made available under this heading
18 may be used for environmental justice implementation and
19 training grants, and associated program support costs.
20 *Provided further*, That of the amounts made available
21 under this heading, the Chemical Risk Review and Reduc-
22 tion program project shall be allocated for this fiscal year,
23 excluding the amount of any fees appropriated, not less
24 than the amount of appropriations for that program
25 project for fiscal year 2014.

1 OFFICE OF INSPECTOR GENERAL

2 For necessary expenses of the Office of Inspector
3 General in carrying out the provisions of the Inspector
4 General Act of 1978, \$55,865,000, to remain available
5 until September 30, 2024.

6 BUILDINGS AND FACILITIES

7 For construction, repair, improvement, extension, al-
8 teration, and purchase of fixed equipment or facilities of,
9 or for use by, the Environmental Protection Agency,
10 \$80,570,000, to remain available until expended.

11 HAZARDOUS SUBSTANCE SUPERFUND

12 (INCLUDING TRANSFERS OF FUNDS)

13 For necessary expenses to carry out the Comprehen-
14 sive Environmental Response, Compensation, and Liabil-
15 ity Act of 1980 (CERCLA), including sections 111(c)(3),
16 (c)(5), (c)(6), and (e)(4) (42 U.S.C. 9611), and hire,
17 maintenance, and operation of aircraft, \$1,313,638,000,
18 to remain available until expended, consisting of, in the
19 following order, amounts made available for fiscal year
20 2023 pursuant to section 613 of Public Law 117–58; to
21 the extent necessary, such sums as are available in the
22 Trust Fund on September 30, 2022, and not otherwise
23 appropriated from the Trust Fund, as authorized by sec-
24 tion 517(a) of the Superfund Amendments and Reauthor-
25 ization Act of 1986 (SARA); and to the extent necessary,

1 up to \$1,313,638,000 as a payment from general revenues
2 to the Hazardous Substance Superfund for purposes as
3 authorized by section 517(b) of SARA: *Provided*, That
4 funds appropriated under this heading may be allocated
5 to other Federal agencies in accordance with section
6 111(a) of CERCLA: *Provided further*, That of the funds
7 appropriated under this heading, \$12,111,000 shall be
8 paid to the “Office of Inspector General” appropriation
9 to remain available until September 30, 2024, and
10 \$31,391,000 shall be paid to the “Science and Tech-
11 nology” appropriation to remain available until September
12 30, 2024.

13 LEAKING UNDERGROUND STORAGE TANK TRUST FUND
14 PROGRAM

15 For necessary expenses to carry out leaking under-
16 ground storage tank cleanup activities authorized by sub-
17 title I of the Solid Waste Disposal Act, \$93,814,000, to
18 remain available until expended, of which \$67,145,000
19 shall be for carrying out leaking underground storage tank
20 cleanup activities authorized by section 9003(h) of the
21 Solid Waste Disposal Act; \$26,669,000 shall be for car-
22 rying out the other provisions of the Solid Waste Disposal
23 Act specified in section 9508(c) of the Internal Revenue
24 Code: *Provided*, That the Administrator is authorized to
25 use appropriations made available under this heading to

1 implement section 9013 of the Solid Waste Disposal Act
2 to provide financial assistance to federally recognized In-
3 dian tribes for the development and implementation of
4 programs to manage underground storage tanks.

5 INLAND OIL SPILL PROGRAMS

6 For expenses necessary to carry out the Environ-
7 mental Protection Agency's responsibilities under the Oil
8 Pollution Act of 1990, including hire, maintenance, and
9 operation of aircraft, \$26,502,000, to be derived from the
10 Oil Spill Liability trust fund, to remain available until ex-
11 pended.

12 STATE AND TRIBAL ASSISTANCE GRANTS

13 For environmental programs and infrastructure as-
14 sistance, including capitalization grants for State revolv-
15 ing funds and performance partnership grants,
16 \$5,177,332,000, to remain available until expended, of
17 which—

18 (1) \$1,751,646,000 shall be for making capital-
19 ization grants for the Clean Water State Revolving
20 Funds under title VI of the Federal Water Pollution
21 Control Act; and of which \$1,126,096,000 shall be
22 for making capitalization grants for the Drinking
23 Water State Revolving Funds under section 1452 of
24 the Safe Drinking Water Act: *Provided, That*
25 \$553,401,264 of the funds made available for cap-

1 italization grants for the Clean Water State Revolv-
2 ing Funds and \$381,263,499 of the funds made
3 available for capitalization grants for the Drinking
4 Water State Revolving Funds shall be for the con-
5 struction of drinking water, wastewater, and storm
6 water infrastructure and for water quality protection
7 in accordance with the terms and conditions speci-
8 fied for such grants in the report accompanying this
9 Act for projects specified for “STAG—Drinking
10 Water SRF” and “STAG—Clean Water SRF”, in
11 the table titled “Interior and Environment Incorpo-
12 ration of Community Project Funding Items” in-
13 cluded in the report accompanying this Act, and, for
14 purposes of these grants, each grantee shall con-
15 tribute not less than 20 percent of the cost of the
16 project unless the grantee is approved for a waiver
17 by the Agency: *Provided further*, That for fiscal year
18 2023, to the extent there are sufficient eligible
19 project applications and projects are consistent with
20 State Intended Use Plans, not less than 10 percent
21 of the funds made available under this title to each
22 State for Clean Water State Revolving Fund capital-
23 ization grants shall be used by the State for projects
24 to address green infrastructure, water or energy effi-
25 ciency improvements, or other environmentally inno-

1 vative activities: *Provided further*, That the Adminis-
2 trator is authorized to use up to \$1,500,000 of
3 amounts made available for the Clean Water State
4 Revolving Funds under this heading under title VI
5 of the Federal Water Pollution Control Act (33
6 U.S.C. 1381) to conduct the Clean Watersheds
7 Needs Survey: *Provided further*, That for fiscal year
8 2023, amounts made available under this title to
9 each State for Drinking Water State Revolving
10 Fund capitalization grants may, at the discretion of
11 each State, be used for projects to address green in-
12 frastructure, water or energy efficiency improve-
13 ments, or other environmentally innovative activities:
14 *Provided further*, That notwithstanding section
15 603(d)(7) of the Federal Water Pollution Control
16 Act, the limitation on the amounts in a State water
17 pollution control revolving fund that may be used by
18 a State to administer the fund shall not apply to
19 amounts included as principal in loans made by such
20 fund in fiscal year 2023 and prior years where such
21 amounts represent costs of administering the fund
22 to the extent that such amounts are or were deemed
23 reasonable by the Administrator, accounted for sepa-
24 rately from other assets in the fund, and used for
25 eligible purposes of the fund, including administra-

1 tion: *Provided further*, That for fiscal year 2023,
2 notwithstanding the provisions of subsections (g)(1),
3 (h), and (l) of section 201 of the Federal Water Pol-
4 lution Control Act, grants made under title II of
5 such Act for American Samoa, Guam, the Common-
6 wealth of the Northern Marianas, the United States
7 Virgin Islands, and the District of Columbia may
8 also be made for the purpose of providing assistance:
9 (1) solely for facility plans, design activities, or
10 plans, specifications, and estimates for any proposed
11 project for the construction of treatment works; and
12 (2) for the construction, repair, or replacement of
13 privately owned treatment works serving one or
14 more principal residences or small commercial estab-
15 lishments: *Provided further*, That for fiscal year
16 2023, notwithstanding the provisions of such sub-
17 sections (g)(1), (h), and (l) of section 201 and sec-
18 tion 518(c) of the Federal Water Pollution Control
19 Act, funds reserved by the Administrator for grants
20 under section 518(c) of the Federal Water Pollution
21 Control Act may also be used to provide assistance:
22 (1) solely for facility plans, design activities, or
23 plans, specifications, and estimates for any proposed
24 project for the construction of treatment works; and
25 (2) for the construction, repair, or replacement of

1 privately owned treatment works serving one or
2 more principal residences or small commercial estab-
3 lishments: *Provided further*, That for fiscal year
4 2023, notwithstanding any provision of the Federal
5 Water Pollution Control Act and regulations issued
6 pursuant thereof, up to a total of \$2,000,000 of the
7 funds reserved by the Administrator for grants
8 under section 518(c) of such Act may also be used
9 for grants for training, technical assistance, and
10 educational programs relating to the operation and
11 management of the treatment works specified in sec-
12 tion 518(c) of such Act: *Provided further*, That for
13 fiscal year 2023, funds reserved under section
14 518(c) of such Act shall be available for grants only
15 to Indian tribes, as defined in section 518(h) of such
16 Act and former Indian reservations in Oklahoma (as
17 determined by the Secretary of the Interior) and Na-
18 tive Villages as defined in Public Law 92-203: *Pro-*
19 *vided further*, That for fiscal year 2023, notwith-
20 standing the limitation on amounts in section 518(c)
21 of the Federal Water Pollution Control Act, up to a
22 total of 2 percent of the funds appropriated, or
23 \$30,000,000, whichever is greater, and notwith-
24 standing the limitation on amounts in section
25 1452(i) of the Safe Drinking Water Act, up to a

1 total of 2 percent of the funds appropriated, or
2 \$20,000,000, whichever is greater, for State Revolv-
3 ing Funds under such Acts may be reserved by the
4 Administrator for grants under section 518(c) and
5 section 1452(i) of such Acts: *Provided further*, That
6 for fiscal year 2023, notwithstanding the amounts
7 specified in section 205(c) of the Federal Water Pol-
8 lution Control Act, up to 1.5 percent of the aggre-
9 gate funds appropriated for the Clean Water State
10 Revolving Fund program under the Act less any
11 sums reserved under section 518(c) of the Act, may
12 be reserved by the Administrator for grants made
13 under title II of the Federal Water Pollution Control
14 Act for American Samoa, Guam, the Commonwealth
15 of the Northern Marianas, and United States Virgin
16 Islands: *Provided further*, That for fiscal year 2023,
17 notwithstanding the limitations on amounts specified
18 in section 1452(j) of the Safe Drinking Water Act,
19 up to 1.5 percent of the funds appropriated for the
20 Drinking Water State Revolving Fund programs
21 under the Safe Drinking Water Act may be reserved
22 by the Administrator for grants made under section
23 1452(j) of the Safe Drinking Water Act: *Provided*
24 *further*, That 10 percent of the funds made available
25 under this title to each State for Clean Water State

1 Revolving Fund capitalization grants and 14 percent
2 of the funds made available under this title to each
3 State for Drinking Water State Revolving Fund cap-
4 italization grants shall be used by the State to pro-
5 vide additional subsidy to eligible recipients in the
6 form of forgiveness of principal, negative interest
7 loans, or grants (or any combination of these), and
8 shall be so used by the State only where such funds
9 are provided as initial financing for an eligible re-
10 cipient or to buy, refinance, or restructure the debt
11 obligations of eligible recipients only where such debt
12 was incurred on or after the date of enactment of
13 this Act, or where such debt was incurred prior to
14 the date of enactment of this Act if the State, with
15 concurrence from the Administrator, determines that
16 such funds could be used to help address a threat
17 to public health from heightened exposure to lead in
18 drinking water or if a Federal or State emergency
19 declaration has been issued due to a threat to public
20 health from heightened exposure to lead in a munic-
21 ipal drinking water supply before the date of enact-
22 ment of this Act: *Provided further*, That in a State
23 in which such an emergency declaration has been
24 issued, the State may use more than 14 percent of
25 the funds made available under this title to the

1 State for Drinking Water State Revolving Fund cap-
2 italization grants to provide additional subsidy to eli-
3 gible recipients: *Provided further*, That notwith-
4 standing section 1452(o) of the Safe Drinking Water
5 Act (42 U.S.C. 300j-12(o)), the Administrator shall
6 reserve \$12,000,000 of amounts made available
7 under this paragraph for making capitalization
8 grants for the Drinking Water State Revolving
9 Funds to pay the costs of monitoring for unregu-
10 lated contaminants under section 1445(a)(2)(C) of
11 such Act during fiscal years 2023 through 2027;

12 (2) \$35,000,000 shall be for architectural, engi-
13 neering, planning, design, construction and related
14 activities in connection with the construction of high
15 priority water and wastewater facilities in the area
16 of the United States-Mexico Border, after consulta-
17 tion with the appropriate border commission: *Pro-*
18 *vided*, That no funds provided by this appropriations
19 Act to address the water, wastewater and other crit-
20 ical infrastructure needs of the colonias in the
21 United States along the United States-Mexico bor-
22 der shall be made available to a county or municipal
23 government unless that government has established
24 an enforceable local ordinance, or other zoning rule,
25 which prevents in that jurisdiction the development

1 or construction of any additional colonia areas, or
2 the development within an existing colonia the con-
3 struction of any new home, business, or other struc-
4 ture which lacks water, wastewater, or other nec-
5 essary infrastructure;

6 (3) \$40,000,000 shall be for grants to the State
7 of Alaska to address drinking water and wastewater
8 infrastructure needs of rural and Alaska Native Vil-
9 lages: *Provided*, That of these funds: (A) the State
10 of Alaska shall provide a match of 25 percent; (B)
11 no more than 5 percent of the funds may be used
12 for administrative and overhead expenses; and (C)
13 the State of Alaska shall make awards consistent
14 with the Statewide priority list established in con-
15 junction with the Agency and the U.S. Department
16 of Agriculture for all water, sewer, waste disposal,
17 and similar projects carried out by the State of Alas-
18 ka that are funded under section 221 of the Federal
19 Water Pollution Control Act (33 U.S.C. 1301) or
20 the Consolidated Farm and Rural Development Act
21 (7 U.S.C. 1921 et seq.) which shall allocate not less
22 than 25 percent of the funds provided for projects
23 in regional hub communities;

24 (4) \$130,982,000 shall be to carry out section
25 104(k) of the Comprehensive Environmental Re-

1 sponse, Compensation, and Liability Act of 1980
2 (CERCLA), including grants, interagency agree-
3 ments, and associated program support costs: *Pro-*
4 *vided*, That at least 10 percent shall be allocated for
5 assistance in persistent poverty counties: *Provided*
6 *further*, That for purposes of this section, the term
7 “persistent poverty counties” means any county that
8 has had 20 percent or more of its population living
9 in poverty over the past 30 years, as measured by
10 the 1993 Small Area Income and Poverty Estimates,
11 the 2000 decennial census, and the most recent
12 Small Area Income and Poverty Estimates, or any
13 territory or possession of the United States;

14 (5) \$150,000,000 shall be for grants under title
15 VII, subtitle G of the Energy Policy Act of 2005;

16 (6) \$100,000,000 shall be for targeted airshed
17 grants in accordance with the terms and conditions
18 in the explanatory statement described in section 4
19 (in the matter preceding division A of this consoli-
20 dated Act);

21 (7) \$4,000,000 shall be to carry out the water
22 quality program authorized in section 5004(d) of the
23 Water Infrastructure Improvements for the Nation
24 Act (Public Law 114—322);

1 (8) \$42,593,000 shall be for grants under sub-
2 sections (a) through (j) of section 1459A of the Safe
3 Drinking Water Act (42 U.S.C. 300j–19a);

4 (9) \$36,000,000 shall be for grants under sec-
5 tion 1464(d) of the Safe Drinking Water Act (42
6 U.S.C. 300j–24(d));

7 (10) \$51,011,000 shall be for grants under sec-
8 tion 1459B of the Safe Drinking Water Act (42
9 U.S.C. 300j–19b);

10 (11) \$6,000,000 shall be for grants under sec-
11 tion 1459A(l) of the Safe Drinking Water Act (42
12 U.S.C. 300j–19a(l));

13 (12) \$33,000,000 shall be for grants under sec-
14 tion 104(b)(8) of the Federal Water Pollution Con-
15 trol Act (33 U.S.C. 1254(b)(8));

16 (13) \$280,000,000 shall be for grants under
17 section 221 of the Federal Water Pollution Control
18 Act (33 U.S.C. 1301);

19 (14) \$5,000,000 shall be for grants under sec-
20 tion 4304(b) of the America’s Water Infrastructure
21 Act of 2018 (Public Law 115–270);

22 (15) \$10,000,000 shall be for grants under sec-
23 tion 1442(b) of the Safe Drinking Water Act (42
24 U.S.C. 300j—1(b));

1 (16) \$10,000,000 shall be for grants under sec-
2 tion 1459F of the Safe Drinking Water Act (42
3 U.S.C. 300j—19g);

4 (17) \$5,000,000, in addition to amounts other-
5 wise available, shall be for grants under sections
6 104(b)(3), 104(b)(8), and 104(g) of the Federal
7 Water Pollution Control Act (33 U.S.C. 1254(b)(3),
8 1254(b)(8) and 1254(g));

9 (18) \$5,000,000 shall be for grants under sec-
10 tion 224 of the Federal Water Pollution Control Act
11 (33 U.S.C. 1302b);

12 (19) \$5,000,000 shall be for grants under sec-
13 tion 226 of the Federal Water Pollution Control Act
14 (33 U.S.C. 1302d);

15 (20) \$5,000,000 shall be for grants under sec-
16 tion 50213 of the Infrastructure Investment and
17 Jobs Act (42 U.S.C. 10361; Public Law 117—58);

18 (21) \$5,000,000 shall be for grants under sec-
19 tion 50217(b) of the Infrastructure Investment and
20 Jobs Act (33 U.S.C. 1302f(b); Public Law 117—
21 58);

22 (22) \$5,000,000 shall be for grants under sec-
23 tion 50217(c) of the Infrastructure Investment and
24 Jobs Act (33 U.S.C. 1302f(c); Public Law 117—
25 58);

1 (23) \$10,000,000 shall be for grants under sec-
2 tion 220 of the Federal Water Pollution Control Act
3 (33 U.S.C. 1300);

4 (24) \$5,000,000 shall be for grants under sec-
5 tion 124 of the Federal Water Pollution Control Act
6 (33 U.S.C. 1276); and

7 (25) \$1,321,004,000 shall be for grants, includ-
8 ing associated program support costs, to States, fed-
9 erally recognized Tribes, interstate agencies, tribal
10 consortia, and air pollution control agencies for
11 multi-media or single media pollution prevention,
12 control and abatement, and related activities, includ-
13 ing activities pursuant to the provisions set forth
14 under this heading in Public Law 104–134, and for
15 making grants under section 103 of the Clean Air
16 Act for particulate matter monitoring and data col-
17 lection activities subject to terms and conditions
18 specified by the Administrator, and under section
19 2301 of the Water and Waste Act of 2016 to assist
20 States in developing and implementing programs for
21 control of coal combustion residuals, of which:
22 \$46,954,000 shall be for carrying out section 128 of
23 CERCLA; \$15,000,000 shall be for Environmental
24 Information Exchange Network grants, including as-
25 sociated program support costs; \$1,505,000 shall be

1 for grants to States under section 2007(f)(2) of the
2 Solid Waste Disposal Act, which shall be in addition
3 to funds appropriated under the heading “Leaking
4 Underground Storage Tank Trust Fund Program”
5 to carry out the provisions of the Solid Waste Dis-
6 posal Act specified in section 9508(c) of the Internal
7 Revenue Code other than section 9003(h) of the
8 Solid Waste Disposal Act; \$18,512,000 of the funds
9 available for grants under section 106 of the Federal
10 Water Pollution Control Act shall be for State par-
11 ticipation in national- and State-level statistical sur-
12 veys of water resources and enhancements to State
13 monitoring programs; and \$10,000,000 shall be for
14 carrying out section 302(a) of the Save Our Seas
15 2.0 Act (33 U.S.C. 4283(a)), of which not more
16 than 2 percent shall be for administrative costs to
17 carry out such section: *Provided*, That grants made
18 pursuant to the authority in such section 302(a)
19 may also be used for the construction, maintenance,
20 and operation of post consumer materials manage-
21 ment or recycling facilities: *Provided further*, That
22 notwithstanding such section 302(a), the Adminis-
23 trator may also provide grants pursuant to such au-
24 thority to intertribal consortia consistent with the
25 requirements in 40 CFR 35.504(a), to former In-

1 dian reservations in Oklahoma (as determined by the
2 Secretary of the Interior), and Alaska Native Vil-
3 lages as defined in Public Law 92–203).

4 WATER INFRASTRUCTURE FINANCE AND INNOVATION
5 PROGRAM ACCOUNT

6 For the cost of direct loans and for the cost of guar-
7 anteed loans, as authorized by the Water Infrastructure
8 Finance and Innovation Act of 2014, \$72,108,000, to re-
9 main available until expended: *Provided*, That such costs,
10 including the cost of modifying such loans, shall be as de-
11 fined in section 502 of the Congressional Budget Act of
12 1974: *Provided further*, That these funds are available to
13 subsidize gross obligations for the principal amount of di-
14 rect loans, including capitalized interest, and total loan
15 principal, including capitalized interest, any part of which
16 is to be guaranteed, not to exceed \$12,500,000,000: *Pro-*
17 *vided further*, That of the funds made available under this
18 heading, \$5,000,000 shall be used solely for the cost of
19 direct loans and for the cost of guaranteed loans for
20 projects described in section 5026(9) of the Water Infra-
21 structure Finance and Innovation Act of 2014 to State
22 infrastructure financing authorities, as authorized by sec-
23 tion 5033(e) of such Act: *Provided further*, That the use
24 of direct loans or loan guarantee authority under this
25 heading for direct loans or commitments to guarantee

1 loans for any project shall be in accordance with the cri-
2 teria published in the Federal Register on June 30, 2020
3 (85 FR 39189) pursuant to the fourth proviso under the
4 heading “Water Infrastructure Finance and Innovation
5 Program Account” in division D of the Further Consoli-
6 dated Appropriations Act, 2020 (Public Law 116–94):
7 *Provided further*, That none of the direct loans or loan
8 guarantee authority made available under this heading
9 shall be available for any project unless the Administrator
10 and the Director of the Office of Management and Budget
11 have certified in advance in writing that the direct loan
12 or loan guarantee, as applicable, and the project comply
13 with the criteria referenced in the preceding proviso: *Pro-*
14 *vided further*, That, for the purposes of carrying out the
15 Congressional Budget Act of 1974, the Director of the
16 Congressional Budget Office may request, and the Admin-
17 istrator shall promptly provide, documentation and infor-
18 mation relating to a project identified in a Letter of Inter-
19 est submitted to the Administrator pursuant to a Notice
20 of Funding Availability for applications for credit assist-
21 ance under the Water Infrastructure Finance and Innova-
22 tion Act Program, including with respect to a project that
23 was initiated or completed before the date of enactment
24 of this Act.

1 In addition, fees authorized to be collected pursuant
2 to sections 5029 and 5030 of the Water Infrastructure
3 Finance and Innovation Act of 2014 shall be deposited
4 in this account, to remain available until expended.

5 In addition, for administrative expenses to carry out
6 the direct and guaranteed loan programs, notwithstanding
7 section 5033 of the Water Infrastructure Finance and In-
8 novation Act of 2014, \$8,236,000, to remain available
9 until September 30, 2024.

10 ADMINISTRATIVE PROVISIONS—ENVIRONMENTAL

11 PROTECTION AGENCY

12 (INCLUDING TRANSFERS OF FUNDS)

13 For fiscal year 2023, notwithstanding 31 U.S.C.
14 6303(1) and 6305(1), the Administrator of the Environ-
15 mental Protection Agency, in carrying out the Agency's
16 function to implement directly Federal environmental pro-
17 grams required or authorized by law in the absence of an
18 acceptable tribal program, may award cooperative agree-
19 ments to federally recognized Indian tribes or Intertribal
20 consortia, if authorized by their member tribes, to assist
21 the Administrator in implementing Federal environmental
22 programs for Indian tribes required or authorized by law,
23 except that no such cooperative agreements may be award-
24 ed from funds designated for State financial assistance
25 agreements.

1 The Administrator of the Environmental Protection
2 Agency is authorized to collect and obligate pesticide reg-
3 istration service fees in accordance with section 33 of the
4 Federal Insecticide, Fungicide, and Rodenticide Act (7
5 U.S.C. 136w–8), to remain available until expended.

6 Notwithstanding section 33(d)(2) of the Federal In-
7 secticide, Fungicide, and Rodenticide Act (FIFRA) (7
8 U.S.C. 136w–8(d)(2)), the Administrator of the Environ-
9 mental Protection Agency may assess fees under section
10 33 of FIFRA (7 U.S.C. 136w–8) for fiscal year 2023.

11 The Administrator is authorized to transfer up to
12 \$368,000,000 of the funds appropriated for the Great
13 Lakes Restoration Initiative under the heading “Environ-
14 mental Programs and Management” to the head of any
15 Federal department or agency, with the concurrence of
16 such head, to carry out activities that would support the
17 Great Lakes Restoration Initiative and Great Lakes
18 Water Quality Agreement programs, projects, or activities;
19 to enter into an interagency agreement with the head of
20 such Federal department or agency to carry out these ac-
21 tivities; and to make grants to governmental entities, non-
22 profit organizations, institutions, and individuals for plan-
23 ning, research, monitoring, outreach, and implementation
24 in furtherance of the Great Lakes Restoration Initiative
25 and the Great Lakes Water Quality Agreement.

1 The Science and Technology, Environmental Pro-
2 grams and Management, Office of Inspector General, Haz-
3 ardous Substance Superfund, and Leaking Underground
4 Storage Tank Trust Fund Program Accounts, are avail-
5 able for the construction, alteration, repair, rehabilitation,
6 and renovation of facilities, provided that the cost does
7 not exceed \$350,000 per project.

8 The Administrator of the Environmental Protection
9 Agency is authorized to collect and obligate fees in accord-
10 ance with section 3024 of the Solid Waste Disposal Act
11 (42 U.S.C. 6939g) for fiscal year 2023, to remain avail-
12 able until expended.

13 The Administrator of the Environmental Protection
14 Agency is authorized to collect and obligate fees in accord-
15 ance with section 26(b) of the Toxic Substances Control
16 Act (15 U.S.C. 2625(b)) for fiscal year 2023, to remain
17 available until expended.

18 For fiscal year 2023, and notwithstanding section
19 518(f) of the Federal Water Pollution Control Act (33
20 U.S.C. 1377(f)), the Administrator is authorized to use
21 the amounts appropriated for any fiscal year under section
22 319 of the Act to make grants to Indian tribes pursuant
23 to sections 319(h) and 518(e) of that Act.

24 The Administrator is authorized to use the amounts
25 appropriated under the heading “Environmental Pro-

1 grams and Management” for fiscal year 2023 to provide
2 grants to implement the Southeastern New England Wa-
3 tershed Restoration Program.

4 Notwithstanding the limitations on amounts in sec-
5 tion 320(i)(2)(B) of the Federal Water Pollution Control
6 Act, not less than \$4,000,000 of the funds made available
7 under this title for the National Estuary Program shall
8 be for making competitive awards described in section
9 320(g)(4).

10 Section 122(b)(3) of the Comprehensive Environ-
11 mental Response, Compensation, and Liability Act of
12 1980 (42 U.S.C. 9622(b)(3)), shall be applied by inserting
13 before the period: “, including for the hire, maintenance,
14 and operation of aircraft.”.

15 For fiscal years 2023 through 2027, the Office of
16 Chemical Safety and Pollution Prevention and the Office
17 of Water may, using funds appropriated under the head-
18 ings “Environmental Programs and Management” and
19 “Science and Technology”, contract directly with individ-
20 uals or indirectly with institutions or nonprofit organiza-
21 tions, without regard to 41 U.S.C. 5, for the temporary
22 or intermittent personal services of students or recent
23 graduates, who shall be considered employees for the pur-
24 poses of chapters 57 and 81 of title 5, United States Code,
25 relating to compensation for travel and work injuries, and

1 chapter 171 of title 28, United States Code, relating to
2 tort claims, but shall not be considered to be Federal em-
3 ployees for any other purpose: *Provided*, That amounts
4 used for this purpose by the Office of Chemical Safety and
5 Pollution Prevention and the Office of Water collectively
6 may not exceed \$2,000,000.

7 TITLE III

8 RELATED AGENCIES

9 DEPARTMENT OF AGRICULTURE

10 OFFICE OF THE UNDER SECRETARY FOR NATURAL

11 RESOURCES AND ENVIRONMENT

12 For necessary expenses of the Office of the Under
13 Secretary for Natural Resources and Environment,
14 \$1,429,000: *Provided*, That funds made available by this
15 Act to any agency in the Natural Resources and Environ-
16 ment mission area for salaries and expenses are available
17 to fund up to one administrative support staff for the of-
18 fice.

19 FOREST SERVICE

20 FOREST SERVICE OPERATIONS

21 (INCLUDING TRANSFERS OF FUNDS)

22 For necessary expenses of the Forest Service, not
23 otherwise provided for, \$1,112,652,000, to remain avail-
24 able through September 30, 2026: *Provided*, That a por-
25 tion of the funds made available under this heading shall

1 be for the base salary and expenses of employees in the
2 Chief's Office, the Work Environment and Performance
3 Office, the Business Operations Deputy Area, and the
4 Chief Financial Officer's Office to carry out administra-
5 tive and general management support functions: *Provided*
6 *further*, That funds provided under this heading shall be
7 available for the costs of facility maintenance, repairs, and
8 leases for buildings and sites where these administrative,
9 general management and other Forest Service support
10 functions take place; the costs of all utility and tele-
11 communication expenses of the Forest Service, as well as
12 business services; and, for information technology, includ-
13 ing cyber security requirements: *Provided further*, That
14 funds provided under this heading may be used for nec-
15 essary expenses to carry out administrative and general
16 management support functions of the Forest Service not
17 otherwise provided for and necessary for its operation.

18 FOREST AND RANGELAND RESEARCH

19 For necessary expenses of forest and rangeland re-
20 search as authorized by law, \$360,370,000, to remain
21 available through September 30, 2026: *Provided*, That of
22 the funds provided, \$37,700,000 is for the forest inventory
23 and analysis program: *Provided further*, That all authori-
24 ties for the use of funds, including the use of contracts,
25 grants, and cooperative agreements, available to execute

1 the Forest and Rangeland Research appropriation, are
2 also available in the utilization of these funds for Fire
3 Science Research.

4 STATE AND PRIVATE FORESTRY

5 For necessary expenses of cooperating with and pro-
6 viding technical and financial assistance to States, terri-
7 tories, possessions, and others, and for forest health man-
8 agement, including for invasive plants, and conducting an
9 international program and trade compliance activities as
10 authorized, \$332,626,000, to remain available through
11 September 30, 2026, as authorized by law, of which
12 \$9,482,000 shall be for projects specified for Forest Re-
13 source Information and Analysis in the table titled “Inte-
14 rior and Environment Incorporation of Community
15 Project Funding Items” included in the report accom-
16 panying this Act.

17 NATIONAL FOREST SYSTEM

18 (INCLUDING TRANSFER OF FUNDS)

19 For necessary expenses of the Forest Service, not
20 otherwise provided for, for management, protection, im-
21 provement, and utilization of the National Forest System,
22 and for hazardous fuels management on or adjacent to
23 such lands, \$1,997,650,000, to remain available through
24 September 30, 2026: *Provided*, That of the funds pro-
25 vided, \$60,000,000 shall be deposited in the Collaborative

1 Forest Landscape Restoration Fund for ecological restora-
2 tion treatments as authorized by 16 U.S.C. 7303(f): *Pro-*
3 *vided further*, That of the funds provided, \$38,000,000
4 shall be for forest products: *Provided further*, That of the
5 amounts made available for hazardous fuels management
6 under this heading in prior Acts, any unobligated amounts
7 may be transferred to “Forest Service—Wildland Fire
8 Management” to be used for the purposes provided there-
9 in: *Provided further*, That funds made available to imple-
10 ment the Community Forest Restoration Act, Public Law
11 106–393, title VI, shall be available for use on non-Fed-
12 eral lands in accordance with authorities made available
13 to the Forest Service under the “State and Private For-
14 estry” appropriation: *Provided further*, That notwith-
15 standing section 33 of the Bankhead Jones Farm Tenant
16 Act (7 U.S.C. 1012), the Secretary of Agriculture, in cal-
17 culating a fee for grazing on a National Grassland, may
18 provide a credit of up to 50 percent of the calculated fee
19 to a Grazing Association or direct permittee for a con-
20 servation practice approved by the Secretary in advance
21 of the fiscal year in which the cost of the conservation
22 practice is incurred, and that the amount credited shall
23 remain available to the Grazing Association or the direct
24 permittee, as appropriate, in the fiscal year in which the
25 credit is made and each fiscal year thereafter for use on

1 the project for conservation practices approved by the Sec-
2 retary: *Provided further*, That funds appropriated to this
3 account shall be available for the base salary and expenses
4 of employees that carry out the functions funded by the
5 “Capital Improvement and Maintenance” account, the
6 “Range Betterment Fund” account, and the “Manage-
7 ment of National Forest Lands for Subsistence Uses” ac-
8 count.

9 CAPITAL IMPROVEMENT AND MAINTENANCE

10 (INCLUDING TRANSFER OF FUNDS)

11 For necessary expenses of the Forest Service, not
12 otherwise provided for, \$162,182,000, to remain available
13 through September 30, 2026, for construction, capital im-
14 provement, maintenance, and acquisition of buildings and
15 other facilities and infrastructure; and for construction,
16 reconstruction, and decommissioning of roads that are no
17 longer needed, including unauthorized roads that are not
18 part of the transportation system; and for maintenance
19 of forest roads and trails by the Forest Service as author-
20 ized by 16 U.S.C. 532–538 and 23 U.S.C. 101 and 205:
21 *Provided*, That \$15,000,000 shall be for activities author-
22 ized by 16 U.S.C. 538(a): *Provided further*, That funds
23 becoming available in fiscal year 2023 under the Act of
24 March 4, 1913 (16 U.S.C. 501) shall be transferred to
25 the General Fund of the Treasury and shall not be avail-

1 able for transfer or obligation for any other purpose unless
2 the funds are appropriated.

3 ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL
4 ACTS

5 For acquisition of lands within the exterior bound-
6 aries of the Cache, Uinta, and Wasatch National Forests,
7 Utah; the Toiyabe National Forest, Nevada; and the An-
8 geles, San Bernardino, Sequoia, and Cleveland National
9 Forests, California; and the Ozark-St. Francis and
10 Ouachita National Forests, Arkansas; as authorized by
11 law, \$664,000, to be derived from forest receipts.

12 ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

13 For acquisition of lands, such sums, to be derived
14 from funds deposited by State, county, or municipal gov-
15 ernments, public school districts, or other public school au-
16 thorities, and for authorized expenditures from funds de-
17 posited by non-Federal parties pursuant to Land Sale and
18 Exchange Acts, pursuant to the Act of December 4, 1967
19 (16 U.S.C. 484a), to remain available through September
20 30, 2026, (16 U.S.C. 516–617a, 555a; Public Law 96–
21 586; Public Law 76–589, Public Law 76–591; and Public
22 Law 78–310).

23 RANGE BETTERMENT FUND

24 For necessary expenses of range rehabilitation, pro-
25 tection, and improvement, 50 percent of all moneys re-

1 received during the prior fiscal year, as fees for grazing do-
2 mestic livestock on lands in National Forests in the 16
3 Western States, pursuant to section 401(b)(1) of Public
4 Law 94–579, to remain available through September 30,
5 2026, of which not to exceed 6 percent shall be available
6 for administrative expenses associated with on-the-ground
7 range rehabilitation, protection, and improvements.

8 GIFTS, DONATIONS AND BEQUESTS FOR FOREST AND
9 RANGELAND RESEARCH

10 For expenses authorized by 16 U.S.C. 1643(b),
11 \$45,000, to remain available through September 30, 2026,
12 to be derived from the fund established pursuant to the
13 above Act.

14 MANAGEMENT OF NATIONAL FOREST LANDS FOR
15 SUBSISTENCE USES

16 For necessary expenses of the Forest Service to man-
17 age Federal lands in Alaska for subsistence uses under
18 title VIII of the Alaska National Interest Lands Conserva-
19 tion Act (16 U.S.C. 3111 et seq.), \$1,099,000, to remain
20 available through September 30, 2026.

21 WILDLAND FIRE MANAGEMENT
22 (INCLUDING TRANSFERS OF FUNDS)

23 For necessary expenses for forest fire presuppression
24 activities on National Forest System lands, for emergency
25 wildland fire suppression on or adjacent to such lands or

1 other lands under fire protection agreement, and for emer-
2 gency rehabilitation of burned-over National Forest Sys-
3 tem lands and water, \$2,678,659,000, to remain available
4 until expended: *Provided*, That such funds including unob-
5 ligated balances under this heading, are available for re-
6 payment of advances from other appropriations accounts
7 previously transferred for such purposes: *Provided further*,
8 That any unobligated funds appropriated in a previous fis-
9 cal year for hazardous fuels management may be trans-
10 ferred to the “National Forest System” account: *Provided*
11 *further*, That such funds shall be available to reimburse
12 State and other cooperating entities for services provided
13 in response to wildfire and other emergencies or disasters
14 to the extent such reimbursements by the Forest Service
15 for non-fire emergencies are fully repaid by the responsible
16 emergency management agency: *Provided further*, That
17 funds provided shall be available for support to Federal
18 emergency response: *Provided further*, That the costs of
19 implementing any cooperative agreement between the Fed-
20 eral Government and any non-Federal entity may be
21 shared, as mutually agreed on by the affected parties: *Pro-*
22 *vided further*, That of the funds provided, \$321,388,000
23 shall be for hazardous fuels management activities, of
24 which not to exceed \$15,000,000 may be used to make
25 grants, using any authorities available to the Forest Serv-

1 ice under the “State and Private Forestry” appropriation,
2 for the purpose of creating incentives for increased use
3 of biomass from National Forest System lands: *Provided*
4 *further*, That funds made available in the preceding pro-
5 viso to implement the Community Forest Restoration Act,
6 Public Law 106–393, title VI, shall be available for use
7 on non-Federal lands in accordance with authorities made
8 available to the Forest Service under the “State and Pri-
9 vate Forestry” appropriation: *Provided further*, That of
10 the funds provided under this heading, \$20,000,000 may
11 be used by the Secretary of Agriculture to enter into pro-
12 curement contracts or cooperative agreements; to issue
13 grants for hazardous fuels management activities; for
14 training or monitoring associated with such hazardous
15 fuels management activities on Federal land; or for train-
16 ing or monitoring associated with such hazardous fuels
17 management activities on non-Federal land if the Sec-
18 retary determines such activities benefit resources on Fed-
19 eral land: *Provided further*, That of the funds provided
20 under this heading, \$1,011,000,000 shall be available for
21 wildfire suppression operations, and is provided to meet
22 the terms of section 4004(b)(5)(B) of S. Con. Res. 14
23 (117th Congress), the concurrent resolution on the budget
24 for fiscal year 2022, and section 1(g)(2) of H. Res. 1151

1 (117th Congress), as engrossed in the House of Rep-
2 resentatives on June 8, 2022.

3 WILDFIRE SUPPRESSION OPERATIONS RESERVE FUND
4 (INCLUDING TRANSFERS OF FUNDS)

5 In addition to the amounts provided under the head-
6 ing “Department of Agriculture—Forest Service—
7 Wildland Fire Management” for wildfire suppression oper-
8 ations, \$2,210,000,000, to remain available until trans-
9 ferred, is additional new budget authority as specified for
10 purposes of section 4004(b)(5) of S. Con. Res. 14 (117th
11 Congress), the concurrent resolution on the budget for fis-
12 cal year 2022, and section 1(g) of H. Res. 1151 (117th
13 Congress), as engrossed in the House of Representatives
14 on June 8, 2022: *Provided*, That such amounts may be
15 transferred to and merged with amounts made available
16 under the headings “Department of the Interior—Depart-
17 ment-Wide Programs—Wildland Fire Management” and
18 “Department of Agriculture—Forest Service—Wildland
19 Fire Management” for wildfire suppression operations in
20 the fiscal year in which such amounts are transferred: *Pro-*
21 *vided further*, That amounts may be transferred to the
22 “Wildland Fire Management” accounts in the Department
23 of the Interior or the Department of Agriculture only upon
24 the notification of the House and Senate Committees on
25 Appropriations that all wildfire suppression operations

1 funds appropriated under that heading in this and prior
2 appropriations Acts to the agency to which the funds will
3 be transferred will be obligated within 30 days: *Provided*
4 *further*, That the transfer authority provided under this
5 heading is in addition to any other transfer authority pro-
6 vided by law: *Provided further*, That, in determining
7 whether all wildfire suppression operations funds appro-
8 priated under the heading “Wildland Fire Management”
9 in this and prior appropriations Acts to either the Depart-
10 ment of Agriculture or the Department of the Interior will
11 be obligated within 30 days pursuant to the preceding pro-
12 viso, any funds transferred or permitted to be transferred
13 pursuant to any other transfer authority provided by law
14 shall be excluded.

15 COMMUNICATIONS SITE ADMINISTRATION

16 (INCLUDING TRANSFER OF FUNDS)

17 Amounts collected in this fiscal year pursuant to sec-
18 tion 8705(f)(2) of the Agriculture Improvement Act of
19 2018 (Public Law 115–334), shall be deposited in the spe-
20 cial account established by section 8705(f)(1) of such Act,
21 shall be available to cover the costs described in subsection
22 (c)(3) of such section of such Act, and shall remain avail-
23 able until expended: *Provided*, That such amounts shall
24 be transferred to the “National Forest System” account.

1 ADMINISTRATIVE PROVISIONS—FOREST SERVICE

2 (INCLUDING TRANSFERS OF FUNDS)

3 Appropriations to the Forest Service for the current
4 fiscal year shall be available for: (1) purchase of passenger
5 motor vehicles; acquisition of passenger motor vehicles
6 from excess sources, and hire of such vehicles; purchase,
7 lease, operation, maintenance, and acquisition of aircraft
8 to maintain the operable fleet for use in Forest Service
9 wildland fire programs and other Forest Service programs;
10 notwithstanding other provisions of law, existing aircraft
11 being replaced may be sold, with proceeds derived or
12 trade-in value used to offset the purchase price for the
13 replacement aircraft; (2) services pursuant to 7 U.S.C.
14 2225, and not to exceed \$100,000 for employment under
15 5 U.S.C. 3109; (3) purchase, erection, and alteration of
16 buildings and other public improvements (7 U.S.C. 2250);
17 (4) acquisition of land, waters, and interests therein pur-
18 suant to 7 U.S.C. 428a; (5) for expenses pursuant to the
19 Volunteers in the National Forest Act of 1972 (16 U.S.C.
20 558a, 558d, and 558a note); (6) the cost of uniforms as
21 authorized by 5 U.S.C. 5901–5902; and (7) for debt col-
22 lection contracts in accordance with 31 U.S.C. 3718(c).
23 Funds made available to the Forest Service in this
24 Act may be transferred between accounts affected by the
25 Forest Service budget restructure outlined in section 435

1 of division D of the Further Consolidated Appropriations
2 Act, 2020 (Public Law 116–94): *Provided*, That any
3 transfer of funds pursuant to this paragraph shall not in-
4 crease or decrease the funds appropriated to any account
5 in this fiscal year by more than ten percent: *Provided fur-*
6 *ther*, That such transfer authority is in addition to any
7 other transfer authority provided by law.

8 Any appropriations or funds available to the Forest
9 Service may be transferred to the Wildland Fire Manage-
10 ment appropriation for forest firefighting, emergency re-
11 habilitation of burned-over or damaged lands or waters
12 under its jurisdiction, and fire preparedness due to severe
13 burning conditions upon the Secretary of Agriculture’s no-
14 tification of the House and Senate Committees on Appro-
15 priations that all fire suppression funds appropriated
16 under the heading “Wildland Fire Management” will be
17 obligated within 30 days: *Provided*, That all funds used
18 pursuant to this paragraph must be replenished by a sup-
19 plemental appropriation which must be requested as
20 promptly as possible.

21 Not more than \$50,000,000 of funds appropriated to
22 the Forest Service shall be available for expenditure or
23 transfer to the Department of the Interior for wildland
24 fire management, hazardous fuels management, and State

1 fire assistance when such transfers would facilitate and
2 expedite wildland fire management programs and projects.

3 Notwithstanding any other provision of this Act, the
4 Forest Service may transfer unobligated balances of dis-
5 cretionary funds appropriated to the Forest Service by
6 this Act to or within the National Forest System Account,
7 or reprogram funds to be used for the purposes of haz-
8 ardous fuels management and urgent rehabilitation of
9 burned-over National Forest System lands and water: *Pro-*
10 *vided*, That such transferred funds shall remain available
11 through September 30, 2026: *Provided further*, That none
12 of the funds transferred pursuant to this paragraph shall
13 be available for obligation without written notification to
14 and the prior approval of the Committees on Appropria-
15 tions of both Houses of Congress.

16 Funds appropriated to the Forest Service shall be
17 available for assistance to or through the Agency for Inter-
18 national Development in connection with forest and range-
19 land research, technical information, and assistance in for-
20 eign countries, and shall be available to support forestry
21 and related natural resource activities outside the United
22 States and its territories and possessions, including tech-
23 nical assistance, education and training, and cooperation
24 with United States government, private sector, and inter-
25 national organizations. The Forest Service, acting for the

1 International Program, may sign direct funding agree-
2 ments with foreign governments and institutions as well
3 as other domestic agencies (including the U.S. Agency for
4 International Development, the Department of State, and
5 the Millennium Challenge Corporation), United States pri-
6 vate sector firms, institutions and organizations to provide
7 technical assistance and training programs on forestry and
8 rangeland management: *Provided*, That to maximize effec-
9 tiveness of domestic and international research and co-
10 operation, the International Program may utilize all au-
11 thorities related to forestry, research, and cooperative as-
12 sistance regardless of program designations.

13 Funds appropriated to the Forest Service shall be
14 available for expenditure or transfer to the Department
15 of the Interior, Bureau of Land Management, for removal,
16 preparation, and adoption of excess wild horses and burros
17 from National Forest System lands, and for the perform-
18 ance of cadastral surveys to designate the boundaries of
19 such lands.

20 None of the funds made available to the Forest Serv-
21 ice in this Act or any other Act with respect to any fiscal
22 year shall be subject to transfer under the provisions of
23 section 702(b) of the Department of Agriculture Organic
24 Act of 1944 (7 U.S.C. 2257), section 442 of Public Law

1 106–224 (7 U.S.C. 7772), or section 10417(b) of Public
2 Law 107–171 (7 U.S.C. 8316(b)).

3 Not more than \$82,000,000 of funds available to the
4 Forest Service shall be transferred to the Working Capital
5 Fund of the Department of Agriculture and not more than
6 \$14,500,000 of funds available to the Forest Service shall
7 be transferred to the Department of Agriculture for De-
8 partment Reimbursable Programs, commonly referred to
9 as Greenbook charges. Nothing in this paragraph shall
10 prohibit or limit the use of reimbursable agreements re-
11 quested by the Forest Service in order to obtain informa-
12 tion technology services, including telecommunications and
13 system modifications or enhancements, from the Working
14 Capital Fund of the Department of Agriculture.

15 Of the funds available to the Forest Service, up to
16 \$5,000,000 shall be available for priority projects within
17 the scope of the approved budget, which shall be carried
18 out by the Youth Conservation Corps and shall be carried
19 out under the authority of the Public Lands Corps Act
20 of 1993 (16 U.S.C. 1721 et seq.).

21 Of the funds available to the Forest Service, \$4,000
22 is available to the Chief of the Forest Service for official
23 reception and representation expenses.

24 Pursuant to sections 405(b) and 410(b) of Public
25 Law 101–593, of the funds available to the Forest Service,

1 up to \$3,000,000 may be advanced in a lump sum to the
2 National Forest Foundation to aid conservation partner-
3 ship projects in support of the Forest Service mission,
4 without regard to when the Foundation incurs expenses,
5 for projects on or benefitting National Forest System
6 lands or related to Forest Service programs: *Provided*,
7 That of the Federal funds made available to the Founda-
8 tion, no more than \$300,000 shall be available for admin-
9 istrative expenses: *Provided further*, That the Foundation
10 shall obtain, by the end of the period of Federal financial
11 assistance, private contributions to match funds made
12 available by the Forest Service on at least a one-for-one
13 basis: *Provided further*, That the Foundation may transfer
14 Federal funds to a Federal or a non-Federal recipient for
15 a project at the same rate that the recipient has obtained
16 the non-Federal matching funds.

17 Pursuant to section 2(b)(2) of Public Law 98-244,
18 up to \$3,000,000 of the funds available to the Forest
19 Service may be advanced to the National Fish and Wildlife
20 Foundation in a lump sum to aid cost-share conservation
21 projects, without regard to when expenses are incurred,
22 on or benefitting National Forest System lands or related
23 to Forest Service programs: *Provided*, That such funds
24 shall be matched on at least a one-for-one basis by the
25 Foundation or its sub-recipients: *Provided further*, That

1 the Foundation may transfer Federal funds to a Federal
2 or non-Federal recipient for a project at the same rate
3 that the recipient has obtained the non-Federal matching
4 funds.

5 Funds appropriated to the Forest Service shall be
6 available for interactions with and providing technical as-
7 sistance to rural communities and natural resource-based
8 businesses for sustainable rural development purposes.

9 Funds appropriated to the Forest Service shall be
10 available for payments to counties within the Columbia
11 River Gorge National Scenic Area, pursuant to section
12 14(c)(1) and (2), and section 16(a)(2) of Public Law 99–
13 663.

14 Any funds appropriated to the Forest Service may
15 be used to meet the non-Federal share requirement in sec-
16 tion 502(c) of the Older Americans Act of 1965 (42
17 U.S.C. 3056(c)(2)).

18 The Forest Service shall not assess funds for the pur-
19 pose of performing fire, administrative, and other facilities
20 maintenance and decommissioning.

21 Notwithstanding any other provision of law, of any
22 appropriations or funds available to the Forest Service,
23 not to exceed \$500,000 may be used to reimburse the Of-
24 fice of the General Counsel (OGC), Department of Agri-
25 culture, for travel and related expenses incurred as a re-

1 sult of OGC assistance or participation requested by the
2 Forest Service at meetings, training sessions, management
3 reviews, land purchase negotiations, and similar matters
4 unrelated to civil litigation. Future budget justifications
5 for both the Forest Service and the Department of Agri-
6 culture should clearly display the sums previously trans-
7 ferred and the sums requested for transfer.

8 An eligible individual who is employed in any project
9 funded under title V of the Older Americans Act of 1965
10 (42 U.S.C. 3056 et seq.) and administered by the Forest
11 Service shall be considered to be a Federal employee for
12 purposes of chapter 171 of title 28, United States Code.

Funds appropriated to the Forest Service shall be available to pay, from a single account, the base salary and expenses of employees who carry out functions funded by other accounts for Enterprise Program, Geospatial Technology and Applications Center, remnant Natural Resource Manager, Job Corps, and National Technology and Development Program.

20 DEPARTMENT OF HEALTH AND HUMAN
21 SERVICES

22 INDIAN HEALTH SERVICE

23 INDIAN HEALTH SERVICES

For expenses necessary to carry out the Act of Au-
gust 5, 1954 (68 Stat. 674), the Indian Self-Determina-

tion and Education Assistance Act, the Indian Health
Care Improvement Act, and titles II and III of the Public
Health Service Act with respect to the Indian Health Serv-
ice, \$5,734,044,000, to remain available until September
30, 2024, except as otherwise provided herein, together
with payments received during the fiscal year pursuant to
sections 231(b) and 233 of the Public Health Service Act
(42 U.S.C. 238(b) and 238b), for services furnished by the
Indian Health Service: *Provided*, That funds made avail-
able to tribes and tribal organizations through contracts,
grant agreements, or any other agreements or compacts
authorized by the Indian Self-Determination and Edu-
cation Assistance Act of 1975 (25 U.S.C. 450), shall be
deemed to be obligated at the time of the grant or contract
award and thereafter shall remain available to the tribe
or tribal organization without fiscal year limitation: *Pro-
vided further*, That \$2,500,000 shall be available for
grants or contracts with public or private institutions to
provide alcohol or drug treatment services to Indians, in-
cluding alcohol detoxification services: *Provided further*,
That \$1,097,255,000 for Purchased/Referred Care, in-
cluding \$54,000,000 for the Indian Catastrophic Health
Emergency Fund, shall remain available until expended:
Provided further, That of the funds provided, up to
\$66,000,000 shall remain available until expended for im-

1 plementation of the loan repayment program under section
2 108 of the Indian Health Care Improvement Act: *Provided*
3 *further*, That of the funds provided, \$58,000,000 shall be
4 for costs related to or resulting from accreditation emer-
5 gencies, including supplementing activities funded under
6 the heading “Indian Health Facilities,” of which up to
7 \$4,000,000 may be used to supplement amounts otherwise
8 available for Purchased/Referred Care: *Provided further*,
9 That the amounts collected by the Federal Government
10 as authorized by sections 104 and 108 of the Indian
11 Health Care Improvement Act (25 U.S.C. 1613a and
12 1616a) during the preceding fiscal year for breach of con-
13 tracts shall be deposited in the Fund authorized by section
14 108A of that Act (25 U.S.C. 1616a–1) and shall remain
15 available until expended and, notwithstanding section
16 108A(c) of that Act (25 U.S.C. 1616a–1(c)), funds shall
17 be available to make new awards under the loan repay-
18 ment and scholarship programs under sections 104 and
19 108 of that Act (25 U.S.C. 1613a and 1616a): *Provided*
20 *further*, That the amounts made available within this ac-
21 count for the substance use and suicide prevention pro-
22 gram, for Opioid Prevention, Treatment and Recovery
23 Services, for the Domestic Violence Prevention Program,
24 for the Zero Suicide Initiative, for the housing subsidy au-
25 thority for civilian employees, for Aftercare Pilot Pro-

1 grams at Youth Regional Treatment Centers, for trans-
2 formation and modernization costs of the Indian Health
3 Service Electronic Health Record system, for national
4 quality and oversight activities, to improve collections from
5 public and private insurance at Indian Health Service and
6 tribally operated facilities, for an initiative to treat or re-
7 duce the transmission of HIV and HCV, for a maternal
8 health initiative, for the Telebehaviorial Health Center of
9 Excellence, for Alzheimer's grants, for Village Built Clin-
10 ics, for a produce prescription pilot, and for accreditation
11 emergencies shall be allocated at the discretion of the Di-
12 rector of the Indian Health Service and shall remain avail-
13 able until expended: *Provided further*, That funds provided
14 in this Act may be used for annual contracts and grants
15 that fall within 2 fiscal years, provided the total obligation
16 is recorded in the year the funds are appropriated: *Pro-*
17 *vided further*, That the amounts collected by the Secretary
18 of Health and Human Services under the authority of title
19 IV of the Indian Health Care Improvement Act (25 U.S.C.
20 1613) shall remain available until expended for the pur-
21 pose of achieving compliance with the applicable condi-
22 tions and requirements of titles XVIII and XIX of the So-
23 cial Security Act, except for those related to the planning,
24 design, or construction of new facilities: *Provided further*,
25 That funding contained herein for scholarship programs

1 under the Indian Health Care Improvement Act (25
2 U.S.C. 1613) shall remain available until expended: *Pro-*
3 *vided further*, That amounts received by tribes and tribal
4 organizations under title IV of the Indian Health Care Im-
5 provement Act shall be reported and accounted for and
6 available to the receiving tribes and tribal organizations
7 until expended: *Provided further*, That the Bureau of In-
8 dian Affairs may collect from the Indian Health Service,
9 and from tribes and tribal organizations operating health
10 facilities pursuant to Public Law 93–638, such individ-
11 ually identifiable health information relating to disabled
12 children as may be necessary for the purpose of carrying
13 out its functions under the Individuals with Disabilities
14 Education Act (20 U.S.C. 1400 et seq.): *Provided further*,
15 That of the funds provided, \$232,138,000 is for the In-
16 dian Health Care Improvement Fund and may be used,
17 as needed, to carry out activities typically funded under
18 the Indian Health Facilities account: *Provided further*,
19 That none of the funds appropriated by this Act, or any
20 other Act, to the Indian Health Service for the Electronic
21 Health Record system shall be available for obligation or
22 expenditure for the selection or implementation of a new
23 Information Technology infrastructure system, unless the
24 Committees on Appropriations of the House of Represent-

1 atives and the Senate are consulted 90 days in advance
2 of such obligation.

3 CONTRACT SUPPORT COSTS

4 For payments to tribes and tribal organizations for
5 contract support costs associated with Indian Self-Deter-
6 mination and Education Assistance Act agreements with
7 the Indian Health Service for fiscal year 2023, such sums
8 as may be necessary: *Provided*, That notwithstanding any
9 other provision of law, no amounts made available under
10 this heading shall be available for transfer to another
11 budget account: *Provided further*, That amounts obligated
12 but not expended by a tribe or tribal organization for con-
13 tract support costs for such agreements for the current
14 fiscal year shall be applied to contract support costs due
15 for such agreements for subsequent fiscal years.

16 PAYMENTS FOR TRIBAL LEASES

17 For payments to tribes and tribal organizations for
18 leases pursuant to section 105(l) of the Indian Self-Deter-
19 mination and Education Assistance Act (25 U.S.C.
20 5324(l)) for fiscal year 2023, such sums as may be nec-
21 essary, which shall be available for obligation through Sep-
22 tember 30, 2024: *Provided*, That notwithstanding any
23 other provision of law, no amounts made available under
24 this heading shall be available for transfer to another
25 budget account.

1 INDIAN HEALTH FACILITIES

2 For construction, repair, maintenance, demolition,
3 improvement, and equipment of health and related auxil-
4 iary facilities, including quarters for personnel; prepara-
5 tion of plans, specifications, and drawings; acquisition of
6 sites, purchase and erection of modular buildings, and
7 purchases of trailers; and for provision of domestic and
8 community sanitation facilities for Indians, as authorized
9 by section 7 of the Act of August 5, 1954 (42 U.S.C.
10 2004a), the Indian Self-Determination Act, and the In-
11 dian Health Care Improvement Act, and for expenses nec-
12 essary to carry out such Acts and titles II and III of the
13 Public Health Service Act with respect to environmental
14 health and facilities support activities of the Indian Health
15 Service, \$1,306,979,000, to remain available until ex-
16 pended: *Provided*, That notwithstanding any other provi-
17 sion of law, funds appropriated for the planning, design,
18 construction, renovation, or expansion of health facilities
19 for the benefit of an Indian tribe or tribes may be used
20 to purchase land on which such facilities will be located:
21 *Provided further*, That not to exceed \$500,000 may be
22 used by the Indian Health Service to purchase TRANSAM
23 equipment from the Department of Defense for distribu-
24 tion to the Indian Health Service and tribal facilities: *Pro-*
25 *vided further*, That none of the funds appropriated to the

1 Indian Health Service may be used for sanitation facilities
2 construction for new homes funded with grants by the
3 housing programs of the United States Department of
4 Housing and Urban Development.

5 ADMINISTRATIVE PROVISIONS—INDIAN HEALTH SERVICE

6 Appropriations provided in this Act to the Indian
7 Health Service shall be available for services as authorized
8 by 5 U.S.C. 3109 at rates not to exceed the per diem rate
9 equivalent to the maximum rate payable for senior-level
10 positions under 5 U.S.C. 5376; hire of passenger motor
11 vehicles and aircraft; purchase of medical equipment; pur-
12 chase of reprints; purchase, renovation, and erection of
13 modular buildings and renovation of existing facilities;
14 payments for telephone service in private residences in the
15 field, when authorized under regulations approved by the
16 Secretary of Health and Human Services; uniforms, or al-
17 lowances therefor as authorized by 5 U.S.C. 5901–5902;
18 and for expenses of attendance at meetings that relate to
19 the functions or activities of the Indian Health Service:
20 *Provided*, That in accordance with the provisions of the
21 Indian Health Care Improvement Act, non-Indian patients
22 may be extended health care at all tribally administered
23 or Indian Health Service facilities, subject to charges, and
24 the proceeds along with funds recovered under the Federal
25 Medical Care Recovery Act (42 U.S.C. 2651–2653) shall

1 be credited to the account of the facility providing the
2 service and shall be available without fiscal year limitation:
3 *Provided further*, That notwithstanding any other law or
4 regulation, funds transferred from the Department of
5 Housing and Urban Development to the Indian Health
6 Service shall be administered under Public Law 86–121,
7 the Indian Sanitation Facilities Act and Public Law 93–
8 638: *Provided further*, That funds appropriated to the In-
9 dian Health Service in this Act, except those used for ad-
10 ministrative and program direction purposes, shall not be
11 subject to limitations directed at curtailing Federal travel
12 and transportation: *Provided further*, That none of the
13 funds made available to the Indian Health Service in this
14 Act shall be used for any assessments or charges by the
15 Department of Health and Human Services unless identi-
16 fied in the budget justification and provided in this Act,
17 or approved by the House and Senate Committees on Ap-
18 propriations through the reprogramming process: *Pro-*
19 *vided further*, That notwithstanding any other provision
20 of law, funds previously or herein made available to a tribe
21 or tribal organization through a contract, grant, or agree-
22 ment authorized by title I or title V of the Indian Self-
23 Determination and Education Assistance Act of 1975 (25
24 U.S.C. 450 et seq.), may be deobligated and reobligated
25 to a self-determination contract under title I, or a self-

1 governance agreement under title V of such Act and there-
2 after shall remain available to the tribe or tribal organiza-
3 tion without fiscal year limitation: *Provided further*, That
4 none of the funds made available to the Indian Health
5 Service in this Act shall be used to implement the final
6 rule published in the Federal Register on September 16,
7 1987, by the Department of Health and Human Services,
8 relating to the eligibility for the health care services of
9 the Indian Health Service until the Indian Health Service
10 has submitted a budget request reflecting the increased
11 costs associated with the proposed final rule, and such re-
12 quest has been included in an appropriations Act and en-
13 acted into law: *Provided further*, That with respect to func-
14 tions transferred by the Indian Health Service to tribes
15 or tribal organizations, the Indian Health Service is au-
16 thorized to provide goods and services to those entities on
17 a reimbursable basis, including payments in advance with
18 subsequent adjustment, and the reimbursements received
19 therefrom, along with the funds received from those enti-
20 ties pursuant to the Indian Self-Determination Act, may
21 be credited to the same or subsequent appropriation ac-
22 count from which the funds were originally derived, with
23 such amounts to remain available until expended: *Provided*
24 *further*, That reimbursements for training, technical as-
25 sistance, or services provided by the Indian Health Service

1 will contain total costs, including direct, administrative,
2 and overhead costs associated with the provision of goods,
3 services, or technical assistance: *Provided further*, That
4 the Indian Health Service may provide to civilian medical
5 personnel serving in hospitals operated by the Indian
6 Health Service housing allowances equivalent to those that
7 would be provided to members of the Commissioned Corps
8 of the United States Public Health Service serving in simi-
9 lar positions at such hospitals: *Provided further*, That the
10 appropriation structure for the Indian Health Service may
11 not be altered without advance notification to the House
12 and Senate Committees on Appropriations.

13 NATIONAL INSTITUTES OF HEALTH

14 NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH

15 SCIENCES

16 For necessary expenses for the National Institute of
17 Environmental Health Sciences in carrying out activities
18 set forth in section 311(a) of the Comprehensive Environ-
19 mental Response, Compensation, and Liability Act of
20 1980 (42 U.S.C. 9660(a)) and section 126(g) of the
21 Superfund Amendments and Reauthorization Act of 1986,
22 \$83,035,000.

1 AGENCY FOR TOXIC SUBSTANCES AND DISEASE

2 REGISTRY

3 TOXIC SUBSTANCES AND ENVIRONMENTAL PUBLIC

4 HEALTH

5 For necessary expenses for the Agency for Toxic Sub-
6 stances and Disease Registry (ATSDR) in carrying out
7 activities set forth in sections 104(i) and 111(c)(4) of the
8 Comprehensive Environmental Response, Compensation,
9 and Liability Act of 1980 (CERCLA) and section 3019
10 of the Solid Waste Disposal Act, \$85,020,000: *Provided*,
11 That notwithstanding any other provision of law, in lieu
12 of performing a health assessment under section 104(i)(6)
13 of CERCLA, the Administrator of ATSDR may conduct
14 other appropriate health studies, evaluations, or activities,
15 including, without limitation, biomedical testing, clinical
16 evaluations, medical monitoring, and referral to accredited
17 healthcare providers: *Provided further*, That in performing
18 any such health assessment or health study, evaluation,
19 or activity, the Administrator of ATSDR shall not be
20 bound by the deadlines in section 104(i)(6)(A) of
21 CERCLA: *Provided further*, That none of the funds appro-
22 priated under this heading shall be available for ATSDR
23 to issue in excess of 40 toxicological profiles pursuant to
24 section 104(i) of CERCLA during fiscal year 2023, and
25 existing profiles may be updated as necessary.

1 OTHER RELATED AGENCIES
2 EXECUTIVE OFFICE OF THE PRESIDENT
3 COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF
4 ENVIRONMENTAL QUALITY

5 For necessary expenses to continue functions as-
6 signed to the Council on Environmental Quality and Office
7 of Environmental Quality pursuant to the National Envi-
8 ronmental Policy Act of 1969, the Environmental Quality
9 Improvement Act of 1970, and Reorganization Plan No.
10 1 of 1977, and not to exceed \$750 for official reception
11 and representation expenses, \$4,676,000: *Provided*, That
12 notwithstanding section 202 of the National Environ-
13 mental Policy Act of 1970, the Council shall consist of
14 one member, appointed by the President, by and with the
15 advice and consent of the Senate, serving as chairman and
16 exercising all powers, functions, and duties of the Council.

17 CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD
18 SALARIES AND EXPENSES

19 For necessary expenses in carrying out activities pur-
20 suant to section 112(r)(6) of the Clean Air Act, including
21 hire of passenger vehicles, uniforms or allowances there-
22 for, as authorized by 5 U.S.C. 5901–5902, and for serv-
23 ices authorized by 5 U.S.C. 3109 but at rates for individ-
24 uals not to exceed the per diem equivalent to the maximum
25 rate payable for senior level positions under 5 U.S.C.

1 5376, \$14,400,000: *Provided*, That the Chemical Safety
2 and Hazard Investigation Board (Board) shall have not
3 more than three career Senior Executive Service positions:
4 *Provided further*, That notwithstanding any other provi-
5 sion of law, the individual appointed to the position of In-
6 spector General of the Environmental Protection Agency
7 (EPA) shall, by virtue of such appointment, also hold the
8 position of Inspector General of the Board: *Provided fur-*
9 *ther*, That notwithstanding any other provision of law, the
10 Inspector General of the Board shall utilize personnel of
11 the Office of Inspector General of EPA in performing the
12 duties of the Inspector General of the Board, and shall
13 not appoint any individuals to positions within the Board.

14 OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

15 SALARIES AND EXPENSES

16 For necessary expenses of the Office of Navajo and
17 Hopi Indian Relocation as authorized by Public Law 93-
18 531, \$3,060,000, to remain available until expended,
19 which shall be derived from unobligated balances from
20 prior year appropriations available under this heading:
21 *Provided*, That funds provided in this or any other appro-
22 priations Act are to be used to relocate eligible individuals
23 and groups including evictees from District 6, Hopi-parti-
24 tioned lands residents, those in significantly substandard
25 housing, and all others certified as eligible and not in-

1 cluded in the preceding categories: *Provided further*, That
2 none of the funds contained in this or any other Act may
3 be used by the Office of Navajo and Hopi Indian Reloca-
4 tion to evict any single Navajo or Navajo family who, as
5 of November 30, 1985, was physically domiciled on the
6 lands partitioned to the Hopi Tribe unless a new or re-
7 placement home is provided for such household: *Provided*
8 *further*, That no relocatee will be provided with more than
9 one new or replacement home: *Provided further*, That the
10 Office shall relocate any certified eligible relocatees who
11 have selected and received an approved homesite on the
12 Navajo reservation or selected a replacement residence off
13 the Navajo reservation or on the land acquired pursuant
14 to section 11 of Public Law 93–531 (88 Stat. 1716).

15 INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE
16 CULTURE AND ARTS DEVELOPMENT
17 PAYMENT TO THE INSTITUTE

18 For payment to the Institute of American Indian and
19 Alaska Native Culture and Arts Development, as author-
20 ized by part A of title XV of Public Law 99–498 (20
21 U.S.C. 4411 et seq.), \$13,274,000, which shall become
22 available on July 1, 2023, and shall remain available until
23 September 30, 2024.

1 SMITHSONIAN INSTITUTION

2 SALARIES AND EXPENSES

3 For necessary expenses of the Smithsonian Institu-
4 tion, as authorized by law, including research in the fields
5 of art, science, and history; development, preservation, and
6 documentation of the National Collections; presentation of
7 public exhibits and performances; collection, preparation,
8 dissemination, and exchange of information and publica-
9 tions; conduct of education, training, and museum assist-
10 ance programs; maintenance, alteration, operation, lease
11 agreements of no more than 30 years, and protection of
12 buildings, facilities, and approaches; not to exceed
13 \$100,000 for services as authorized by 5 U.S.C. 3109; and
14 purchase, rental, repair, and cleaning of uniforms for em-
15 ployees, \$909,500,000, to remain available until Sep-
16 tember 30, 2024, except as otherwise provided herein; of
17 which not to exceed \$26,974,000 for the instrumentation
18 program, collections acquisition, exhibition reinstallation,
19 Smithsonian American Women's History Museum, Na-
20 tional Museum of the American Latino, and the repatri-
21 ation of skeletal remains program shall remain available
22 until expended; and including such funds as may be nec-
23 essary to support American overseas research centers:
24 *Provided*, That funds appropriated herein are available for
25 advance payments to independent contractors performing

1 research services or participating in official Smithsonian
2 presentations: *Provided further*, That the Smithsonian In-
3 stitution may expend Federal appropriations designated in
4 this Act for lease or rent payments, as rent payable to
5 the Smithsonian Institution, and such rent payments may
6 be deposited into the general trust funds of the Institution
7 to be available as trust funds for expenses associated with
8 the purchase of a portion of the building at 600 Maryland
9 Avenue, SW, Washington, DC, to the extent that federally
10 supported activities will be housed there: *Provided further*,
11 That the use of such amounts in the general trust funds
12 of the Institution for such purpose shall not be construed
13 as Federal debt service for, a Federal guarantee of, a
14 transfer of risk to, or an obligation of the Federal Govern-
15 ment: *Provided further*, That no appropriated funds may
16 be used directly to service debt which is incurred to fi-
17 nance the costs of acquiring a portion of the building at
18 600 Maryland Avenue, SW, Washington, DC, or of plan-
19 ning, designing, and constructing improvements to such
20 building: *Provided further*, That any agreement entered
21 into by the Smithsonian Institution for the sale of its own-
22 ership interest, or any portion thereof, in such building
23 so acquired may not take effect until the expiration of a
24 30 day period which begins on the date on which the Sec-
25 retary of the Smithsonian submits to the Committees on

1 Appropriations of the House of Representatives and Sen-
2 ate, the Committees on House Administration and Trans-
3 portation and Infrastructure of the House of Representa-
4 tives, and the Committee on Rules and Administration of
5 the Senate a report, as outlined in the explanatory state-
6 ment described in section 4 of the Further Consolidated
7 Appropriations Act, 2020 (Public Law 116–94; 133 Stat.
8 2536) on the intended sale.

9 FACILITIES CAPITAL

10 For necessary expenses of repair, revitalization, and
11 alteration of facilities owned or occupied by the Smithso-
12 nian Institution, by contract or otherwise, as authorized
13 by section 2 of the Act of August 22, 1949 (63 Stat. 623),
14 and for construction, including necessary personnel,
15 \$265,000,000, to remain available until expended, of
16 which not to exceed \$10,000 shall be for services as au-
17 thorized by 5 U.S.C. 3109.

18 NATIONAL GALLERY OF ART

19 SALARIES AND EXPENSES

20 For the upkeep and operations of the National Gal-
21 lery of Art, the protection and care of the works of art
22 therein, and administrative expenses incident thereto, as
23 authorized by the Act of March 24, 1937 (50 Stat. 51),
24 as amended by the public resolution of April 13, 1939
25 (Public Resolution 9, 76th Congress), including services

1 as authorized by 5 U.S.C. 3109; payment in advance when
2 authorized by the treasurer of the Gallery for membership
3 in library, museum, and art associations or societies whose
4 publications or services are available to members only, or
5 to members at a price lower than to the general public;
6 purchase, repair, and cleaning of uniforms for guards, and
7 uniforms, or allowances therefor, for other employees as
8 authorized by law (5 U.S.C. 5901–5902); purchase or
9 rental of devices and services for protecting buildings and
10 contents thereof, and maintenance, alteration, improve-
11 ment, and repair of buildings, approaches, and grounds;
12 and purchase of services for restoration and repair of
13 works of art for the National Gallery of Art by contracts
14 made, without advertising, with individuals, firms, or or-
15 ganizations at such rates or prices and under such terms
16 and conditions as the Gallery may deem proper,
17 \$170,240,000, to remain available until September 30,
18 2024, of which not to exceed \$3,875,000 for the special
19 exhibition program shall remain available until expended.

20 REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

21 (INCLUDING TRANSFER OF FUNDS)

22 For necessary expenses of repair, restoration, and
23 renovation of buildings, grounds and facilities owned or
24 occupied by the National Gallery of Art, by contract or
25 otherwise, for operating lease agreements of no more than

1 10 years, that address space needs created by the ongoing
2 renovations in the Master Facilities Plan, as authorized,
3 \$39,000,000, to remain available until expended: *Pro-*
4 *vided*, That of this amount, \$27,208,000 shall be available
5 for design and construction of an off-site art storage facil-
6 ity in partnership with the Smithsonian Institution and
7 may be transferred to the Smithsonian Institution for such
8 purposes: *Provided further*, That contracts awarded for en-
9 vironmental systems, protection systems, and exterior re-
10 pair or renovation of buildings of the National Gallery of
11 Art may be negotiated with selected contractors and
12 awarded on the basis of contractor qualifications as well
13 as price.

14 JOHN F. KENNEDY CENTER FOR THE PERFORMING
15 ARTS

16 OPERATIONS AND MAINTENANCE

17 For necessary expenses for the operation, mainte-
18 nance, and security of the John F. Kennedy Center for
19 the Performing Arts, \$27,640,000, to remain available
20 until September, 30, 2024.

21 CAPITAL REPAIR AND RESTORATION

22 For necessary expenses for capital repair and restora-
23 tion of the existing features of the building and site of
24 the John F. Kennedy Center for the Performing Arts,
25 \$17,740,000, to remain available until expended.

1 WOODROW WILSON INTERNATIONAL CENTER FOR
2 SCHOLARS
3 SALARIES AND EXPENSES

4 For expenses necessary in carrying out the provisions
5 of the Woodrow Wilson Memorial Act of 1968 (82 Stat.
6 1356) including hire of passenger vehicles and services as
7 authorized by 5 U.S.C. 3109, \$15,000,000, to remain
8 available until September 30, 2024.

9 NATIONAL FOUNDATION ON THE ARTS AND THE
10 HUMANITIES
11 NATIONAL ENDOWMENT FOR THE ARTS
12 GRANTS AND ADMINISTRATION

13 For necessary expenses to carry out the National
14 Foundation on the Arts and the Humanities Act of 1965,
15 \$207,000,000 shall be available to the National Endow-
16 ment for the Arts for the support of projects and produc-
17 tions in the arts, including arts education and public out-
18 reach activities, through assistance to organizations and
19 individuals pursuant to section 5 of the Act, for program
20 support, and for administering the functions of the Act,
21 to remain available until expended.

22 NATIONAL ENDOWMENT FOR THE HUMANITIES
23 GRANTS AND ADMINISTRATION

24 For necessary expenses to carry out the National
25 Foundation on the Arts and the Humanities Act of 1965,

1 \$207,000,000 to remain available until expended, of which
2 \$188,250,000 shall be available for support of activities
3 in the humanities, pursuant to section 7(c) of the Act and
4 for administering the functions of the Act; and
5 \$18,750,000 shall be available to carry out the matching
6 grants program pursuant to section 10(a)(2) of the Act,
7 including \$15,750,000 for the purposes of section 7(h):
8 *Provided*, That appropriations for carrying out section
9 10(a)(2) shall be available for obligation only in such
10 amounts as may be equal to the total amounts of gifts,
11 bequests, devises of money, and other property accepted
12 by the chairman or by grantees of the National Endow-
13 ment for the Humanities under the provisions of sections
14 11(a)(2)(B) and 11(a)(3)(B) during the current and pre-
15 ceding fiscal years for which equal amounts have not pre-
16 viously been appropriated.

17 ADMINISTRATIVE PROVISIONS

18 None of the funds appropriated to the National
19 Foundation on the Arts and the Humanities may be used
20 to process any grant or contract documents which do not
21 include the text of 18 U.S.C. 1913: *Provided*, That none
22 of the funds appropriated to the National Foundation on
23 the Arts and the Humanities may be used for official re-
24 ception and representation expenses: *Provided further*,
25 That funds from nonappropriated sources may be used as

1 necessary for official reception and representation ex-
2 penses: *Provided further*, That the Chairperson of the Na-
3 tional Endowment for the Arts may approve grants of up
4 to \$10,000, if in the aggregate the amount of such grants
5 does not exceed 5 percent of the sums appropriated for
6 grantmaking purposes per year: *Provided further*, That
7 such small grant actions are taken pursuant to the terms
8 of an expressed and direct delegation of authority from
9 the National Council on the Arts to the Chairperson.

10 COMMISSION OF FINE ARTS

11 SALARIES AND EXPENSES

12 For expenses of the Commission of Fine Arts under
13 chapter 91 of title 40, United States Code, \$3,661,000:
14 *Provided*, That the Commission is authorized to charge
15 fees to cover the full costs of its publications, and such
16 fees shall be credited to this account as an offsetting col-
17 lection, to remain available until expended without further
18 appropriation: *Provided further*, That the Commission is
19 authorized to accept gifts, including objects, papers, art-
20 work, drawings and artifacts, that pertain to the history
21 and design of the Nation's Capital or the history and ac-
22 tivities of the Commission of Fine Arts, for the purpose
23 of artistic display, study, or education: *Provided further*,
24 That one-tenth of one percent of the funds provided under

1 this heading may be used for official reception and rep-
2 resentation expenses.

3 NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

4 For necessary expenses as authorized by Public Law
5 99–190 (20 U.S.C. 956a), \$5,000,000: *Provided*, That the
6 item relating to “National Capital Arts and Cultural Af-
7 fairs” in the Department of the Interior and Related
8 Agencies Appropriations Act, 1986, as enacted into law
9 by section 101(d) of Public Law 99–190 (20 U.S.C.
10 956a), shall be applied in fiscal year 2023 in the second
11 paragraph by inserting “, calendar year 2020 excluded”
12 before the first period: *Provided further*, That in deter-
13 mining an eligible organization’s annual income for cal-
14 endar years 2021, 2022, and 2023 funds or grants re-
15 ceived by the eligible organization from any supplemental
16 appropriations Act related to coronavirus or any other law
17 providing appropriations for the purpose of preventing,
18 preparing for, or responding to coronavirus shall be count-
19 ed as part of the eligible organization’s annual income.

20 ADVISORY COUNCIL ON HISTORIC PRESERVATION

21 SALARIES AND EXPENSES

22 For necessary expenses of the Advisory Council on
23 Historic Preservation (Public Law 89–665), \$8,585,000.

1 NATIONAL CAPITAL PLANNING COMMISSION

2 SALARIES AND EXPENSES

3 For necessary expenses of the National Capital Plan-
4 ning Commission under chapter 87 of title 40, United
5 States Code, including services as authorized by 5 U.S.C.
6 3109, \$8,750,000: *Provided*, That one-quarter of 1 per-
7 cent of the funds provided under this heading may be used
8 for official reception and representational expenses associ-
9 ated with hosting international visitors engaged in the
10 planning and physical development of world capitals.

11 UNITED STATES HOLOCAUST MEMORIAL MUSEUM

12 HOLOCAUST MEMORIAL MUSEUM

13 For expenses of the Holocaust Memorial Museum, as
14 authorized by Public Law 106–292 (36 U.S.C. 2301–
15 2310), \$65,231,000, of which \$1,000,000 shall remain
16 available until September 30, 2025, for the Museum’s
17 equipment replacement program; and of which \$4,000,000
18 for the Museum’s repair and rehabilitation program and
19 \$1,264,000 for the Museum’s outreach initiatives program
20 shall remain available until expended.

21 PRESIDIO TRUST

22 The Presidio Trust is authorized to issue obligations
23 to the Secretary of the Treasury pursuant to section
24 104(d)(3) of the Omnibus Parks and Public Lands Man-
25 agement Act of 1996 (Public Law 104–333), in an

1 amount not to exceed \$90,000,000: *Provided*, That such
2 section is amended by striking “\$150,000,000” and in-
3 serting “\$250,000,000”.

4 WORLD WAR I CENTENNIAL COMMISSION

5 SALARIES AND EXPENSES

6 Notwithstanding section 9 of the World War I Cen-
7 tennial Commission Act, as authorized by the World War
8 I Centennial Commission Act (Public Law 112–272) and
9 the Carl Levin and Howard P. “Buck” McKeon National
10 Defense Authorization Act for Fiscal Year 2015 (Public
11 Law 113–291), for necessary expenses of the World War
12 I Centennial Commission, \$1,000,000, to remain available
13 until September 30, 2024: *Provided*, That in addition to
14 the authority provided by section 6(g) of such Act, the
15 World War I Commission may accept money, in-kind per-
16 sonnel services, contractual support, or any appropriate
17 support from any executive branch agency for activities
18 of the Commission.

19 UNITED STATES SEMIQUINCENTENNIAL COMMISSION

20 SALARIES AND EXPENSES

21 For necessary expenses of the United States
22 Semiquincentennial Commission to plan and coordinate
23 observances and activities associated with the 250th anni-
24 versary of the founding of the United States, as authorized
25 by Public Law 116–282, the technical amendments to

1 Public Law 114–196, \$15,000,000, to remain available
2 until September 30, 2024.

3 TITLE IV
4 GENERAL PROVISIONS
5 (INCLUDING TRANSFERS OF FUNDS)
6 RESTRICTION ON USE OF FUNDS

7 SEC. 401. No part of any appropriation contained in
8 this Act shall be available for any activity or the publica-
9 tion or distribution of literature that in any way tends to
10 promote public support or opposition to any legislative
11 proposal on which Congressional action is not complete
12 other than to communicate to Members of Congress as
13 described in 18 U.S.C. 1913.

14 OBLIGATION OF APPROPRIATIONS
15 SEC. 402. No part of any appropriation contained in
16 this Act shall remain available for obligation beyond the
17 current fiscal year unless expressly so provided herein.

18 DISCLOSURE OF ADMINISTRATIVE EXPENSES
19 SEC. 403. The amount and basis of estimated over-
20 head charges, deductions, reserves, or holdbacks, including
21 working capital fund charges, from programs, projects, ac-
22 tivities and subactivities to support government-wide, de-
23 partmental, agency, or bureau administrative functions or
24 headquarters, regional, or central operations shall be pre-
25 sented in annual budget justifications and subject to ap-

1 proval by the Committees on Appropriations of the House
2 of Representatives and the Senate. Changes to such esti-
3 mates shall be presented to the Committees on Appropria-
4 tions for approval.

5 MINING APPLICATIONS

6 SEC. 404. (a) LIMITATION OF FUNDS.—None of the
7 funds appropriated or otherwise made available pursuant
8 to this Act shall be obligated or expended to accept or
9 process applications for a patent for any mining or mill
10 site claim located under the general mining laws.

11 (b) EXCEPTIONS.—Subsection (a) shall not apply if
12 the Secretary of the Interior determines that, for the claim
13 concerned: (1) a patent application was filed with the Sec-
14 retary on or before September 30, 1994; and (2) all re-
15 quirements established under sections 2325 and 2326 of
16 the Revised Statutes (30 U.S.C. 29 and 30) for vein or
17 lode claims, sections 2329, 2330, 2331, and 2333 of the
18 Revised Statutes (30 U.S.C. 35, 36, and 37) for placer
19 claims, and section 2337 of the Revised Statutes (30
20 U.S.C. 42) for mill site claims, as the case may be, were
21 fully complied with by the applicant by that date.

22 (c) REPORT.—On September 30, 2024, the Secretary
23 of the Interior shall file with the House and Senate Com-
24 mittees on Appropriations and the Committee on Natural
25 Resources of the House and the Committee on Energy and

1 Natural Resources of the Senate a report on actions taken
2 by the Department under the plan submitted pursuant to
3 section 314(c) of the Department of the Interior and Re-
4 lated Agencies Appropriations Act, 1997 (Public Law
5 104–208).

6 (d) MINERAL EXAMINATIONS.—In order to process
7 patent applications in a timely and responsible manner,
8 upon the request of a patent applicant, the Secretary of
9 the Interior shall allow the applicant to fund a qualified
10 third-party contractor to be selected by the Director of the
11 Bureau of Land Management to conduct a mineral exam-
12 ination of the mining claims or mill sites contained in a
13 patent application as set forth in subsection (b). The Bu-
14 reau of Land Management shall have the sole responsi-
15 bility to choose and pay the third-party contractor in ac-
16 cordance with the standard procedures employed by the
17 Bureau of Land Management in the retention of third-
18 party contractors.

19 CONTRACT SUPPORT COSTS, PRIOR YEAR LIMITATION

20 SEC. 405. Sections 405 and 406 of division F of the
21 Consolidated and Further Continuing Appropriations Act,
22 2015 (Public Law 113–235) shall continue in effect in fis-
23 cal year 2023.

1 CONTRACT SUPPORT COSTS, FISCAL YEAR 2023

2 LIMITATION

3 SEC. 406. Amounts provided by this Act for fiscal
4 year 2023 under the headings “Department of Health and
5 Human Services, Indian Health Service, Contract Support
6 Costs” and “Department of the Interior, Bureau of Indian
7 Affairs and Bureau of Indian Education, Contract Sup-
8 port Costs” are the only amounts available for contract
9 support costs arising out of self-determination or self-gov-
10 ernance contracts, grants, compacts, or annual funding
11 agreements for fiscal year 2023 with the Bureau of Indian
12 Affairs, Bureau of Indian Education, and the Indian
13 Health Service: *Provided*, That such amounts provided by
14 this Act are not available for payment of claims for con-
15 tract support costs for prior years, or for repayments of
16 payments for settlements or judgments awarding contract
17 support costs for prior years.

18 FOREST MANAGEMENT PLANS

19 SEC. 407. The Secretary of Agriculture shall not be
20 considered to be in violation of subparagraph 6(f)(5)(A)
21 of the Forest and Rangeland Renewable Resources Plan-
22 ning Act of 1974 (16 U.S.C. 1604(f)(5)(A)) solely because
23 more than 15 years have passed without revision of the
24 plan for a unit of the National Forest System. Nothing
25 in this section exempts the Secretary from any other re-

1 quirement of the Forest and Rangeland Renewable Re-
2 sources Planning Act (16 U.S.C. 1600 et seq.) or any
3 other law: *Provided*, That if the Secretary is not acting
4 expeditiously and in good faith, within the funding avail-
5 able, to revise a plan for a unit of the National Forest
6 System, this section shall be void with respect to such plan
7 and a court of proper jurisdiction may order completion
8 of the plan on an accelerated basis.

9 PROHIBITION WITHIN NATIONAL MONUMENTS

10 SEC. 408. No funds provided in this Act may be ex-
11 pended to conduct preleasing, leasing and related activities
12 under either the Mineral Leasing Act (30 U.S.C. 181 et
13 seq.) or the Outer Continental Shelf Lands Act (43 U.S.C.
14 1331 et seq.) within the boundaries of a National Monu-
15 ment established pursuant to the Act of June 8, 1906 (16
16 U.S.C. 431 et seq.) as such boundary existed on January
17 20, 2001, except where such activities are allowed under
18 the Presidential proclamation establishing such monu-
19 ment.

20 LIMITATION ON TAKINGS

21 SEC. 409. Unless otherwise provided herein, no funds
22 appropriated in this Act for the acquisition of lands or
23 interests in lands may be expended for the filing of dec-
24 larations of taking or complaints in condemnation without
25 the approval of the House and Senate Committees on Ap-

1 appropriations: *Provided*, That this provision shall not apply
2 to funds appropriated to implement the Everglades Na-
3 tional Park Protection and Expansion Act of 1989, or to
4 funds appropriated for Federal assistance to the State of
5 Florida to acquire lands for Everglades restoration pur-
6 poses.

7 PROHIBITION ON NO-BID CONTRACTS

8 SEC. 410. None of the funds appropriated or other-
9 wise made available by this Act to executive branch agen-
10 cies may be used to enter into any Federal contract unless
11 such contract is entered into in accordance with the re-
12 quirements of Chapter 33 of title 41, United States Code,
13 or Chapter 137 of title 10, United States Code, and the
14 Federal Acquisition Regulation, unless—

15 (1) Federal law specifically authorizes a con-
16 tract to be entered into without regard for these re-
17 quirements, including formula grants for States, or
18 federally recognized Indian tribes;

19 (2) such contract is authorized by the Indian
20 Self-Determination and Education Assistance Act
21 (Public Law 93–638, 25 U.S.C. 450 et seq.) or by
22 any other Federal laws that specifically authorize a
23 contract within an Indian tribe as defined in section
24 4(e) of that Act (25 U.S.C. 450b(e)); or

1 (3) such contract was awarded prior to the date
2 of enactment of this Act.

3 POSTING OF REPORTS

4 SEC. 411. (a) Any agency receiving funds made avail-
5 able in this Act, shall, subject to subsections (b) and (c),
6 post on the public website of that agency any report re-
7 quired to be submitted by the Congress in this or any
8 other Act, upon the determination by the head of the agen-
9 cy that it shall serve the national interest.

10 (b) Subsection (a) shall not apply to a report if—

11 (1) the public posting of the report com-
12 promises national security; or

13 (2) the report contains proprietary information.

14 (c) The head of the agency posting such report shall
15 do so only after such report has been made available to
16 the requesting Committee or Committees of Congress for
17 no less than 45 days.

18 NATIONAL ENDOWMENT FOR THE ARTS GRANT

19 GUIDELINES

20 SEC. 412. Of the funds provided to the National En-
21 dowment for the Arts—

22 (1) The Chairperson shall only award a grant
23 to an individual if such grant is awarded to such in-
24 dividual for a literature fellowship, National Herit-

1 age Fellowship, or American Jazz Masters Fellow-
2 ship.

3 (2) The Chairperson shall establish procedures
4 to ensure that no funding provided through a grant,
5 except a grant made to a State or local arts agency,
6 or regional group, may be used to make a grant to
7 any other organization or individual to conduct ac-
8 tivity independent of the direct grant recipient.
9 Nothing in this subsection shall prohibit payments
10 made in exchange for goods and services.

11 (3) No grant shall be used for seasonal support
12 to a group, unless the application is specific to the
13 contents of the season, including identified programs
14 or projects.

15 NATIONAL ENDOWMENT FOR THE ARTS PROGRAM

16 PRIORITIES

17 SEC. 413. (a) In providing services or awarding fi-
18 nancial assistance under the National Foundation on the
19 Arts and the Humanities Act of 1965 from funds appro-
20 priated under this Act, the Chairperson of the National
21 Endowment for the Arts shall ensure that priority is given
22 to providing services or awarding financial assistance for
23 projects, productions, workshops, or programs that serve
24 underserved populations.

25 (b) In this section:

1 (1) The term “underserved population” means
2 a population of individuals, including urban minori-
3 ties, who have historically been outside the purview
4 of arts and humanities programs due to factors such
5 as a high incidence of income below the poverty line
6 or to geographic isolation.

7 (2) The term “poverty line” means the poverty
8 line (as defined by the Office of Management and
9 Budget, and revised annually in accordance with sec-
10 tion 673(2) of the Community Services Block Grant
11 Act (42 U.S.C. 9902(2))) applicable to a family of
12 the size involved.

13 (c) In providing services and awarding financial as-
14 sistance under the National Foundation on the Arts and
15 Humanities Act of 1965 with funds appropriated by this
16 Act, the Chairperson of the National Endowment for the
17 Arts shall ensure that priority is given to providing serv-
18 ices or awarding financial assistance for projects, produc-
19 tions, workshops, or programs that will encourage public
20 knowledge, education, understanding, and appreciation of
21 the arts.

22 (d) With funds appropriated by this Act to carry out
23 section 5 of the National Foundation on the Arts and Hu-
24 manities Act of 1965—

1 (1) the Chairperson shall establish a grant cat-
2 egory for projects, productions, workshops, or pro-
3 grams that are of national impact or availability or
4 are able to tour several States;

5 (2) the Chairperson shall not make grants ex-
6 ceeding 15 percent, in the aggregate, of such funds
7 to any single State, excluding grants made under the
8 authority of paragraph (1);

9 (3) the Chairperson shall report to the Con-
10 gress annually and by State, on grants awarded by
11 the Chairperson in each grant category under sec-
12 tion 5 of such Act; and

13 (4) the Chairperson shall encourage the use of
14 grants to improve and support community-based
15 music performance and education.

16 STATUS OF BALANCES OF APPROPRIATIONS

17 SEC. 414. The Department of the Interior, the Envi-
18 ronmental Protection Agency, the Forest Service, and the
19 Indian Health Service shall provide the Committees on
20 Appropriations of the House of Representatives and Sen-
21 ate quarterly reports on the status of balances of appro-
22 priations including all uncommitted, committed, and unob-
23 ligated funds in each program and activity within 60 days
24 of enactment of this Act.

1 EXTENSION OF GRAZING PERMITS

2 SEC. 415. The terms and conditions of section 325
3 of Public Law 108–108 (117 Stat. 1307), regarding graz-
4 ing permits issued by the Forest Service on any lands not
5 subject to administration under section 402 of the Federal
6 Lands Policy and Management Act (43 U.S.C. 1752),
7 shall remain in effect for fiscal year 2023.

8 FUNDING PROHIBITION

9 SEC. 416. (a) None of the funds made available in
10 this Act may be used to maintain or establish a computer
11 network unless such network is designed to block access
12 to pornography websites.

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

17 HUMANE TRANSFER AND TREATMENT OF ANIMALS

18 SEC. 417. (a) Notwithstanding any other provision
19 of law, the Secretary of the Interior, with respect to land
20 administered by the Bureau of Land Management, or the
21 Secretary of Agriculture, with respect to land adminis-
22 tered by the Forest Service (referred to in this section as
23 the “Secretary concerned”), may transfer excess wild
24 horses and burros that have been removed from land ad-
25 ministered by the Secretary concerned to other Federal,

1 State, and local government agencies for use as work ani-
2 mals.

3 (b) The Secretary concerned may make a transfer
4 under subsection (a) immediately on the request of a Fed-
5 eral, State, or local government agency.

6 (c) An excess wild horse or burro transferred under
7 subsection (a) shall lose status as a wild free-roaming
8 horse or burro (as defined in section 2 of Public Law 92–
9 195 (commonly known as the “Wild Free-Roaming Horses
10 and Burros Act”) (16 U.S.C. 1332)).

11 (d) A Federal, State, or local government agency re-
12 ceiving an excess wild horse or burro pursuant to sub-
13 section (a) shall not—

14 (1) destroy the horse or burro in a manner that
15 results in the destruction of the horse or burro into
16 a commercial product;

17 (2) sell or otherwise transfer the horse or burro
18 in a manner that results in the destruction of the
19 horse or burro for processing into a commercial
20 product; or

21 (3) euthanize the horse or burro, except on the
22 recommendation of a licensed veterinarian in a case
23 of severe injury, illness, or advanced age.

24 (e) Amounts appropriated by this Act shall not be
25 available for—

1 (1) the destruction of any healthy, unadopted,
2 and wild horse or burro under the jurisdiction of the
3 Secretary concerned (including a contractor); or

4 (2) the sale of a wild horse or burro that results
5 in the destruction of the wild horse or burro for
6 processing into a commercial product.

7 FOREST SERVICE FACILITY REALIGNMENT AND

8 ENHANCEMENT AUTHORIZATION EXTENSION

9 SEC. 418. Section 503(f) of Public Law 109–54 (16
10 U.S.C. 580d note) shall be applied by substituting “Sep-
11 tember 30, 2023” for “September 30, 2019”.

12 USE OF AMERICAN IRON AND STEEL

13 SEC. 419. (a)(1) None of the funds made available
14 by a State water pollution control revolving fund as au-
15 thorized by section 1452 of the Safe Drinking Water Act
16 (42 U.S.C. 300j–12) shall be used for a project for the
17 construction, alteration, maintenance, or repair of a public
18 water system or treatment works unless all of the iron and
19 steel products used in the project are produced in the
20 United States.

21 (2) In this section, the term “iron and steel” products
22 means the following products made primarily of iron or
23 steel: lined or unlined pipes and fittings, manhole covers
24 and other municipal castings, hydrants, tanks, flanges,

1 pipe clamps and restraints, valves, structural steel, rein-
2 forced precast concrete, and construction materials.

3 (b) Subsection (a) shall not apply in any case or cat-
4 egory of cases in which the Administrator of the Environ-
5 mental Protection Agency (in this section referred to as
6 the “Administrator”) finds that—

7 (1) applying subsection (a) would be incon-
8 sistent with the public interest;

9 (2) iron and steel products are not produced in
10 the United States in sufficient and reasonably avail-
11 able quantities and of a satisfactory quality; or

12 (3) inclusion of iron and steel products pro-
13 duced in the United States will increase the cost of
14 the overall project by more than 25 percent.

15 (c) If the Administrator receives a request for a waiv-
16 er under this section, the Administrator shall make avail-
17 able to the public on an informal basis a copy of the re-
18 quest and information available to the Administrator con-
19 cerning the request, and shall allow for informal public
20 input on the request for at least 15 days prior to making
21 a finding based on the request. The Administrator shall
22 make the request and accompanying information available
23 by electronic means, including on the official public Inter-
24 net Web site of the Environmental Protection Agency.

1 (d) This section shall be applied in a manner con-
2 sistent with United States obligations under international
3 agreements.

4 (e) The Administrator may retain up to 0.25 percent
5 of the funds appropriated in this Act for the Clean and
6 Drinking Water State Revolving Funds for carrying out
7 the provisions described in subsection (a)(1) for manage-
8 ment and oversight of the requirements of this section.

9 LOCAL COOPERATOR TRAINING AGREEMENTS AND TRANS-
10 FERS OF EXCESS EQUIPMENT AND SUPPLIES FOR
11 WILDFIRES

12 SEC. 420. The Secretary of the Interior is authorized
13 to enter into grants and cooperative agreements with vol-
14 unteer fire departments, rural fire departments, rangeland
15 fire protection associations, and similar organizations to
16 provide for wildland fire training and equipment, including
17 supplies and communication devices. Notwithstanding sec-
18 tion 121(c) of title 40, United States Code, or section 521
19 of title 40, United States Code, the Secretary is further
20 authorized to transfer title to excess Department of the
21 Interior firefighting equipment no longer needed to carry
22 out the functions of the Department's wildland fire man-
23 agement program to such organizations.

1 RECREATION FEES

2 SEC. 421. Section 810 of the Federal Lands Recre-
3 ation Enhancement Act (16 U.S.C. 6809) shall be applied
4 by substituting “October 1, 2024” for “September 30,
5 2019”.

6 REPROGRAMMING GUIDELINES

7 SEC. 422. None of the funds made available in this
8 Act, in this and prior fiscal years, may be reprogrammed
9 without the advance approval of the House and Senate
10 Committees on Appropriations in accordance with the re-
11 programming procedures contained in the explanatory
12 statement described in section 4 (in the matter preceding
13 division A of this consolidated Act).

14 LOCAL CONTRACTORS

15 SEC. 423. Section 412 of division E of Public Law
16 112–74 shall be applied by substituting “fiscal year 2023”
17 for “fiscal year 2019”.

18 SHASTA-TRINITY MARINA FEE AUTHORITY

19 AUTHORIZATION EXTENSION

20 SEC. 424. Section 422 of division F of Public Law
21 110–161 (121 Stat 1844), as amended, shall be applied
22 by substituting “fiscal year 2023” for “fiscal year 2019”.

23 INTERPRETIVE ASSOCIATION AUTHORIZATION EXTENSION

24 SEC. 425. Section 426 of division G of Public Law
25 113–76 (16 U.S.C. 565a–1 note) shall be applied by sub-

stituting “September 30, 2023” for “September 30, 2019”.

PUERTO RICO SCHOOLING AUTHORIZATION EXTENSION

SEC. 426. The authority provided by the 19th unnumbered paragraph under heading “Administrative Provisions, Forest Service” in title III of Public Law 109–54, as amended, shall be applied by substituting “fiscal year 2023” for “fiscal year 2019”.

FOREST BOTANICAL PRODUCTS FEE COLLECTION

AUTHORIZATION EXTENSION

SEC. 427. Section 339 of the Department of the Interior and Related Agencies Appropriations Act, 2000 (as enacted into law by Public Law 106–113; 16 U.S.C. 528 note), as amended by section 335(6) of Public Law 108–108 and section 432 of Public Law 113–76, shall be applied by substituting “fiscal year 2023” for “fiscal year 2019”.

CHACO CANYON

SEC. 428. None of the funds made available by this Act may be used to accept a nomination for oil and gas leasing under 43 CFR 3120.3 et seq., or to offer for oil and gas leasing, any Federal lands within the withdrawal area identified on the map of the Chaco Culture National Historical Park prepared by the Bureau of Land Management and dated April 2, 2019.

1 TRIBAL LEASES

2 SEC. 429. Notwithstanding any other provision of
3 law, in the case of any lease under section 105(l) of the
4 Indian Self-Determination and Education Assistance Act
5 (25 U.S.C. 5324(l)), the initial lease term shall commence
6 no earlier than the date of receipt of the lease proposal.

7 FOREST ECOSYSTEM HEALTH AND RECOVERY FUND

8 SEC. 430. The authority provided under the heading
9 “Forest Ecosystem Health and Recovery Fund” in title
10 I of Public Law 111–88, as amended by section 117 of
11 division F of Public Law 113–235, shall be applied by sub-
12 stituting “fiscal year 2023” for “fiscal year 2020” each
13 place it appears.

14 ALLOCATION OF PROJECTS, NATIONAL PARKS AND PUB-
15 LIC LAND LEGACY RESTORATION FUND AND LAND
16 AND WATER CONSERVATION FUND

17 SEC. 431. (a)(1) Within 45 days of enactment of this
18 Act, the Secretary of the Interior shall allocate amounts
19 made available from the National Parks and Public Land
20 Legacy Restoration Fund for fiscal year 2023 pursuant
21 to subsection (c) of section 200402 of title 54, United
22 States Code, and as provided in subsection (e) of such sec-
23 tion of such title, to the agencies of the Department of
24 the Interior and the Department of Agriculture specified,
25 in the amounts specified, for the stations and unit names

1 specified, and for the projects and activities specified in
2 the table titled “Allocation of Funds: National Parks and
3 Public Land Legacy Restoration Fund Fiscal Year 2023”
4 in the report accompanying this Act.

5 (2) Within 45 days of enactment of this Act, the Sec-
6 retary of the Interior and the Secretary of Agriculture,
7 as appropriate, shall allocate amounts made available for
8 expenditure from the Land and Water Conservation Fund
9 for fiscal year 2023 pursuant to subsection (a) of section
10 200303 of title 54, United States Code, to the agencies
11 and accounts specified, in the amounts specified, and for
12 the projects and activities specified in the table titled “Al-
13 location of Funds: Land and Water Conservation Fund
14 Fiscal Year 2023” in the report accompanying this Act.

15 (b) Except as otherwise provided by subsection (c)
16 of this section, neither the President nor his designee may
17 allocate any amounts that are made available for any fiscal
18 year under subsection (c) of section 200402 of title 54,
19 United States Code, or subsection (a) of section 200303
20 of title 54, United States Code, other than in amounts
21 and for projects and activities that are allocated by sub-
22 sections (a)(1) and (a)(2) of this section: *Provided*, That
23 in any fiscal year, the matter preceding this proviso shall
24 not apply to the allocation of amounts for continuing ad-
25 ministration of programs allocated funds from the Na-

1 tional Parks and Public Land Legacy Restoration Fund
2 or the Land and Water Conservation Fund, which may
3 be allocated only in amounts that are no more than the
4 allocation for such purposes in subsections (a)(1) and
5 (a)(2) of this section.

6 (c) The Secretary of the Interior and the Secretary
7 of Agriculture may reallocate amounts from each agency's
8 "Contingency Fund" line in the table titled "Allocation
9 of Funds: National Parks and Public Land Legacy Res-
10 toration Fund Fiscal Year 2023" to any project funded
11 by the National Parks and Public Land Legacy Restora-
12 tion Fund within the same agency, from any fiscal year,
13 that experienced a funding deficiency due to unforeseen
14 cost overruns, in accordance with the following require-
15 ments:

16 (1) "Contingency Fund" amounts may only be
17 reallocated if there is a risk to project completion re-
18 sulting from unforeseen cost overruns;

19 (2) "Contingency Fund" amounts may only be
20 reallocated for cost of adjustments and changes
21 within the original scope of effort for projects fund-
22 ed by the National Parks and Public Land Legacy
23 Restoration Fund; and

24 (3) The Secretary of the Interior or the Sec-
25 retary of Agriculture must provide written notifica-

1 tion to the Committees on Appropriations 30 days
2 before taking any actions authorized by this sub-
3 section if the amount reallocated from the “Contin-
4 gency Fund” line for a project is projected to be 10
5 percent or greater than the following, as applicable:

6 (A) The amount allocated to that project
7 in the table titled “Allocation of Funds: Na-
8 tional Parks and Public Land Legacy Restora-
9 tion Fund Fiscal Year 2023” in the report ac-
10 companying this Act; or

11 (B) The initial estimate in the most recent
12 report submitted, prior to enactment of this
13 Act, to the Committees on Appropriations pur-
14 suant to section 434(e) of Division G of the
15 Consolidated Appropriations Act, 2021 (Public
16 Law 116–260).

17 (d)(1) Concurrent with the annual budget submission
18 of the President for fiscal year 2024, the Secretary of the
19 Interior and the Secretary of Agriculture shall each sub-
20 mit to the Committees on Appropriations of the House
21 of Representatives and the Senate project data sheets for
22 the projects in the “Submission of Annual List of Projects
23 to Congress” required by section 200402(h) of title 54,
24 United States Code: *Provided*, That the “Submission of
25 Annual List of Projects to Congress” must include a

1 “Contingency Fund” line for each agency within the allo-
2 cations defined in subsection (e) of section 200402 of title
3 54, United States Code: *Provided further*, That in the
4 event amounts allocated by this Act or any prior Act for
5 the National Parks and Public Land Legacy Restoration
6 Fund are no longer needed to complete a specified project,
7 such amounts may be reallocated in such submission to
8 that agency’s “Contingency Fund” line: *Provided further*,
9 That any proposals to change the scope of or terminate
10 a previously approved project must be clearly identified
11 in such submission.

12 (2)(A) Concurrent with the annual budget sub-
13 mission of the President for fiscal year 2024, the
14 Secretary of the Interior and the Secretary of Agri-
15 culture shall each submit to the Committees on Ap-
16 propriations of the House of Representatives and the
17 Senate a list of supplementary allocations for Fed-
18 eral land acquisition and Forest Legacy Projects at
19 the National Park Service, the U.S. Fish and Wild-
20 life Service, the Bureau of Land Management, and
21 the U.S. Forest Service that are in addition to the
22 “Submission of Cost Estimates” required by section
23 200303(c)(1) of title 54, United States Code, that
24 are prioritized and detailed by account, program,
25 and project, and that total no less than half the full

1 amount allocated to each account for that land man-
2 agement Agency under the allocations submitted
3 under section 200303(c)(1) of title 54, United
4 States Code: *Provided*, That in the event amounts
5 allocated by this Act or any prior Act pursuant to
6 subsection (a) of section 200303 of title 54, United
7 States Code are no longer needed because a project
8 has been completed or can no longer be executed,
9 such amounts must be clearly identified if proposed
10 for reallocation in the annual budget submission.

11 (B) The Federal land acquisition and Forest
12 Legacy projects in the “Submission of Cost Esti-
13 mates” required by section 200303(c)(1) of title 54,
14 United States Code, and on the list of supple-
15 mentary allocations required by subparagraph (A)
16 shall be comprised only of projects for which a will-
17 ing seller has been identified and for which an ap-
18 praisal or market research has been initiated.

19 (C) Concurrent with the annual budget submis-
20 sion of the President for fiscal year 2024, the Sec-
21 retary of the Interior and the Secretary of Agri-
22 culture shall each submit to the Committees on Ap-
23 propriations of the House of Representatives and the
24 Senate project data sheets in the same format and
25 containing the same level of detailed information

1 that is found on such sheets in the Budget Justifica-
2 tions annually submitted by the Department of the
3 Interior with the President’s Budget for the projects
4 in the “Submission of Cost Estimates” required by
5 section 200303(c)(1) of title 54, United States Code,
6 and in the same format and containing the same
7 level of detailed information that is found on such
8 sheets submitted to the Committees pursuant to sec-
9 tion 427 of division D of the Further Consolidated
10 Appropriations Act, 2020 (Public Law 116–94) for
11 the list of supplementary allocations required by
12 subparagraph (A).

13 (e) The Department of the Interior and the Depart-
14 ment of Agriculture shall provide the Committees on Ap-
15 propriations of the House of Representatives and Senate
16 quarterly reports on the status of balances of projects and
17 activities funded by the National Parks and Public Land
18 Legacy Restoration Fund for amounts allocated pursuant
19 to subsection (a)(1) of this section and the status of bal-
20 ances of projects and activities funded by the Land and
21 Water Conservation Fund for amounts allocated pursuant
22 to subsection (a)(2) of this section, including all uncom-
23 mitted, committed, and unobligated funds, and, for
24 amounts allocated pursuant to subsection (a)(1) of this
25 section, National Parks and Public Land Legacy Restora-

tion Fund amounts reallocated pursuant to subsection (c) of this section.

POLICIES RELATING TO BIOMASS ENERGY

SEC. 432. To support the key role that forests in the United States can play in addressing the energy needs of the United States, the Secretary of Energy, the Secretary of Agriculture, and the Administrator of the Environmental Protection Agency shall, consistent with their missions, jointly—

(1) ensure that Federal policy relating to forest bioenergy—

(A) is consistent across all Federal departments and agencies; and

(B) using the best available science, recognizes the benefits of the use of forest biomass for energy, conservation, and responsible forest management; and

(2) establish clear and simple policies for the use of forest biomass as an energy solution, including policies that—

(A) reflect the carbon benefits of forest bioenergy and recognize biomass as a renewable energy source, provided the use of forest biomass for energy production does not cause conversion of forests to non-forest use;

1 (B) encourage private investment through-
2 out the forest biomass supply chain, including
3 in—

- 4 (i) working forests;
5 (ii) harvesting operations;
6 (iii) forest improvement operations;
7 (iv) forest bioenergy production;
8 (v) wood products manufacturing; or
9 (vi) paper manufacturing;

10 (C) encourage forest management to im-
11 prove forest health; and

12 (D) recognize State initiatives to produce
13 and use forest biomass.

14 TIMBER SALE REQUIREMENTS

15 SEC. 433. No timber sale in Alaska's Region 10 shall
16 be advertised if the indicated rate is deficit (defined as
17 the value of the timber is not sufficient to cover all logging
18 and stumpage costs and provide a normal profit and risk
19 allowance under the Forest Service's appraisal process)
20 when appraised using a residual value appraisal. The west-
21 ern red cedar timber from those sales which is surplus
22 to the needs of the domestic processors in Alaska, shall
23 be made available to domestic processors in the contiguous
24 48 United States at prevailing domestic prices. All addi-
25 tional western red cedar volume not sold to Alaska or con-

1 tiguous 48 United States domestic processors may be ex-
2 ported to foreign markets at the election of the timber sale
3 holder. All Alaska yellow cedar may be sold at prevailing
4 export prices at the election of the timber sale holder.

5 TRANSFER AUTHORITY TO FEDERAL HIGHWAY ADMINIS-
6 TRATION FOR THE NATIONAL PARKS AND PUBLIC
7 LAND LEGACY RESTORATION FUND

8 SEC. 434. Funds made available or allocated in this
9 Act to the Department of the Interior or the Department
10 of Agriculture that are subject to the allocations and limi-
11 tations in 54 U.S.C. 200402(e) and prohibitions in 54
12 U.S.C. 200402(f) may be further allocated or reallocated
13 to the Federal Highway Administration for transportation
14 projects of the covered agencies defined in 54 U.S.C.
15 200401(2).

16 ICE AGE NATIONAL SCENIC TRAIL

17 SEC. 435. Section 5(a)(10) of the National Trails
18 System Act (16 U.S.C. 1244(a)(10)) is amended by strik-
19 ing the third and fourth sentences and inserting “The trail
20 shall be administered by the Secretary of the Interior as
21 a unit of the National Park System.”.

1 FACILITIES RENOVATION FOR URBAN INDIAN ORGANIZA-
2 TIONS TO THE EXTENT AUTHORIZED FOR OTHER
3 GOVERNMENT CONTRACTORS

4 SEC. 436. The Secretary of Health and Human Serv-
5 ices may authorize an urban Indian organization (as de-
6 fined in section 4 of the Indian Health Care Improvement
7 Act (25 U.S.C. 1603) that is awarded a grant or contract
8 under title V of that Act (25 U.S.C. 1651 et seq.)) to
9 use funds provided in such grant or contract for minor
10 renovations to facilities or construction or expansion of fa-
11 cilities, including leased facilities, to assist the urban In-
12 dian organization in meeting or maintaining standards
13 issued by Federal or State governments or by accredita-
14 tion organizations.

15 TONGASS NATIONAL FOREST

16 SEC. 437. None of the funds made available by this
17 Act may be used to plan, design, study, or construct, for
18 the purpose of harvesting timber by private entities or in-
19 dividuals, a forest development road in the Tongass Na-
20 tional Forest.

21 ROAD CONSTRUCTION

22 SEC. 438. Section 8206(a)(4)(B)(i) of the Agricul-
23 tural Act of 2014 (16 U.S.C. 2113a(a)(4)(B)(i)) is
24 amended by inserting “or Bureau of Land Management
25 managed” after “National Forest System”.

1 PERMIT PROHIBITION

2 SEC. 439. None of the funds made available by this
3 Act may be used to issue a permit for the import of a
4 sport-hunted trophy of an elephant or lion taken in Tan-
5 zania, Zimbabwe, or Zambia. The limitation described in
6 this section shall not apply in the case of the administra-
7 tion of a tax or tariff.

8 This division may be cited as the “Department of the
9 Interior, Environment, and Related Agencies Appropria-
10 tions Act, 2023”.

1 DIVISION F—MILITARY CONSTRUCTION,
2 VETERANS AFFAIRS, AND RELATED
3 AGENCIES APPROPRIATIONS ACT, 2023

4 TITLE I

5 DEPARTMENT OF DEFENSE

6 MILITARY CONSTRUCTION, ARMY

7 For acquisition, construction, installation, and equip-
8 ment of temporary or permanent public works, military
9 installations, facilities, and real property for the Army as
10 currently authorized by law, including personnel in the
11 Army Corps of Engineers and other personal services nec-
12 essary for the purposes of this appropriation, and for con-
13 struction and operation of facilities in support of the func-
14 tions of the Commander in Chief, \$997,425,000, to re-
15 main available until September 30, 2027: *Provided*, That,
16 of the amount made available under this heading, not to
17 exceed \$240,011,000 shall be available for study, plan-
18 ning, design, architect and engineer services, and host na-
19 tion support, as authorized by law, unless the Secretary
20 of the Army determines that additional obligations are
21 necessary for such purposes and notifies the Committees
22 on Appropriations of both Houses of Congress of the de-
23 termination and the reasons therefor: *Provided further*,
24 That of the amount made available under this heading,
25 \$101,860,000 shall be for the projects and activities, and

1 in the amounts, specified in the table under the heading
2 “Military Construction, Army” in the report accom-
3 panying this Act, in addition to amounts otherwise avail-
4 able for such purposes.

5 MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

6 For acquisition, construction, installation, and equip-
7 ment of temporary or permanent public works, naval in-
8 stallations, facilities, and real property for the Navy and
9 Marine Corps as currently authorized by law, including
10 personnel in the Naval Facilities Engineering Command
11 and other personal services necessary for the purposes of
12 this appropriation, \$3,808,340,000, to remain available
13 until September 30, 2027: *Provided*, That, of the amount
14 made available under this heading, not to exceed
15 \$428,073,000 shall be available for study, planning, de-
16 sign, and architect and engineer services, as authorized
17 by law, unless the Secretary of the Navy determines that
18 additional obligations are necessary for such purposes and
19 notifies the Committees on Appropriations of both Houses
20 of Congress of the determination and the reasons therefor:
21 *Provided further*, That of the amount made available
22 under this heading, \$5,949,000 shall be for the project
23 and activity, and in the amount, specified in the table
24 under the heading “Military Construction, Navy and Ma-

1 rine Corps” in the report accompanying this Act, in addi-
2 tion to amounts otherwise available for such purposes.

3 MILITARY CONSTRUCTION, AIR FORCE

4 For acquisition, construction, installation, and equip-
5 ment of temporary or permanent public works, military
6 installations, facilities, and real property for the Air Force
7 as currently authorized by law, \$2,291,156,000, to remain
8 available until September 30, 2027: *Provided*, That, of the
9 amount made available under this heading, not to exceed
10 \$171,094,000 shall be available for study, planning, de-
11 sign, and architect and engineer services, as authorized
12 by law, unless the Secretary of the Air Force determines
13 that additional obligations are necessary for such purposes
14 and notifies the Committees on Appropriations of both
15 Houses of Congress of the determination and the reasons
16 therefor: *Provided further*, That of the amount made avail-
17 able under this heading, \$185,700,000 shall be for the
18 projects and activities, and in the amounts, specified in
19 the table under the heading “Military Construction, Air
20 Force” in the report accompanying this Act, in addition
21 to amounts otherwise available for such purposes.

22 MILITARY CONSTRUCTION, DEFENSE-WIDE
23 (INCLUDING TRANSFER OF FUNDS)

24 For acquisition, construction, installation, and equip-
25 ment of temporary or permanent public works, installa-

1 tions, facilities, and real property for activities and agen-
2 cies of the Department of Defense (other than the military
3 departments), as currently authorized by law,
4 \$2,675,128,000, to remain available until September 30,
5 2027: *Provided*, That such amounts of this appropriation
6 as may be determined by the Secretary of Defense may
7 be transferred to such appropriations of the Department
8 of Defense available for military construction or family
9 housing as the Secretary may designate, to be merged with
10 and to be available for the same purposes, and for the
11 same time period, as the appropriation or fund to which
12 transferred: *Provided further*, That, of the amount made
13 available under this heading, not to exceed \$506,107,000
14 shall be available for study, planning, design, and architect
15 and engineer services, as authorized by law, unless the
16 Secretary of Defense determines that additional obliga-
17 tions are necessary for such purposes and notifies the
18 Committees on Appropriations of both Houses of Congress
19 of the determination and the reasons therefor: *Provided*
20 *further*, That of the amount made available under this
21 heading, \$58,730,000 shall be for the projects and activi-
22 ties, and in the amounts, specified in the table under the
23 heading “Military Construction, Defense-Wide” in the re-
24 port accompanying this Act, in addition to amounts other-
25 wise available for such purposes.

1 MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

2 For construction, acquisition, expansion, rehabilita-
3 tion, and conversion of facilities for the training and ad-
4 ministration of the Army National Guard, and contribu-
5 tions therefor, as authorized by chapter 1803 of title 10,
6 United States Code, and Military Construction Authoriza-
7 tion Acts, \$325,658,000, to remain available until Sep-
8 tember 30, 2027: *Provided*, That, of the amount made
9 available under this heading, not to exceed \$43,625,000
10 shall be available for study, planning, design, and architect
11 and engineer services, as authorized by law, unless the Di-
12 rector of the Army National Guard determines that addi-
13 tional obligations are necessary for such purposes and no-
14 tifies the Committees on Appropriations of both Houses
15 of Congress of the determination and the reasons therefor:
16 *Provided further*, That of the amount made available
17 under this heading, \$3,380,000 shall be for the projects
18 and activities, and in the amounts, specified in the table
19 under the heading “Military Construction, Army National
20 Guard” in the report accompanying this Act, in addition
21 to amounts otherwise available for such purposes.

22 MILITARY CONSTRUCTION, AIR NATIONAL GUARD

23 For construction, acquisition, expansion, rehabilita-
24 tion, and conversion of facilities for the training and ad-
25 ministration of the Air National Guard, and contributions

1 therefor, as authorized by chapter 1803 of title 10, United
2 States Code, and Military Construction Authorization
3 Acts, \$193,983,000, to remain available until September
4 30, 2027: *Provided*, That, of the amount made available
5 under this heading, not to exceed \$41,712,000 shall be
6 available for study, planning, design, and architect and en-
7 gineer services, as authorized by law, unless the Director
8 of the Air National Guard determines that additional obli-
9 gations are necessary for such purposes and notifies the
10 Committees on Appropriations of both Houses of Congress
11 of the determination and the reasons therefor: *Provided*
12 *further*, That of the amount made available under this
13 heading, \$20,100,000 shall be for the projects and activi-
14 ties, and in the amounts, specified in the table under the
15 heading “Military Construction, Air National Guard” in
16 the report accompanying this Act, in addition to amounts
17 otherwise available for such purposes.

18 MILITARY CONSTRUCTION, ARMY RESERVE

19 For construction, acquisition, expansion, rehabilita-
20 tion, and conversion of facilities for the training and ad-
21 ministration of the Army Reserve as authorized by chapter
22 1803 of title 10, United States Code, and Military Con-
23 struction Authorization Acts, \$119,878,000, to remain
24 available until September 30, 2027: *Provided*, That, of the
25 amount made available under this heading, not to exceed

1 \$19,829,000 shall be available for study, planning, design,
2 and architect and engineer services, as authorized by law,
3 unless the Chief of the Army Reserve determines that ad-
4 ditional obligations are necessary for such purposes and
5 notifies the Committees on Appropriations of both Houses
6 of Congress of the determination and the reasons therefor.

7 MILITARY CONSTRUCTION, NAVY RESERVE

8 For construction, acquisition, expansion, rehabilita-
9 tion, and conversion of facilities for the training and ad-
10 ministration of the reserve components of the Navy and
11 Marine Corps as authorized by chapter 1803 of title 10,
12 United States Code, and Military Construction Authoriza-
13 tion Acts, \$30,337,000, to remain available until Sep-
14 tember 30, 2027: *Provided*, That, of the amount made
15 available under this heading, not to exceed \$2,590,000
16 shall be available for study, planning, design, and architect
17 and engineer services, as authorized by law, unless the
18 Secretary of the Navy determines that additional obliga-
19 tions are necessary for such purposes and notifies the
20 Committees on Appropriations of both Houses of Congress
21 of the determination and the reasons therefor.

22 MILITARY CONSTRUCTION, AIR FORCE RESERVE

23 For construction, acquisition, expansion, rehabilita-
24 tion, and conversion of facilities for the training and ad-
25 ministration of the Air Force Reserve as authorized by

1 chapter 1803 of title 10, United States Code, and Military
2 Construction Authorization Acts, \$82,123,000, to remain
3 available until September 30, 2027: *Provided*, That, of the
4 amount made available under this heading, not to exceed
5 \$21,773,000 shall be available for study, planning, design,
6 and architect and engineer services, as authorized by law,
7 unless the Chief of the Air Force Reserve determines that
8 additional obligations are necessary for such purposes and
9 notifies the Committees on Appropriations of both Houses
10 of Congress of the determination and the reasons therefor:
11 *Provided further*, That of the amount made available
12 under this heading, \$5,500,000 shall be for the projects
13 and activities, and in the amounts, specified in the table
14 under the heading “Military Construction, Air Force Re-
15 serve” in the report accompanying this Act, in addition
16 to amounts otherwise available for such purposes.

17 NORTH ATLANTIC TREATY ORGANIZATION

18 SECURITY INVESTMENT PROGRAM

19 For the United States share of the cost of the North
20 Atlantic Treaty Organization Security Investment Pro-
21 gram for the acquisition and construction of military fa-
22 cilities and installations (including international military
23 headquarters) and for related expenses for the collective
24 defense of the North Atlantic Treaty Area as authorized
25 by section 2806 of title 10, United States Code, and Mili-

1 tary Construction Authorization Acts, \$220,139,000, to
2 remain available until expended.

3 DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT

4 For deposit into the Department of Defense Base
5 Closure Account, established by section 2906(a) of the De-
6 fense Base Closure and Realignment Act of 1990 (10
7 U.S.C. 2687 note), \$574,687,000, to remain available
8 until expended.

9 FAMILY HOUSING CONSTRUCTION, ARMY

10 For expenses of family housing for the Army for con-
11 struction, including acquisition, replacement, addition, ex-
12 pansion, extension, and alteration, as authorized by law,
13 \$169,339,000, to remain available until September 30,
14 2027.

15 FAMILY HOUSING OPERATION AND MAINTENANCE,

16 ARMY

17 For expenses of family housing for the Army for op-
18 eration and maintenance, including debt payment, leasing,
19 minor construction, principal and interest charges, and in-
20 surance premiums, as authorized by law, \$446,411,000.

21 FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE

22 CORPS

23 For expenses of family housing for the Navy and Ma-
24 rine Corps for construction, including acquisition, replace-
25 ment, addition, expansion, extension, and alteration, as

1 authorized by law, \$337,297,000, to remain available until
2 September 30, 2027.

3 FAMILY HOUSING OPERATION AND MAINTENANCE,
4 NAVY AND MARINE CORPS

5 For expenses of family housing for the Navy and Ma-
6 rine Corps for operation and maintenance, including debt
7 payment, leasing, minor construction, principal and inter-
8 est charges, and insurance premiums, as authorized by
9 law, \$378,224,000.

10 FAMILY HOUSING CONSTRUCTION, AIR FORCE

11 For expenses of family housing for the Air Force for
12 construction, including acquisition, replacement, addition,
13 expansion, extension, and alteration, as authorized by law,
14 \$232,788,000, to remain available until September 30,
15 2027.

16 FAMILY HOUSING OPERATION AND MAINTENANCE, AIR
17 FORCE

18 For expenses of family housing for the Air Force for
19 operation and maintenance, including debt payment, leas-
20 ing, minor construction, principal and interest charges,
21 and insurance premiums, as authorized by law,
22 \$365,222,000.

1 FAMILY HOUSING OPERATION AND MAINTENANCE,
2 DEFENSE-WIDE

3 For expenses of family housing for the activities and
4 agencies of the Department of Defense (other than the
5 military departments) for operation and maintenance,
6 leasing, and minor construction, as authorized by law,
7 \$50,113,000.

8 DEPARTMENT OF DEFENSE
9 FAMILY HOUSING IMPROVEMENT FUND

10 For the Department of Defense Family Housing Im-
11 provement Fund, \$6,442,000, to remain available until ex-
12 pended, for family housing initiatives undertaken pursu-
13 ant to section 2883 of title 10, United States Code, pro-
14 viding alternative means of acquiring and improving mili-
15 tary family housing and supporting facilities.

16 DEPARTMENT OF DEFENSE
17 MILITARY UNACCOMPANIED HOUSING IMPROVEMENT
18 FUND

For the Department of Defense Military Unaccompanied Housing Improvement Fund, \$494,000, to remain available until expended, for unaccompanied housing initiatives undertaken pursuant to section 2883 of title 10, United States Code, providing alternative means of acquiring and improving military unaccompanied housing and supporting facilities.

1 ADMINISTRATIVE PROVISIONS

2 SEC. 101. None of the funds made available in this
3 title shall be expended for payments under a cost-plus-a-
4 fixed-fee contract for construction, where cost estimates
5 exceed \$25,000, to be performed within the United States,
6 except Alaska, without the specific approval in writing of
7 the Secretary of Defense setting forth the reasons there-
8 for.

9 SEC. 102. Funds made available in this title for con-
10 struction shall be available for hire of passenger motor ve-
11 hicles.

12 SEC. 103. Funds made available in this title for con-
13 struction may be used for advances to the Federal High-
14 way Administration, Department of Transportation, for
15 the construction of access roads as authorized by section
16 210 of title 23, United States Code, when projects author-
17 ized therein are certified as important to the national de-
18 fense by the Secretary of Defense.

19 SEC. 104. None of the funds made available in this
20 title may be used to begin construction of new bases in
21 the United States for which specific appropriations have
22 not been made.

23 SEC. 105. None of the funds made available in this
24 title shall be used for purchase of land or land easements
25 in excess of 100 percent of the value as determined by

1 the Army Corps of Engineers or the Naval Facilities Engi-
2 neering Command, except: (1) where there is a determina-
3 tion of value by a Federal court; (2) purchases negotiated
4 by the Attorney General or the designee of the Attorney
5 General; (3) where the estimated value is less than
6 \$25,000; or (4) as otherwise determined by the Secretary
7 of Defense to be in the public interest.

8 SEC. 106. None of the funds made available in this
9 title shall be used to: (1) acquire land; (2) provide for site
10 preparation; or (3) install utilities for any family housing,
11 except housing for which funds have been made available
12 in annual Acts making appropriations for military con-
13 struction.

14 SEC. 107. None of the funds made available in this
15 title for minor construction may be used to transfer or
16 relocate any activity from one base or installation to an-
17 other, without prior notification to the Committees on Ap-
18 propriations of both Houses of Congress.

19 SEC. 108. None of the funds made available in this
20 title may be used for the procurement of steel for any con-
21 struction project or activity for which American steel pro-
22 ducers, fabricators, and manufacturers have been denied
23 the opportunity to compete for such steel procurement.

24 SEC. 109. None of the funds available to the Depart-
25 ment of Defense for military construction or family hous-

1 ing during the current fiscal year may be used to pay real
2 property taxes in any foreign nation.

3 SEC. 110. None of the funds made available in this
4 title may be used to initiate a new installation overseas
5 without prior notification to the Committees on Appro-
6 priations of both Houses of Congress.

7 SEC. 111. None of the funds made available in this
8 title may be obligated for architect and engineer contracts
9 estimated by the Government to exceed \$500,000 for
10 projects to be accomplished in Japan, in any North Atlan-
11 tic Treaty Organization member country, or in countries
12 bordering the Arabian Gulf, unless such contracts are
13 awarded to United States firms or United States firms
14 in joint venture with host nation firms.

15 SEC. 112. None of the funds made available in this
16 title for military construction in the United States terri-
17 tories and possessions in the Pacific and on Kwajalein
18 Atoll, or in countries bordering the Arabian Gulf, may be
19 used to award any contract estimated by the Government
20 to exceed \$1,000,000 to a foreign contractor: *Provided*,
21 That this section shall not be applicable to contract
22 awards for which the lowest responsive and responsible bid
23 of a United States contractor exceeds the lowest respon-
24 sive and responsible bid of a foreign contractor by greater
25 than 20 percent: *Provided further*, That this section shall

1 not apply to contract awards for military construction on
2 Kwajalein Atoll for which the lowest responsive and re-
3 sponsible bid is submitted by a Marshallese contractor.

4 SEC. 113. The Secretary of Defense shall inform the
5 appropriate committees of both Houses of Congress, in-
6 cluding the Committees on Appropriations, of plans and
7 scope of any proposed military exercise involving United
8 States personnel 30 days prior to its occurring, if amounts
9 expended for construction, either temporary or permanent,
10 are anticipated to exceed \$100,000.

11 SEC. 114. Funds appropriated to the Department of
12 Defense for construction in prior years shall be available
13 for construction authorized for each such military depart-
14 ment by the authorizations enacted into law during the
15 current session of Congress.

16 SEC. 115. For military construction or family housing
17 projects that are being completed with funds otherwise ex-
18 pired or lapsed for obligation, expired or lapsed funds may
19 be used to pay the cost of associated supervision, inspec-
20 tion, overhead, engineering and design on those projects
21 and on subsequent claims, if any.

22 SEC. 116. Notwithstanding any other provision of
23 law, any funds made available to a military department
24 or defense agency for the construction of military projects
25 may be obligated for a military construction project or

1 contract, or for any portion of such a project or contract,
2 at any time before the end of the fourth fiscal year after
3 the fiscal year for which funds for such project were made
4 available, if the funds obligated for such project: (1) are
5 obligated from funds available for military construction
6 projects; and (2) do not exceed the amount appropriated
7 for such project, plus any amount by which the cost of
8 such project is increased pursuant to law.

9 (INCLUDING TRANSFER OF FUNDS)

10 SEC. 117. Subject to 30 days prior notification, or
11 14 days for a notification provided in an electronic me-
12 dium pursuant to sections 480 and 2883 of title 10,
13 United States Code, to the Committees on Appropriations
14 of both Houses of Congress, such additional amounts as
15 may be determined by the Secretary of Defense may be
16 transferred to: (1) the Department of Defense Family
17 Housing Improvement Fund from amounts appropriated
18 for construction in “Family Housing” accounts, to be
19 merged with and to be available for the same purposes
20 and for the same period of time as amounts appropriated
21 directly to the Fund; or (2) the Department of Defense
22 Military Unaccompanied Housing Improvement Fund
23 from amounts appropriated for construction of military
24 unaccompanied housing in “Military Construction” ac-
25 counts, to be merged with and to be available for the same

1 purposes and for the same period of time as amounts ap-
2 propriated directly to the Fund: *Provided*, That appropria-
3 tions made available to the Funds shall be available to
4 cover the costs, as defined in section 502 of the Congres-
5 sional Budget Act of 1974, of direct loans or loan guaran-
6 tees issued by the Department of Defense pursuant to the
7 provisions of subchapter IV of chapter 169 of title 10,
8 United States Code, pertaining to alternative means of ac-
9 quiring and improving military family housing, military
10 unaccompanied housing, and supporting facilities.

11 (INCLUDING TRANSFER OF FUNDS)

12 SEC. 118. In addition to any other transfer authority
13 available to the Department of Defense, amounts may be
14 transferred from the Department of Defense Base Closure
15 Account to the fund established by section 1013(d) of the
16 Demonstration Cities and Metropolitan Development Act
17 of 1966 (42 U.S.C. 3374) to pay for expenses associated
18 with the Homeowners Assistance Program incurred under
19 42 U.S.C. 3374(a)(1)(A). Any amounts transferred shall
20 be merged with and be available for the same purposes
21 and for the same time period as the fund to which trans-
22 ferred.

23 SEC. 119. Notwithstanding any other provision of
24 law, funds made available in this title for operation and
25 maintenance of family housing shall be the exclusive

1 source of funds for repair and maintenance of all family
2 housing units, including general or flag officer quarters:
3 *Provided*, That not more than \$35,000 per unit may be
4 spent annually for the maintenance and repair of any gen-
5 eral or flag officer quarters without 30 days prior notifica-
6 tion, or 14 days for a notification provided in an electronic
7 medium pursuant to sections 480 and 2883 of title 10,
8 United States Code, to the Committees on Appropriations
9 of both Houses of Congress, except that an after-the-fact
10 notification shall be submitted if the limitation is exceeded
11 solely due to costs associated with environmental remedi-
12 ation that could not be reasonably anticipated at the time
13 of the budget submission: *Provided further*, That the
14 Under Secretary of Defense (Comptroller) is to report an-
15 nually to the Committees on Appropriations of both
16 Houses of Congress all operation and maintenance ex-
17 penditures for each individual general or flag officer quar-
18 ters for the prior fiscal year.

19 SEC. 120. Amounts contained in the Ford Island Im-
20 provement Account established by subsection (h) of sec-
21 tion 2814 of title 10, United States Code, are appro-
22 priated and shall be available until expended for the pur-
23 poses specified in subsection (i)(1) of such section or until
24 transferred pursuant to subsection (i)(3) of such section.

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 121. During the 5-year period after appropria-
3 tions available in this Act to the Department of Defense
4 for military construction and family housing operation and
5 maintenance and construction have expired for obligation,
6 upon a determination that such appropriations will not be
7 necessary for the liquidation of obligations or for making
8 authorized adjustments to such appropriations for obliga-
9 tions incurred during the period of availability of such ap-
10 propriations, unobligated balances of such appropriations
11 may be transferred into the appropriation “Foreign Cur-
12 rency Fluctuations, Construction, Defense”, to be merged
13 with and to be available for the same time period and for
14 the same purposes as the appropriation to which trans-
15 ferred.

16 SEC. 122. None of the funds made available in this
17 title may be obligated or expended for planning and design
18 and construction of projects at Arlington National Ceme-
19 tery.

20 SEC. 123. All amounts appropriated to the “Depart-
21 ment of Defense—Military Construction, Army”, “De-
22 partment of Defense—Military Construction, Navy and
23 Marine Corps”, “Department of Defense—Military Con-
24 struction, Air Force”, and “Department of Defense—Mili-
25 tary Construction, Defense-Wide” accounts pursuant to

1 the authorization of appropriations in a National Defense
2 Authorization Act specified for fiscal year 2023 in the
3 funding table in section 4601 of that Act shall be imme-
4 diately available and allotted to contract for the full scope
5 of authorized projects.

6 SEC. 124. Notwithstanding section 116 of this Act,
7 funds made available in this Act or any available unobli-
8 gated balances from prior appropriations Acts may be obli-
9 gated before October 1, 2024 for fiscal years 2017 and
10 2018 military construction projects for which project au-
11 thorization has not lapsed or for which authorization is
12 extended for fiscal year 2023 by a National Defense Au-
13 thorization Act: *Provided*, That no amounts may be obli-
14 gated pursuant to this section from amounts that were
15 designated by the Congress as an emergency requirement
16 pursuant to a concurrent resolution on the budget or the
17 Balanced Budget and Emergency Deficit Control Act of
18 1985.

19 SEC. 125. For the purposes of this Act, the term
20 “congressional defense committees” means the Commit-
21 tees on Armed Services of the House of Representatives
22 and the Senate, the Subcommittee on Military Construc-
23 tion and Veterans Affairs of the Committee on Appropria-
24 tions of the Senate, and the Subcommittee on Military

1 Construction and Veterans Affairs of the Committee on
2 Appropriations of the House of Representatives.

3 SEC. 126. For an additional amount for the accounts
4 and in the amounts specified for planning and design and
5 unspecified minor construction, for improving military in-
6 stallation resilience, to remain available until September
7 30, 2027:

8 “Military Construction, Army”, \$40,000,000;

9 “Military Construction, Navy and Marine
10 Corps”, \$40,000,000;

11 “Military Construction, Air Force”,
12 \$40,000,000; and

13 “Military Construction, Defense-Wide”,
14 \$15,000,000:

15 *Provided*, That not later than 60 days after the date of
16 enactment of this Act, the Secretary of the military de-
17 partment concerned, or their designee, shall submit to the
18 Committees on Appropriations of both Houses of Congress
19 an expenditure plan for funds provided under this section:

20 *Provided further*, That the Secretary of the military de-
21 partment concerned may not obligate or expend any funds
22 prior to approval by the Committees on Appropriations of
23 both Houses of Congress of the expenditure plan required
24 by this section.

1 SEC. 127. For an additional amount for the accounts
2 and in the amounts specified for planning and design, for
3 child development centers, to remain available until Sep-
4 tember 30, 2027:

5 “Military Construction, Army”, \$15,000,000;

6 “Military Construction, Navy and Marine
7 Corps”, \$15,000,000; and

8 “Military Construction, Air Force”,
9 \$15,000,000:

10 *Provided*, That not later than 60 days after the date of
11 enactment of this Act, the Secretary of the military de-
12 partment concerned, or their designee, shall submit to the
13 Committees on Appropriations of both Houses of Congress
14 an expenditure plan for funds provided under this section.

15 SEC. 128. For an additional amount for “Military
16 Construction, Air Force”, \$360,000,000, to remain avail-
17 able until September 30, 2027, for expenses incurred as
18 a result of natural disasters: *Provided*, That not later than
19 60 days after the date of enactment of this Act, the Sec-
20 retary of the Air Force, or their designee, shall submit
21 to the Committees on Appropriations of both Houses of
22 Congress an expenditure plan for funds provided under
23 this section.

24 SEC. 129. For an additional amount for the accounts
25 and in the amounts specified for planning and design, un-

1 specified minor construction, and authorized major construction projects, for construction improvements to Department of Defense laboratory facilities, to remain available until September 30, 2027:

5 “Military Construction, Army”, \$40,000,000;

6 “Military Construction, Navy and Marine Corps”, \$30,000,000; and

8 “Military Construction, Air Force”,
9 \$30,000,000:

10 *Provided*, That not later than 30 days after the date of
11 enactment of this Act, the Secretary of the military department concerned, or their designee, shall submit to the
12 Committees on Appropriations of both Houses of Congress
13 an expenditure plan for funds provided under this section:

15 *Provided further*, That the Secretary of the military department concerned may not obligate or expend any funds
16 prior to approval by the Committees on Appropriations of
17 both Houses of Congress of the expenditure plan required
18 by this section.

20 SEC. 130. For an additional amount for “Military
21 Construction, Air Force Reserve”, \$8,000,000, to remain
22 available until September 30, 2027: *Provided*, That such
23 funds may only be obligated to carry out construction
24 projects identified in the Department of the Air Force’s
25 unfunded priority list for fiscal year 2023 submitted to

1 Congress: *Provided further*, That not later than 60 days
2 after the date of enactment of this Act, the Secretary of
3 the Air Force, or a duly authorized designee, shall submit
4 to the Committees on Appropriations of both Houses of
5 Congress an expenditure plan for funds provided under
6 this section.

7 SEC. 131. For an additional amount for the accounts
8 and in the amounts specified to address cost increases
9 identified subsequent to the fiscal year 2023 budget re-
10 quest for authorized major construction projects included
11 in that request, to remain available until September 30,
12 2027:

13 “Military Construction, Army”, \$253,500,000;
14 “Military Construction, Navy and Marine
15 Corps”, \$200,000,000;
16 “Military Construction, Air Force”,
17 \$30,000,000;
18 “Military Construction, Defense-Wide”,
19 \$37,897,000;
20 “Military Construction, Army National Guard”,
21 \$89,000,000;
22 “Military Construction, Air National Guard”,
23 \$11,000,000;
24 “Military Construction, Army Reserve”,
25 \$66,000,000; and

1 “Military Construction, Navy Reserve”,
2 \$2,660,000:

3 *Provided*, That not later than 30 days after the date of
4 enactment of this Act, the Secretary of the military de-
5 partment concerned, or their designee, shall submit to the
6 Committees on Appropriations of both Houses of Congress
7 an expenditure plan for funds provided under this section:
8 *Provided further*, That the Secretary of the military de-
9 partment concerned may not obligate or expend any funds
10 prior to approval by the Committees on Appropriations of
11 both Houses of Congress of the expenditure plan required
12 by this section.

13 SEC. 132. For an additional amount for “Military
14 Construction, Defense-Wide” , \$8,000,000, to remain
15 available until September 30, 2027, to address cost in-
16 creases for authorized major construction projects funded
17 by this Act: *Provided*, That not later than 30 days after
18 the date of enactment of this Act, the Secretary of De-
19 fense, or their designee, shall submit to the Committees
20 on Appropriations of both Houses of Congress an expendi-
21 ture plan for funds provided under this section: *Provided*
22 *further*, That the Secretary of Defense may not obligate
23 or expend any funds prior to approval by the Committees
24 on Appropriations of both Houses of Congress of the ex-
25 penditure plan required by this section.

1 SEC. 133. For an additional amount for “Military
2 Construction, Navy and Marine Corps”, \$100,000,000, to
3 remain available until September 30, 2027, for planning
4 and design of water treatment and distribution facilities
5 construction, including relating to improvements of infra-
6 structure and defueling at the Red Hill Bulk Fuel Storage
7 Facility: *Provided*, That not later than 180 days after the
8 date of enactment of this Act, the Secretary of the Navy,
9 or their designee, shall submit to the Committees on Ap-
10 propriations of both Houses of Congress an expenditure
11 plan for funds provided under this section: *Provided fur-*
12 *ther*, That the Secretary of the Navy may not obligate or
13 expend any funds prior to approval by the Committees on
14 Appropriations of both Houses of Congress of the expendi-
15 ture plan required by this section.

16 SEC. 134. For an additional amount for the accounts
17 and in the amounts specified for barracks and unaccom-
18 panied personnel housing, to remain available until Sep-
19 tember 30, 2027:

20 “Military Construction, Army National Guard”,
21 \$15,243,000; and

22 “Military Construction, Army Reserve”,
23 \$68,400,000:

24 *Provided*, That such funds may only be obligated to carry
25 out construction projects identified in the Department’s

1 unfunded priority list for fiscal year 2023 submitted to
2 Congress: *Provided further*, That not later than 30 days
3 after the date of enactment of this Act, the Secretary of
4 the Army, or their designee, shall submit to the Commit-
5 tees on Appropriations of both Houses of Congress an ex-
6 penditure plan for funds provided under this section.

7 SEC. 135. For an additional amount for “Family
8 Housing Construction, Army” , \$138,783,000, to remain
9 available until September 30, 2027: *Provided*, That such
10 funds may only be obligated to carry out construction, im-
11 provement, and replacement projects identified in the De-
12 partment of the Army’s cost to complete projects list of
13 previously appropriated projects submitted to Congress:
14 *Provided further*, That, of the amount made available
15 under this section, \$28,900,000 shall be available for
16 projects within the continental United States: *Provided*
17 *further*, That such projects are subject to authorization
18 prior to obligation and expenditure of funds to carry out
19 construction: *Provided further*, That not later than 30
20 days after the date of enactment of this Act, the Secretary
21 of the Army, or their designee, shall submit to the Com-
22 mittees on Appropriations of both Houses of Congress an
23 expenditure plan for funds provided under this section.

1 SEC. 136. For an additional amount for the accounts
2 and in the amounts specified for child development cen-
3 ters, to remain available until September 30, 2027:

4 “Military Construction, Army”, \$9,000,000;

5 and

6 “Military Construction, Navy and Marine
7 Corps”, \$47,940,000; and

8 “Military Construction, Air Force”,
9 \$22,393,000:

10 *Provided*, That such funds may only be obligated to carry
11 out construction projects identified in the respective mili-
12 tary department’s Future Years Defense Program list for
13 fiscal year 2023 submitted to Congress, or the respective
14 military department’s cost to complete project list of pre-
15 viously appropriated projects submitted to Congress: *Pro-*
16 *vided further*, That not later than 30 days after the date
17 of enactment of this Act, the Secretary of the military de-
18 partment concerned, or their designee, shall submit to the
19 Committees on Appropriations of both Houses of Congress
20 an expenditure plan for funds provided under this section.

1 TITLE II
2 DEPARTMENT OF VETERANS AFFAIRS
3 VETERANS BENEFITS ADMINISTRATION
4 COMPENSATION AND PENSIONS
5 (INCLUDING TRANSFER OF FUNDS)

6 For the payment of compensation benefits to or on
7 behalf of veterans and a pilot program for disability ex-
8 aminations as authorized by section 107 and chapters 11,
9 13, 18, 51, 53, 55, and 61 of title 38, United States Code;
10 pension benefits to or on behalf of veterans as authorized
11 by chapters 15, 51, 53, 55, and 61 of title 38, United
12 States Code; and burial benefits, the Reinstated Entitle-
13 ment Program for Survivors, emergency and other offi-
14 cers' retirement pay, adjusted-service credits and certifi-
15 cates, payment of premiums due on commercial life insur-
16 ance policies guaranteed under the provisions of title IV
17 of the Servicemembers Civil Relief Act (50 U.S.C. App.
18 541 et seq.) and for other benefits as authorized by sec-
19 tions 107, 1312, 1977, and 2106, and chapters 23, 51,
20 53, 55, and 61 of title 38, United States Code,
21 \$146,778,136,000, which shall become available on Octo-
22 ber 1, 2023, to remain available until expended: *Provided*,
23 That not to exceed \$21,423,000 of the amount made avail-
24 able for fiscal year 2024 under this heading shall be reim-
25 bursed to "General Operating Expenses, Veterans Bene-

1 fits Administration”, and “Information Technology Sys-
2 tems” for necessary expenses in implementing the provi-
3 sions of chapters 51, 53, and 55 of title 38, United States
4 Code, the funding source for which is specifically provided
5 as the “Compensation and Pensions” appropriation: *Pro-*
6 *vided further*, That such sums as may be earned on an
7 actual qualifying patient basis, shall be reimbursed to
8 “Medical Care Collections Fund” to augment the funding
9 of individual medical facilities for nursing home care pro-
10 vided to pensioners as authorized.

11 READJUSTMENT BENEFITS

12 For the payment of readjustment and rehabilitation
13 benefits to or on behalf of veterans as authorized by chap-
14 ters 21, 30, 31, 33, 34, 35, 36, 39, 41, 51, 53, 55, and
15 61 of title 38, United States Code, \$8,452,500,000, which
16 shall become available on October 1, 2023, to remain
17 available until expended: *Provided*, That expenses for re-
18 habilitation program services and assistance which the
19 Secretary is authorized to provide under subsection (a) of
20 section 3104 of title 38, United States Code, other than
21 under paragraphs (1), (2), (5), and (11) of that sub-
22 section, shall be charged to this account.

23 VETERANS INSURANCE AND INDEMNITIES

24 For military and naval insurance, national service life
25 insurance, servicemen’s indemnities, service-disabled vet-

1 erans insurance, and veterans mortgage life insurance as
2 authorized by chapters 19 and 21 of title 38, United
3 States Code, \$121,126,000, which shall become available
4 on October 1, 2023, to remain available until expended.

5 VETERANS HOUSING BENEFIT PROGRAM FUND

6 For the cost of direct and guaranteed loans, such
7 sums as may be necessary to carry out the program, as
8 authorized by subchapters I through III of chapter 37 of
9 title 38, United States Code: *Provided*, That such costs,
10 including the cost of modifying such loans, shall be as de-
11 fined in section 502 of the Congressional Budget Act of
12 1974: *Provided further*, That, during fiscal year 2023,
13 within the resources available, not to exceed \$500,000 in
14 gross obligations for direct loans are authorized for spe-
15 cially adapted housing loans.

16 In addition, for administrative expenses to carry out
17 the direct and guaranteed loan programs, \$282,361,131.

18 VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

19 For the cost of direct loans, \$7,171, as authorized
20 by chapter 31 of title 38, United States Code: *Provided*,
21 That such costs, including the cost of modifying such
22 loans, shall be as defined in section 502 of the Congres-
23 sional Budget Act of 1974: *Provided further*, That funds
24 made available under this heading are available to sub-

1. size gross obligations for the principal amount of direct
2. loans not to exceed \$942,330.

3 In addition, for administrative expenses necessary to
4 carry out the direct loan program, \$445,698, which may
5 be paid to the appropriation for “General Operating Ex-
6 penses, Veterans Benefits Administration”.

7 NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM
8 ACCOUNT

9 For administrative expenses to carry out the direct
10 loan program authorized by subchapter V of chapter 37
11 of title 38, United States Code, \$1,400,000.

12 GENERAL OPERATING EXPENSES, VETERANS BENEFITS
13 ADMINISTRATION

14 For necessary operating expenses of the Veterans
15 Benefits Administration, not otherwise provided for, in-
16 cluding hire of passenger motor vehicles, reimbursement
17 of the General Services Administration for security guard
18 services, and reimbursement of the Department of De-
19 fense for the cost of overseas employee mail,
20 \$3,863,000,000: *Provided*, That expenses for services and
21 assistance authorized under paragraphs (1), (2), (5), and
22 (11) of section 3104(a) of title 38, United States Code,
23 that the Secretary of Veterans Affairs determines are nec-
24 essary to enable entitled veterans: (1) to the maximum ex-
25 tent feasible, to become employable and to obtain and

1 maintain suitable employment; or (2) to achieve maximum
2 independence in daily living, shall be charged to this ac-
3 count: *Provided further*, That, of the funds made available
4 under this heading, not to exceed 10 percent shall remain
5 available until September 30, 2024.

6 VETERANS HEALTH ADMINISTRATION

7 MEDICAL SERVICES

8 For necessary expenses for furnishing, as authorized
9 by law, inpatient and outpatient care and treatment to
10 beneficiaries of the Department of Veterans Affairs and
11 veterans described in section 1705(a) of title 38, United
12 States Code, including care and treatment in facilities not
13 under the jurisdiction of the Department, and including
14 medical supplies and equipment, bioengineering services,
15 food services, and salaries and expenses of healthcare em-
16 ployees hired under title 38, United States Code, assist-
17 ance and support services for caregivers as authorized by
18 section 1720G of title 38, United States Code, loan repay-
19 ments authorized by section 604 of the Caregivers and
20 Veterans Omnibus Health Services Act of 2010 (Public
21 Law 111–163; 124 Stat. 1174; 38 U.S.C. 7681 note),
22 monthly assistance allowances authorized by section
23 322(d) of title 38, United States Code, grants authorized
24 by section 521A of title 38, United States Code, and ad-
25 ministrative expenses necessary to carry out sections

1 322(d) and 521A of title 38, United States Code, and hos-
2 pital care and medical services authorized by section 1787
3 of title 38, United States Code; \$327,000,000, which shall
4 be in addition to funds previously appropriated under this
5 heading that become available on October 1, 2022; and,
6 in addition, \$74,004,000,000, plus reimbursements, shall
7 become available on October 1, 2023, and shall remain
8 available until September 30, 2024: *Provided*, That, of the
9 amount made available on October 1, 2023, under this
10 heading, \$1,500,000,000 shall remain available until Sep-
11 tember 30, 2025: *Provided further*, That, notwithstanding
12 any other provision of law, the Secretary of Veterans Af-
13 fairs shall establish a priority for the provision of medical
14 treatment for veterans who have service-connected disabil-
15 ities, lower income, or have special needs: *Provided further*,
16 That, notwithstanding any other provision of law, the Sec-
17 retary of Veterans Affairs shall give priority funding for
18 the provision of basic medical benefits to veterans in en-
19 rollment priority groups 1 through 6: *Provided further*,
20 That, notwithstanding any other provision of law, the Sec-
21 retary of Veterans Affairs may authorize the dispensing
22 of prescription drugs from Veterans Health Administra-
23 tion facilities to enrolled veterans with privately written
24 prescriptions based on requirements established by the
25 Secretary: *Provided further*, That the implementation of

1 the program described in the previous proviso shall incur
2 no additional cost to the Department of Veterans Affairs:
3 *Provided further*, That the Secretary of Veterans Affairs
4 shall ensure that sufficient amounts appropriated under
5 this heading for medical supplies and equipment are avail-
6 able for the acquisition of prosthetics designed specifically
7 for female veterans.

8 MEDICAL COMMUNITY CARE

9 For necessary expenses for furnishing health care to
10 individuals pursuant to chapter 17 of title 38, United
11 States Code, at non-Department facilities,
12 \$4,300,000,000, which shall be in addition to funds pre-
13 viously appropriated under this heading that become avail-
14 able on October 1, 2022; and, in addition,
15 \$33,000,000,000, plus reimbursements, shall become
16 available on October 1, 2023, and shall remain available
17 until September 30, 2024: *Provided*, That, of the amount
18 made available on October 1, 2023, under this heading,
19 \$2,000,000,000 shall remain available until September 30,
20 2025.

21 MEDICAL SUPPORT AND COMPLIANCE

22 For necessary expenses in the administration of the
23 medical, hospital, nursing home, domiciliary, construction,
24 supply, and research activities, as authorized by law; ad-
25 ministrative expenses in support of capital policy activi-

1 ties; and administrative and legal expenses of the Depart-
2 ment for collecting and recovering amounts owed the De-
3 partment as authorized under chapter 17 of title 38,
4 United States Code, and the Federal Medical Care Recov-
5 ery Act (42 U.S.C. 2651 et seq.), \$1,400,000,000, which
6 shall be in addition to funds previously appropriated under
7 this heading that become available on October 1, 2022;
8 and, in addition, \$12,300,000,000, plus reimbursements,
9 shall become available on October 1, 2023, and shall re-
10 main available until September 30, 2024: *Provided*, That,
11 of the amount made available on October 1, 2023, under
12 this heading, \$200,000,000 shall remain available until
13 September 30, 2025.

14 MEDICAL FACILITIES

15 For necessary expenses for the maintenance and op-
16 eration of hospitals, nursing homes, domiciliary facilities,
17 and other necessary facilities of the Veterans Health Ad-
18 ministration; for administrative expenses in support of
19 planning, design, project management, real property ac-
20 quisition and disposition, construction, and renovation of
21 any facility under the jurisdiction or for the use of the
22 Department; for oversight, engineering, and architectural
23 activities not charged to project costs; for repairing, alter-
24 ing, improving, or providing facilities in the several hos-
25 pitals and homes under the jurisdiction of the Depart-

1 ment, not otherwise provided for, either by contract or by
2 the hire of temporary employees and purchase of mate-
3 rials; for leases of facilities; and for laundry services;
4 \$1,500,000,000, which shall be in addition to funds pre-
5 viously appropriated under this heading that become avail-
6 able on October 1, 2022; and, in addition,
7 \$8,800,000,000, plus reimbursements, shall become avail-
8 able on October 1, 2023, and shall remain available until
9 September 30, 2024: *Provided*, That, of the amount made
10 available on October 1, 2023, under this heading,
11 \$350,000,000 shall remain available until September 30,
12 2025.

13 MEDICAL AND PROSTHETIC RESEARCH

14 For necessary expenses in carrying out programs of
15 medical and prosthetic research and development as au-
16 thorized by chapter 73 of title 38, United States Code,
17 \$926,000,000, plus reimbursements, shall remain avail-
18 able until September 30, 2024: *Provided*, That the Sec-
19 retary of Veterans Affairs shall ensure that sufficient
20 amounts appropriated under this heading are available for
21 prosthetic research specifically for female veterans, and
22 for toxic exposure research.

23 NATIONAL CEMETERY ADMINISTRATION

24 For necessary expenses of the National Cemetery Ad-
25 ministration for operations and maintenance, not other-

1 wise provided for, including uniforms or allowances there-
2 for; cemeterial expenses as authorized by law; purchase
3 of one passenger motor vehicle for use in cemeterial oper-
4 ations; hire of passenger motor vehicles; and repair, alter-
5 ation or improvement of facilities under the jurisdiction
6 of the National Cemetery Administration, \$430,000,000,
7 of which not to exceed 10 percent shall remain available
8 until September 30, 2024.

9 DEPARTMENTAL ADMINISTRATION

10 GENERAL ADMINISTRATION

11 (INCLUDING TRANSFER OF FUNDS)

12 For necessary operating expenses of the Department
13 of Veterans Affairs, not otherwise provided for, including
14 administrative expenses in support of Department-wide
15 capital planning, management and policy activities, uni-
16 forms, or allowances therefor; not to exceed \$25,000 for
17 official reception and representation expenses; hire of pas-
18 senger motor vehicles; and reimbursement of the General
19 Services Administration for security guard services,
20 \$435,000,000, of which not to exceed 10 percent shall re-
21 main available until September 30, 2024: *Provided*, That
22 funds provided under this heading may be transferred to
23 “General Operating Expenses, Veterans Benefits Adminis-
24 tration”.

1 BOARD OF VETERANS APPEALS

2 For necessary operating expenses of the Board of
3 Veterans Appeals, \$285,000,000, of which not to exceed
4 10 percent shall remain available until September 30,
5 2024.

6 INFORMATION TECHNOLOGY SYSTEMS

7 (INCLUDING TRANSFER OF FUNDS)

8 For necessary expenses for information technology
9 systems and telecommunications support, including devel-
10 opmental information systems and operational information
11 systems; for pay and associated costs; and for the capital
12 asset acquisition of information technology systems, in-
13 cluding management and related contractual costs of said
14 acquisitions, including contractual costs associated with
15 operations authorized by section 3109 of title 5, United
16 States Code, \$5,782,000,000, plus reimbursements: *Pro-*
17 *vided*, That \$1,494,230,000 shall be for pay and associ-
18 ated costs, of which not to exceed 3 percent shall remain
19 available until September 30, 2024: *Provided further*, That
20 \$4,145,678,000 shall be for operations and maintenance,
21 of which not to exceed 5 percent shall remain available
22 until September 30, 2024: *Provided further*, That
23 \$142,092,000 shall be for information technology systems
24 development, and shall remain available until September
25 30, 2024: *Provided further*, That amounts made available

1 for salaries and expenses, operations and maintenance,
2 and information technology systems development may be
3 transferred among the three subaccounts after the Sec-
4 retary of Veterans Affairs requests from the Committees
5 on Appropriations of both Houses of Congress the author-
6 ity to make the transfer and an approval is issued: *Pro-*
7 *vided further*, That amounts made available for the “Infor-
8 mation Technology Systems” account for development
9 may be transferred among projects or to newly defined
10 projects: *Provided further*, That no project may be in-
11 creased or decreased by more than \$3,000,000 of cost
12 prior to submitting a request to the Committees on Appro-
13 priations of both Houses of Congress to make the transfer
14 and an approval is issued, or absent a response, a period
15 of 30 days has elapsed: *Provided further*, That the funds
16 made available under this heading for information tech-
17 nology systems development shall be for the projects, and
18 in the amounts, specified in the table entitled “Informa-
19 tion Technology Development Projects” under this head-
20 ing in the report accompanying this Act.

21 VETERANS ELECTRONIC HEALTH RECORD

22 For activities related to implementation, preparation,
23 development, interface, management, rollout, and mainte-
24 nance of a Veterans Electronic Health Record system, in-
25 cluding contractual costs associated with operations au-

1 thorized by section 3109 of title 5, United States Code,
2 and salaries and expenses of employees hired under titles
3 5 and 38, United States Code, \$1,759,000,000, to remain
4 available until September 30, 2025: *Provided*, That the
5 Secretary of Veterans Affairs shall submit to the Commit-
6 tees on Appropriations of both Houses of Congress quar-
7 terly reports detailing obligations, expenditures, and de-
8 ployment implementation by facility, including any
9 changes from the deployment plan or schedule: *Provided*
10 *further*, That the funds provided in this account shall only
11 be available to the Office of the Deputy Secretary, to be
12 administered by that Office: *Provided further*, That 25
13 percent of the funds made available under this heading
14 shall not be available until July 1, 2023, and are contin-
15 gent upon the Secretary of Veterans Affairs providing a
16 certification of any changes to the deployment schedules
17 contained in the plan submitted pursuant to the last pro-
18 viso under this heading in division J of Public Law 117–
19 103, an updated plan with benchmarks and measurable
20 metrics for deployment, and an updated plan for address-
21 ing all required infrastructure upgrades, no later than 30
22 days prior to that date to the Committees on Appropria-
23 tions, and upon approval of the Committees on Appropria-
24 tions prior to that date.

1 OFFICE OF INSPECTOR GENERAL

2 For necessary expenses of the Office of Inspector
3 General, to include information technology, in carrying out
4 the provisions of the Inspector General Act of 1978 (5
5 U.S.C. App.), \$273,000,000, of which not to exceed 10
6 percent shall remain available until September 30, 2024.

7 CONSTRUCTION, MAJOR PROJECTS

8 For constructing, altering, extending, and improving
9 any of the facilities, including parking projects, under the
10 jurisdiction or for the use of the Department of Veterans
11 Affairs, or for any of the purposes set forth in sections
12 316, 2404, 2406 and chapter 81 of title 38, United States
13 Code, not otherwise provided for, including planning, ar-
14 chitectural and engineering services, construction manage-
15 ment services, maintenance or guarantee period services
16 costs associated with equipment guarantees provided
17 under the project, services of claims analysts, offsite utility
18 and storm drainage system construction costs, and site ac-
19 quisition, where the estimated cost of a project is more
20 than the amount set forth in section 8104(a)(3)(A) of title
21 38, United States Code, or where funds for a project were
22 made available in a previous major project appropriation,
23 \$1,371,890,000, of which \$731,722,000 shall remain
24 available until September 30, 2027, and of which
25 \$640,168,000 shall remain available until expended, of

1 which \$1,500,000 shall be available for seismic improve-
2 ment projects and seismic program management activities,
3 including for projects that would otherwise be funded by
4 the Construction, Minor Projects, Medical Facilities or
5 National Cemetery Administration accounts: *Provided*,
6 That except for advance planning activities, including
7 needs assessments which may or may not lead to capital
8 investments, and other capital asset management related
9 activities, including portfolio development and manage-
10 ment activities, and planning, cost estimating, and design
11 for major medical facility projects and major medical facil-
12 ity leases and investment strategy studies funded through
13 the advance planning fund and the planning and design
14 activities funded through the design fund, staffing ex-
15 penses, and funds provided for the purchase, security, and
16 maintenance of land for the National Cemetery Adminis-
17 tration through the land acquisition line item, none of the
18 funds made available under this heading shall be used for
19 any project that has not been notified to Congress through
20 the budgetary process or that has not been approved by
21 the Congress through statute, joint resolution, or in the
22 explanatory statement accompanying such Act and pre-
23 sented to the President at the time of enrollment: *Provided*
24 *further*, That such sums as may be necessary shall be
25 available to reimburse the “General Administration” ac-

1 count for payment of salaries and expenses of all Office
2 of Construction and Facilities Management employees to
3 support the full range of capital infrastructure services
4 provided, including minor construction and leasing serv-
5 ices: *Provided further*, That funds made available under
6 this heading for fiscal year 2023, for each approved
7 project shall be obligated: (1) by the awarding of a con-
8 struction documents contract by September 30, 2023; and
9 (2) by the awarding of a construction contract by Sep-
10 tember 30, 2024: *Provided further*, That the Secretary of
11 Veterans Affairs shall promptly submit to the Committees
12 on Appropriations of both Houses of Congress a written
13 report on any approved major construction project for
14 which obligations are not incurred within the time limita-
15 tions established above: *Provided further*, That notwith-
16 standing the requirements of section 8104(a) of title 38,
17 United States Code, amounts made available under this
18 heading for seismic improvement projects and seismic pro-
19 gram management activities shall be available for the com-
20 pletion of both new and existing seismic projects of the
21 Department.

22 CONSTRUCTION, MINOR PROJECTS

23 For constructing, altering, extending, and improving
24 any of the facilities, including parking projects, under the
25 jurisdiction or for the use of the Department of Veterans

1 Affairs, including planning and assessments of needs
2 which may lead to capital investments, architectural and
3 engineering services, maintenance or guarantee period
4 services costs associated with equipment guarantees pro-
5 vided under the project, services of claims analysts, offsite
6 utility and storm drainage system construction costs, and
7 site acquisition, or for any of the purposes set forth in
8 sections 316, 2404, 2406 and chapter 81 of title 38,
9 United States Code, not otherwise provided for, where the
10 estimated cost of a project is equal to or less than the
11 amount set forth in section 8104(a)(3)(A) of title 38,
12 United States Code, \$626,110,000, of which
13 \$563,499,000 shall remain available until September 30,
14 2027, and of which \$62,611,000 shall remain available
15 until expended, along with unobligated balances of pre-
16 vious “Construction, Minor Projects” appropriations
17 which are hereby made available for any project where the
18 estimated cost is equal to or less than the amount set forth
19 in such section: *Provided*, That funds made available
20 under this heading shall be for: (1) repairs to any of the
21 nonmedical facilities under the jurisdiction or for the use
22 of the Department which are necessary because of loss or
23 damage caused by any natural disaster or catastrophe;
24 and (2) temporary measures necessary to prevent or to
25 minimize further loss by such causes.

1 GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE
2 FACILITIES

3 For grants to assist States to acquire or construct
4 State nursing home and domiciliary facilities and to re-
5 model, modify, or alter existing hospital, nursing home,
6 and domiciliary facilities in State homes, for furnishing
7 care to veterans as authorized by sections 8131 through
8 8137 of title 38, United States Code, \$150,000,000, to
9 remain available until expended.

10 GRANTS FOR CONSTRUCTION OF VETERANS CEMETERIES

11 For grants to assist States and tribal organizations
12 in establishing, expanding, or improving veterans ceme-
13 teries as authorized by section 2408 of title 38, United
14 States Code, \$50,000,000, to remain available until ex-
15 pended.

16 ASSET AND INFRASTRUCTURE REVIEW

17 For carrying out the VA Asset and Infrastructure
18 Review Act of 2018 (subtitle A of title II of Public Law
19 115–182), \$5,000,000, to remain available until Sep-
20 tember 30, 2024.

21 ADMINISTRATIVE PROVISIONS

22 (INCLUDING TRANSFER OF FUNDS)

23 SEC. 201. Any appropriation for fiscal year 2023 for
24 “Compensation and Pensions”, “Readjustment Benefits”,
25 and “Veterans Insurance and Indemnities” may be trans-

1 ferred as necessary to any other of the mentioned appro-
2 priations: *Provided*, That, before a transfer may take
3 place, the Secretary of Veterans Affairs shall request from
4 the Committees on Appropriations of both Houses of Con-
5 gress the authority to make the transfer and such Com-
6 mittees issue an approval, or absent a response, a period
7 of 30 days has elapsed.

8 (INCLUDING TRANSFER OF FUNDS)

9 SEC. 202. Amounts made available for the Depart-
10 ment of Veterans Affairs for fiscal year 2023, in this or
11 any other Act, under the “Medical Services”, “Medical
12 Community Care”, “Medical Support and Compliance”,
13 and “Medical Facilities” accounts may be transferred
14 among the accounts: *Provided*, That any transfers among
15 the “Medical Services”, “Medical Community Care”, and
16 “Medical Support and Compliance” accounts of 1 percent
17 or less of the total amount appropriated to the account
18 in this or any other Act may take place subject to notifica-
19 tion from the Secretary of Veterans Affairs to the Com-
20 mittees on Appropriations of both Houses of Congress of
21 the amount and purpose of the transfer: *Provided further*,
22 That any transfers among the “Medical Services”, “Med-
23 ical Community Care”, and “Medical Support and Compli-
24 ance” accounts in excess of 1 percent, or exceeding the
25 cumulative 1 percent for the fiscal year, may take place

1 only after the Secretary requests from the Committees on
2 Appropriations of both Houses of Congress the authority
3 to make the transfer and an approval is issued: *Provided*
4 *further*, That any transfers to or from the “Medical Facili-
5 ties” account may take place only after the Secretary re-
6 quests from the Committees on Appropriations of both
7 Houses of Congress the authority to make the transfer
8 and an approval is issued.

9 SEC. 203. Appropriations available in this title for
10 salaries and expenses shall be available for services au-
11 thorized by section 3109 of title 5, United States Code;
12 hire of passenger motor vehicles; lease of a facility or land
13 or both; and uniforms or allowances therefore, as author-
14 ized by sections 5901 through 5902 of title 5, United
15 States Code.

16 SEC. 204. No appropriations in this title (except the
17 appropriations for “Construction, Major Projects”, and
18 “Construction, Minor Projects”) shall be available for the
19 purchase of any site for or toward the construction of any
20 new hospital or home.

21 SEC. 205. No appropriations in this title shall be
22 available for hospitalization or examination of any persons
23 (except beneficiaries entitled to such hospitalization or ex-
24 amination under the laws providing such benefits to vet-
25 erans, and persons receiving such treatment under sec-

1 tions 7901 through 7904 of title 5, United States Code,
2 or the Robert T. Stafford Disaster Relief and Emergency
3 Assistance Act (42 U.S.C. 5121 et seq.)), unless reim-
4 bursement of the cost of such hospitalization or examina-
5 tion is made to the “Medical Services” account at such
6 rates as may be fixed by the Secretary of Veterans Affairs.

7 SEC. 206. Appropriations available in this title for
8 “Compensation and Pensions”, “Readjustment Benefits”,
9 and “Veterans Insurance and Indemnities” shall be avail-
10 able for payment of prior year accrued obligations re-
11 quired to be recorded by law against the corresponding
12 prior year accounts within the last quarter of fiscal year
13 2022.

14 SEC. 207. Appropriations available in this title shall
15 be available to pay prior year obligations of corresponding
16 prior year appropriations accounts resulting from sections
17 3328(a), 3334, and 3712(a) of title 31, United States
18 Code, except that if such obligations are from trust fund
19 accounts they shall be payable only from “Compensation
20 and Pensions”.

21 (INCLUDING TRANSFER OF FUNDS)

22 SEC. 208. Notwithstanding any other provision of
23 law, during fiscal year 2023, the Secretary of Veterans
24 Affairs shall, from the National Service Life Insurance
25 Fund under section 1920 of title 38, United States Code,

1 the Veterans' Special Life Insurance Fund under section
2 1923 of title 38, United States Code, and the United
3 States Government Life Insurance Fund under section
4 1955 of title 38, United States Code, reimburse the "Gen-
5 eral Operating Expenses, Veterans Benefits Administra-
6 tion" and "Information Technology Systems" accounts for
7 the cost of administration of the insurance programs fi-
8 nanced through those accounts: *Provided*, That reimburse-
9 ment shall be made only from the surplus earnings accu-
10 mulated in such an insurance program during fiscal year
11 2023 that are available for dividends in that program after
12 claims have been paid and actuarially determined reserves
13 have been set aside: *Provided further*, That if the cost of
14 administration of such an insurance program exceeds the
15 amount of surplus earnings accumulated in that program,
16 reimbursement shall be made only to the extent of such
17 surplus earnings: *Provided further*, That the Secretary
18 shall determine the cost of administration for fiscal year
19 2023 which is properly allocable to the provision of each
20 such insurance program and to the provision of any total
21 disability income insurance included in that insurance pro-
22 gram.

23 SEC. 209. Amounts deducted from enhanced-use
24 lease proceeds to reimburse an account for expenses in-
25 curred by that account during a prior fiscal year for pro-

1 viding enhanced-use lease services shall be available until
2 expended.

3 (INCLUDING TRANSFER OF FUNDS)

4 SEC. 210. Funds available in this title or funds for
5 salaries and other administrative expenses shall also be
6 available to reimburse the Office of Resolution Manage-
7 ment, Diversity and Inclusion, the Office of Employment
8 Discrimination Complaint Adjudication, and the Alter-
9 native Dispute Resolution function within the Office of
10 Human Resources and Administration for all services pro-
11 vided at rates which will recover actual costs but not to
12 exceed \$86,481,000 for the Office of Resolution Manage-
13 ment, Diversity and Inclusion, \$6,812,000 for the Office
14 of Employment Discrimination Complaint Adjudication,
15 and \$4,576,000 for the Alternative Dispute Resolution
16 function within the Office of Human Resources and Ad-
17 ministration: *Provided*, That payments may be made in
18 advance for services to be furnished based on estimated
19 costs: *Provided further*, That amounts received shall be
20 credited to the “General Administration” and “Informa-
21 tion Technology Systems” accounts for use by the office
22 that provided the service.

23 SEC. 211. No funds of the Department of Veterans
24 Affairs shall be available for hospital care, nursing home
25 care, or medical services provided to any person under

1 chapter 17 of title 38, United States Code, for a non-serv-
2 ice-connected disability described in section 1729(a)(2) of
3 such title, unless that person has disclosed to the Sec-
4 retary of Veterans Affairs, in such form as the Secretary
5 may require, current, accurate third-party reimbursement
6 information for purposes of section 1729 of such title: *Pro-*
7 *vided*, That the Secretary may recover, in the same man-
8 ner as any other debt due the United States, the reason-
9 able charges for such care or services from any person who
10 does not make such disclosure as required: *Provided fur-*
11 *ther*, That any amounts so recovered for care or services
12 provided in a prior fiscal year may be obligated by the
13 Secretary during the fiscal year in which amounts are re-
14 ceived.

15 (INCLUDING TRANSFER OF FUNDS)

16 SEC. 212. Notwithstanding any other provision of
17 law, proceeds or revenues derived from enhanced-use leas-
18 ing activities (including disposal) may be deposited into
19 the “Construction, Major Projects” and “Construction,
20 Minor Projects” accounts and be used for construction
21 (including site acquisition and disposition), alterations,
22 and improvements of any medical facility under the juris-
23 diction or for the use of the Department of Veterans Af-
24 fairs. Such sums as realized are in addition to the amount

1 provided for in “Construction, Major Projects” and “Con-
2 struction, Minor Projects”.

3 SEC. 213. Amounts made available under “Medical
4 Services” are available—

5 (1) for furnishing recreational facilities, sup-
6 plies, and equipment; and

7 (2) for funeral expenses, burial expenses, and
8 other expenses incidental to funerals and burials for
9 beneficiaries receiving care in the Department.

10 (INCLUDING TRANSFER OF FUNDS)

11 SEC. 214. Such sums as may be deposited into the
12 Medical Care Collections Fund pursuant to section 1729A
13 of title 38, United States Code, may be transferred to the
14 “Medical Services” and “Medical Community Care” ac-
15 counts to remain available until expended for the purposes
16 of these accounts.

17 SEC. 215. The Secretary of Veterans Affairs may
18 enter into agreements with Federally Qualified Health
19 Centers in the State of Alaska and Indian tribes and tribal
20 organizations which are party to the Alaska Native Health
21 Compact with the Indian Health Service, to provide
22 healthcare, including behavioral health and dental care, to
23 veterans in rural Alaska. The Secretary shall require par-
24 ticipating veterans and facilities to comply with all appro-
25 priate rules and regulations, as established by the Sec-

1 retary. The term “rural Alaska” shall mean those lands
2 which are not within the boundaries of the municipality
3 of Anchorage or the Fairbanks North Star Borough.

4 (INCLUDING TRANSFER OF FUNDS)

5 SEC. 216. Such sums as may be deposited into the
6 Department of Veterans Affairs Capital Asset Fund pur-
7 suant to section 8118 of title 38, United States Code, may
8 be transferred to the “Construction, Major Projects” and
9 “Construction, Minor Projects” accounts, to remain avail-
10 able until expended for the purposes of these accounts.

11 SEC. 217. Not later than 30 days after the end of
12 each fiscal quarter, the Secretary of Veterans Affairs shall
13 submit to the Committees on Appropriations of both
14 Houses of Congress a report on the financial status of the
15 Department of Veterans Affairs for the preceding quarter:
16 *Provided*, That, at a minimum, the report shall include
17 the direction contained in the paragraph entitled “Quar-
18 terly reporting”, under the heading “General Administra-
19 tion” in the joint explanatory statement accompanying
20 Public Law 114–223.

21 (INCLUDING TRANSFER OF FUNDS)

22 SEC. 218. Amounts made available under the “Med-
23 ical Services”, “Medical Community Care”, “Medical Sup-
24 port and Compliance”, “Medical Facilities”, “General Op-
25 erating Expenses, Veterans Benefits Administration”,

1 “Board of Veterans Appeals”, “General Administration”,
2 and “National Cemetery Administration” accounts for fis-
3 cal year 2023 may be transferred to or from the “Informa-
4 tion Technology Systems” account: *Provided*, That such
5 transfers may not result in a more than 10 percent aggre-
6 gate increase in the total amount made available by this
7 Act for the “Information Technology Systems” account:
8 *Provided further*, That, before a transfer may take place,
9 the Secretary of Veterans Affairs shall request from the
10 Committees on Appropriations of both Houses of Congress
11 the authority to make the transfer and an approval is
12 issued.

13 (INCLUDING TRANSFER OF FUNDS)

14 SEC. 219. Of the amounts appropriated to the De-
15 partment of Veterans Affairs for fiscal year 2023 for
16 “Medical Services”, “Medical Community Care”, “Medical
17 Support and Compliance”, “Medical Facilities”, “Con-
18 struction, Minor Projects”, and “Information Technology
19 Systems”, up to \$330,140,000, plus reimbursements, may
20 be transferred to the Joint Department of Defense—De-
21 partment of Veterans Affairs Medical Facility Demonstra-
22 tion Fund, established by section 1704 of the National De-
23 fense Authorization Act for Fiscal Year 2010 (Public Law
24 111–84; 123 Stat. 2571) and may be used for operation
25 of the facilities designated as combined Federal medical

1 facilities as described by section 706 of the Duncan Hun-
2 ter National Defense Authorization Act for Fiscal Year
3 2009 (Public Law 110–417; 122 Stat. 4500): *Provided*,
4 That additional funds may be transferred from accounts
5 designated in this section to the Joint Department of De-
6 fense—Department of Veterans Affairs Medical Facility
7 Demonstration Fund upon written notification by the Sec-
8 retary of Veterans Affairs to the Committees on Appro-
9 priations of both Houses of Congress: *Provided further*,
10 That section 220 of title II of division J of Public Law
11 117–103 is repealed.

12 (INCLUDING TRANSFER OF FUNDS)

13 SEC. 220. Of the amounts appropriated to the De-
14 partment of Veterans Affairs which become available on
15 October 1, 2023, for “Medical Services”, “Medical Com-
16 munity Care”, “Medical Support and Compliance”, and
17 “Medical Facilities”, up to \$314,825,000, plus reimburse-
18 ments, may be transferred to the Joint Department of De-
19 fense—Department of Veterans Affairs Medical Facility
20 Demonstration Fund, established by section 1704 of the
21 National Defense Authorization Act for Fiscal Year 2010
22 (Public Law 111–84; 123 Stat. 2571) and may be used
23 for operation of the facilities designated as combined Fed-
24 eral medical facilities as described by section 706 of the
25 Duncan Hunter National Defense Authorization Act for

1 Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500):
2 *Provided*, That additional funds may be transferred from
3 accounts designated in this section to the Joint Depart-
4 ment of Defense—Department of Veterans Affairs Med-
5 ical Facility Demonstration Fund upon written notifica-
6 tion by the Secretary of Veterans Affairs to the Commit-
7 tees on Appropriations of both Houses of Congress.

8 (INCLUDING TRANSFER OF FUNDS)

9 SEC. 221. Such sums as may be deposited into the
10 Medical Care Collections Fund pursuant to section 1729A
11 of title 38, United States Code, for healthcare provided
12 at facilities designated as combined Federal medical facili-
13 ties as described by section 706 of the Duncan Hunter
14 National Defense Authorization Act for Fiscal Year 2009
15 (Public Law 110–417; 122 Stat. 4500) shall also be avail-
16 able: (1) for transfer to the Joint Department of De-
17 fense—Department of Veterans Affairs Medical Facility
18 Demonstration Fund, established by section 1704 of the
19 National Defense Authorization Act for Fiscal Year 2010
20 (Public Law 111–84; 123 Stat. 2571); and (2) for oper-
21 ations of the facilities designated as combined Federal
22 medical facilities as described by section 706 of the Dun-
23 can Hunter National Defense Authorization Act for Fiscal
24 Year 2009 (Public Law 110–417; 122 Stat. 4500): *Pro-*
25 *vided*, That, notwithstanding section 1704(b)(3) of the

1 National Defense Authorization Act for Fiscal Year 2010
2 (Public Law 111–84; 123 Stat. 2573), amounts trans-
3 ferred to the Joint Department of Defense—Department
4 of Veterans Affairs Medical Facility Demonstration Fund
5 shall remain available until expended.

6 (INCLUDING TRANSFER OF FUNDS)

7 SEC. 222. Of the amounts available in this title for
8 “Medical Services”, “Medical Community Care”, “Medical
9 Support and Compliance”, and “Medical Facilities”, a
10 minimum of \$15,000,000 shall be transferred to the
11 DOD–VA Health Care Sharing Incentive Fund, as au-
12 thorized by section 8111(d) of title 38, United States
13 Code, to remain available until expended, for any purpose
14 authorized by section 8111 of title 38, United States Code.

15 SEC. 223. The Secretary of Veterans Affairs shall no-
16 tify the Committees on Appropriations of both Houses of
17 Congress of all bid savings in a major construction project
18 that total at least \$5,000,000, or 5 percent of the pro-
19 grammed amount of the project, whichever is less: *Pro-*
20 *vided*, That such notification shall occur within 14 days
21 of a contract identifying the programmed amount: *Pro-*
22 *vided further*, That the Secretary shall notify the Commit-
23 tees on Appropriations of both Houses of Congress 14
24 days prior to the obligation of such bid savings and shall
25 describe the anticipated use of such savings.

1 SEC. 224. None of the funds made available for
2 “Construction, Major Projects” may be used for a project
3 in excess of the scope specified for that project in the origi-
4 nal justification data provided to the Congress as part of
5 the request for appropriations unless the Secretary of Vet-
6 erans Affairs receives approval from the Committees on
7 Appropriations of both Houses of Congress.

8 SEC. 225. Not later than 30 days after the end of
9 each fiscal quarter, the Secretary of Veterans Affairs shall
10 submit to the Committees on Appropriations of both
11 Houses of Congress a quarterly report containing perform-
12 ance measures and data from each Veterans Benefits Ad-
13 ministration Regional Office: *Provided*, That, at a min-
14 imum, the report shall include the direction contained in
15 the section entitled “Disability claims backlog”, under the
16 heading “General Operating Expenses, Veterans Benefits
17 Administration” in the joint explanatory statement accom-
18 panying Public Law 114–223: *Provided further*, That the
19 report shall also include information on the number of ap-
20 peals pending at the Veterans Benefits Administration as
21 well as the Board of Veterans Appeals on a quarterly
22 basis.

23 SEC. 226. The Secretary of Veterans Affairs shall
24 provide written notification to the Committees on Appro-
25 priations of both Houses of Congress 15 days prior to or-

1 ganizational changes which result in the transfer of 25 or
2 more full-time equivalents from one organizational unit of
3 the Department of Veterans Affairs to another.

4 SEC. 227. The Secretary of Veterans Affairs shall
5 provide on a quarterly basis to the Committees on Appro-
6 priations of both Houses of Congress notification of any
7 single national outreach and awareness marketing cam-
8 paign in which obligations exceed \$1,000,000.

9 (INCLUDING TRANSFER OF FUNDS)

10 SEC. 228. The Secretary of Veterans Affairs, upon
11 determination that such action is necessary to address
12 needs of the Veterans Health Administration, may trans-
13 fer to the “Medical Services” account any discretionary
14 appropriations made available for fiscal year 2023 in this
15 title (except appropriations made to the “General Oper-
16 ating Expenses, Veterans Benefits Administration” ac-
17 count) or any discretionary unobligated balances within
18 the Department of Veterans Affairs, including those ap-
19 propriated for fiscal year 2023, that were provided in ad-
20 vance by appropriations Acts: *Provided*, That transfers
21 shall be made only with the approval of the Office of Man-
22 agement and Budget: *Provided further*, That the transfer
23 authority provided in this section is in addition to any
24 other transfer authority provided by law: *Provided further*,
25 That no amounts may be transferred from amounts that

1 were designated by Congress as an emergency requirement
2 pursuant to a concurrent resolution on the budget or the
3 Balanced Budget and Emergency Deficit Control Act of
4 1985: *Provided further*, That such authority to transfer
5 may not be used unless for higher priority items, based
6 on emergent healthcare requirements, than those for
7 which originally appropriated and in no case where the
8 item for which funds are requested has been denied by
9 Congress: *Provided further*, That, upon determination that
10 all or part of the funds transferred from an appropriation
11 are not necessary, such amounts may be transferred back
12 to that appropriation and shall be available for the same
13 purposes as originally appropriated: *Provided further*,
14 That before a transfer may take place, the Secretary of
15 Veterans Affairs shall request from the Committees on
16 Appropriations of both Houses of Congress the authority
17 to make the transfer and receive approval of that request.

18 (INCLUDING TRANSFER OF FUNDS)

19 SEC. 229. Amounts made available for the Depart-
20 ment of Veterans Affairs for fiscal year 2023, under the
21 “Board of Veterans Appeals” and the “General Operating
22 Expenses, Veterans Benefits Administration” accounts
23 may be transferred between such accounts: *Provided*, That
24 before a transfer may take place, the Secretary of Vet-
25 erans Affairs shall request from the Committees on Appro-

1 priations of both Houses of Congress the authority to
2 make the transfer and receive approval of that request.

3 SEC. 230. The Secretary of Veterans Affairs may not
4 reprogram funds among major construction projects or
5 programs if such instance of reprogramming will exceed
6 \$7,000,000, unless such reprogramming is approved by
7 the Committees on Appropriations of both Houses of Con-
8 gress.

9 SEC. 231. (a) The Secretary of Veterans Affairs shall
10 ensure that the toll-free suicide hotline under section
11 1720F(h) of title 38, United States Code—

12 (1) provides to individuals who contact the hot-
13 line immediate assistance from a trained profes-
14 sional; and

15 (2) adheres to all requirements of the American
16 Association of Suicidology.

17 (b)(1) None of the funds made available by this Act
18 may be used to enforce or otherwise carry out any Execu-
19 tive action that prohibits the Secretary of Veterans Affairs
20 from appointing an individual to occupy a vacant civil
21 service position, or establishing a new civil service position,
22 at the Department of Veterans Affairs with respect to
23 such a position relating to the hotline specified in sub-
24 section (a).

25 (2) In this subsection—

1 (A) the term “civil service” has the meaning
2 given such term in section 2101(1) of title 5, United
3 States Code; and

4 (B) the term “Executive action” includes—

5 (i) any Executive order, Presidential
6 memorandum, or other action by the President;
7 and

8 (ii) any agency policy, order, or other di-
9 rective.

10 (c)(1) The Secretary of Veterans Affairs shall con-
11 duct a study on the effectiveness of the hotline specified
12 in subsection (a) during the 5-year period beginning on
13 January 1, 2016, based on an analysis of national suicide
14 data and data collected from such hotline.

15 (2) At a minimum, the study required by paragraph
16 (1) shall—

17 (A) determine the number of veterans who con-
18 tact the hotline specified in subsection (a) and who
19 receive follow up services from the hotline or mental
20 health services from the Department of Veterans Af-
21 fairs thereafter;

22 (B) determine the number of veterans who con-
23 tact the hotline who are not referred to, or do not
24 continue receiving, mental health care who commit
25 suicide; and

1 (C) determine the number of veterans described
2 in subparagraph (A) who commit or attempt suicide.

3 SEC. 232. Effective during the period beginning on
4 October 1, 2018, and ending on January 1, 2024, none
5 of the funds made available to the Secretary of Veterans
6 Affairs by this or any other Act may be obligated or ex-
7 pended in contravention of the “Veterans Health Adminis-
8 tration Clinical Preventive Services Guidance Statement
9 on the Veterans Health Administration’s Screening for
10 Breast Cancer Guidance” published on May 10, 2017, as
11 issued by the Veterans Health Administration National
12 Center for Health Promotion and Disease Prevention.

13 SEC. 233. Subchapter II of chapter 17 of title 38,
14 United States Code, is amended by adding at the end the
15 following new section (and conforming the table of sections
16 at the beginning of such chapter accordingly):

17 **“§ 1720K. Infertility counseling and treatment; reim-**
18 **bursement of adoption expenses**

19 “(a) INFERTILITY COUNSELING AND TREATMENT.—
20 (1) Pursuant to regulations the Secretary shall prescribe
21 to carry out this subsection, the Secretary may provide
22 infertility counseling and treatment, using assisted repro-
23 ductive technology, including in vitro fertilization, intra-
24 uterine insemination, and other advanced reproductive
25 technologies, to the following:

1 “(A) A veteran—

2 “(i) who is enrolled in the system of an-
3 nual patient enrollment established and oper-
4 ated under section 1705 of this title; and

5 “(ii) who, in the judgment of a health care
6 professional of the Department—

7 “(I) has a service-connected disability
8 or condition causing or aggravating infer-
9 tility; or

10 “(II) is infertile as a result of having
11 received medically necessary treatment
12 pursuant to this chapter.

13 “(B) The spouse of a veteran described in sub-
14 paragraph (A), or the partner of a veteran described
15 in subparagraph (A) whom the veteran designates
16 for purposes of this subsection.

17 “(2)(A) The Secretary may contract with a provider
18 of in vitro fertilization services to obtain donor gametes
19 or embryos from third-party donors.

20 “(B) The Secretary may only obtain third-party do-
21 nation of gametes or embryos through a contract.

22 “(C) The Secretary may not provide assisted repro-
23 ductive technology services or medical services to third-
24 party donors.

1 “(3)(A) The Secretary may contract with a facility
2 to furnish the cryopreservation, storage, and transpor-
3 tation of gametes and embryos.

4 “(B) The Secretary may not impose any limitation
5 on the period in which an embryo or gamete is
6 cryopreserved and stored pursuant to this subsection.

7 “(4) The legal status, custody, future use, donation,
8 disposition, or destruction, of gametes or embryos relating
9 to infertility or treatment furnished under this subsection
10 shall be determined in accordance with the law of the
11 State in which the gametes or embryos are located.

12 “(5)(A) In prescribing regulations to carry out this
13 subsection, the Secretary shall ensure that any in vitro
14 fertilization (including with respect to the number of re-
15 trieval attempts and completed embryo transfer cycles)
16 will be—

17 “(i) determined using the best medical evidence
18 available; and

19 “(ii) provided in accordance with applicable
20 standards of care.

21 “(B) In furnishing in vitro fertilization to a covered
22 individual pursuant to this subsection, the Secretary is re-
23 sponsible only for payment of the costs of the in vitro fer-
24 tilization services.

1 “(C) The Secretary may not furnish an in vitro fer-
2 tilization cycle to a covered individual under this sub-
3 section unless the Secretary receives consent for such cycle
4 from each of the following:

5 “(i) The covered individual.

6 “(ii) If the covered individual is a spouse or
7 partner of a veteran as described in subparagraph
8 (1)(B), the veteran.

9 “(iii) If applicable, the third-party donor.

10 “(6) In this subsection:

11 “(A) The term ‘covered individual’ means a vet-
12 eran, spouse, or partner who receives infertility
13 counseling and treatment under paragraph (1).

14 “(B) The term ‘gamete’ means a mature sperm
15 or an oocyte or egg germ cell, as applicable.

16 “(C) The term ‘infertility’ means the inability
17 to procreate without the use of infertility treatment.

18 “(D) The term ‘in vitro fertilization’ means the
19 procedure in which an oocyte is removed from a ma-
20 ture ovarian follicle and fertilized by a sperm cell
21 outside the human body and, at the appropriate
22 time, transferred into the uterus.

23 “(E) The term ‘third-party donor’ means an in-
24 dividual who consents to donate the gametes or em-

1 bryo of the individual for use in treatment furnished
2 pursuant to this subsection.

3 “(b) ADOPTION REIMBURSEMENT.—(1) Pursuant to
4 regulations the Secretary shall prescribe to carry out this
5 subsection, the Secretary may reimburse an eligible vet-
6 eran for qualifying adoption expenses incurred by the vet-
7 eran in the adoption of a child.

8 “(2) For purposes of this subsection, an eligible vet-
9 eran is a veteran who meets the following criteria:

10 “(A) The veteran is enrolled in the system of
11 annual patient enrollment established and operated
12 under section 1705 of this title.

13 “(B) The veteran, in the judgment of the health
14 care professional of the Department—

15 “(i) has a service-connected disability or
16 condition causing or aggravating infertility; or

17 “(ii) is infertile as a result of having re-
18 ceived medically necessary treatment pursuant
19 to this chapter.

20 “(3) An adoption for which expenses may be reim-
21 bursed under this subsection includes an adoption by a
22 single person, an infant adoption, an intercountry adop-
23 tion, or an adoption of a child with special needs (as de-
24 fined in section 473(c) of the Social Security Act (42
25 U.S.C. 673(c))).

1 “(4) The Secretary may reimburse an eligible veteran
2 for qualifying adoption expenses under this subsection
3 only after the adoption is final.

4 “(5) The Secretary may not reimburse an eligible vet-
5 eran for qualifying adoption expenses under this sub-
6 section for any expense paid to or for the veteran under
7 any other adoption benefits program administered by the
8 Federal Government or under any such program adminis-
9 tered by a State or local government.

10 “(6)(A)(i) The Secretary may not reimburse an eligi-
11 ble veteran, or two eligible veterans who are partners, for
12 qualifying adoption expenses under this subsection for
13 more than one adoption.

14 “(ii) The Secretary may not reimburse more than one
15 eligible veteran for the qualifying adoption expenses under
16 this subsection for the adoption of the same child.

17 “(B) In prescribing regulations to carry out this sub-
18 section, the Secretary shall establish minimum and max-
19 imum amounts for the reimbursement of qualifying adop-
20 tion expenses.

21 “(7) In this subsection:

22 “(A) Notwithstanding section 101 of this title,
23 the term ‘child’ means an individual who is under
24 the age of eighteen years.

1 “(B) The term ‘qualified adoption agency’
2 means—

3 “(i) a State or local government agency
4 that has responsibility under State or local law
5 for child placement through adoption;

6 “(ii) a nonprofit, voluntary adoption agen-
7 cy that is authorized by State or local law to
8 place children for adoption;

9 “(iii) any other source authorized by a
10 State to provide adoption placement if the
11 adoption is supervised by a court under State
12 or local law; or

13 “(iv) a foreign government or an agency
14 authorized by a foreign government to place
15 children for adoption, in any case in which—

16 “(I) the adopted child is entitled to
17 automatic citizenship under section 320 of
18 the Immigration and Nationality Act (8
19 U.S.C. 1431); or

20 “(II) a certificate of citizenship has
21 been issued for such child under section
22 322 of that Act (8 U.S.C. 1433).

23 “(C) The term ‘qualifying adoption expenses’
24 means reasonable and necessary expenses that are
25 directly related to the legal adoption of a child, but

1 only if such adoption is arranged by a qualified
2 adoption agency. Such term does not include any ex-
3 pense incurred—

4 “(i) by an adopting parent for travel; or

5 “(ii) in connection with an adoption ar-
6 ranged in violation of Federal, State, or local
7 law.

8 “(D) The term ‘reasonable and necessary ex-
9 penses’ includes—

10 “(i) public and private agency fees, includ-
11 ing adoption fees charged by an agency in a
12 foreign country;

13 “(ii) placement fees, including fees charged
14 adoptive parents for counseling;

15 “(iii) legal fees (including court costs) or
16 notary expenses; and

17 “(iv) medical expenses, including hospital
18 expenses of the biological mother of the child to
19 be adopted and of a newborn infant to be
20 adopted.”.

21 SEC. 234. None of the funds appropriated or other-
22 wise made available by this Act or any other Act for the
23 Department of Veterans Affairs may be used in a manner
24 that is inconsistent with: (1) section 842 of the Transpor-
25 tation, Treasury, Housing and Urban Development, the

1 Judiciary, the District of Columbia, and Independent
2 Agencies Appropriations Act, 2006 (Public Law 109–115;
3 119 Stat. 2506); or (2) section 8110(a)(5) of title 38,
4 United States Code.

5 SEC. 235. Section 842 of Public Law 109–115 shall
6 not apply to conversion of an activity or function of the
7 Veterans Health Administration, Veterans Benefits Ad-
8 ministration, or National Cemetery Administration to con-
9 tractor performance by a business concern that is at least
10 51 percent owned by one or more Indian tribes as defined
11 in section 5304(e) of title 25, United States Code, or one
12 or more Native Hawaiian Organizations as defined in sec-
13 tion 637(a)(15) of title 15, United States Code.

14 SEC. 236. (a) Except as provided in subsection (b),
15 the Secretary of Veterans Affairs, in consultation with the
16 Secretary of Defense and the Secretary of Labor, shall dis-
17 continue using Social Security account numbers to identify
18 individuals in all information systems of the Department
19 of Veterans Affairs as follows:

20 (1) For all veterans submitting to the Secretary
21 of Veterans Affairs new claims for benefits under
22 laws administered by the Secretary, not later than
23 March 23, 2023.

24 (2) For all individuals not described in para-
25 graph (1), not later than March 23, 2026.

1 (b) The Secretary of Veterans Affairs may use a So-
2 cial Security account number to identify an individual in
3 an information system of the Department of Veterans Af-
4 fairs if and only if the use of such number is required
5 to obtain information the Secretary requires from an in-
6 formation system that is not under the jurisdiction of the
7 Secretary.

8 (c) The matter in subsections (a) and (b) shall super-
9 sede section 238 of division F of Public Law 116–94.

10 SEC. 237. For funds provided to the Department of
11 Veterans Affairs for each of fiscal year 2023 and 2024
12 for “Medical Services”, section 239 of division A of Public
13 Law 114–223 shall apply.

14 SEC. 238. None of the funds appropriated in this or
15 prior appropriations Acts or otherwise made available to
16 the Department of Veterans Affairs may be used to trans-
17 fer any amounts from the Filipino Veterans Equity Com-
18 pensation Fund to any other account within the Depart-
19 ment of Veterans Affairs.

20 SEC. 239. Of the funds provided to the Department
21 of Veterans Affairs for each of fiscal year 2023 and fiscal
22 year 2024 for “Medical Services”, funds may be used in
23 each year to carry out and expand the child care program
24 authorized by section 205 of Public Law 111–163, not-
25 withstanding subsection (e) of such section.

1 SEC. 240. None of the funds appropriated or other-
2 wise made available in this title may be used by the Sec-
3 retary of Veterans Affairs to enter into an agreement re-
4 lated to resolving a dispute or claim with an individual
5 that would restrict in any way the individual from speak-
6 ing to members of Congress or their staff on any topic
7 not otherwise prohibited from disclosure by Federal law
8 or required by Executive order to be kept secret in the
9 interest of national defense or the conduct of foreign af-
10 fairs.

11 SEC. 241. For funds provided to the Department of
12 Veterans Affairs for each of fiscal year 2023 and 2024,
13 section 258 of division A of Public Law 114–223 shall
14 apply.

15 SEC. 242. (a) None of the funds appropriated or oth-
16 erwise made available by this Act may be used to deny
17 an Inspector General funded under this Act timely access
18 to any records, documents, or other materials available to
19 the department or agency over which that Inspector Gen-
20 eral has responsibilities under the Inspector General Act
21 of 1978 (5 U.S.C. App.), or to prevent or impede the ac-
22 cess of the Inspector General to such records, documents,
23 or other materials, under any provision of law, except a
24 provision of law that expressly refers to such Inspector
25 General and expressly limits the right of access.

1 (b) A department or agency covered by this section
2 shall provide its Inspector General access to all records,
3 documents, and other materials in a timely manner.

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

9 (d) Each Inspector General covered by this section
10 shall report to the Committee on Appropriations of the
11 Senate and the Committee on Appropriations of the House
12 of Representatives within 5 calendar days of any failure
13 by any department or agency covered by this section to
14 comply with this requirement.

15 SEC. 243. None of the funds made available in this
16 Act may be used in a manner that would increase wait
17 times for veterans who seek care at medical facilities of
18 the Department of Veterans Affairs.

19 SEC. 244. None of the funds appropriated or other-
20 wise made available by this Act to the Veterans Health
21 Administration may be used in fiscal year 2023 to convert
22 any program which received specific purpose funds in fis-
23 cal year 2022 to a general purpose funded program unless
24 the Secretary of Veterans Affairs submits written notifica-
25 tion of any such proposal to the Committees on Appropria-

1 tions of both Houses of Congress at least 30 days prior
2 to any such action and an approval is issued by the Com-
3 mittees.

4 SEC. 245. (a) Except as provided by subsection (b),
5 none of the funds made available by this Act may be used
6 by the Secretary of Veterans Affairs to purchase, breed,
7 transport, house, feed, maintain, dispose of, or experiment
8 on, dogs or cats as part of the conduct of any study includ-
9 ing an assignment of pain category D or E, as defined
10 by the Pain and Distress Categories of the Department
11 of Agriculture (or such successor categories developed pur-
12 suant to section 13 of the Animal Welfare Act (7 U.S.C.
13 2143)).

14 (b) Subsection (a) shall not apply to training pro-
15 grams or studies of service dogs described in section 1714
16 of title 38, United States Code, or section 17.148 of title
17 38, Code of Federal Regulations.

18 SEC. 246. Amounts made available for the “Veterans
19 Health Administration, Medical Community Care” ac-
20 count in this or any other Act for fiscal years 2023 and
21 2024 may be used for expenses that would otherwise be
22 payable from the Veterans Choice Fund established by
23 section 802 of the Veterans Access, Choice, and Account-
24 ability Act, as amended (38 U.S.C. 1701 note).

1 SEC. 247. Obligations and expenditures applicable to
2 the “Medical Services” account in fiscal years 2017
3 through 2019 for aid to state homes (as authorized by
4 section 1741 of title 38, United States Code) shall remain
5 in the “Medical Community Care” account for such fiscal
6 years.

7 SEC. 248. Of the amounts made available for the De-
8 partment of Veterans Affairs for fiscal year 2023, in this
9 or any other Act, under the “Veterans Health Administra-
10 tion—Medical Services”, “Veterans Health Administra-
11 tion—Medical Community Care”, “Veterans Health Ad-
12 ministration—Medical Support and Compliance”, and
13 “Veterans Health Administration—Medical Facilities” ac-
14 counts, \$911,119,000 shall be made available for gender-
15 specific care and programmatic efforts to deliver care for
16 women veterans.

17 (INCLUDING TRANSFER OF FUNDS)

18 SEC. 249. Amounts made available for the Depart-
19 ment of Veterans Affairs for “Medical Facilities” and
20 “General Administration” in this Act or prior Acts that
21 remain available for obligation in fiscal year 2023 may be
22 transferred as necessary to the “Asset and Infrastructure
23 Review” account for the purposes of carrying out the VA
24 Asset and Infrastructure Review Act of 2018 (subtitle A
25 of title II of Public Law 115–182): *Provided*, That the

1 total amounts transferred may not increase the account
2 by more than \$2,000,000: *Provided further*, That in ad-
3 vance of any such transfer, the Secretary of Veterans Af-
4 fairs shall request from the Committees on Appropriations
5 of both Houses of Congress the authority to make the
6 transfer and such Committees issue an approval, or absent
7 a response, a period of 30 days has elapsed.

8 (RESCISSION OF FUNDS)

9 SEC. 250. Of the unobligated balances in the “Recur-
10 ring Expenses Transformational Fund” established in sec-
11 tion 243 of division J of Public Law 114–113,
12 \$48,132,853 is hereby rescinded.

13 SEC. 251. Not later than 30 days after the end of
14 each fiscal quarter, the Secretary of Veterans Affairs shall
15 submit to the Committees on Appropriations of both
16 Houses of Congress a quarterly report on the status of
17 the “Veterans Medical Care and Health Fund”, estab-
18 lished to execute section 8002 of the American Rescue
19 Plan Act of 2021 (Public Law 117–2): *Provided*, That,
20 at a minimum, the report shall include an update on obli-
21 gations by program, project or activity and a plan for ex-
22 pending the remaining funds: *Provided further*, That the
23 Secretary of Veterans Affairs must submit notification of
24 any plans to reallocate funds from the current apporportion-
25 ment categories of “Medical Services”, “Medical Support

1 and Compliance”, “Medical Facilities”, “Medical Commu-
2 nity Care”, or “Medical and Prosthetic Research”, includ-
3 ing the amount and purpose of each reallocation to the
4 Committees on Appropriations of both Houses of Congress
5 and such Committees issue an approval, or absent a re-
6 sponse, a period of 30 days has elapsed.

7 SEC. 252. By no later than September 30, 2023, the
8 Secretary shall commence construction of the Community-
9 Based Outpatient Clinic in Bakersfield, California in ac-
10 cordance with Lease No. 36C10F20L0008.

11 TITLE III

12 RELATED AGENCIES

13 AMERICAN BATTLE MONUMENTS COMMISSION

14 SALARIES AND EXPENSES

15 For necessary expenses, not otherwise provided for,
16 of the American Battle Monuments Commission, including
17 the acquisition of land or interest in land in foreign coun-
18 tries; purchases and repair of uniforms for caretakers of
19 national cemeteries and monuments outside of the United
20 States and its territories and possessions; rent of office
21 and garage space in foreign countries; purchase (one-for-
22 one replacement basis only) and hire of passenger motor
23 vehicles; not to exceed \$15,000 for official reception and
24 representation expenses; and insurance of official motor
25 vehicles in foreign countries, when required by law of such

1 countries, \$87,500,000, to remain available until ex-
2 pended.

3 FOREIGN CURRENCY FLUCTUATIONS ACCOUNT

4 For necessary expenses, not otherwise provided for,
5 of the American Battle Monuments Commission, such
6 sums as may be necessary, to remain available until ex-
7 pended, for purposes authorized by section 2109 of title
8 36, United States Code.

9 UNITED STATES COURT OF APPEALS FOR VETERANS

10 CLAIMS

11 SALARIES AND EXPENSES

12 For necessary expenses for the operation of the
13 United States Court of Appeals for Veterans Claims as
14 authorized by sections 7251 through 7298 of title 38,
15 United States Code, \$45,159,000: *Provided*, That
16 \$3,385,000 shall be available for the purpose of providing
17 financial assistance as described and in accordance with
18 the process and reporting procedures set forth under this
19 heading in Public Law 102–229.

20 DEPARTMENT OF DEFENSE—CIVIL

21 CEMETERIAL EXPENSES, ARMY

22 SALARIES AND EXPENSES

23 For necessary expenses for maintenance, operation,
24 and improvement of Arlington National Cemetery and Sol-
25 diers' and Airmen's Home National Cemetery, including

1 the purchase or lease of passenger motor vehicles for re-
2 placement on a one-for-one basis only, and not to exceed
3 \$2,000 for official reception and representation expenses,
4 \$93,400,000, of which not to exceed \$15,000,000 shall re-
5 main available until September 30, 2025. In addition,
6 such sums as may be necessary for parking maintenance,
7 repairs and replacement, to be derived from the “Lease
8 of Department of Defense Real Property for Defense
9 Agencies” account.

10 CONSTRUCTION

11 For necessary expenses for planning and design and
12 construction at Arlington National Cemetery and Soldiers’
13 and Airmen’s Home National Cemetery, \$62,500,000, to
14 remain available until expended, of which \$2,500,000 shall
15 be for study, planning and design, and architect and engi-
16 neering services for Memorial Avenue improvements at Ar-
17 lington National Cemetery; and \$60,000,000 shall be for
18 planning and design and construction associated with the
19 Southern Expansion project at Arlington National Ceme-
20 tery.

21 ARMED FORCES RETIREMENT HOME

22 TRUST FUND

23 For expenses necessary for the Armed Forces Retire-
24 ment Home to operate and maintain the Armed Forces
25 Retirement Home—Washington, District of Columbia,

1 and the Armed Forces Retirement Home—Gulfport, Mis-
2 sissippi, to be paid from funds available in the Armed
3 Forces Retirement Home Trust Fund, \$75,360,000, to re-
4 main available until September 30, 2024, of which
5 \$7,300,000 shall remain available until expended for con-
6 struction and renovation of the physical plants at the
7 Armed Forces Retirement Home—Washington, District of
8 Columbia, and the Armed Forces Retirement Home—
9 Gulfport, Mississippi: *Provided*, That of the amounts made
10 available under this heading from funds available in the
11 Armed Forces Retirement Home Trust Fund,
12 \$25,000,000 shall be paid from the general fund of the
13 Treasury to the Trust Fund.

14 MAJOR CONSTRUCTION

15 For an additional amount for necessary expenses re-
16 lated to design, planning, and construction for renovation
17 of the Sheridan Building at the Armed Forces Retirement
18 Home—Washington, District of Columbia, \$77,000,000,
19 to remain available until expended, shall be paid from the
20 general fund of the Treasury to the Armed Forces Retire-
21 ment Home Trust Fund.

22 ADMINISTRATIVE PROVISION

23 SEC. 301. Amounts deposited into the special account
24 established under 10 U.S.C. 7727 are appropriated and

1 shall be available until expended to support activities at
2 the Army National Military Cemeteries.

3 TITLE IV

4 GENERAL PROVISIONS

5 SEC. 401. No part of any appropriation contained in
6 this Act shall remain available for obligation beyond the
7 current fiscal year unless expressly so provided herein.

8 SEC. 402. None of the funds made available in this
9 Act may be used for any program, project, or activity,
10 when it is made known to the Federal entity or official
11 to which the funds are made available that the program,
12 project, or activity is not in compliance with any Federal
13 law relating to risk assessment, the protection of private
14 property rights, or unfunded mandates.

15 SEC. 403. All departments and agencies funded under
16 this Act are encouraged, within the limits of the existing
17 statutory authorities and funding, to expand their use of
18 “E-Commerce” technologies and procedures in the con-
19 duct of their business practices and public service activi-
20 ties.

21 SEC. 404. Unless stated otherwise, all reports and no-
22 tifications required by this Act shall be submitted to the
23 Subcommittee on Military Construction and Veterans Af-
24 fairs, and Related Agencies of the Committee on Appro-
25 priations of the House of Representatives and the Sub-

1 committee on Military Construction and Veterans Affairs,
2 and Related Agencies of the Committee on Appropriations
3 of the Senate.

4 SEC. 405. None of the funds made available in this
5 Act may be transferred to any department, agency, or in-
6 strumentality of the United States Government except
7 pursuant to a transfer made by, or transfer authority pro-
8 vided in, this or any other appropriations Act.

9 SEC. 406. None of the funds made available in this
10 Act may be used for a project or program named for an
11 individual serving as a Member, Delegate, or Resident
12 Commissioner of the United States House of Representa-
13 tives.

14 SEC. 407. (a) Any agency receiving funds made avail-
15 able in this Act, shall, subject to subsections (b) and (c),
16 post on the public Web site of that agency any report re-
17 quired to be submitted by the Congress in this or any
18 other Act, upon the determination by the head of the agen-
19 cy that it shall serve the national interest.

20 (b) Subsection (a) shall not apply to a report if—

21 (1) the public posting of the report com-
22 promises national security; or

23 (2) the report contains confidential or propri-
24 etary information.

1 (c) The head of the agency posting such report shall
2 do so only after such report has been made available to
3 the requesting Committee or Committees of Congress for
4 no less than 45 days.

5 SEC. 408. (a) None of the funds made available in
6 this Act may be used to maintain or establish a computer
7 network unless such network blocks the viewing,
8 downloading, and exchanging of pornography.

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

13 SEC. 409. None of the funds made available in this
14 Act may be used by an agency of the executive branch
15 to pay for first-class travel by an employee of the agency
16 in contravention of sections 301–10.122 through 301–
17 10.124 of title 41, Code of Federal Regulations.

18 SEC. 410. None of the funds made available in this
19 Act may be used to execute a contract for goods or serv-
20 ices, including construction services, where the contractor
21 has not complied with Executive Order No. 12989.

22 SEC. 411. None of the funds made available by this
23 Act may be used in contravention of section 101(e)(8) of
24 title 10, United States Code.

1 This division may be cited as the “Military Construc-
2 tion, Veterans Affairs, and Related Agencies Appropria-
3 tions Act, 2023”.

